## The Metropolitan Water District of Southern California



The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

#### **Board of Directors - Final - Revised 2**

July 12, 2022

3:00 PM

#### Tuesday, July 12, 2022 Meeting Schedule

9:30 am - E&O

10:30 am - RP&AM

11:00 am - OP&T

12:00 pm - L&C

1:00 pm - C&L

1:30 pm - WP&S

3:00 pm - BOD

Agendas, live streaming, meeting schedules, and other board materials are available here: https://mwdh2o.legistar.com/Calendar.aspx. If you have technical difficulties with the live streaming page, a listen-only phone line is available at 1-877-853-5257; enter meeting ID: 891 1613 4145. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 815 2066 4276 or click

https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmdsUWpKR1c2Z z09

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

#### 1. Call to Order

- a. Invocation: Tuannee L. Holmes, Administrative Assistant III, External Affairs
- b. Pledge of Allegiance: Director Tana L. McCoy, City of Compton

#### 2. Roll Call

- 3. Determination of a Quorum
- 4. Opportunity for members of the public to address the Board on matters within the Board's jurisdiction. (As required by Gov. Code § 54954.3(a))

#### 5. OTHER MATTERS AND REPORTS

**A.** Report on Directors' Events Attended at Metropolitan's Expense

21-1286

Attachments: 07122022 BOD 5A Report

D. Waive applicable provisions of the Administrative Code and authorize the Chairwoman, without approval of the Board, to appoint Members, Chairs, and Vice-Chairs of Committees to fill current vacancies and to stand up the Under Served Communities, Diversity, Equity, and Inclusion and Imported Water Committees established by Board approval on November 23, 2021. [ADDED ITEM 7/6/22]

**E.** Approve Committee Assignments

21-1293

#### 7. CONSENT CALENDAR ITEMS - ACTION

7-1 Amend the Capital Investment Plan for fiscal years 2022/2023 and 2023/2024 to include replacement of an expansion joint on the Upper Feeder at the Santa Ana River Bridge; and determine that there is a need to continue the emergency action of executing a no bid contract for the expansion joint replacement (Requires four-fifths vote of the Board); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (EO)

Attachments: 07122022 EO 7-1 B-L

<u>07122022 EO 7-1 Presentation</u>

7-2 Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2015 Final EIR, related CEQA actions, and Addendum No. 3; and award \$25,972,700 contract to Mladen Buntich Construction Company, Inc. for Stage 3 rehabilitation of the Etiwanda Pipeline (EO)

**Attachments:** 07122022 EO 7-2 B-L

<u>07122022 EO 7-2 Presentation</u>

7-3 Authorize an agreement with Jacobs Engineering Group, Inc., for a not-to-exceed amount of \$700,000 to perform final design of security upgrades at the Joseph Jensen Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO)

Attachments: 07122022 EO 7-3 B-L

<u>07122022 EO 7-3 Presentation</u>

7-4 Review and consider the Jurupa Community Services District's approved Final Initial Study/Mitigated Negative Declarations and four Addenda and take related CEQA actions; Authorize the General Manager to enter into a Local Resources Program Agreement with Western Municipal Water District and Jurupa Community Services District for the JCSD Recycled Water Program for up to 500 AFY of recycled water for irrigation use and groundwater recharge in the JCSD service area (OWC)

**21-1299** 

Attachments: 07122022 OWC 7-4 B-L Revised 06282022 OWC 7-4 Presentation

7-5 Express support, if amended, for AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens): Water policy: environmental justice: disadvantaged and tribal communities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. (CL)

21-1326

<u>Attachments</u>: <u>07122022 LC 7-5 B-L</u>

07122022 CL 7-5 Presentation

7-6 Report on litigation in San Diego County Water Authority v. Metropolitan Water District of Southern California, et al., San Francisco County Superior Court Case Nos. CPF-10-510830, CPF-14-514004, CPF-12-512466, CPF-16-515282, CPF-16-515391, CGC-17-563350, and CPF-18-516389; the appeals of the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case Nos. A146901, A148266, A161144, and A162168, and California Supreme Court Case No. S243500; the petition for extraordinary writ in the 2010 and 2012 actions, Court of Appeal for the First Appellate District Case No. A155310; the petition for extraordinary writ in the second 2016 action, Court of Appeal for the First Appellate District Case No. A154325 and California Supreme Court Case No. S251025; and the Metropolitan Water District of Southern California v. San Diego County Water Authority cross-complaints in the 2014, 2016, and 2018 actions; and authorize increase in maximum amount payable under contract for legal services with Manatt, Phelps & Phillips, LLP, in the amount of \$1,500,000 for a total amount not to exceed \$4,400,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA. [Conference with legal counsel - existing litigation; to be heard in closed session pursuant to Gov. Code Sections 54956.9(d)(1)] (LC)

21-1315

#### \*\* END OF CONSENT CALENDAR ITEMS \*\*

#### 8. OTHER BOARD ITEMS - ACTION

8-1 Approve public release of documents by Shaw Law Group, PC concerning its investigations of equal employment opportunity complaints by four employees, by waiving the attorney-client privilege and confidentiality in specified documents; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel – anticipated litigation; based on existing facts and circumstances, including receipt of a legal claim threatening litigation, there is significant exposure to litigation against Metropolitan: unknown number of potential cases; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]. [ADDED ITEM 7/6/22]

**21-1331** 

Attachments: 07122022 BOD 8-1 B-L

#### 9. BOARD INFORMATION ITEMS

**9-1** Report on Conservation

21-1300

Attachments: 07122022 BOD 9-1 Report

#### 10. OTHER MATTERS

**NONE** 

- 11. FOLLOW-UP ITEMS
- 12. FUTURE AGENDA ITEMS
- 13. ADJOURNMENT

#### NOTE:

Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item e.g. (E&O, BF&I). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

#### July 12, 2022 Board Meeting

#### Item 5A



## Metropolitan Water District of Southern California Summary of Events Attended by Directors at Metropolitan's Expense in June 2022

| Date(s)        | Location       | Meeting Hosted by:  | Participating Director(s)  |
|----------------|----------------|---|--|
| June 7-8, 2022 | Sacramento, CA | Inspection Trip State Water<br>Project and Sacramento-<br>San Joaquin Delta | Heather Repenning Sat Tamaribuchi Dennis Erdman Glen Peterson John Morris Brenda Dennstedt |
| June 24, 2022  | Temecula, CA   | ACWA (Association of<br>California Water Agencies)<br>Region 9 Conference   | Larry Dick   |



#### Chairwoman of the Board Monthly Activity Report – June 2022

#### **Summary**

This report highlights activities of the Chairwoman of the Board during the month of June 2022 on matters relating to The Metropolitan Water District of Southern California's business.

#### **Monthly Activities**

#### June 2

- Participated via teleconference with Assistant General Manager Upadhyay to discuss Colorado River matters
- Participated via teleconference with Camarillo City Mayor Shaw Mulchay to discuss State Water Project dependent area challenges
- Participated via teleconference with General Manager Hagekhalil to discuss matters of the Board

#### June 3

Participated via teleconference for an introduction with newly hired Diversity, Equity, and Inclusion
 Officer Liji Thomas

#### June 6

 Participated via teleconference in the Southern California Leadership Council's executive committee meeting to discuss various state-related challenges

#### June 7

- Participated via teleconference with General Counsel Scully to discuss upcoming board agenda items
- Participated via teleconference with Ethics Officer Salinas to discuss upcoming board agenda items

#### June 8

- Participated via teleconference with General Manager Hagekhalil to discuss matters of the Board
- Participated via teleconference in West Basin Municipal Water District's Caucus meeting
- Attended United States President Biden's Summit of the Americas Inaugural Ceremony, Los Angeles

#### June 9

Attended and provided remarks at Metropolitan's National Safety Awareness Vendor Fair, La Verne

#### June 10

 Attended as a featured speaker for the Water Education for Latino Leaders Southern California Conference, Pico Rivera

#### June 12 - 16

Attended the 2022 American Water Works Association Annual Conference and Exposition, San Antonio,
 Texas

#### June 13

- Participated via teleconference in Metropolitan's Finance and Insurance Committee meeting
- Participated via teleconference in Metropolitan's Engineering and Operations Committee meeting
- Participated via teleconference in Metropolitan's Communications and Legislation Committee meeting

#### June 14

- Participated via teleconference in Metropolitan's Organization, Personnel, and Technology Committee meeting
- Participated via teleconference in Metropolitan's Legal and Claims Committee meeting
- Participated via teleconference in Metropolitan's Board meeting

#### June 15

 Participated via teleconference with BizFed to prerecord the 2022 Bizzi award acceptance speech ahead of the event scheduled on June 24, 2022

#### June 17

 Attended and provided opening remarks at the BizFed Institute: Water & Climate Resiliency Forum hosted at Metropolitan Water District's Headquarters, Los Angeles

#### June 20

 Attended VerdeXchange 15<sup>th</sup> Annual Conference and participated in the Water Charrette alongside General Manager Hagekhalil to discuss issues surrounding Southern California's regional water infrastructure, Los Angeles

#### June 21

 Attended meetings with City of Fullerton Mayor and Metropolitan Director Jung and Fullerton City leadership. Following meetings with staff, I provided remarks at the Fullerton City Council meeting, Fullerton

#### June 22

 Participated via teleconference with Vice Chairs Kurtz and De Jesus to discuss various matters before the Board

#### June 23

 Attended the 31<sup>st</sup> Annual Wester Region County of Government's Annual General Assembly and Leadership Conference, Temecula

#### June 24

- Participated via teleconference in the California African American Water Education Foundation monthly board meeting
- Attended BizFed's First Annual Business Makes LA County Work Awards Ceremony as an honoree and recipient of the 2022 Bizzi Award and Public Official of the Year award, Los Angeles
- Participated via teleconference with Director Ramos to discuss matters of the Audit and Ethics committee
- Participated via teleconference with Ethics Officer Salinas to discuss future items for consideration at the Audit and Ethics Committee

#### June 27

 Participated in a signing ceremony with General Manager Hagekhalil of Metropolitan's pledge to join the Equity and Infrastructure Project as one of five founding agencies to drive access to contracting and procurement opportunities for underserved and underutilized businesses, Los Angeles

#### June 28

- Participated via teleconference in Metropolitan's Audit and Ethics Committee meeting
- Participated via teleconference in Metropolitan's One Water (Conservation and Local Resources)
   Committee meeting
- Participated in Metropolitan's Executive Committee meeting, Los Angeles
- Participated via teleconference with General Manager Hagekhalil to discuss matters of the Board

#### June 29

Participated via teleconference with Director Erdman to discuss matters of the Board

#### June 30

- Attended and provided remarks at the Culver City celebration of the completion of the "Culver City Stormwater Infiltration Street Median" project, Culver City
- Participated via teleconference with General Manager Hagekhalil to discuss matters of the Board



# General Manager's Monthly Report



July 12, 2022
Activities for the Month of June 2022



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## Message from the General Manager

Scrolling through the day's news feed can take a heavy emotional toll. It's filled with dire, unjust and seemingly intractable problems to worry about: more mass killings; the latest surge or strain of COVID; Supreme Court decisions; war and war-induced famine; economic woes; and a struggle over basic principles of democracy.

With so much feeling like crisis, how can the urgency of water conservation be heard—let alone its nuances understood?

Our communications team is working with Member Agencies to tackle this question, through creative storytelling, partnerships and trusted messengers.

One example is a partnership with TreePeople that we've just launched to promote water use efficiency. Through advertising, K-12 student engagement and more—including community events with Member Agencies, like one planned in San Fernando this month—we'll spotlight how to protect tree health amid watering restrictions.

Aristotle called character "the most effective means of persuasion." When a message comes from a trusted source, it's far more likely to be noticed and accepted. How do you keep your trees alive when you are letting your lawn die back? Whose advice will you follow if not TreePeople's?

But trusted spokespeople don't have to be experts or famous, they can be your neighbors. That's the concept behind our partnership with the Cool Cities programs in Irvine and Los Angeles, to support neighborhood leaders to spread water conservation information in their neighborhoods.

Research into our turf removal rebates affirms that neighbors are important role models. We found that turf removals using Metropolitan incentives inspired others nearby to convert their own grass without receiving the rebate. This "multiplier effect" more than doubled the value of Metropolitan's investment.

While we ask for emergency conservation measures, long-term gains are made when those practices become routine. Impact is greatest when calls to action come from trusted voices, are backed up by incentives or regulations, link to user friendly information, and become familiar sights among their neighbors and friends.

That's how conservation becomes a way of life, even when life around us may seem overwhelming.

We are one,

Adel



"Speech belongs half to the speaker, half to the listener."

Michel de Montaigne,French RenaissancePhilosopher



### **Executive Summary**

This executive summary is added to this report to provide a high-level snapshot of a key accomplishment from each area of the organization. Detailed information is reported in the pages following this summary.

#### **Administrative Services**

The EForms Management Team successfully launched a new, substantially updated Eforms application that is more user-friendly, cyber-secure, and contains advanced features including tracking capability. The Business Management Team completed a Job Cross-Pollination Pilot Program, a resiliency initiative on the FY 21-22 GM Business Plan, giving staff an opportunity to further their professional development and in support of the section's succession planning

#### **Bay-Delta Initiatives**

Staff continued collaboration with the environmental organizations on the CSAMP Salmon Recovery Initiative. A series of workshops were held in June with interested parties to share stories on why each party cares or values salmon and translating these values into metrics that allow for evaluation of different salmon management actions. The next several months will be spent on the development and translation of these values into metrics. The project's purpose is to develop an effective and implementable strategy for recovering listed and non-listed salmonids in California's Central Valley while considering other social, ecological, and economic interests in the region. In June, the *San Francisco Estuary Magazine* published an article about the Reorienting to Salmon Recovery project that includes input from Metropolitan staff and other members of the project team (https://archive.estuarynews.org/reorienting-to-salmon-recovery/).

#### **Chief Financial Officer**

On May 12, 2022, Fitch Ratings completed a detailed rating surveillance review and confirmed Metropolitan's senior lien bond rating at AA+, the subordinate lien bond rating at AA+, and the subordinate lien variable rate bonds at AA+/F1+. The surveillance review process incorporated the coordination and provision of responses to a wide array of questions related to Metropolitan's finances, operations, CIP, drought response and conservation programs. As of May 31, 2022, Metropolitan's investment portfolio balance was \$1.45 billion; in May 2022, Metropolitan's portfolio managers executed 22 trades. In May 2022, Treasury staff processed 1,109 disbursements by check, 23 disbursements by Automated Clearing House (ACH), and 115 disbursements by wire transfer. Treasury staff also processed 86 receipts by check, 35 receipts by ACH, and 46 receipts by incoming wires and bank transfers.

#### **Colorado River**

In response to extended drought conditions on the Colorado River, the Bureau of Reclamation Commissioner testified before congress that between two and four million acre-feet of water use reductions are needed in the Colorado River Basin in 2023 to avoid reaching critical elevations in the system's reservoirs. She called on the Colorado River Basin States to develop a plan for those reductions, or the federal government would take action to protect critical infrastructure.

#### **Engineering Services**

Two additional workshops were held in June with member agencies to continue the development of potential actions to improve supply reliability for the State Water Project dependent areas. The participants proposed eighty-six new ideas and discussed criteria to evaluate them collaboratively. Workshops are scheduled for July and August to continue the effort in advance of reporting the findings to the Board in September. A three-stage project is currently underway to upgrade the electrical system at the Joseph Jensen Water Treatment Plant to comply with current codes and industry practice; improve plant reliability; and enhance worker safety. This month, construction of the Stage 2 improvements, which upgraded two-unit power centers and motor control centers that support critical process equipment, was completed ahead of schedule.

## **Executive Summary**

#### **Environmental Planning**

EPS finalized an agreement with KLIR for implementation and support of an environmental permit management system. EPS partnered with Innovation staff, WaterSmart, and KLIR to fund development and implementation of a database to manage regulatory permits and associated information. The database will be used to centralize EPS' regulatory permit storage location and will streamline implementation and tracking of permit conditions and other requirements to ensure Metropolitan's compliance with the permits and minimize risk of violation.

#### **External Affairs**

U.S. Dept. of Interior Assistant Secretary for Water and Science Trujillo spoke at Metropolitan's executive committee meeting about drought conditions on the Colorado River and the urgent need for California and other Lower Basin states to work together to cut water use. (June 28)

#### **Human Resources**

A majority of managers attended a new all day in person training called Managing for Success focused on legal requirements and best practices for managers.

#### Information Technology

Continued efforts under the Security Operations Center (SOC) project to assess and remediate exposures and cyber threats throughout Metropolitan's networks. SOC design was awarded to MWA Architects with the expected design completion by August 1, 2022. Following the design phase, the construction/labor vendor is expected to be awarded by 8/20/22. Additional project details and updates are provided to executive management and the Board through cybersecurity briefings.

#### **Real Property**

The Diamond Valley Lake Marina began their series of summer night fishing tournaments. Every Saturday through mid-September, two-person fishing teams come out for an evening of fishing on the lake. Prizes are handed out to the teams with the biggest fish, and the biggest bag for three fish. The tournaments are sponsored by fishing associations such as the National Bass West and the American Bass Anglers (ABA).

#### **Security Management**

The Office of the Director of National Intelligence (ODNI) hosted a virtual Industry Day on June 21, 2022 to introduce its new Intelligence Community Public-Private Talent Exchange (PPTE) program to potential private sector partners. Metropolitan Security Management joined this exciting new partnership to create and foster productive opportunities for intelligence collaboration in protecting critical infrastructure.

#### **Water Resource Management**

Metropolitan's Emergency Water Conservation Program began on June 1. This program was developed in response to the current drought emergency and targets a 35 percent reduction in use of water from the SWP system. As of June 30, all affected member agencies had reduced their use of SWP supplies and, as a group, were performing at the level needed to conserve this severely constrained supply.

#### **Water System Operations**

In recognition of National Safety Month, numerous Metropolitan field facilities held safety awareness events in June. Events included site-wide cleanups, safety award presentations, facility tours and technical workshops, vendor exhibits, staff luncheons, and many other creative and informative activities to celebrate safety. These events helped to further enhance our safety culture and reinforce the message that "Safety is Essential" to the work we do every day at Metropolitan.

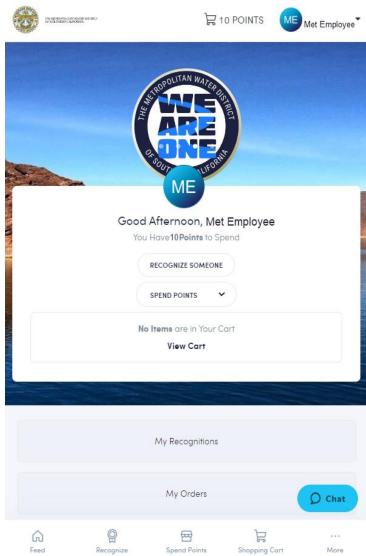
## Upcoming Board Items

ANTICIPATED KEY ITEMS OF FOCUS – NOT AN EXHAUSTIVE LIST SCHEDULE SUBJECT TO CHANGE

| Month     | Key Board Items   |  |  |
|-----------|---|--|--|
| August    | Report on Colorado River conditions and 500+ Plan Implementation  |  |  |
|           | Oral Report Briefing on Metropolitan Delta Island Activities  |  |  |
|           | Report on List of Certified Assessed Valuations for FY 2022/23  |  |  |
|           | Adopt Resolution Establishing the Tax Rate for FY 2022/23   |  |  |
|           | Affirm Equity in Reliability and Resilience to Current State Water Project     Dependent Areas  |  |  |
|           | Presentation on the General Manager's Business Plan   |  |  |
| September | Review Draft Updated Bay Delta Policies in Board Information Letter   |  |  |
|           | Approve Project Labor Agreement Terms and Conditions and Authorize a<br>Professional Services Agreement for PLA Administration  |  |  |
|           | <ul> <li>Authorize an Increase to Agreement with Roesling Nakamura Terada Architects<br/>for Final Design and Architectural Services in Support of the District Housing and<br/>Property Improvement Program</li> </ul> |  |  |
|           | Discuss Portfolio of Infrastructure and Supply Improvements to meet needs of<br>Current SWP Dependent Areas   |  |  |
| October   | Consider Action on Updated Bay Delta Policies   |  |  |
|           | Update on Delta Conveyance Public Draft EIR and Comments  |  |  |
|           | Seek Board Action to Declare 651 Acres of Property in Riverside, San Bernardino and San Diego Counties as Surplus Land and not necessary for Metropolitan's use and Authorize Staff to Dispose of the Properties.       |  |  |







"Working on this implementation has been extremely rewarding. It truly was a team effort. We believe the 'Cheers for Peers' program has the ability to positively transform the work environment and encourage employee engagement due to its personalized approach of employee recognition."

Isamar Munoz Marroquin, Human Resources Coordinator

#### PROGRAM DESCRIPTION

Metropolitan has a longstanding tradition of recognizing its employees who reach milestone work anniversaries including a biannual Service Awards luncheon that celebrated staff members who have reached 20 years of service and on each subsequent five-year increment of employment with the district. Due to the COVID-19 pandemic, the last Service Awards luncheon took place on September 26, 2019. Limitations imposed by the pandemic challenged Human Resources staff to seek an alternate solution that would celebrate employees as well as encourage interaction and recognition among staff. The result is MetRewards, a new and improved employee recognition platform that was launched on May 2, 2022. Cheers for Peers is a non-monetary component of the program that boosts employee engagement by giving employees the opportunity to recognize or simply give a virtual "high five" to their peers.

#### IMPORTANCE TO METROPOLITAN

Recognizing staff members' many contributions is critical to a sense of engagement and satisfaction, and there is value in feeling connected with colleagues across the organization. Cheers for Peers not only allows employees to recognize others for their contributions, but it also encourages celebration of their colleagues' service milestones via a public feed where employees may respond with kudos or a simple emoji. The navigation of the platform is user-friendly, and encourages employees to use #hashtags when recognizing their peers. These messages and acknowledgments work as a reminder that all employees play a significant role in Metropolitan's overall mission.

#### **MEMORABLE MOMENT**

Human Resources staff volunteered to find the right employee recognition platform that would align with Metropolitan's standards and commitment to positive employee recognition and branding. In addition to the Cheers for Peers capabilities, the MetRewards program gives employees the freedom to redeem points through an exhaustive online catalog. The goal of this employee recognition platform is to continuously encourage a culture of appreciation and recognition at Metropolitan.



### Water Resource Management



#### **GM Strategic Priority #1: Resiliency**

### Objective #6 Ensure access to sufficient water supplies to operate a full Colorado River Aqueduct in times of drought.

Water Resource Management (WRM) staff participated in a stakeholder meeting associated with a modeling study of the long-range impacts of climate and land cover change on runoff in the Colorado River watershed. Investigators from Arizona State University are leading the study, which is funded jointly by the Central Arizona Water Conservation District (CAWCD) and the National Aeronautics and Space Administration (NASA). Investigators shared runoff results from model scenarios incorporating differing levels of climate-driven forest disturbance in the watershed. Results from the study will help improve understanding of the future of the Colorado River supplies.

Staff is monitoring ongoing Colorado River water supply conditions. At a recent hearing for the Senate Committee on Energy and Natural Resources, Commissioner Touton stated that because of worsening conditions on the Colorado River, the U.S. Bureau of Reclamation (USBR) would be looking for 2 to 4 million acre-feet of additional conservation in calendar year 2023 to protect critical elevations at Lake Powell and Lake Mead. Commissioner Touton stated that she will work with the states over the next 60 days to develop a plan in advance of the August 24-month study; however, if a plan was not developed, USBR was prepared to take unilateral action to preserve critical elevations at both Lakes Powell and Mead.

#### **GM Strategic Priority #2: Sustainability**

#### Objective #5 Support development of Regional Recycled Water Program (RRWP).

Staff met with USBR on the new Large Scale Water Recycling program to better understand the program schedule and requirements. Program guidelines are anticipated to be released for public review later this summer. Staff provided a summary of the costs and benefits of the RRWP for Reclamation.

#### Objective #6 Maintain and enhance groundwater production in Metropolitan's service area.

Staff provided a support letter for the City of Long Beach Water Department's Bureau of Reclamation Fiscal Year 2023 Drought Resiliency Grant Program Application. The grant would be used to co-fund their New Well Project (roject), which includes the development of new wells and related infrastructure. The project would improve management and delivery of local groundwater supplies by enhancing operational flexibility.

#### **Objective #8 Implement Regional Conservation Program.**

As part of the continued efforts to promote conservation and improve water use efficiency in Metropolitan's service area, staff participated in the following outreach activities:

Staff participated on a panel entitled "New Perspectives on Water Efficiency" at the 2022 American
Water Works Association Conference and Exposition (ACE22) in San Antonio, Texas. Staff presented
on "Incentive Stacking," referring to additional funding provided by entities other than Metropolitan
for Metropolitan's incentive programs. Metropolitan allows members and retail agencies to provide

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co-funding for rebates; recently, additional co-funding has been provided by utilities and even private corporations to enhance Metropolitan's incentives for certain projects. It is not unusual to see higher activity levels in the service areas where higher rebates were available; incentive stacking may be a useful tool during extreme water shortages.

- Staff participated in California Water Efficiency Partnership's (CalWEP) Peer-to-Peer conference in Sacramento, CA. Metropolitan is one of the sponsors of this conference. Staff presented on commercial, industrial, and institutional (CII) programs currently in place that meet the proposed Conservation Framework CII Best Management Practice requirements. Staff was also part of a panel discussion called "Connect, Collaborate, Grow." This panel looked at ways CalWEP and Alliance for Water Efficiency (AWE) can better serve its water agency and business members to help improve regional conservation efforts.
- Staff presented the keynote address at the 8th annual Los Angeles Better Buildings Challenge (LABBC)
   Innovation Award held at the Los Angeles Clean Tech Incubator. This keynote address focused on the importance of water to our service area.

On June 21, the U.S. Bureau of Reclamation announced that Metropolitan's grant application for \$2 million dollars was approved. This funding will enhance Metropolitan's Public Agency Turf Replacement Program by raising the incentive available to public agency applicants from \$3 to \$4 per square foot.

#### **GM Strategic Priority #3: Innovation**

Objective #2 Collaborate with member agencies, water agencies and associations, and provide leadership for policy development, advocacy, outreach and education.

Staff provided a recycled water legislation and regulation presentation to approximately 75 members of the Los Angles WateReuse Chapter. Staff highlighted draft legislation, regulations, and funding that may affect the development of new recycled water projects.

On June 1, Metropolitan began implementation of the Emergency Water Conservation Program (EWCP) to address severely limited water supplies available to member agencies that need SWP system water. Since June 1, the affected member agencies have responded, and demand reductions are tracking near the goal of reducing SWP use by 35 percent.

The Annual Water Supply and Demand Assessment is a new annual State requirement that is part of the 2018 Conservation as a California Way of Life legislation and is related to adopted Water Shortage Contingency Plans. Because of special drought-related requirements from Governor Gavin Newsom's March 28 Executive Order N-7-22, Metropolitan submitted a preliminary draft of this year's assessment to DWR one month early. The final 2022 Annual Assessment is due by July 1.

#### **Objective #3 Implement Future Supply Actions Funding Program.**

Metropolitan will host the Southern California Salinity Coalition's 2022 Salinity Summit workshop at the Metropolitan headquarters on October 26. The workshop will feature updates on Coalition activities, discussions of how salinity impacts One Water implementation and panel discussions with RWQCB leadership. The workshop will also solicit

(continued)

salinity management priorities from participants with targeted breakout sessions. Additional information including the draft agenda will be available later this summer.

Staff participated in three CalDesal committee meetings in June. CalDesal's activities include supporting AB 2016, which calls for studying the supply potential and impacts of desalination in California. CalDesal has been successful in advocating for beneficial amendments with the bill's author.

#### Objective #5 Position Metropolitan as a leader in Open Water Data.

On June 6, Staff supported and participated in a California Water Data Consortium workshop on improving urban water data reporting. The workshop brought together a diverse group of stakeholders with the goal of identifying opportunities for improving state agency reporting requirements. The workshop also addressed a recent request for more frequent reporting of drought-related water use data to the SWRCB. Staff also participated in a Consortium's board meeting on June 7th.

### Objective #9 Promote Metropolitan's technical capabilities and innovation efforts to advance the understanding of water resources management.

Staff received final study deliverables for the Peer-2-Peer (P2P) Brine Management Partnership. The Partnership brought together 12 water utilities from across the United States with brine management challenges. Work included a global scan identifying almost 200 brine management technologies in several categories. The technologies ranged from those suitable for potable reuse brine applications as well as treatment technologies for salinity brine streams such as USBR's Paradox Valley Unit salinity control project. The P2P consultant generated a final list of 16 potential technologies to be considered by the study participants. Staff worked with its innovation consultants to schedule P2P meetings on drought management, safety practices, and other topics. This includes two in-person visits by staff from Singapore PUB. The first will be held on October 7 at the RRWP demonstration facility. A second meeting will be held on November 10, covering conservation, large diameter pipe lead detection, and distribution system water quality monitoring.

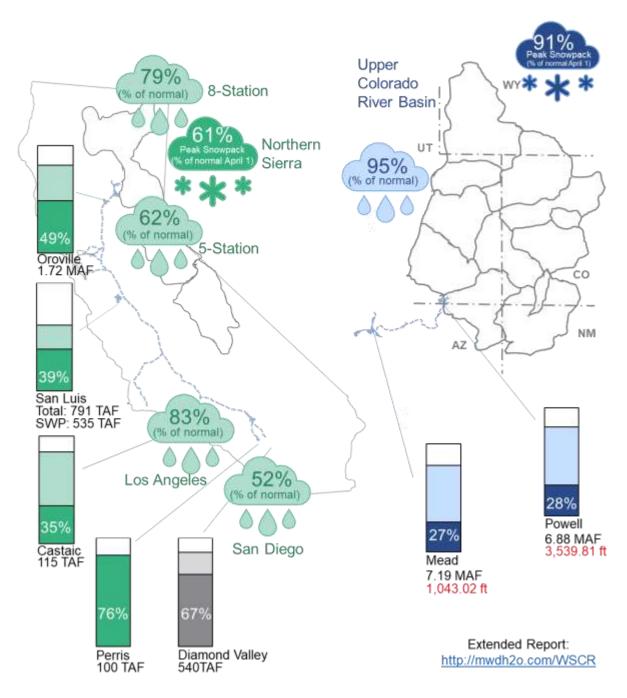
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#### State Water Project Resources

SWP Table A - 5% - 95,575 AF

#### Colorado River Resources

Projected CRA Diversions – 1,117,000 AF



As of June 30, 2022

(continued)

#### **Bay-Delta Initiatives**

#### Resiliency

Staff continued to participate in the collaborative groups called for in the 2019 Biological Opinions for the State Water Project (SWP) and Central Valley Project, and in the 2020 Incidental Take Permit for long-term operation of the SWP, to address science needs and inform management and operation of the water projects. In June, staff continued collaboration with state and federal agencies to develop a monitoring program for steelhead populations within the San Joaquin Basin. Efforts in June focused on developing a list of directed science studies that are needed to develop an estimate of juvenile steelhead production.

Staff attended a Habitat Planning Workshop with representatives from the California Department of Water Resources (DWR, California Department of Fish and Wildlife, and others to discuss the status of proposed habitat restoration projects that can be constructed in the next three to five years. The purpose of the workshop was to identify projects that are ready for implementation and to identify barriers to implementation such as permitting, funding, equipment or staffing resources, so that the agencies can identify areas where they can help.

#### Sustainability

#### **Delta Conveyance**

DWR is continuing to develop a public Draft Environmental Impact Report under the California Environmental Quality Act for the Delta Conveyance Project (DCP). The U.S. Army Corps of Engineers (USACE), as part of its permitting review under the Clean Water Act and Rivers and Harbors Act, is preparing an Environmental Impact Statement to comply with the National Environmental Policy Act. DWR and USACE are planning to release draft environmental documents for public review in mid-2022.

Field activities under the Initial Study/Mitigated Negative Declaration for soil investigations in the Delta, including cone penetration tests, soil borings, and geophysical surveys, restarted in May 2022 after a wet season break.

#### **Joint Powers Authorities**

During the June 16 regularly scheduled Board of Directors Meeting, the Delta Conveyance Design and Construction Authority (DCA) Board of Directors approved a resolution to extend virtual board and committee meetings pursuant to AB 361. The DCA Board adopted the proposed \$31.16 million budget for fiscal year 2022/23 by minute order. The work activities for fiscal year 2022/23 will focus on providing support to the DWR environmental planning and permitting efforts for the DCP, including continued implementation of field investigation programs. The DCA board also adopted a resolution to authorize the investment policy and the annual delegation to the DCA Treasurer for the fiscal year 2022/23.

The regularly scheduled June 16 meeting of the Delta Conveyance Finance Authority was cancelled.

#### **Sites Reservoir**

In their joint June meetings, the Sites Project Authority Board and the Sites Reservoir Committee authorized the Executive Director to submit the Project's 2023-2026 application to the U.S. Fish and Wildlife Service for a Bald and Golden Eagle Protection Act Short-Term Disturbance "Take" Permit for Geotechnical Activities.

(continued)

#### **Innovation**

#### **Science Activities**

Staff participated in several tours of the Delta with the General Manager and non-governmental organization (NGO) leaders to discuss and share science priorities and identify opportunities for collaboration. Staff provided briefings on Bay-Delta science activities, management of the Delta islands, and proposed studies as part of the Delta Smelt and Native Species Preservation Project.

Staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). In June, CAMT received a briefing on the Delta smelt entrainment studies and continued discussions on the CAMT monitoring assessment effort.

Staff continued collaboration with the environmental organizations on the CSAMP Salmon Recovery Initiative. A series of workshops were held in June with interested parties to share stories on why each party cares or values salmon and translating these values into metrics that allow for evaluation of different salmon management actions. Over 70 individuals participated in the workshops; these interested parties represented NGOs, tribal governments, agriculture, water, fishing industries, and state and federal resource agencies. The next several months will be spent on the development and translation of these values into metrics. The project's purpose is to develop an effective and implementable strategy for recovering listed and non-listed salmonids in California's Central Valley while considering other social, ecological, and economic interests in the region. In June, the *San Francisco Estuary Magazine* published an article about the Reorienting to Salmon Recovery project that includes input from Metropolitan staff and other members of the project team (<a href="https://archive.estuarynews.org/reorienting-to-salmon-recovery/">https://archive.estuarynews.org/reorienting-to-salmon-recovery/</a>).

(continued)

#### Colorado River

#### **Reclamation Urges States to Develop Water Use Reduction Plan**

At the June 14 Senate Energy and Natural Resources Committee hearing on Western Drought, the Bureau of Reclamation (Reclamation) Commissioner Camille Touton identified the need for Colorado River Basin water users to reduce their use by two to four million acre-feet of water per year to address critical reservoir elevations at Lake Powell and Lake Mead, starting in 2023. The Commissioner said that the Department of the Interior (Interior) would be working with states, tribes, and others to reach a consensus by August 2022 about how to make these reductions. In response to questions from Senators, the Commissioner stated that the Interior has the authority to act unilaterally, if needed, and will protect the system if consensus cannot be reached.

Reclamation described the modeling they developed to show the need for additional water to address critical reservoir elevations in Lake Powell and Lake Mead, water that Reclamation is calling "Protection Volumes," at the Getches-Wilkinson Conference in Boulder, Colorado. At that conference, Assistant Secretary for Water & Science Tanya Trujillo made remarks about conditions in the Colorado River reservoirs and the need for Protection Volumes starting in 2023.

Metropolitan staff is working with its Colorado River Basin States partners to explore options and strategies that could meet the Interior's call for Protection Volumes by the August 2022 deadline, which would be in place starting next year. Staff will keep the Board informed as a plan is being pursued.

(continued)

### Engineering

#### **GM Strategic Priority #1: Resiliency**

Objective #1 Manage and execute board-authorized projects within the Capital Investment Plan (CIP) to ensure the reliable delivery of water to Metropolitan's member agencies.

#### **Distribution System Reliability Program**

This program maintains reliable water deliveries through specific repair and rehabilitation projects on Metropolitan's pipelines, reservoirs, and control structures. Recent activities include the following:

- Lake Mathews Wastewater Replacement—The project consists of replacing the existing septic tank system with a wastewater collection system at Lake Mathews. The new wastewater system connects to a nearby off-site Western Municipal Water District main wastewater line. The contractor is currently installing the sewer line. Construction is 30 percent complete and is scheduled to be complete in March 2023.
- Garvey Reservoir Hypochlorite Feed System Replacement—This project replaces the existing chemical feed
  pumps, reconfigures the feed pipe system, upgrades the existing control systems and automatic process
  controls, and implements remote feed control from the SCADA system. Installation of the feed system is
  complete. The contractor is currently completing punch list items. Construction is 95 percent complete and
  is scheduled to be complete in July 2022.
- Garvey Reservoir Erosion Improvements Areas 6, 7, 8, 10, and 11—This project will install a permanent drainage system and erosion control features including drainage piping, concrete ditches, stem walls, flow detention, and dissipation structures. The contractor completed drainage and erosion improvements in Areas 7, 8, 10, and 11, as well as all connections through residents' properties to city streets. Site grading, earthen berm compaction, and installation of new fences and curbs in Area 6 are in progress. Construction is 95 percent complete and is scheduled to be complete in August 2022.
- OC-88 Pump Station Chiller Replacement—This project will replace three chiller units at the OC-88 Pump Station that provide cooling for the main pumps and electrical gear. Metropolitan's Board awarded a construction contract in May 2022 and the Notice to Proceed was issued in June 2022. Construction is scheduled to be complete in May 2023.
- La Verne Shops Building Completion—Stage 4—This project will complete the La Verne Shops building improvements and install Metropolitan-furnished shop equipment. Metropolitan's Board awarded a construction contract in May 2022, and the Notice to Proceed was issued in June 2022. Construction is expected to be completed in August 2024.
- Etiwanda Pipeline Rehabilitation—Stage 3—This project replaces delaminated mortar lining in 5.5 miles of pipeline with polyurethane lining. This project was conducted in three stages. Stages 1 and 2, which included polyurethane lining of 3 miles are complete. Stage 3 relines the remaining 2.5 miles of pipeline with polyurethane lining and includes installation of 1,300 feet of new internal steel pipe in areas with more extensive corrosion. Final design of Stage 3 work is complete, and award of a construction contract is planned in July 2022.

(continued)

#### Prestressed Concrete Cylinder Pipe (PCCP) Reliability Program

This program was established to enhance the reliability of Metropolitan's water distribution system and to reduce the risk of costly emergency repairs of PCCP. The priority pipelines included in the program are the Second Lower Feeder, Sepulveda Feeder, Calabasas Feeder, Rialto Pipeline, and the Allen-McColloch Pipeline. A total of 100 miles of PCCP pipelines will eventually be relined with new steel pipe liners under this 20-year program. Recent activities include the following:

- Second Lower Feeder PCCP Rehabilitation—This project rehabilitates the remaining 28 miles of PCCP segments within the Second Lower Feeder and will enhance delivery reliability to member agencies. Long-term rehabilitation of this pipeline is being staged over a period of15 to 20 years, with multiple construction and procurement contracts. Metropolitan's Board awarded a construction contract in May 2022 for Reach 3A, and the Notice to Proceed was issued in June 2022. Reach 3A is located at the westernmost portion of the feeder, spanning 1.1 miles through the City of Rolling Hills Estates. Final design of the adjacent Reach 3B, a 3.7-mile-long portion of Second Lower Feeder that traverses the cities of Lomita, Los Angeles, and Torrance is 97 percent complete and scheduled to be complete in August 2022. Study efforts continue for Reach 9, an approximately 0.8-mile-long portion of the feeder in western Long Beach that crosses the Los Angeles River.
- Second Lower Feeder Isolation Valve Procurement—This fabrication contract provides 13 conical plug valves for the Second Lower Feeder PCCP rehabilitation. These valves, which include three 48-inch and ten 54-inch diameter, provide primary isolation for maintenance activities, inspections, and repairs required to maintain reliable water deliveries within Metropolitan's distribution system. Fabrication of these valves is approximately 62 percent complete. All three 48-inch conical plug valves have been delivered. Fabrication of seven 54-inch valves is in progress. Delivery of the first two 54-inch valves, expected in March 2022, has been rescheduled to August 2022, because of delays at the shipping port. The next five 54-inch valves will be delivered between September 2022 and July 2023. Fabrication of three remaining 54-inch valves is scheduled to start in 2022 and be completed in late-2023.

#### Colorado River Aqueduct (CRA) Reliability Program

This program maintains the reliability of Metropolitan's CRA conveyance system. Recent activities include the following:

- CRA Domestic Water Treatment System Replacement—This project replaces the membrane filtration system and associated water treatment equipment at the five Colorado River Aqueduct pumping plants. Procurement of water treatment equipment is underway with expected deliveries in two shipments, in mid-2022 and early 2024. Construction is 9 percent complete is scheduled to be complete by March 2025. The contractor has mobilized at Intake Pumping Plant and has started excavation for electrical ductbanks and installation of electrical conduits.
- CRA Conveyance Flow Sensor Installation—This project installs 11 level gauging stations at remote sites
  along the CRA to measure water level. Final design is 10 percent complete and scheduled to be complete in
  October 2022.

(continued)



**CRA Domestic Water Treatment Plant System Replacement**—Contractor staff excavate for pipe rack concrete supports at Intake Pump Plant

#### **Treatment Plant Reliability Program**

This program was initiated to maintain reliability and improve the operating efficiency of Metropolitan's water treatment plants through specific improvement projects. Recent activities include the following:

#### Jensen Plant

• Jensen Electrical Upgrades, Stage 2—This three-stage project upgrades the electrical system with dual power feeds to key process equipment to comply with current codes and industry practice; improves plant reliability; and enhances worker safety. Stage 1 work is complete. Stage 2 improvements are currently underway and will upgrade Unit Power Centers 7 and 9 and their associated motor control centers (MCCs) to support critical process equipment. The contractor completed cutover of all existing loads to the new motor control centers and punch list items. Construction was completed on June 8, 2022.

#### **Weymouth Plant**

• Weymouth Basins 5–8 and Filter Building No.2 Rehabilitation—This project rehabilitates major mechanical and structural components including the flocculation/sedimentation equipment, sludge pumps, baffle boards and walls, launders, inlet gates, and outlet drop gates. Seismic upgrades include structural modifications and concrete reinforcement of the basin walls and basin inlet channel. This project also replaces 127 high-performance and rubber-lined butterfly valves and their actuators in Filter Building No. 2 and hazardous material abatement in the treatment basins. The Board awarded a construction contract in May 2022. The Notice of Award was issued to the contractor on May 10, 2022. Construction is anticipated to be complete by May 2025.

#### **System Reliability Program**

The System Reliability Program consists of projects to improve or modify facilities located throughout Metropolitan's service area in order to use new processes and/or technologies and improve facility safety and overall reliability. Recent activities include the following:

• **Headquarters Building Improvements**—This project provides seismic upgrades and other needed improvements to the Metropolitan Headquarters Building. The contractor is currently procuring and

(continued)

- installing additional cooling equipment for the electrical and audio visual/information technology rack rooms. Construction is 99 percent complete and is scheduled to be complete in September 2022.
- Headquarters Physical Security Upgrades—This project implements comprehensive security upgrades for the Metropolitan Headquarters Building. These upgrades are consistent with federally recommended best practices for government buildings. This work has been prioritized and staged to minimize rework and impacts on day-to-day operations within the building. Stage 1 work is complete and provides enhanced security related to perimeter windows and doors. Stage 2 improvements will provide security system upgrades inside the building with a focus on the main entry rotunda area, Boardroom, executive dining lounge, and security control room. Construction of Stage 2 improvements is 98 percent complete and is scheduled to be complete in August 2022. The contractor completed security equipment installation on all floors; completed the testing and cutover to the new security system; and is continuing the Rotunda equipment installation. Stage 3 improvements will provide security system upgrades around the perimeter of the building. Design of Stage 3 improvements is complete and board award of a construction contract is planned for October 2022.
- Headquarters Building Fire Alarm and Smoke Control System Upgrades—This project upgrades the
  Metropolitan Headquarters Building fire life safety systems, which includes replacement of the fire detection
  and alarm system and HVAC system improvements for smoke control. The fire alarm and smoke control
  systems in the Metropolitan Headquarters Building provide detection, notification, and control of building
  functions so that occupants and visitors can safely exit in the event of a fire. The contractor completed the
  fire alarm system cutover on the first floor, is conducting testing on the fire alarm system on the two parking
  levels, and is currently working on the second, third, and fourth floors. Construction is 51 percent complete
  and is scheduled to be complete by September 2023.
- SCADA System Upgrade Project—This project will replace the control system at the Mills plant. This is the first step of upgrading Metropolitan's entire control system, spanning the Colorado River Aqueduct, the five water treatment plants, and the conveyance and distribution system. Metropolitan's Board approved two consulting agreements in April 2022 to implement the new control system at the Mills plant. Both consulting agreements have been fully executed. One remote terminal unit will be tested first as a pilot project, which is anticipated to be complete by January 2023. The full project at the Mills plant will be completed by January 2026.

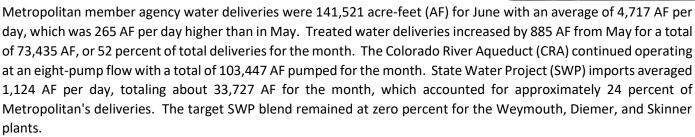


Headquarters Building Improvements—Contractor cutting veneer for the barrier wall millwork at Stair 5

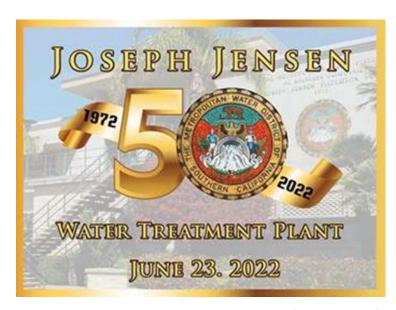
### Water System Operations

#### **GM Strategic Priority #1: Resiliency**

Objective #1 Provide Reliable Water Deliveries.



Staff held a small celebration to commemorate the 50<sup>th</sup> anniversary of the Joseph Jensen Water Treatment Plant operations. The original dedication was held on June 23, 1972. The plant was initially designed to treat 400 million gallons of water a day (MGD) from the State Water Project. Today, the treatment capacity is 750 MGD, making it the second largest drinking water treatment plant in North America. Congratulations to all the dedicated staff who have helped keep the Jensen plant operating reliably and providing high quality water for the past five decades.



The Joseph Jensen Water Treatment Plant celebrated 50 years of providing safe and reliable water





Staff attending the Jensen 50th Anniversary luncheon



WSO Group Manager Brent Yamasaki speaking with staff at the Jensen 50<sup>th</sup> Anniversary luncheon

Objective #2 Ensure Water Quality Compliance, Worker Safety, and Environmental Protection.

Metropolitan complied with all water quality regulations and primary drinking water standards during May 2022.

Metropolitan hosted its regular quarterly meeting with the State Water Resources Control Board's Division of Drinking Water on June 28. Discussion topics included updates on regulatory matters and capital projects, domestic water systems at the desert pumping plants, and the Lake Perris seepage recovery project.

Staff participated in the Environmental Laboratory Accreditation Program (ELAP) virtual conference from May 31 to June 3. The conference provided information on optimizing laboratory testing and a workshop on documentation under the newly adopted ELAP/TNI (The NELAC Institute) regulation. The conference also provided attendees with annual training on laboratory ethics, which is required under the recently adopted regulations.

In recognition of National Safety Month, numerous Metropolitan facilities held safety awareness events. As Metropolitan's largest field facility, a Safety Awareness Fair was held on June 9 for staff that report to the Weymouth plant and La Verne facilities. During the fair, approximately 300 employees were able to tour the different on-site facilities, visit vendor exhibits, participate in technical workshops, and attend a safety awards luncheon. Chairwoman Gloria Gray visited with staff and delivered the opening comments for the luncheon while Chief of Operations, Brent Yamasaki, attended several of the tours and provided the luncheon's closing remarks.



Staff touring the Weymouth plant during the Safety Awareness Fair



Staff visiting a vendor exhibit during the Safety Awareness Fair at the Weymouth plant

On June 14, a National Safety Month celebration was held at the Jensen plant. Staff provided safety and security presentations and performed a plant-wide cleanup which focused on general housekeeping for shop areas and utility vehicles. After the clean-up event, attendees participated in several fun activities that were capped off with a barbecue lunch to celebrate staff's commitment to safety.

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Safety Awareness event held at the Jensen plant



Plant manager, JR Rhoads, (left) and staff enjoying a barbecue lunch after a successful Safety Awareness event at the Jensen plant

On June 15, the Regional Recycled Water Advanced Purification Center in Carson also hosted a safety fair. The event covered updates on site safety, refresher training for handling hazardous waste, and a general clean-up of the demonstration facility site.



Staff inspecting and restocking supplies during the safety fair at the demonstration facility

Several other creative and informative events were held throughout June at Metropolitan field facilities to celebrate National Safety Month. Awards were presented to operational units with the best safety performance over the past year. All of these events helped to reinforce the message that **Safety is Essential** to the work we do every day at Metropolitan.



Plant Manager Ric Johnston receiving Best in Safety Communications Award for the Weymouth plant



Unit Manager Mehdi Jalali receiving Most Improved Safety Program Award for Construction Services

#### **Objective #3 Actively Engage in Capital Project Planning and Execution.**

On June 8, Water Quality and Engineering staff met with consultants to initiate the preliminary design for the Water Quality Building Improvement capital project. The project covers seismic improvements, building and HVAC upgrades, redesign of laboratory space to improve workflow and functionality, as well as potential building expansion to accommodate additional laboratory activities associated with increased monitoring of emerging contaminants, applied research, and anticipated new regulations.

#### **Objective #4 Optimize Maintenance.**

Staff completed a project to rebuild a pressure control globe valve at the San Gabriel Pressure Control Structure (PCS) on the Lower Feeder in the city of Norwalk. There are seven pressure relief lines and 11 pressure control lines at San Gabriel PCS. During routine maintenance of one of the control lines, staff identified leaking components on the regulating globe valve. Staff removed the line from service, rebuilt the globe valve in place with new components, and successfully returned the control line to service.



Staff rebuilding a globe valve at the San Gabriel PCS on the Lower Feeder

Work continued to address a leak discovered in April on the Upper Feeder pipeline in the city of Riverside where the pipeline spans the Santa Ana River along a truss bridge. A temporary repair is in place to allow continued operation of the feeder as staff are preparing for the long-term repair solution. Staff at the La Verne Shops continued work to fabricate a new carbon steel slip joint that will replace the damaged bellows expansion joint. Also this month, a contractor installed a four-inch flange and valve to the bottom of the Upper Feeder near the leak location while the feeder remained in operation. This new assembly will facilitate access for equipment when the expansion joint is replaced and eliminates the need to route equipment through an opening 700 feet away. Completing this work in advance will reduce the overall length of the shutdown, currently planned for late August or September, to replace the damaged expansion joint. Staff continue to demonstrate their dedication and creativity to respond to this emergency repair of a critical feeder delivering Colorado River water to the region during this record drought.





Fabrication of new 36-inch accessway (left) and rolling of new slip joint ring (right) to facilitate leak repairs on the Upper Feeder



Staff welding new slip joint ring for Upper Feeder repairs



Fabrication of new 113-inch slip joint to replace leaky bellows joint on Upper Feeder



Contractor performing final hot tap of a flange and valve assembly on the Upper Feeder at the Santa Ana River bridge



Installed flange and valve assembly on the Upper Feeder at the Santa Ana River bridge

Staff completed grading of the Lower Feeder patrol roads from the city of Corona to Lake Mathews. This work included minor erosion repairs, vegetation removal, and roadbed repairs to allow safe access and monitoring of Metropolitan's infrastructure.



Staff using a motor grader for patrol road repairs along the Lower Feeder

The La Verne Shops manufactured eight new stainless-steel security gates for the ozone contactor rejection structures at the Weymouth plant to prevent unauthorized entry by trespassers. Staff manufactured and installed gates that will restrict access into four rejection structures tied to the local storm drain. These improvements will improve security and safety at the structures.





Access opening without the gate (left) and with gates installed (right) at the Weymouth plant

Staff built a pad and placed a cargo container at the Gene facility to allow for storage of critical components for the CRA system. Because of the remote location, renewal parts and materials are not readily accessible from local vendors. On-site storage of these materials is vital to continued CRA reliability.



Staff placing a cargo container at the Gene facility for CRA material storage

A pump unit was removed from service because of an issue with its oil system at Hinds pumping plant. While repairing the oil system, staff also found an electrical issue with the discharge valve. To facilitate the repair, custom components were fabricated as the original equipment components are no longer available from the manufacturer. Staff from multiple teams collaboratively repaired the unit and returned it to service.



Staff repairing the discharge valve electrical components for the oil system at Hinds pumping plant

Near constant maintenance is required to keep up with CRA flow demands during drought conditions. Staff performs sodium hypochlorite injections for quagga mussel and algae control, canal dragging and scraping, sand trap pumping, and regular patrolling to ensure the aqueduct continues to operate at maximum capacity.



Staff dragging the Colorado River Aqueduct to maintain high flows during unprecedented drought conditions

Objective #5 Manage the Power System.

With continuing drought conditions, the CRA is expected to maintain a planned eight-pump flow through September 2022. Sufficient Resource Adequacy capacity to meet CRA pumping operational needs is forecast through September. Staff continue to monitor the cost and operational impacts of reduced hydropower generation and increased energy prices in the electricity and natural gas markets.

#### Objective #6 Improve Emergency Preparedness and Response.

On May 24, Operations and Engineering staff met with representatives from the Los Angeles County Office of Emergency Management at the County Emergency Operations Center (EOC), toured the EOC, and learned how Metropolitan coordinates with the county during disasters. Staff also reviewed how Metropolitan and the county can continue to collaborate on future emergency planning initiatives and communicate during an emergency.

In response to operational challenges following a failed filter backwash header at the Diemer plant, staff activated the Diemer Incident Command Post (ICP). Trained in the National Incident Management System (NIMS), staff used a formal process for responding, tracking, and coordinating the actions following this emergency event. This allowed participants to ensure prioritization of tasks, consistency in messaging, and distribution of responsibilities. While many emergencies can be handled at a local level, the NIMS process allows larger events to be scaled up or down depending on the severity and size. Activation of the plant's ICP was an opportunity to practice the methods and skills learned in the NIMS training and ensure a safe and thorough response to the operational upset.

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Staff activated the Incident Command Post at the Diemer plant

On June 13, in coordination with the Emergency Operations Center at Eagle Rock, the Water Quality ICP conducted a tabletop exercise in response to a simulated source water contamination event. The exercise used the U.S. Environmental Protection Agency Water Contaminant Information Tool and tested communication pathways during the simulated emergency.

#### **Objective #7 Optimize Water Treatment and Distribution.**

The State Water Project target blend entering the Weymouth and Diemer plants and Lake Skinner was zero percent in May 2022.

Flow-weighted running annual averages for total dissolved solids from April 2021 through March 2022 for Metropolitan's treatment plants capable of receiving a blend of supplies from the State Water Project and the Colorado River Aqueduct were 594, 590, and 582 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

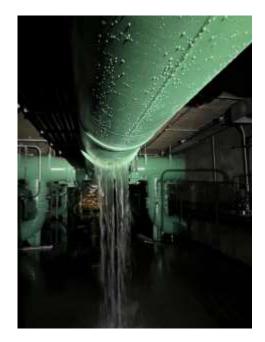
Staff relocated and installed upstream and downstream elevation differential pressure cells at the 220th/Western Avenue and Oak Street Pressure Control Structures (PCS). These differential pressure transmitters are used by system operators to monitor pressure throughout the distribution system and control flow. The old sensors and valves were exhibiting signs of failure and did not provide reliable data. Staff installed new differential pressure cells, changed the leaking isolation ball valves to accurately calibrate the pressure sensors, and added drain lines where needed. These improvements corrected the issues and increased the equipment accuracy for more reliable operations.

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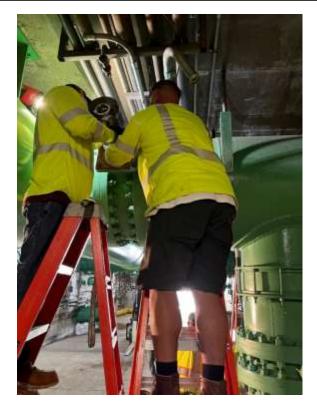


Before (left) and after (right) differential pressure cell replacement at Oak Street PCS

Staff discovered water hammer damage to a backwash header pipeline that caused separation of the pipe and flooding within a filter pipe gallery at the Diemer plant. This damage was due to the failure and sudden closure of an individual filter backwash valve. Engineering and plant staff inspected the filter gallery and identified piping for two filters and a portion of the backwash header that required repair. To complete this repair, staff removed a portion of the pipe, installed a new flange and blind flange, replaced the failed backwash valve shear key, and reinstalled the valve actuator. Staff responded quickly and safely to complete this work and there were no interruptions to plant flows.



Separation of the backwash piping and flooding in the filter gallery at the Diemer plant



Staff replacing the backwash valve shear key at the Diemer plant



Staff welding a new flange on the backwash header piping at the Diemer plant

A significant amount of filter media was lost in 2021 at the Diemer plant because of severe air entrainment experienced on the Lower Feeder during higher flows. Filter media must be replaced to ensure optimal filter performance and to meet water quality objectives. Staff used a crane to lower one-ton bags of media into the filter bed. Each filter, on average, required approximately 20 tons of media to reach the proper levels. A total of 18 of the plant's 48 filters required additional media. Maintaining the filter media enables the plant to meet variable and peak operational conditions while ensuring system reliability and that water quality objectives are met.



Staff using a crane to replenish filter media at the Diemer plant

Staff completed emergency repairs to the sulfuric acid feed system at the Weymouth plant. During a routine inspection, a leak was detected on the chemical pump suction piping. Applying chemical response training, staff safely isolated and purged the affected piping. The original carbon steel piping was replaced with specialized stainless-steel piping to provide superior corrosion resistance against the sulfuric acid. Staff then fabricated and installed the replacement piping, allowing the system to be safely returned to service.



Staff removing damaged piping (left) and fabricating new piping (center); and new piping installed (right) for a chemical feed system at the Weymouth plant

Staff installed the electrical power and instrumentation cabling for an additional chlorinator that was not completed during the Chlorine System Upgrades capital project at the Weymouth plant. This additional unit is dedicated to the ozone open loop cooling water system. It will allow operators to reduce or eliminate potential biological growth inside the system components. Staff provided additional circuits from the new electrical panels and installed six additional SCADA and power cables totaling approximately 3,000 linear feet from the chlorinator room to the new electrical building for the chlorine system expansion.





Staff installing SCADA cables (left) and power cables (right) for an additional chlorinator at the Weymouth plant

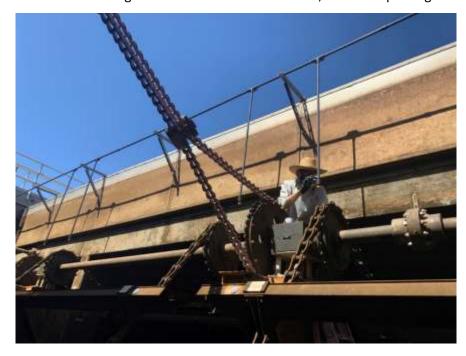
Staff replaced the Module 3 filter influent channel drain valves (also called mud valves) at the Skinner plant. The filter influent channel delivers water from the sedimentation basin to the 18 individual filters as part of the treatment process. The mud valves are used for draining the filter influent channel and directing solids to the used washwater sump for cleaning. After many years of use, the mud valves began to corrode and required replacement. Staff removed the valves by chipping them out from the concrete, replacing, and mortaring in place.





Corroded mud valve before (left) and after (right) replacement on Module 3 filter influent channel at the Skinner Plant

Staff installed proximity sensors for the washwater reclamation plant flights and chains at the Skinner plant. The flights and chains are a slow-moving sweeper that prevents solids build-up in the reclamation plant. The flights and chains are submerged making it difficult for staff to determine whether everything is working properly. As a result, sensors are used to detect failures and to shut down the process when needed. Before the sensors were employed, solids would build up, requiring extensive repairs and cleaning after failures occurred. The new proximity sensors can also be serviced without dewatering the entire sedimentation basin, further improving maintenance efficiency.



Staff installing proximity sensors for the washwater reclamation plant at the Skinner plant

#### **Objective #8 Manage Water Reserves.**

Water reserves continued to be managed according to Water Surplus and Drought Management (WSDM) principles, operational objectives, and the current 5 percent State Water Project (SWP) allocation. Deliveries of SWP supplies were minimized to preserve SWP Carryover and Flexible Storage. Releases from DVL through PC-1 to connections on the Lakeview Pipeline, as well as the DVL to Mills plant operation, continued in June to conserve SWP use in that area. Returns from the Semitropic and Kern Delta SWP Banking Programs also continued in June. Staff continued Greg Avenue pump operations to minimize SWP usage by about 3,300 AF per month. In addition, staff continued coordination with member agencies, shifting their deliveries from SWP connections to Colorado River water connections, when possible. Staff continue to develop additional drought mitigation actions to help with the low SWP allocation in 2022.

#### Objective #11 Prepare Employees for New Opportunities.

The Water System Operations Apprentice and Technical Training Programs develop and train personnel to become qualified mechanics and electricians responsible for maintaining Metropolitan's water treatment and distribution systems. This month, the Class of 2023 mechanical apprentices started machine shop. This class consists of classroom and practical instruction that covers precision grinding operations; drilling, reaming, honing, tolerances, finishes, and methods of machining efficiently; using jigs and fixtures; tool holders and tool holding for the lathe; and

single-point threading, using dies, rolling threads, and Acme threads. The apprentices will attend six class sessions this period between June and September.

An electrical apprentice and recent journey demonstrated the benefits gained from Metropolitan's Apprenticeship Program. Minimal guidance was provided in their successful installation of an industrial water pump drive at the Diemer plant. This work is expected to provide reliable service for many years to come.



Electrical apprentice and journey installing a new variable frequency drive at the Diemer plant Objective #13 Ensure Accurate Billing Infrastructure.

Staff completed the rehabilitation of service connection WB-06B on the Palos Verdes Feeder, which included the replacement of a flow meter, isolation valve, pipe spool piece, and couplings to restore the connection for continued service.





Staff installing a new magnetic flow meter (left) and the meter installed (right) for service connection WB-06B on the Palos Verdes Feeder

#### **GM Strategic Priority #2: Sustainability**

#### Objective #1 Prepare for Future Legislation and Regulation.

On June 15, the U.S. Environmental Protection Agency (EPA) released a pre-publication copy of interim updated health advisories for perfluorooctanoic acid (PFOA) and perfluorooctane sulphonate (PFOS), as well as final health advisories for perfluorobutanesulfonic acid (PFBS) and GenX. PFOA, PFOS, PFBS, and GenX are individual per- and polyfluoroalkyl substances (PFAS). EPA's health advisories are non-enforceable and non-regulatory. The interim health advisories for PFOA and PFOS are 0.004 parts per trillion (ppt) and 0.02 ppt, respectively, and are more than 10 to 100 times lower than the resolution of current analytical methods. The interim health advisories for PFOA and PFOS replace the 2016 health advisory set at 70 ppt either individually or collectively. The final health advisories for PFBS and GenX are 2,000 ppt and 10 ppt, respectively. EPA is already in the process of developing maximum contaminant levels for PFOA and PFOS. Staff will continue to monitor future regulatory updates for PFAS.

Staff attended the Microplastics Subcommittee of the California Water Quality Monitoring Council quarterly meeting on June 8 as part of ongoing tracking and support of the State Water Resources Control Board's efforts to comply with a legislative mandate to monitor microplastics in drinking water.

#### Objective #3 Support the Regional Recycled Water Program.

Activities at the Advanced Purification Center demonstration facility focused on pretesting in preparation for secondary membrane bioreactor (MBR) operations to purify primary treated wastewater. Staff intentionally damaged membranes in the MBR system to prepare for future challenge testing and continued microbial method development and analyses. The MBR system continued to achieve greater than the target 80 percent nitrogen removal. Staff also started up the reverse osmosis system and supported testing to investigate alternate configurations to optimize overall performance and boron removal. In addition, staff installed a new day tank to improve sodium hypochlorite feed reliability for the UV/advanced oxidation process for the upcoming testing phase.





Staff intentionally damaging MBR fibers for challenge testing (left) and reinstalling the MBR cassette (right) at the demonstration facility

On June 3, staff met with the Division of Drinking Water (DDW) to discuss revisions to the secondary MBR testing and monitoring plan and input from the Independent Science Advisory Panel based on results of tertiary MBR testing. The revised testing and monitoring plan will be submitted to DDW for final approval before the start of baseline testing this summer.

The South Coast Air Quality Management District toured the Regional Recycled Water Advanced Purification Center demonstration facility and the Los Angeles County Sanitation Districts' Joint Water Pollution Control Plant in Carson. The tour, jointly led by Metropolitan and LACSD staff, provided key technical information to support the demonstration facility's SCAQMD permit application process. It also was an opportunity for staff to engage with SCAQMD and provide information on broader program elements that will help support future permitting needs for a full-scale advanced water treatment facility.



SCAQMD staff touring the demonstration plant with Metropolitan and LACSD staff

#### Objective #5 Manage Power Resources and Energy Use in a Sustainable Manner.

Metropolitan's hydroelectric plants generated an average of about 8.6 megawatts or approximately 6,420 megawatt-hours, and slightly over \$382,070 in revenue, for the month of May 2022. Metropolitan's solar facilities totaling 5.4 megawatts of capacity generated approximately 1,090 megawatt-hours in May 2022.

Metropolitan converted almost 400 small- to medium-sized commercial electric accounts to "green" rates. Of these locations, 308 are supplied with electric energy from Southern California Edison, and another 77 are supplied with energy from Clean Power Alliance, a Community Choice Aggregator. This represents over 12 million kilowatt-hours annually in electric usage, sufficient to power approximately 1,400 homes. The "green" rates will promote development of renewable resources and will result in a modest net cost savings for Metropolitan, of about \$25,000 per year.

A cross-functional subgroup of Metropolitan's Water-Energy Climate Sustainability team is working to identify technologies, projects, and strategies that will improve the operational flexibility, resiliency, and energy sustainability of the CRA transmission system and pumping load. The team has explored the use of microgrids, energy storage, small- and utility-scale renewable generation, and other strategies.

During the National Safety Month facility celebrations, employees had the opportunity to test various energyefficient vehicles and equipment. "Ride and Drive" electric vehicle demonstrations were held where staff drove a

fully electric cargo van. Staff were also able to operate a mobile power station with a remote-controlled joystick—these portable units provide over 250 kWh of power and include a mobile charging platform. Testing new and innovative energy-efficient technologies is important as Metropolitan looks to transition towards a zero-emission fleet to meet state regulations and Metropolitan's Climate Action Plan goals.



Electric cargo van (left) and mobile power station (right) demonstrated at safety awareness events

#### **Objective #6 Protect Source Water Quality.**

On June 13, staff participated in the Department of Water Resources' quarterly Specific Project Committee meeting for the Municipal Water Quality Investigations (MWQI) Program. A key highlight was an update on the completion of the State Water Project 2021 Watershed Sanitary Survey, which was submitted to the Division of Drinking Water in June 2022.

The Municipal Water Quality Investigations (MWQI) program provides water quality monitoring, forecasting, and reporting to support the effective and efficient use of the State Water Project as a municipal water supply. It conducts scientific studies, provides early warning of changing conditions in source water quality, and provides data and knowledge to support operational decision-making. Metropolitan is one of the State Water Contractors that voluntarily funds the MWQI program and will chair the Specific Project Committee for fiscal year 2022/23, as well as help to plan and coordinate the annual MWQI meeting in October 2022.

#### **GM Strategic Priority #3: Innovation**

#### Objective #1 Develop New Solutions to Enhance Operational and Business Processes.

Staff collaborated to develop a Safety Wheel which focuses on innovation through safety. The Safety Wheel helps staff quickly identify potential workplace hazards according to the type of work being performed and streamlines access to safety-related resources to facilitate safe maintenance practices. Ultimately, the goal is to reduce injuries and further enhance the safety culture at Metropolitan. To celebrate National Safety Month, large posters of the Safety Wheel were placed at several facilities. Staff is also working on a web-based version of the Safety Wheel for online access.



Safety Wheel developed by staff to increase safety awareness

Staff developed a dashboard for Flavor Profile Analysis (FPA), which assesses taste and aroma of Metropolitan's source and treated water to support operational processes, such as tier changes and blends, and to minimize taste and odor complaints. The dashboard simultaneously collects data from analysts, facilitating a collaborative process, and presents real-time preliminary results in an easily accessible format.



Flavor Profile Analysis dashboard displays preliminary taste and odor results in real-time

#### Objective #2 Support and Engage with Member Agencies on Technical Matters.

Mills plant staff visited the Los Angeles Department of Water and Power's (LADWP's) Los Angeles Aqueduct Filtration Plant to observe its chlorine transloading process. LADWP uses a re-compressor for its transloading process and staff are currently re-evaluating the application of a re-compressor at Metropolitan's Chemical Unloading Facility (CUF). The use of a re-compressor can result in reduced transloading time and less water consumption, leading to potential resource and cost savings which staff will be further analyzing.



Staff discussing use of a re-compressor for chlorine transloading operations at LADWP's Los Angeles Aqueduct Filtration Plant

#### Objective #3 Advance Education and Outreach Initiatives.

Metropolitan was recognized by the Partnership for Safe Water for the performance of its treatment plants and distribution system. The Partnership encourages water utilities to conduct in-depth analyses of their treatment and distribution systems to optimize processes that achieve performance beyond regulatory levels. Metropolitan's Jensen plant was recognized with the Partnership's prestigious 10-Year Presidents Award, and the distribution system was recognized with the 5-Year Directors Award at the 2022 American Water Works Association Annual Conference in San Antonio.

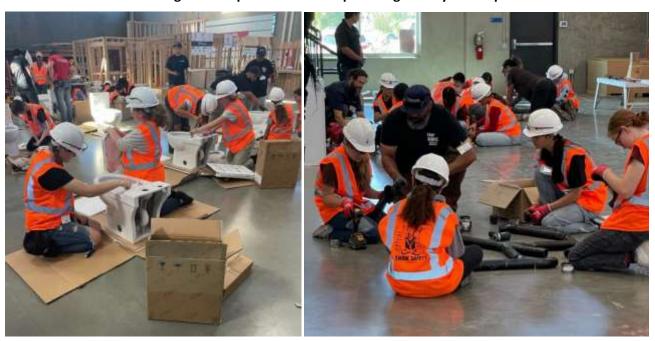


Water Treatment Manager Heather Collins (center) accepting a Partnership for Safe Water award from AWWA and USEPA representatives

On June 23, staff volunteered as counselors and mentors for a San Diego-based charitable organization during their annual summer camp, Camp NAWIC, which is focused on introducing school-aged girls to careers in the trades. Metropolitan was a Gold Sponsor for the camp this year. The week-long camp introduces trade skills such as safety, electrical, carpentry, plumbing, equipment operation, and a team approach to completing tasks. Staff shared Apprenticeship Program information with campers and encouraged them to seek future trades opportunities with Metropolitan and the water industry. Staff frequently participate in efforts to increase awareness and diversity for the Apprenticeship Program.



Staff serving as a camp counselor for a plumbing activity at Camp NAWIC



**Campers completing trades-related projects** 

Monthly Update as of:

6/30/2022

| Reservoir            | Current Storage | Percent of Capacity |  |
|----------------------|-----------------|---------------------|--|
| Colorado River Basin |                 |                     |  |
| Lake Powell          | 6,868,000       | 28%                 |  |
| Lake Mead            | 7,187,000       | 28%                 |  |
| DWR                  |                 |                     |  |
| Lake Oroville        | 1,720,855       | 48%                 |  |
| Shasta Lake          | 1,777,105       | 39%                 |  |
| San Luis Total       | 790,899         | 39%                 |  |
| San Luis CDWR        | 535,242         | 50%                 |  |
| Castaic Lake         | 114,545         | 35%                 |  |
| Silverwood Lake      | 67,817          | 90%                 |  |
| Lake Perris          | 100,065         | 76%                 |  |
| MWD                  |                 |                     |  |
| DVL                  | 539,456         | 67%                 |  |
| Lake Mathews         | 133,168         | 73%                 |  |
| Lake Skinner         | 36,472          | 83%                 |  |



**Hoover Dam** 

### Information Technology

#### **GM Strategic Priority #1: Resiliency**

Objective #2 Manage Information Technology Projects within the Capital Investment Plan to ensure reliability of IT Systems and Infrastructure.

Continued efforts to upgrade older Windows servers to up-to-date versions to better support Metropolitan business and operational applications. Currently 101 Windows 2008 servers need to be evaluated because the operating system (OS) version is no longer supported by Microsoft outside of the Azure cloud environment. Of the 101 servers, 19 have been migrated to Azure with three servers still pending migration. In addition, the team has identified 51 servers that will be decommissioned because the servers are no longer in use or the application being upgraded is running on a different server. Subsequently, 28 servers are required to remain on-premise because of their technical requirements (i.e., latency, security) that negates the option of migration. These servers will be targeted for an OS upgrade or decommissioned after further evaluation.



#### Objective #6 Deploy solutions to improve operations, promote collaboration, and provide business value.

Staff is preparing for User Acceptance Testing on the Real Property Business System. The new and upgraded system is a cloud-based solution that will improve staff's ability to manage a host of real property management transactions associated with Metropolitan's existing 200,000 plus acres, the land and rights acquisition requirements of Metropolitan's CIP, and the disposition of surplus properties. The system will be integrated with Metropolitan's existing systems for geographic information, document management, and financial accounting systems for payables, receivables, and government reporting requirements.

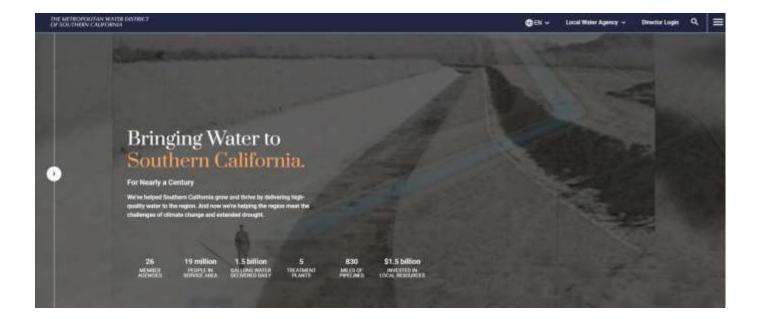
#### **GM Strategic Priority #3: Innovation**

Objective #5 Support External Affairs on the mwdh2o.com web redesign project to enhance usability, provide optimized search engine capabilities, and integrate with social media and mobile functions.

Mwdh2o.com is now running the latest version of the content management tool, Umbraco. This system will prove effective in the engagement of more Metropolitan staff in keeping the content up to date on the company's main public-facing website. Staff in External Affairs and IT have started the training for the content management system.

The website has already garnered prestigious recognition. Mwdh2o.com was honored with the 26th Annual Webby Awards in Websites and Mobile Sites—Best Data Visualization. The Webby Awards experienced a record-breaking 14,300 entries from 70 countries around the world. Our peers in this category include NASA, CNN, Google, and IKEA. The International Academy of Digital Arts & Sciences grants Honoree status to only the top 20 percent of all work entered.

There is a tremendous amount of information to disseminate to the public, especially with the unprecedented, extended drought we have been facing. A new drought section is being launched on the website. The website will continue to be the tool that informs the public of all the latest developments relating to water in Southern California for many years to come.



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### Real Property

#### **GM Strategic Priority #1: Resiliency**

Objective #1 Provide right-of-way planning, valuation, and real property acquisition support services for the protection and reliability of existing infrastructure.

An extension to the 30-year right-of-way grant/temporary use permit from the Bureau of Land Management in San Diego County was executed for an additional ten years, terminating December 31, 2051. The permit provides Metropolitan access to construct, operate, and maintain the San Diego Pipeline Nos. 4 and 5, and allows use of the access road to and from the pipelines.

Objective #2 Foster staff training and development. SR/WA Study session and SR/WA exam scheduled for this month.

Staff completed the following:

- International Right of Way 68<sup>th</sup> Annual International Education Conference:
  - Puzzling Properties: Overcoming Challenging Acquisitions
  - o Boundary and Title Problems: Mitigating Their Impact on Route Design
  - An Aging Workforce in a Niche ROW Industry: How Prepared Are You?
  - Read the Deed: Why Title Reports Matter
  - O What's the Big Deal About Invasive Species?
- International Right of Way Association-sponsored courses:
  - C102 Elevating Your Ethical Awareness. This course is intended to help resolve ethics and compliance issues by providing the information, tools, and resources necessary to make good decisions and serve our customers in the utmost ethical manner while striving to fulfill Metropolitan's mission.
  - C800 Principles of Real Estate Law. This course is designed to build on the basics of real estate law and to assist right-of-way agents, property managers, and others in collaborating with property owners and attorneys. This introductory-level course provides novice employees dealing with real estate issues with basic right-of-way information and experienced employees with a broader perspective on legal issues and applicable law.
  - C900 Principles of Real Estate Engineering. This course teaches how to use engineering tools and gain basic skills in reading and interpreting information contained on engineering plans.

#### **GM Strategic Priority #2: Sustainability**

Objective #2 Provide right-of-way planning, valuation, and real property acquisition support services for the sustainability and reliability of both imported and regional water supplies, and protection of water rights.

Acquired entry permits from Southern California Edison in Bellflower, Downey, Irwindale, Lakewood, Pico Rivera, and Whittier to conduct environmental observational surveys for one month through July 2 in support of the environmental planning phase of Pure Water Southern California (previously known as the Regional Recycled Water Program).

All six entry permits were renewed for an additional two months through September 2, 2022. These surveys will provide information Metropolitan needs to comply with the California Environmental Quality Act.

## Core Business: Real Property Acquisition, Management, and Revenue Enhancement

Objective #2 Provide valuation, land management, and real property disposition support services for the maximum return or use of Metropolitan-owned land and facilities.

License agreements have been executed with the United States Navy for the use of portions of Metropolitan's feeowned land at the Eagle Mountain airstrip and in Blythe. The site in Blythe is encumbered with a lease with HayDay Farms, and HayDay is a co-licensor and signatory on the license. The two sites will be used for up to six days as part of the United States Marine Corps realistic urban training exercises.

A six-month permit has been executed with First 5 LA for vehicle parking at Metropolitan's headquarters facility. The parking is for up to 40, First 5 LA employees during normal business hours.

Amendment No. 5 has been processed for the United States Navy to extend its use of the Morris Reservoir premises for an additional five years. Environmental monitoring wells located at the premises are tracking hazardous materials from prior military activities in this region. Prolonged negotiations regarding federal remediation obligations are continuing with Metropolitan, county, state and United States Navy representatives.

#### Objective #3 Efficiently maintain and operate assets not related to the treatment and distribution of water.

Facility staff completed work to prepare the Diamond Valley Lake Visitor Center office space for the WSO Apprenticeship Training Team. The work included new paint, carpet, lighting upgrades, and thorough cleaning.





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The Diamond Valley Lake Marina began their series of summer night fishing tournaments. Every Saturday through mid-September, two-person fishing teams come out for an evening of fishing on the lake. Prizes are awarded to the teams with the biggest fish, and the biggest bag for three fish. The tournaments are sponsored by fishing associations such as the National Bass West and the American Bass Anglers (ABA).



#### **Objective #4 District Housing Maintenance and Management.**

The Eastern Region Facilities Management team is responsible for providing decent, safe, and sanitary housing for employee residents. During this reporting period, 37 work orders were completed. Some of the resident requests that were completed include replacement weatherstripping, installation of security doors, tree-trimming, and a replacement water heater.

## **Environmental Planning**

#### **GM Strategic Priority #1: Resiliency**

Objective #1 Provide planning, California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA), and regulatory permitting support for programs and projects that focus on infrastructure reliability and redundancy.

#### **Upper Feeder Santa Ana River Bridge Emergency Repairs**

- Completed environmental construction monitoring for emergency repair activities on the expansion joint.
- Prepared Clean Water Act Section 404 emergency permit notification for upcoming shutdown and emergency repair.

Objective #2 Emphasize employee development and recruitment, knowledge capture, cross-training, management/leadership training, and succession planning.

• Environmental Planning managers attended the Metropolitan Management Forum and Managing for Success in California training session.

#### **GM Strategic Priority #2: Sustainability**

Objective #2 Provide planning, CEQA/NEPA, and regulatory permitting support for projects and activities that address the challenges of sustainability, including aging infrastructure, contaminants of concern, and affordability of water supplies.

- Reviewed Draft Public Involvement Plan for the Regional Recycled Water Program.
- Finalized the Cultural Resources Report for the San Gabriel Tower and Improvements Project.
- Finalized the project description for the Initial Study/Notice of Preparation (IS/NOP) for the Weymouth Water Treatment Plant Program Environmental Impact Report.

Objective #3 Continue to actively manage Metropolitan's more than 30,000 acres of conservation lands through cooperative relationships with public agencies and non-governmental conservation organizations to promote sustainability of reserve resources.

#### **Lake Mathews Multiple Species Reserve**

- Conducted a prescribed burn in cooperation with CalFire on approximately 83 acres south of Cajalco Road.
- Continued weed abatement throughout the Reserve.

#### **Southwestern Riverside County Multi-Species Reserve**

- Conducted late season rare plant survey for Parry's spineflower at Diamond Valley Lake.
- Initiated seasonal moving of approximately 50 acres for habitat maintenance.
- Continued weed abatement and invasive Stinknet removal.

• Re-opened the Alamos Schoolhouse Reserve interpretive center to the general public two days a week after its being closed because of the COVID pandemic.

#### **Upper Salt Creek Preserve**

- Coordinated the completion of post-Stowe fire restoration effort.
- Conducted sensitive species and nesting bird surveys to ensure compliance with the Migratory Bird Treaty Act and Fish and Game Codes for protection of migratory birds

Objective #4 Develop a Climate Action Plan (CAP) and prepare CEQA documentation to be used to offset greenhouse (GHG) emissions from future construction projects. Identify new and continuing conservation efforts for the purpose of reducing future GHG reductions, as well as highlighting Metropolitan's effort to achieve those reductions, and develop a tracking methodology to ensure that Metropolitan is meeting its goal.

#### **Climate Action Plan**

• Began the process to amend the professional services agreement for CAP implementation; the amendment authorizes additional funding and extends the agreement duration.

#### **GM Strategic Priority #3 Innovation**

Objective #2 Develop and improve internal processes, procedures, systems, and databases to streamline and standardize environmental analysis and project clearance in support of customers.

• Completed an agreement with KLIR for support of environmental permit management database.

Objective #3 Partner and collaborate with regulatory and resources agencies, as well as other public agencies and external organizations, to build relationships and expedite/streamline environmental authorizations and clearances for Metropolitan projects.

• Continued monthly meetings with Department of Water Resources (DWR), Desert Water Agency, and Coachella Valley Water District on the Lake Perris Seepage Recovery project.

#### **Core Business: Regulatory Compliance**

Objective #1 Provide timely and professional environmental planning services and CEQA and regulatory permitting support to ESG, WSO, WRM, External Affairs, and Real Property groups.

#### **Engineering Services**

- Provided design phase support for the following projects:
  - 1. Colorado River Aqueduct Conveyance System Flow Sensors Installation Project
  - 2. Foothill Hydroelectric Plant Seismic Upgrades
  - 3. Headquarters Fire Sprinkler Level P1 Replacement
  - 4. Jensen Wash Water Reclamation Plant 2 Flocculator Rehabilitation
  - 5. Jensen Control Room Wildfire Smoke Control
  - 6. Live Oak Reservoir Cathodic Protection
  - 7. Mills Maintenance Building Roof Replacement
  - 8. Perris Valley Pipeline Rehabilitation
  - 9. Rainbow Tunnel Concrete Repairs-San Diego Pipeline 1 and 2

- 10. San Diego Canal Liner Repairs
- 11. Skinner Ozone Contactors 1 and 2 Influent Channel Concrete Repairs
- 12. West Orange County Feeder Blowoff Drain Line Rehabilitation
- 13. Weymouth Water Quality Lab Rehabilitation
- 14. Weymouth Administration Building Seismic Upgrades
- Provided construction phase support for:
  - 1. La Verne Maintenance Shops
  - 2. Orange County Feeder Relining, Reach 3, 4, 4A
  - 3. Western San Bernardino Right of Way and Infrastructure Protection Program (RWIPP)
  - 4. Weymouth Basins 5-8 Rehabilitation
  - 5. Weymouth La Verne Shops, Phase 4 Upgrades

#### **Water System Operations**

- Provided CEQA analysis and environmental planning support for the following O&M activities:
  - 1. Gene Village Corral
  - 2. Rialto Feeder Routine Grading Maintenance
  - 3. Sepulveda Feeder Shutdown 2022
  - 4. Telecommunications Conduit at Diamond Valley Lake Marina
  - 5. Upper Feeder Routine Grading Maintenance
- Provided environmental support for planned water deliveries at service connections USG-03 and CENB-36.

#### **External Environmental Document Reviews**

• Reviewed 20 CEQA notices for external projects and prepared comment letters for those that may affect Metropolitan facilities and/or operations.

#### **Legislative Reviews**

Provided legislative analysis on updated SB 1392 (steelhead trout fishing restoration report card).

#### **Real Property Support**

- Provided CEQA analysis and determinations for five real property agreements.
- Provided CEQA analysis and determination for a San Diego County Water Authority annexation request.

### Security

#### **GM Strategic Priority #1: Resiliency**

#### Objective #1 Develop and Refine Security's Strategic Plan

The Office of the Director of National Intelligence (ODNI) hosted a virtual Industry Day on June 21, 2022 to introduce its new Intelligence Community Public-Private Talent Exchange (PPTE) program to potential private sector partners. Metropolitan Security Management joined this exciting new partnership to create and foster productive opportunities for intelligence collaboration in protecting critical infrastructure.

Attendees received an overview of the program followed by a description of focus areas as well as opportunities to meet program managers and ask questions. For the inaugural effort, government and industry partners collaborated in the following critical focus areas, each championed by an Intelligence Community leader:

- Artificial Intelligence
- Data Management
- Economic Security and Financial Intelligence
- Human Capital
- Space

The PPTE program should provide a wide range of perspectives and diverse problem-solving approaches for the challenges facing our system and return valuable firsthand experience from other stakeholders facing similar mission challenges.



Director of National Intelligence (ODNI) hosted a virtual Industry Day

#### **Objective #2 Improve Security and Emergency Response**

Four Metropolitan staff members, from three different teams, successfully received Genetec Security Center 5.10 system certification after attending an intense week of virtual software administrator training. The new Genetec software, which is replacing the 20-year, end-of-life, legacy system, will be able to seamlessly integrate both electronic access control and security video systems into one open, non-proprietary platform.

Security Specialists were also trained in how to operate and use the system to protect Metropolitan's infrastructure well into the future. Over the next two years, new digital cameras will replace old analog video cameras throughout Metropolitan, enhancing both operational applications (systems process and safety) and security.



The new Genetec Security Center 5.10 system will augment both security and operations

#### **Objective #3 Improve Employee Readiness for All Hazards Emergencies**

Metropolitan Security Team management and the local Security Specialist participated in the first-ever Weymouth Safety Field Day by hosting a presentation on protecting critical infrastructure. The presentation focused on Metropolitan's long history, from the 1930s through the present, of protecting valuable drinking water facilities, critical assets, and key resources.

Attendees were shown many real-world crime events and how Metropolitan has defended facilities against catalytic converter and metal theft, trespassing, illegal dumping, vandalism, workplace violence, and other street crimes that need to be addressed as precursors to broader potential loss events.

Crime trends were discussed, as well as low-cost protective options the Security Team has implemented to mitigate risks associated with criminal trends.



Security asset protection presentation during Weymouth Safety Field Day

### Finance



#### **CFO Strategic Priority: Maintain Strong Financial Position**

Provide timely and discerning financial analyses, planning, and management to ensure that forecasted revenues are sufficient to meet planned expenses and provide a prudent level of reserves consistent with board policy.

Objective #1 Establish rates and charges to maintain moderate overall rate increases, minimize variability, and recover costs consistent with Board policy.

In May the Board approved a resolution to continue Metropolitan's Water Standby Charge for fiscal year 2022/23.

Objective #2 Manage risk to protect Metropolitan's assets against exposure to loss.

The Risk Management Unit completed 47 incident reports communicating instances of Metropolitan property damage, liability, workplace injuries, regulatory visits, and spills.

Risk Management completed 55 risk assessments on contracts, including professional service agreements, construction contracts, entry permits, special events, and film permits.

#### **Core Priority: Business Continuity**

Facilitate district-wide planning and training to prepare employees and managers to effectively carry out critical roles and recover mission essential functions thus ensuring continuity of operations and resiliency in the event of a disaster.

Objective #1 Manage the Business Continuity Management Program in accordance with Operating Policy A-06.

- Participated in meetings for the Hazard Mitigation core planning team in an effort develop a Local Hazard Mitigation Plan in accordance with FEMA's grant funding requirements.
- Continued facilitating tabletop exercises and Business Continuity plan updates, with a special focus on cyberattack planning.
- Collaborated with the Fusion Business Continuity Management software vendor on system and plan template enhancements.

#### **Core Business: Financial Management**

Manage Metropolitan's finances in an ethical and transparent manner and provide consistent, clear, and timely financial reporting. Update Metropolitan's capital financing plans and work with rating agencies and investors to communicate Metropolitan's financial needs, strategies, and capabilities, thus ensuring that Metropolitan has cost effective access to capital markets and the ability to finance ongoing future needs. In addition, actively manage Metropolitan's short-term investment portfolio to meet ongoing liquidity needs and changing economic environments.

Objective #1 Record and report the financial activities of Metropolitan in a timely, accurate, and transparent manner to the Board, executive management, member agencies, and the financial community.

Water Transactions for May 2022 totaled 141.3 thousand acre-feet (TAF), which was 2.9 TAF higher than the budget of 138.4 TAF and translate to \$138.8 million in revenues for May 2022, which were \$7.5 million higher than budget of \$131.3 million.

## **Finance**

## and Administration

(continued)

- Year-to-date water transactions through May 2022 were 1,505.9 TAF, which was 52.9 TAF higher than the budget of 1,453.0 TAF. Year-to-date water revenues through May 2022 were \$1,383.4 million, which were \$46.7 million higher than the budget of \$1,336.7 million.
- In May 2022, Accounts Payable processed approximately 3,500 vendor invoices for payment and took advantage of about \$8,200 in discounts.

Objective #4 Update capital financing plans and work with rating agencies and investors to communicate financial needs and capabilities, ensure cost-effective access to capital markets, and maintain long-term bond ratings of AA or better.

On May 12, 2022, Fitch Ratings completed a detailed rating surveillance review and confirmed Metropolitan's senior lien bond rating at AA+, the subordinate lien bond rating at AA+, and the subordinate lien variable rate bonds at AA+/F1+. The surveillance review process incorporated the coordination and provision of responses to a wide array of questions related to Metropolitan's finances, operations, CIP, drought response, and conservation programs.

Objective #5 Prudently manage the investment of Metropolitan's funds in accordance with policy guidelines and liquidity considerations.

As of May 31, 2022, Metropolitan's investment portfolio balance was \$1.45 billion; in May 2022, Metropolitan's portfolio managers executed 22 trades.

In May 2022, Treasury staff processed 1,109 disbursements by check, 23 disbursements by Automated Clearing House (ACH), and 115 disbursements by wire transfer. Treasury staff also processed 86 receipts by check, 35 receipts by ACH, and 46 receipts by incoming wires and bank transfers.

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### **Administrative Services**

Administrative Services provides a range of services including contracting, inventory management, warehousing, reprographics, technical writing, grant management, record management, EForms management, Enterprise Content Management, and administration of Metropolitan's Rideshare Program.

#### **Core Business: Business Process**

Advance value-added business process improvements to increase effectiveness and efficiency while striving for innovation, flexibility, and integration with technology.

#### Performance Measure(s)

- 1. Manage Administrative Services' operating and maintenance costs ≤ board-approved budgets in a fiscally responsible manner.
- 2. Ensure customer satisfaction, quality of work and on-time completion of work requests.
- 3. Identify opportunities to improve and enhance business processes.

Objective #3 Innovation – Use technology and best practices to implement innovative solutions in business processes to improve the customer and end user's experience

#### Action(s):

1. Replace outdated E-Forms application with a more intelligent and mobile ready technology

The EForms Management Team successfully launched a new, substantially updated Eforms application that's more user-friendly, cyber-secure, and contains advanced features including tracking capability.

#### **Accomplishments**

During the month of June, the Professional Services Contracting Team staff completed the following important acquisitions:

- Request for Qualification (RFQ) 1303 for IT On-Call Services in multiple categories. Metropolitan received forty-eight (48) statements of qualifications, one of the largest respondent pools on record, requiring significant coordination between IT and Contracting Services to complete all agreements.
- Request for Proposal (RFP) 1306 for Pre-stressed Concrete Cylinder Pipe Program (PCCP) and Pipeline Rehabilitation
   Projects Construction Management to provide onsite/offsite Construction Manager support to the PCCP program and
   related construction projects.
- Request for Proposal (RFP) 1302 Jensen Solids Mechanical Dewatering Facility, a project to provide a new
  dewatering facility to provide solids handling at the Jensen treatment plant. The RFP award ensures specialized
  engineering services for the new facility.

The Business Management Team completed a Job Cross-Pollination Pilot Program, a resiliency initiative on the FY 21-22 GM Business Plan, giving staff an opportunity to further their professional development and in support of the Section's succession planning. Based on their interests, the program provided an opportunity for Administrative Services staff to

(continued)

topically learn about another functional area within the Section. Program leaders Mimi Chan and Jeannette Correa worked through challenges stemming from teleworking schedules and pulled together a great program. The program survey revealed that staff had high interest in learning more about budget from section budget coordinator, Mimi Chan. The program consisted of three one-hour sessions each focusing on budget types, budget coordinators, and budget development. Per a post-program survey, the next topic will be Procurement and Investment Recovery.

(continued)

### **Human Resources**

#### **GM Strategic Priority #1: Resiliency**

Objective #1: Partner with Metropolitan leadership to support learning, development, and adaptive workforce planning initiatives.

The Organizational Development and Training Unit facilitated a virtual webinar on Managing for a Team Culture of Psychological Safety for 28 managers in the Water System Operations Group's Water Treatment Section.

In June, 147 managers completed the Managing for Success in California in-person training program to develop skills and learn best practices for managing employees within the law.

This month, 1,430 Metropolitan employees attended virtually facilitated classes, including Resiliency, Agreement Administration, Unintentional Bias, iExpense, and Personal Security Awareness.

LinkedIn Learning, Metropolitan's online, e-learning content platform, was used for classes, including topics on Building Rapport, Enhancing Productivity, Effective Note Taking, Mindfulness and Inclusion, Bluebeam Tips and Tricks, Answering Tough Questions as a Leader, and Speaking Confidently.

Objective #2 Seek diverse, high-quality talent, and establish partnerships to discover additional outreach opportunities that aid in staffing positions.

Recruitment successfully filled 12 positions for the month of June. Recruitment received no new staffing requisitions, resulting in 185 positions currently in recruitment.

The HR Group Manager continued to work with the board search committee to continue with the process for the General Auditor recruitment.

#### **GM Strategic Priority #2: Sustainability**

Objective #1 Implement employee retention and engagement programs to ensure Metropolitan's investment in employees is supported.

The Organizational Development and Training Unit attended Lake Matthews' Construction Services Safety Day to provide information on employees' training resources (professional development, team building, tuition reimbursement, etc.).

Objective #2 Ensure Metropolitan managers have foundational knowledge, on-going support to effectively manage employees, and the tools to prepare for a changing workforce.

Human Resources staff continued to provide one-on-one coaching and mediation services for managers and employees in the developmental areas of career development and progression, communication skills, and stress management.

#### **GM Strategic Priority #3: Innovation**

Objective #1: Continue to upgrade HR's technological capabilities and continue to seek out improved technologies to better serve HR's customers.

HRIS staff worked with IT and payroll to start the implementation of the annual cost of living adjustment for a majority of employees.

(continued)

HRIS staff partnered with IT staff to continue planning the next update of the MyHR system, which is scheduled to begin in July.

#### HR Core Business: Provide Excellent Human Resources Services

Objective #1: Administer all HR services with efficiency and a focus on customer service excellence, consistency, and flexibility.

The Business Support Team planned, organized, and coordinated a "Managing Stress" wellness webinar. The live webcast, held on June 22, 2022, was hosted by Kaiser Permanente. The stress webinar identified sources of stress, its effects on the mind and body, and how constantly activating the "fight or flight" response can lead to burnout and health problems. Employees learned strategies to build resilience and were invited to create a personal stress-reducing action plan to build healthy coping habits. There were 68 Metropolitan employees in attendance.

In May, the Board approved a new three-year contract with AFSCME Local 1902, which will run through December 31, 2024. Discussions with MAPA and ACE are taking place which would likewise extend the terms of those two agreements through December 31, 2024.

Negotiations continue with the SUPS on a successor MOU. Staff will continue to brief the OP&T Committee on the status of those talks.

The Human Resources Group partnered with and supported the new SRI, EEO, and DE&I offices in establishing their organizations and providing historical information.

#### HR Core Business: Comply with Employment Laws and Regulations

Objective #1: Effectively administer all Human Resources policies, programs, and practices in compliance with applicable federal and state laws and Metropolitan's Administrative Code, Operating Policies, and Memorandum of Understanding.

Human Resources continued efforts to review hiring, promotion, and Employee Relations procedures to address concerns raised in the State Audit Report and to ensure that any revisions meet the deadlines outlined in the State Audit Report.

The Benefits Unit, in coordination with Legal, provided redlined versions of the 401(k) and 457(b) Plan Documents with required changes to implement provisions based on the passage of the SECURE and CARES Act. The redlined versions were shared with all the bargaining unit presidents. New Plan Documents are required to implement plan enhancements, including 401(k) and 457(b) ROTH options.

Benefits coordinated the Deferred Compensation Advisory Committee (DCAC) quarterly meeting focused on reviewing 401(k) and 457(b) investment performance, fund line-up, plan stats and updates, new and pending legislation, and participant outreach and education to ensure that optimal benefits are provided and fiduciary obligations are met as a Plan Sponsor and employer.

The Benefits Unit is currently administering 2022 COVID-19 Leaves through September 30, 2022. As of May, 174 leaves have been approved.

In June, seven new Workers' Compensation claims were received. Five employees remain off work because of an industrial injury or illness. This reflects Metropolitan's effort to accommodate injured workers, while enabling them to be productive and on the job.

(continued)

In addition, staff is collaborating with other Metropolitan stakeholders to implement a new Incident Reporting and Case Management System designed by Ventiv Technology. Staff continues to work closely with our new Workers' Compensation Third Party Administrator, TRISTAR Risk Management, during the transition.

Activities of the Workers' Compensation/Medical Screening Unit are summarized as follows for June:

- Coordinated four medical medvan visits (DMV, respirator exams and hearing tests) at Jensen and Diemer
- Arranged 25 medical evaluations (pre-employment, DMV, medical surveillance, and resumption of the vanpool program)
- Coordinated three random drug tests
- Addressed 30 accommodation issues, referrals, and follow ups with Shaw Consulting Group

| HR Metrics          | June 2021 | June<br>2022 | Prior Month<br>May 2022 |
|---------------------|-----------|--------------|-------------------------|
| Headcount           |           |              |                         |
| Regular Employees   | 1,806     | 1,762        | 1,760                   |
| Temporary Employees | 30        | 37           | 39                      |
| Interns             | 3         | 2            | 2                       |
| Recurrents          | 20        | 18           | 18                      |
| Annuitants          | 16        | 19           | 18                      |

|  | June 2022 | May 2022 |  |
|--|-----------|----------|--|
| Number of Recruitments in Progress       | 185       | 197      |  |
| (Includes Temps and Intern positions)    |           |          |  |
| Number of New Staffing Requisitions      | 0         | 6        |  |
|  | June 2022 | May 2022 |  |
| Number of Job Audit Requests in Progress | 8         | 9        |  |
| Number of Completed/Closed Job Audits    | 1         | 0        |  |
| Number of New Job Audit Requests         | 0         | 0        |  |

| Transactions Current Month and Fiscal YTD (includes current month) |                 |                  |            |
|--|-----------------|------------------|------------|
| External Hires   | FY 20/21 Totals | <u>June 2022</u> | FISCAL YTD |
| Regular Employees  | r Employees 74  |                  | 82         |
| Temporary Employees  | 30              | <b>30</b> 3      |            |
| Interns  | 3               | 0                | 4          |
| Internal Promotions  | 60              | 4                | 70         |
| Management Requested Promotions                                    | 149             | 10               | 152        |
| Retirements/Separations (regular employees)                        | 78              | 6                | 127        |
| Employee-Requested Transfers                                       | 20              | 1                | 15         |

(continued)

#### **Departures**

| Last      | First<br>Name | Classification                    | Eff Date  | Reason     | Group                           |
|-----------|---------------|-----------------------------------|-----------|------------|---------------------------------|
| Lee       | James         | Team Mgr-IT Client<br>Systems Spt | 4/23/2022 | Retirement | INFORMATION<br>TECHNOLOGY GROUP |
| Shelby    | Dennis        | Survey and Mapping<br>Tech IV     | 4/19/2022 | Retirement | ENGINEERING SERVICES<br>GROUP   |
| Hall      | Russell       | Sr System Operator                | 5/4/2022  | Retirement | WATER SYSTEM OPERATIONS GROUP   |
| Roland    | Steven        | O&M Tech IV                       | 5/6/2022  | Retirement | WATER SYSTEM OPERATIONS GROUP   |
| Yan       | William       | IT System<br>Administrator I      | 5/27/2022 | Separated  | INFORMATION<br>TECHNOLOGY GROUP |
| Takeguchi | Stacie        | Team Mgr-Facility Planning        | 5/14/2022 | Separated  | ENGINEERING SERVICES<br>GROUP   |

## **External Affairs**



### **External Affairs**

#### **Highlights**

GM Hagekhlil, Directors Abdo, Luna, Repenning and Sutley, AGM Zinke, SRI Officer Crosson, and Metropolitan staff attended the annual Heal the Bay Bring Back the Beach event. Director Quinn is the new CEO of the organization. (June 2)

GM Hagekhalil received the "Service Above Self Award" at the Los Angeles Beirut Sister Cities Committee event which Metropolitan sponsored. (June 4)



SIR Officer Crosson, Mayor Garcetti, Heal the Bay CEO and MWD Director Quinn and GM Hagekhalil at Heal the Bay Event





GM Hagekhalil spoke at the Groundwater Resources 2022 Forum to share one-water solutions for water Sustainability. (June 8)

Metropolitan hosted the BizFed Institute's Water & Climate Resiliency Forum. Chairwoman Gray and GM Hagekhalil spoke at the event along with Directors Ortega and Sutley. (June 17)

Chairwoman Gray, GM Hagekhalil, SRI Officer Crosson, and Group Manager Coffey spoke on behalf of Metropolitan at the VerdeXchange conference, which focused on climate infrastructure investments for the water, energy, and other sectors. Directors Goldberg, Repenning, and Sutley were also featured speakers at the event (June 19)



Chairwoman Gray, WRCOG Exec Committee Chair Spiegel, WMWD Board member Rizv and MWD Director Dennstedt, WMWD

GM Hagekhalil was the keynote speaker at the California Water Environment Association conference and shared his One Water vision to an audience of clean water pretreatment professionals. (June 22)

Metropolitan sponsored and Chairwoman Gray and Director Dennstedt and staff attended the Western Riverside Council of Governments General Assembly with 800 community leaders and elected officials. (June 23)

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# **External Affairs**

Chairwoman Gray was honored by the Los Angeles County Business Federation with the "Business Makes LA County Work" Award for her leadership at Metropolitan. The event recognized businesses, nonprofits, elected officials and appointed officials in each LA County Supervisorial District. (June 24)

U.S. Dept. of Interior Assistant Secretary for Water and Science Trujillo spoke at Metropolitan's executive committee meeting about drought conditions on the Colorado River and the urgent need for California and other Lower Basin states to work together to cut water use. (June 28)



## **Legislative Services**

#### Local

In addition to regularly scheduled government affairs meetings, Metropolitan staff participated in 68 webinars and meetings with chambers of commerce, business organizations, and community events on water-specific topics. At many of these events, staff made presentations on current drought conditions and conservation programs.

#### State

Metropolitan staff are monitoring bills in the Legislature to help water agencies accelerate the design and construction of water infrastructure projects: AB 1845 (Calderon, D-Whittier), a Metropolitan-sponsored bill, will benefit emergency drought mitigation projects and the Regional Recycled Water Program. SB 991 (Newman, D-Fullerton) would authorize local water and wastewater agencies to use progressive design build on projects totaling more than \$5 million.

Metropolitan and the California Municipal Utilities Association are working to amend our co-sponsored CEC legislation SB 230 (Portantino, D-La Cañada Flintridge) to allow the State Water Board to build on their existing CEC program with a focus on drinking water and to establish a Science Advisory Panel if needed.

Metropolitan was a lead witness with ACWA on their sponsored bill AB 2142 (Gabriel, D-Encino) bill to exempt turf replacement rebates from personal and corporate income tax.

Work continues to push for funding in the state budget or trailer bills to support the drought emergency projects, the Regional Recycled Water Program, and the region's water infrastructure priorities.

#### **Federal**

Metropolitan staff helped secure a letter from Representatives Napolitano, Huffman, Grijalva, and Lee, the House sponsors of the large-scale recycled water bill, to the Bureau of Reclamation asking that the program be set up this summer and issue its first grants for planning and design work in October.

Reclamation Commissioner Touton testified at a Senate Natural Resources Committee hearing on Western Drought that Colorado River water users need to conserve an additional 2–4 million acre-feet per year starting in 2023 to protect critical elevations at Lake Powell and Lake Mead. (June 14)

The House passed its version of the Water Resources and Development Act of 2022, H.R. 7776. Metropolitan supports this bill.

# **External Affairs**

## **Media and Communications**

#### **Media Activities and Interviews**

- COO Upadhyay was interviewed on the Rebuild SoCal podcast, California Water Crisis, and discussed water reuse, the many benefits of recycled water, and conservation efforts.
- Coordinated tour of Pure Water Southern California for Arizona Republic reporter and photographer, followed by interview with Water Resource Management Group Manager Coffey
- Arranged interview with KABC-TV Channel 7 and GM Hagekhalil on meeting with Gov. Newsom and Metropolitan's conservation plans
- Set up interview with FOX 11's News In Depth show with GM Hagekhalil on drought and water restrictions



- Coordinated interview with Circle of Blue reporter Brett Walton and Colorado River Resources Manager Hasencamp on the role of the Colorado River in Metropolitan's water supplies
- Arranged tour of Pure Water Southern California for Colorado-based National Public Radio reporter Alex Hager, followed by interviews with Colorado River Resources Manager Hasencamp and GM Hagekhalil
- Set up interview with Wall Street Journal reporter Jim Carlton and Water Resource Management's Goldman regarding turf replacement program
- Coordinated interview with KNX-AM 1070's producer James Tuck and Water Resource Management's Polyzos regarding emergency drought restrictions
- Arranged interview with CBS radio (national) and Water Resource Management's Polyzos regarding emergency drought restrictions
- Set up Bay-Delta Initiatives Manager Arakawa's participation on KPCC's AirTalk on discuss Sites Reservoir
- Coordinated Spanish-language interview with Univision's Jaime Garcia and External Affairs' Cetina on new water use requirements
- Arranged Spanish-language interview with Telemundo's Luis Zaragoza and External Affairs' Cetina on new water regulations
- Set up interview with CBS News and GM Hagekhalil on new drought restrictions
- Coordinated interview with LA Times reporter Jon Healey and External Affairs' Moss on how parents can engage kids on drought and conservation activities
- Arranged interview with Fox Weather and Water Resource Management's Polyzos on drought restrictions
- Set up interview with CalMatters reporter Rachel Becker and Bay-Delta Initiatives' Arakawa regarding the Delta Conveyance Project
- Coordinated interview with WaterWorld Magazine and Water Resource Management's Tilkian regarding Metropolitan's conservation incentives
- Arranged interview with CNN en espanol on drought restrictions

• Arranged participation of Group Manager Coffey for a Los Angeles Chamber press conference with business and water leaders on current drought conditions and water conservation.

(June 15)

- Coordinated podcast interview with Rebuild SoCal Partnership and EO Officer/AGM Upadhyay on Pure Water Southern California
- Set up interview between Associated Press reporter Kathleen Ronayne and Colorado River Resources Manager Hasencamp on the Colorado River Compact
- Arranged interview with Politico reporter Lara Korte and Colorado River Resources Manager Hasencamp about Bureau of Reclamation's recent call for states to cut usage of the Colorado River



WRM Group Manager Coffey speaking at LA Chamber press conference

 Coordinated interview with NewsNation regarding Colorado River and Reclamation's call for cuts in use





Haley Smith and WRM's Coffey on member agency response to emergency drought restrictions

• Set up interviews on outdoor conservation as part of paid TV news integrations with KABC-TV Channel 7, KTLA-TV Channel 5, Telemundo-TV 52, and KNBC-TV Channel 4

• Arranged interview with Los Angeles Times reporter

TV Interviews Promoting Conservation, Rebates and Bewaterwise.com

#### **Press releases**

- Emergency Drought Restrictions Effective June 1
- Statement from GM Hagekhalil on statewide conservation numbers
- Statement from GM Hagekhalil on State water board's emergency conservation regulations
- Statement from GM Hagekhalil on Governor's call for conservation compliance
- Metropolitan Chairwoman and GM signing Equity in Infrastructure pledge
- Joint Release with LA County Sanitation District on new name Pure Water Southern California for recycled water project.

#### **Creative Design**

- Continued conservation advertising campaign featuring Metropolitan and member agency representatives, which drove more than 80,000 visits to bewaterwise.com, with a reach of nearly 10 million people and 27 million impressions
- Completed in-house commercial for television broadcast to promote regional water conservation, which will be translated into five languages
- Produced a new design direction for State Water Project-dependent member agencies that elevates the seriousness of the drought message
- New flight of multi-lingual advertising includes Chinese, Spanish, Korean, Tagalog, Vietnamese, and Armenian
- Created tribute video to celebrate the 50th anniversary of Jensen Treatment Plan









Tagalog Digital Conservation Ad, New Tip-Based Assets, and Social Media posts celebrating Juneteenth and Pride Month

#### **Social Media**

- Commemorated Juneteenth with posts with quotes from Chairwoman Gray and BEA President Holmes
- Celebrated Pride Month, including posts about the formation of new Pride @Metropolitan employee resource group and the importance of LGBTQIA+ visibility
- Shared statements on June 1 start of Emergency Conservation Program restrictions, declining conditions on the Colorado River, and the state's progress on conservation

#### Website

- Completed major upgrade to mwdh2o.com website's content management system, which will provide an enhanced Google web search as well as additional usability.
- Posted progress dashboards in response to the State Audit and Shaw Law Group workplace assessments.
- Received nearly 270,000 page views on bewaterwise.com with the newly created How We Save Water page as the most visited page; more than 88 percent of all incoming traffic were new users.

## **Public Outreach and Member Services**

#### **Regional Recycled Water Program**

Staff provided briefings and tours of the Advanced Demonstration Facility to Council for Watershed Health (June 2); Central Basin Municipal Water District (June 6); San Manuel Band of Mission Indians (June 10); AWWA (June 14); Fernandeno Tatavium Band of Mission Indians (June 21); American Indian Chamber of Commerce (June 21); Los Angeles Basin section of CWEA (June 22); CalAsian Chamber of Commerce (June 22); West Basin Municipal Water District (June 23); Los Angeles Neighborhood Initiative (June 27).

Staff made presentations to the Carson City Council (June 8) and to the cities of Lakewood (June 22) and Long Beach (June 23) regarding the proposed Pure Water Southern California pipeline alignment.

#### **Construction/Maintenance Outreach**

Updated staff of LA City Councilmember Buscaino on future Second Lower Feeder construction (June 15)

#### **Member Agency Support**

- Meeting with member agency PIOs on drought and conservation communications (June 1 and June 27)
- Meeting with member agency managers to discuss drought response and Upper Feeder repair (June 3)
- Inspection trip to the State Water Project and Delta (June 7-8)
- Tour of La Verne shops and warehouse store for SDCWA staff (June 28)
- Inspection trip of State Water Project East Branch facilities (June 29)

# **Education and Community Relations**

#### **Education and Community Relations**

During the 2021–22 school year, Education staff virtually interacted with 18,400 teachers, students, and parents through online virtual tours, scouting programs, and customized ZOOM presentations.

Metropolitan staff attended an event for the Chino Hills High School 2022 Solar Cup Team, sponsored by Inland Empire Utilities Agency. In attendance were Representative Kim (CA-39), Senator Newman (D-Fullerton), and San Bernardino County Supervisor Hagman. (June 14)



City of Chino Hills Solar Cup Presentation

In partnership with the Department of Water Resources, Water Education Foundation, and the Water Replenishment District, Metropolitan staff participated in a teacher training workshop on water conservation

# **Community Partnering and Sponsorship Program**

The Community Partnership Program (CPP) approved the following sponsorships:

- Agua Hedionda Lagoon Foundation Watershed Table Interactive Learning
- Elsinore Valley Municipal Water District Splash into Summer Water Festival
- Trabuco Canyon Water District Water Awareness Days
- Oceanographic Teaching Stations, 2022 Keep it Green, Keep it Clean
- Southern California Chinese-American Environmental Association Youth Environmental Summer Camp
- The Samburu Project 2022 #DoltForWater

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Metropolitan's Mission is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

700 N. Alameda Street, Los Angeles, CA 90012 General Information (213) 217-6000 www.mwdh2o.com www.bewaterwise.com General Manager: Adel Hagekhail Office of the GM (213) 217-6139 OfficeoftheGeneralManager@mwdh2o.com



# Office of the General Counsel





### **Matters Involving Metropolitan**

In re Matter of the Metropolitan Water District of Southern California, South Coast Air Quality Management District, Application for Interim Variance

On July 1, 2022, Metropolitan filed a petition with South Coast Air Quality Management District (SCAQMD) for a variance from the annual 200 hour limit on operations in its permit to operate an emergency standby propane generator at its Pleasant Peak telecommunication tower. The SCAQMD thresholds seek to limit criteria pollutant emissions (i.e., nitrogen oxides, carbon monoxide, and volatile organic compounds) by restricting the number of hours generators run. The telecommunication tower is in a remote area of Orange County and relies on the emergency generator, if there are power outages on Southern California Edison's (Edison) system. The tower is necessary for operational communications for Metropolitan's water delivery system. Other public agencies, including Riverside County, San Bernardino County, and the Water Emergency Response Organization of Orange County, also rely on the emergency generator to provide backup power for their telecommunications systems housed at this location. Thus, uninterrupted operation of the tower is necessary to support several essential public services.

The need for this variance is due solely to unanticipated Edison power outages. Several recent Edison outages for repairs to its system required Metropolitan to operate the generator over 170 hours as of July 1, 2022, putting it at risk of exceeding the 200-hour limit before year end.

SCAQMD's hearing board granted an immediate emergency waiver and a follow-up hearing was held on July 26. As SCAQMD was in agreement with the petition, the item was heard on the consent calendar and the board found good cause to grant the variance. A final hearing for a regular variance that will provide coverage to the end of the year will be held on August 31.

Metropolitan staff is handling this matter and will continue to participate in this case to protect Metropolitan's operational needs.

Sierra Club v. Cal. Dept. of Water Resources (consolidated with Department of Water Resources v. All Persons Interested, etc.) (Sacramento County Superior Court)

On August 5, 2022, the judge in the Delta Conveyance Project revenue bond validation cases held a case management conference to establish a briefing and hearing schedule for the next stage of litigation before setting a trial date and briefing schedule later this year. The court ordered that any motions for summary judgment or summary adjudication and any motion for new trial be filed by August 15, 2022, extended to August 25 due to a Covid issue, with a hearing date set for November 18, 2022. The court also set the next case management conference for December 9, 2022 to establish a trial date and briefing schedule, if it denies the opponents' motions for summary judgment and new trial.

As previously reported, on August 6, 2022, the Department of Water Resources (DWR) adopted a set of resolutions authorizing issuance of revenue bonds to finance both the design, environmental review and planning costs, as well as costs to construct a new Delta conveyance facility. The same day, it filed a validation action seeking a judicial declaration that it has the authority to adopt the bond resolutions. Dozens of parties filed answers raising an array of affirmative defenses opposing DWR's validation case; five public water agencies, including Metropolitan, filed answers supporting DWR's case.

On October 27, 2020, Sierra Club, Center for Biological Diversity, Planning and Conservation League, Restore the Delta and Friends of Stone Lakes National Wildlife Refuge filed litigation challenging DWR's adoption of the bond resolutions under the California Environmental Quality Act (CEQA), alleging that DWR could not adopt the bond resolutions until it completed CEQA review of the Delta Conveyance Project. Multiple parties also raised CEQA as an affirmative defense in DWR's validation case.

The cases were consolidated, and last fall, after a set of cross-motions for summary judgment on CEQA, the trial court ruled in DWR's favor, meaning Sierra Club's CEQA claims and all CEQA

affirmative defenses in the validation action failed based on the law as applied to the undisputed material facts.

Because the trial court judge was appointed to the Court of Appeal for the Third Appellate District, the cases were delayed until the Honorable Judge Mennemeier was assigned. In the next round of dispositive motions, Sierra Club has indicated it will

move for a new trial on its CEQA claim, and it and other answering opponents stated they intend to move for summary judgment on alleged violations of the Delta Reform Act and the public trust doctrine, and possibly others.

Metropolitan staff is handling this matter with the assistance of outside counsel.

## **Matters Impacting Metropolitan**

Department of Interior v. Navajo Nation, (U.S. Supreme Court Case No. 22-51); State of Arizona v. Navajo Nation (U.S. Supreme Court, Case No. 21-1484, U.S. Court of Appeals for the Ninth Circuit, Case No. No. 19-17088, D.C. No. 3:03-cv-00507-PCT-GMS)

On July 15, 2022, U.S. Department of Interior (DOI) filed a separate petition with the U.S. Supreme Court seeking review of the question whether the federal government owes the Navajo Nation an affirmative, judicially enforceable fiduciary duty to assess and address the Navajo Nation's need for water. DOI argues it does not, as there is no specific treaty, statute, or regulatory provision creating a duty as required by existing Ninth Circuit and Supreme Court precedent. DOI argues that because the Ninth Circuit's decision in this matter conflicts with existing authority, it warrants Supreme Court review.

DOI also concurrently filed a response to the Intervenors' petition arguing that it should be held pending disposition of its separate petition on the fiduciary duty issue. DOI argued that it does not believe it is necessary to rule on the jurisdictional issue of whether the Ninth Circuit's opinion infringes on the exclusive jurisdiction of the Supreme Court over water rights on the mainstem of the Colorado River retained in *Arizona v. California* at this time.

Intervenors include the States of Arizona, Nevada, and Colorado, along with Metropolitan, Coachella Valley Water District, Imperial Irrigation District, Salt River Valley Water Users' Association, Salt River Project Agricultural Improvement and Power District, Central Arizona Water Conservation District, Colorado River Commission of Nevada, and Southern Nevada Water Authority.

Having initially waived its right to respond, Navajo Nation immediately requested relief to file a response to Intervenors' petition and to extend its date to respond to DOI's new petition. The parties did not object and agreed that responses by all parties to DOI's petition and Navajo Nation's response to Intervenors' petition are due September 23, 2022. Replies, if any, are due within 14 days of the responses.

Intervenors intend to file a response to DOI's petition and a reply to the Navajo Nation's response to its petition. The parties expect the matter to be fully briefed in October, when the Supreme Court may consider whether to grant review. If review is granted, briefs are due 45 days thereafter.

Metropolitan will continue to participate in this case to protect its Colorado River water interests. (See General Counsel's May 2022 Monthly Report.)

# **EEOC Updates Employer COVID-19 Pandemic Guidance**

On July 12, 2022, the federal EEOC updated its guidance to employers regarding the country's ongoing response to COVID-19. Under the new rules, employers can only test employees at the workplace for COVID-19 for job and business related reasons. The EEOC also now prohibits employers from requiring employees to undergo antibody testing prior to re-entering the workplace. Employers are authorized, however, to test new job applicants, but only if everyone at the worksite is required to undergo testing.

The new guidance makes clear that employer obligations continue to change as the pandemic progresses.

#### **Other Matters**

#### **Finance**

On July 7, 2022, Metropolitan issued \$279,570,000 of Water Revenue Refunding Bonds, 2022 Series A (Bonds). The Bonds were issued to refund portions of three separate series of bonds originally issued in 2012 and realize debt service savings. Total present value debt service savings for Metropolitan was \$40 million. The Bonds also prepaid \$35,645,000 of outstanding Wells Fargo Short-Term Revolving Notes issued on June 29, 2022.

During a 4-month process, Legal Department staff attorneys worked with Finance, Engineering and Water Resources staff to prepare the official statement used to market the Bonds and assisted outside bond and disclosure counsel with the drafting and negotiation of several contracts and closing certificates.

On July 27, 2022, Metropolitan concurrently issued (i) \$253,365,000 of Water Revenue Refunding Bonds, 2022 Series B; and (ii) \$282,275,000 of Special Variable Rate Water Revenue Refunding Bonds, 2022 Series C (collectively, the Bonds). The related series of Bonds were issued to refund portions of six separate series of bonds originally issued in 2000, 2016, and 2018 and realize debt service savings. Total present value debt service savings for Metropolitan was \$24.5 million.

During a several-month process, Legal Department staff attorneys worked with Finance, Engineering and Water Resources staff to prepare the official statements used to market the Bonds and assisted outside bond and disclosure counsel with the drafting and negotiation of several contracts and closing certificates, including the credit facilities supporting the variable rate bonds.

# **Matters Received**

| <u>Category</u>           | Received | <u>Description</u>                             |  |
|---------------------------|----------|--|--|
| Requests Pursuant to      | to 15    | Requestor                                      | Documents Requested  |
| the Public Records<br>Act |          | Blair, Church & Flynn<br>(2 requests)          | Records for any MWD existing or proposed facilities in the vicinity of the projects in: (1) Tustin; and (2) Irvine   |
|                           |          | CalMatters                                     | Data regarding turf rebates, including information on applications received and funded, amount of square footage replaced, and turf replacement studies  |
|                           |          | Center for Contract<br>Compliance (2 requests) | Summit Landcare: (1) certified payroll records and fringe benefit statement for work on Landscape Maintenance, Tree Trimming and Herbicide Applications for North Orange County; and (2) bid and contract documents for Landscape Maintenance and Irrigation Repair at Yorba Linda |
|                           |          | Fabozzi & Miller                               | Farm lease agreements and amendments between MWD and/or Palo Verde Irrigation District and HayDay Farms, Inc. and any affiliated or successor entities from January 1, 2022 through the present  |

| Requestor                       | Documents Requested  |
|---------------------------------|--|
| Indio Water Authority           | Documents regarding savings from turf conversions and toilet and smart irrigation changeouts   |
| KPCC                            | Turf rebate data for Los Angeles,<br>Orange, Riverside, and San Bernardino<br>Counties for fiscal years 2020/21 and<br>2021/22, including whether the rebate<br>was for residential, commercial, or<br>industrial use, number of acres replaced,<br>and rebate amounts |
| MWD Supervisors<br>Association  | Transcript, digital media, and chats from<br>the Coffee with the General Manager<br>session on July 19, 2022   |
| Nighthawk Strategies            | Form 700s relating to Scott Slater of<br>Brownstein Hyatt Farber Schreck from<br>January 2000 to present   |
| Private Citizens (2 requesters) | (1) LADWP WaterInsights Reports on water usage for two addresses in the City of Los Angeles; and (2) costs associated with the design, creation, and maintenance of Diamond Valley Lake Reservoir and related fees charged to Las Virgenes Municipal Water District    |
| TAIT & Associates               | Information on any MWD facilities near<br>the street rehabilitation project in the city<br>of Bellflower   |
| United Fiber Comm.              | Records for any MWD existing utilities in vicinity of the project on South Harbor Boulevard in Santa Ana   |
| WestWater Research              | Records regarding price and delivery volume for 2022 Imperial Irrigation District/MWD water transfer   |

#### PLEASE NOTE

- ADDITIONS ONLY IN THE FOLLOWING TWO TABLES WILL BE SHOWN IN RED.
- ANY CHANGE TO THE *OUTSIDE COUNSEL AGREEMENTS*TABLE WILL BE SHOWN IN REDLINE FORM (I.E., ADDITIONS, REVISIONS, DELETIONS).

#### **Bay-Delta and SWP Litigation** Subject **Status Consolidated DCP Revenue Bond Validation** Validation Action **Action and CEQA Case** Metropolitan, Mojave Water Agency, Coachella Valley Water District, and Santa Sierra Club, et al. v. California Department of Water Clarita Valley Water Agency have filed Resources (CEQA, designated as lead case) answers in support Kern County Water Agency, Tulare Lake DWR v. All Persons Interested (Validation) Basin Water Storage District, Oak Flat Water District, County of Kings, Kern Sacramento County Superior Ct. Member Units & Dudley Ridge Water (Judge Kenneth C. Mennemeier) District, and City of Yuba City filed answers in opposition North Coast Rivers Alliance et al., Howard Jarvis Taxpayers Association, Sierra Club et al., County of Sacramento & Sacramento County Water Agency, CWIN et al., Clarksburg Fire Protection District, Delta Legacy Communities, Inc., and South Delta Water Agency & Central Delta Water Agency have filed answers in opposition Case ordered consolidated with the DCP Revenue Bond CEQA Case for pre-trial and trial purposes and assigned to Judge Earl for all purposes DWR's motions for summary judgment re CEQA affirmative defenses granted; crossmotions by opponents denied August 25, 2022 deadline to file any dispositive motions Nov. 18, 2022 Hearing on dispositive motions Dec. 9, 2022 Case Management Conference CEQA Case Sierra Club, Center for Biological Diversity, Planning and Conservation League, Restore the Delta, and Friends of Stone Lakes National Wildlife Refuge filed a standalone CEQA lawsuit challenging DWR's adoption of the bond resolutions Alleges DWR violated CEQA by adopting bond resolutions before certifying a Final EIR for the Delta Conveyance Project Cases ordered consolidated for all purposes

# SWP-CVP 2019 BiOp Cases

Pacific Coast Fed'n of Fishermen's Ass'ns, et al. v. Raimondo, et al. (PCFFA)

Calif. Natural Resources Agency, et al. v. Raimondo, et al. (CNRA)

Federal District Court, Eastern Dist. of California, Fresno Division (Judge Thurston)

- DWR's motion for summary judgment granted; Sierra Club's motion denied
  - SWC intervened in both PCFFA and CNRA cases
  - Briefing on federal defendants' motion to dismiss CNRA's California ESA claim is complete; no hearing date set and may be decided on the papers
  - Federal defendants circulated administrative records for each of the BiOps
  - December 18, 2020 PCFFA and CNRA filed motions to complete the administrative records or to consider extra-record evidence in the alternative
  - Federal defendants reinitiated consultation on Oct 1, 2021
  - On Nov. 8, 2021, Federal Defendants and PCFFA plaintiffs stipulated to inclusion of certain records in the Administrative Records and to defer further briefing on the matter until July 1, 2022
  - On Nov. 12, 2021, SWC filed a motion to amend its pleading to assert cross-claims against the federal defendants for violations of the ESA, NEPA and WIIN Act; Court has yet to set a hearing date
  - November 23, 2021, Federal Defendants filed a motion for voluntary remand of the 2019 Biological Opinions and NEPA Record of Decision and requesting that the Court issue an order approving an Interim Operations Plan through September 30, 2022; that the cases be stayed for the same time period; and that the Court retain jurisdiction during the pendency of the remand. State Plaintiffs filed a motion for injunctive relief seeking judicial approval of the Interim Operations Plan
  - December 16, 2021 NGO Plaintiffs filed a motion for preliminary injunction related to interim operations
  - Motions fully briefed as of Jan. 24, 2022
  - Hearing on motions held Feb. 11, 2022
  - District court (1) approved the State and Federal Government's Interim Operations Plan (IOP) through September 30, 2022;
     (2) approved the federal defendants'

request for a stay of the litigation through September 30, 2022; (3) remanded the BiOps without invalidating them for reinitiated consultation with the 2019 BiOps in place; (4) denied PCFFA's alternative request for injunctive relief; and (5) by ruling on other grounds, denied the state plaintiffs' motion for injunctive relief and the federal defendants' request for equitable relief

#### **CESA Incidental Take Permit Cases**

Coordinated Case Name CDWR Water Operations Cases, JCCP 5117 (Coordination Trial Judge Gevercer)

Metropolitan & Mojave Water Agency v. Calif. Dept. of Fish & Wildlife, et al. (CESA/CEQA/Breach of Contract)

State Water Contractors & Kern County Water Agency v. Calif. Dept. of Fish & Wildlife, et al. (CESA/CEQA)

Tehama-Colusa Canal Auth., et al. v. Calif. Dept. of Water Resources (CEQA)

San Bernardino Valley Municipal Water Dist. v. Calif. Dept. of Water Resources, et al. (CEQA/CESA/ Breach of Contract/Takings)

Sierra Club, et al. v. Calif. Dept. of Water Resources (CEQA/Delta Reform Act/Public Trust)

North Coast Rivers Alliance, et al. v. Calif. Dept. of Water Resources (CEQA/Delta Reform Act/Public Trust)

Central Delta Water Agency, et. al. v. Calif. Dept. of Water Resources (CEQA/Delta Reform Act/Public Trust/ Delta Protection Acts/Area of Origin)

San Francisco Baykeeper, et al. v. Calif. Dept. of Water Resources, et al. (CEQA/CESA)

- All 8 cases ordered coordinated in Sacramento County Superior Court
- Stay on discovery issued until coordination trial judge orders otherwise
- All four Fresno cases transferred to Sacramento to be heard with the four other coordinated cases
- SWC and Metropolitan have submitted Public Records Act requests seeking administrative record materials and other relevant information
- Answers filed in the three cases filed by State Water Contractors, including Metropolitan's
- Draft administrative records produced on Sept. 16, 2021
- Certified administrative records lodged March 4, 2022
- Sept. 9, 2022 fifth Case Management Conference
- Sept. 9, 2022 hearing on any motions to augment the administrative records

# CDWR Environmental Impact Cases Sacramento Superior Ct. Case No. JCCP 4942, 3d DCA Case No. C091771 (20 Coordinated Cases)

Validation Action

DWR v. All Persons Interested

CEQA 17 cases

CESA/Incidental Take Permit 2 cases

(Judge TBD)

- Cases dismissed after DWR rescinded project approval, bond resolutions, decertified the EIR, and CDFW rescinded the CESA incidental take permit
- January 10, 2020 Nine motions for attorneys' fees and costs denied in their entirety
- Parties have appealed attorneys' fees and costs rulings
- May 11, 2022, court of appeal reversed the trial court's denial of attorney fees and costs in an unpublished opinion
- Opinion ordered published
- Coordinated cases remitted to trial court for re-hearing of fee motions consistent with the court of appeal's opinion

#### COA Addendum/ No-Harm Agreement

North Coast Rivers Alliance v. DWR Sacramento County Superior Ct. (Judge Gevercer)

#### **Delta Plan Amendments and Program EIR**

4 Consolidated Cases Sacramento County Superior Ct. (Judge Gevercer )

North Coast Rivers Alliance, et al. v. Delta Stewardship Council (lead case)

Central Delta Water Agency, et al. v. Delta Stewardship Council

Friends of the River, et al. v. Delta Stewardship Council

California Water Impact Network, et al. v. Delta Stewardship Council

#### **Delta Stewardship Council Cases**

3 Remaining Cases (CEQA claims challenging original 2013 Delta Plan EIR) (Judge Chang)

North Coast Rivers Alliance, et al. v. Delta Stewardship Council

Central Delta Water Agency, et al. v. Delta Stewardship Council

- Plaintiffs allege violations of CEQA, Delta Reform Act & public trust doctrine
- USBR Statement of Non-Waiver of Sovereign Immunity filed September 2019
- Westlands Water District and North Delta Water Agency granted leave to intervene
- Metropolitan & SWC monitoring
- Deadline to prepare administrative record extended to Sept. 19, 2022
- Cases challenge, among other things, the Delta Plan Updates recommending dual conveyance as the best means to update the SWP Delta conveyance infrastructure to further the coequal goals
- Allegations relating to "Delta pool" water rights theory and public trust doctrine raise concerns for SWP and CVP water supplies
- Cases consolidated for pre-trial and trial under North Coast Rivers Alliance v. Delta Stewardship Council
- SWC granted leave to intervene
- Metropolitan supports SWC
- 2013 and 2018 cases to be heard separately due to peremptory challenge
- SWC and several individual members, including Metropolitan, SLDMWA and Westlands have dismissed their remaining 2013 CEQA claims but remain intervenordefendants in the three remaining Delta Stewardship Council Cases

|  | 2013 Cases   |
|--|--|
| California Water Impact Network, et al. v. Delta                                 | After a hearing on Feb. 25, 2022 the court   |
| Stewardship Council  | ruled against plaintiffs on the merits of their<br>BDCP-related CEQA claims  |
|  | <ul> <li>April 22, 2022 court ruled against the<br/>remaining CEQA claims and denied the<br/>petitions for writs of mandamus</li> </ul>                            |
|  | Three remaining petitioner groups filed notices<br>of appeal   |
|  | <ul> <li>Delta Stewardship Council filed memorandum<br/>of costs seeking \$362,407.47, mostly for cost<br/>to prepare the administrative record</li> </ul>         |
|  | 2018 Cases   |
|  | <ul> <li>Hearing on the merits <u>held</u> July 22, 2022</li> </ul>  |
|  | Ruling on the merits anticipated in September  |
| SWP Contract Extension Validation Action Sacramento County Superior Ct.          | DWR seeks a judgment that the Contract<br>Extension amendments to the State Water  Contracts are leveled.  |
| (Judge Culhane)  DWR v. All Persons Interested in the Matter, etc.               | <ul><li>Contracts are lawful</li><li>Metropolitan and 7 other SWCs filed answers</li></ul>   |
|  | in support of validity to become parties   |
|  | <ul> <li>Jan. 5-7, 2022 Hearing on the merits held with<br/>CEQA cases, below</li> </ul>   |
|  | <ul> <li>Final statement of decision in DWR's favor<br/>filed March 9, 2022</li> </ul>   |
|  | Final judgment entered and served  |
|  | <ul> <li>C-WIN et al., County of San Joaquin et al. and<br/>North Coast Rivers Alliance et al. filed notices<br/>of appeal</li> </ul>                              |
| SWP Contract Extension CEQA Cases Sacramento County Superior Ct. (Judge Culhane) | Petitions for writ of mandate alleging CEQA<br>and Delta Reform Act violations filed on<br>January 8 & 10, 2019  |
| North Coast Rivers Alliance, et al. v. DWR                                       | Deemed related to DWR's Contract Extension   |
| Planning & Conservation League, et al. v. DWR                                    | Validation Action and assigned to Judge<br>Culhane   |
|  | Administrative Record completed  |
|  | DWR filed its answers on September 28, 2020  |
|  | <ul> <li>Metropolitan, Kern County Water Agency and<br/>Coachella Valley Water District have<br/>intervened and filed answers in the two CEQA<br/>cases</li> </ul> |
|  | <ul> <li>Final statement of decision in DWR's favor<br/>denying the writs of mandate filed March 9,<br/>2022</li> </ul>  |
|  | Final judgments entered and served   |

|   | North Coast Rivers Alliance et al. and PCL et al. filed notices of appeal   |
|---|---|
| Delta Conveyance Project Soil Exploration Case  Central Delta Water Agency, et al. v. DWR  Sacramento County Superior Ct. (Judge Chang)   | <ul> <li>Filed August 10, 2020</li> <li>Plaintiffs Central Delta Water Agency, South Delta Water Agency and Local Agencies of the North Delta</li> <li>One cause of action alleging that DWR's adoption of an Initial Study/Mitigated Negative Declaration (IS/MND) for soil explorations needed for the Delta Conveyance Project violates CEQA</li> <li>March 24, 2021 Second Amended Petition filed to add allegation that DWR's addendum re changes in locations and depths of certain borings violates CEQA</li> <li>Deadline to prepare the administrative record extended to April 22, 2022</li> <li>DWR's petition to add the 2020 CEQA case to the Department of Water Resources Cases, JCCP 4594, San Joaquin County Superior Court denied</li> <li>Hearing on the merits scheduled for Oct. 14, 2022</li> </ul> |
| Water Management Tools Contract Amendment California Water Impact Network et al. v. DWR Sacramento County Superior Ct. (Judge Aquisto)  North Coast Rivers Alliance, et al. v. DWR Sacramento County Super. Ct. (Judge Aquisto) | <ul> <li>Filed September 28, 2020</li> <li>CWIN and Aqualliance allege one cause of action for violation of CEQA</li> <li>NCRA et al. allege four causes of action for violations of CEQA, the Delta Reform Act, Public Trust Doctrine and seeking declaratory relief</li> <li>Parties have stipulated to production of a draft administrative record by April 1, 2022 and to a timeline to attempt to resolve any disputes over the contents</li> <li>SWC motion to intervene in both cases granted</li> </ul>   |

| San Diego County Water Authority v. Metropolitan, et al. |                     |  |  |  |
|--|---------------------|--|--|--|
| Cases  | Date                | Status   |  |  |
| 2010, 2012   | Aug. 13-14,<br>2020 | Final judgment and writ issued. Transmitted to the Board on August 17.   |  |  |
|  | Sept. 11            | Metropolitan filed notice of appeal of judgment and writ.  |  |  |
|  | Jan. 13, 2021       | Court issued order finding SDCWA is the prevailing party on the Exchange Agreement, entitled to attorneys' fees and costs under the contract.  |  |  |
|  | Feb. 10             | Court issued order awarding SDCWA statutory costs, granting SDCWA's and denying Metropolitan's related motions.  |  |  |
|  | Feb. 16             | Per SDCWA's request, Metropolitan paid contract damages in 2010-2012 cases judgment and interest. Metropolitan made same payment in Feb. 2019, which SDCWA rejected.   |  |  |
|  | Feb. 25             | Metropolitan filed notice of appeal of Jan. 13 (prevailing party on Exchange Agreement) and Feb. 10 (statutory costs) orders.  |  |  |
|  | Sept. 21            | Court of Appeal issued opinion on Metropolitan's appeal regarding final judgment and writ, holding: (1) the court's 2017 decision invalidating allocation of Water Stewardship Rate costs to transportation in the Exchange Agreement price and wheeling rate applied not only to 2011-2014, but also 2015 forward; (2) no relief is required to cure the judgment's omission of the court's 2017 decision that allocation of State Water Project costs to transportation is lawful; and (3) the writ is proper and applies to 2015 forward. |  |  |
|  | Mar. 17, 2022       | Court of Appeal unpublished decision affirming orders determining SDCWA is the prevailing party in the Exchange Agreement and statutory costs.   |  |  |
|  | Mar. 21             | Metropolitan paid SDCWA \$14,296,864.99 for attorneys' fees and \$352,247.79 for costs, including interest.  |  |  |
|  | July 27             | Metropolitan paid SDCWA \$411,888.36 for attorneys' fees on appeals of post-remand orders.   |  |  |
| 2014, 2016   | Aug. 28, 2020       | SDCWA served first amended (2014) and second amended (2016) petitions/complaints.  |  |  |
|  | Sept. 28            | Metropolitan filed demurrers and motions to strike portions of the amended petitions/complaints.   |  |  |

| Cases                 | Date           | Status  |  |
|-----------------------|----------------|---|--|
| 2014, 2016<br>(cont.) | Sept. 28-29    | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed joinders to the demurrers and motions to strike.                     |  |
|                       | Feb. 16, 2021  | Court issued order denying Metropolitan's demurrers and motions to strike, allowing SDCWA to retain contested allegations in amended petitions/complaints.  |  |
|                       | March 22       | Metropolitan filed answers to the amended petitions/complaints and cross-complaints against SDCWA for declaratory relief and reformation, in the 2014, 2016 cases.  |  |
|                       | March 22-23    | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed answers to the amended petitions/complaints in the 2014, 2016 cases. |  |
|                       | April 23       | SDCWA filed answers to Metropolitan's cross-complaints.   |  |
|                       | Sept. 30       | Based on the Court of Appeal's Sept. 21 opinion (described above), and the Board's Sept. 28 authorization, Metropolitan paid \$35,871,153.70 to SDCWA for 2015-2017 Water Stewardship Rate charges under the Exchange Agreement and statutory interest.   |  |
| 2017                  | July 23, 2020  | Dismissal without prejudice entered.  |  |
| 2018                  | July 28, 2020  | Parties filed a stipulation and application to designate the case complex and related to the 2010-2017 cases, and to assign the case to Judge Massullo's court.   |  |
|                       | Nov. 13        | Court ordered case complex and assigned to Judge Massullo's court.  |  |
|                       | April 21, 2021 | SDCWA filed second amended petition/complaint.  |  |
|                       | May 25         | Metropolitan filed motion to strike portions of the second amended petition/complaint.  |  |
|                       | May 25-26      | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed joinders to the motion to strike.                                    |  |
|                       | July 19        | Court issued order denying Metropolitan's motion to strike portions of the second amended petition/complaint.   |  |

| Cases               | Date             | Status  |  |
|---------------------|------------------|---|--|
| 2018 (cont.)        | July 29          | Metropolitan filed answer to the second amended petition/complaint and cross-complaint against SDCWA for declaratory relief and reformation.  |  |
|                     | July 29          | Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed answers to the second amended petition/complaint. |  |
|                     | Aug. 31          | SDCWA filed answer to Metropolitan's cross-complaint.   |  |
|                     | April 11, 2022   | Court entered order of voluntary dismissal of parties' WaterFix claims and cross-claims.  |  |
| 2014, 2016,<br>2018 | June 11,<br>2021 | Deposition of non-party witness.  |  |
|                     | Aug. 25          | Hearing on Metropolitan's motion for further protective order regarding deposition of non-party witness.  |  |
|                     | Aug. 25          | Court issued order consolidating the 2014, 2016, and 2018 cases for a purposes, including trial.  |  |
|                     | Aug. 30          | Court issued order granting Metropolitan's motion for a further protective order regarding deposition of non-party witness.   |  |
|                     | Aug. 31          | SDCWA filed consolidated answer to Metropolitan's cross-complaints in the 2014, 2016, and 2018 cases.   |  |
|                     | Oct. 27          | Parties submitted to the court a joint stipulation and proposed order staying discovery through Dec. 8 and resetting pre-trial deadlines.   |  |
|                     | Oct. 29          | Court issued order staying discovery through Dec. 8 and resetting pretrial deadlines, while the parties discuss the prospect of settling some or all remaining claims and crossclaims.  |  |
|                     | Jan. 12, 2022    | Case Management Conference. Court ordered a 35-day case stay to allow the parties to focus on settlement negotiations, with weekly written check-ins with the court; and directed the parties to meet and confer regarding discovery and deadlines.   |  |
|                     | Feb. 22          | Court issued order resetting pre-trial deadlines as proposed by the parties.  |  |
|                     | Feb. 22          | Metropolitan and SDCWA each filed motions for summary adjudication.   |  |
|                     | April 13         | Hearing on Metropolitan's and SDCWA's motions for summary adjudication.   |  |

| Cases                       | Date               | Status  |
|-----------------------------|--------------------|---|
| 2014, 2016,<br>2018 (cont.) | April 18           | Parties filed supplemental briefs regarding their respective motions for summary adjudication, as directed by the court.  |
|                             | April 18           | Court issued order resetting pre-trial deadlines as proposed by the parties.  |
|                             | April 29           | Parties filed pre-trial briefs.   |
|                             | April 29           | Metropolitan filed motions in limine.   |
|                             | May 4              | Court issued order granting Metropolitan's motion for summary adjudication on cross-claim for declaratory relief that the conveyance facility owner, Metropolitan, determines fair compensation, including any offsetting benefits; and denying its motion on certain other cross-claims and an affirmative defense.  |
|                             | May 11             | Court issued order granting SDCWA's motion for summary adjudication on cross-claim for declaratory relief in the 2018 case regarding lawfulness of the Water Stewardship Rate's inclusion in the wheeling rate and transportation rates in 2019-2020; certain cross-claims and affirmative defenses on the ground that Metropolitan has a duty to charge no more than fair compensation, which includes reasonable credit for any offsetting benefits, with the court also stating that whether that duty arose and whether Metropolitan breached that duty are issues to be resolved at trial; affirmative defenses that SDCWA's claims are untimely and SDCWA has not satisfied claims presentation requirements; affirmative defense in the 2018 case that SDCWA has not satisfied contract dispute resolution requirements; claim, crossclaims, and affirmative defenses regarding applicability of Proposition 26, finding that Proposition 26 applies to Metropolitan's rates and charges, with the court also stating that whether Metropolitan violated Proposition 26 is a separate issue; and cross-claims and affirmative defenses regarding applicability of Government Code section 54999.7, finding that section 54999.7 applies to Metropolitan's rates. Court denied SDCWA's motion on certain other cross-claims and affirmative defenses. |
|                             | May 13             | Pre-trial conference; court denied Metropolitan's motions in limine.  |
|                             | May 16             | Court issued order setting post-trial brief deadline and closing arguments.   |
|                             | May 16-27          | Trial occurred but did not conclude.  |
|                             | May 23,<br>June 21 | SDCWA filed motions in limine.  |
|                             | May 26,<br>June 24 | Court denied SDCWA's motions in limine.   |

| Cases     | Date                          | Status   |
|-----------|-------------------------------|--|
|           | June 3,<br>June 24,<br>July 1 | Trial continued, concluding on July 1.   |
|           | June 24                       | SDCWA filed motion for partial judgment.   |
|           | July 15                       | Metropolitan <u>filed</u> opposition to motion for partial judgment.   |
|           | Aug. 19                       | Post-trial briefs due.   |
|           | Sept. 27                      | Post-trial closing arguments.  |
| All Cases | April 15, 2021                | Case Management Conference on 2010-2018 cases. Court set trial in 2014, 2016, and 2018 cases on May 16-27, 2022. |
|           | April 27                      | SDCWA served notice of deposition of non-party witness.  |
|           | May 13-14                     | Metropolitan filed motions to quash and for protective order regarding deposition of non-party witness.          |
|           | June 4                        | Ruling on motions to quash and for protective order.   |

| Outside Counsel Agreements            |  |                  |                   |                     |  |  |
|---------------------------------------|--|------------------|-------------------|---------------------|--|--|
| Firm Name                             | Matter Name  | Agreement<br>No. | Effective<br>Date | Contract<br>Maximum |  |  |
| Andrade Gonzalez LLP                  | MWD v. DWR, CDFW and CDNR Incidental Take Permit (ITP) CESA/CEQA/Contract Litigation | 185894           | 07/20             | \$250,000           |  |  |
| Aleshire & Wynder                     | Oil, Mineral and Gas Leasing   | 174613           | 08/18             | \$50,000            |  |  |
| Atkinson Andelson<br>Loya Ruud & Romo | Employee Relations   | 59302            | 04/04             | \$1,214,517         |  |  |
| Loya Nuuu & Nomo                      | MWD v. Collins   | 185892           | 06/20             | \$100,000           |  |  |
|                                       | Delta Conveyance Project Bond<br>Validation-CEQA Litigation                          | 185899           | 09/21             | \$100,000           |  |  |
|                                       | MWD Drone and Airspace Issues  | 193452           | 08/20             | \$50,000            |  |  |
|                                       | Equal Employee Opportunity<br>Commission Charge                                      | 200462           | 03/21             | \$20,000            |  |  |
|                                       | Public Employment Relations Board<br>Charge No. LA-CE-1441-M                         | 200467           | 03/21             | \$30,000            |  |  |
|                                       | Representation re the Shaw Law Group's Investigations                                | 200485           | 05/20/21          | \$50,000            |  |  |
|                                       | DFEH Charge- (DFEH<br>Number 202102-12621316)  | 201882           | 07/01/21          | \$25,000            |  |  |
|                                       | AFSCME Local 1902 in Grievance<br>No. 1906G020 (CSU Meal Period)                     | 201883           | 07/12/21          | \$30,000            |  |  |
|                                       | AFSCME Local 1902 v. MWD,<br>PERB Case No. LA-CE-1438-M                              | 201889           | 09/15/21          | \$20,000            |  |  |
|                                       | MWD MOU Negotiations**   | 201893           | 10/05/21          | \$100,000           |  |  |
|                                       | DFEH Charge- (DFEH<br>Number 202106-13819209)  | 203439           | 12/14/21          | \$15,000            |  |  |
|                                       | DFEH Charge- (DFEH<br>Number 202109-14694608)  | 203460           | 02/22             | \$15,000            |  |  |

| Firm Name   | Matter Name  | Agreement No. | Effective<br>Date | Contract<br>Maximum |
|---|--|---------------|-------------------|---------------------|
| Best, Best & Krieger  | Navajo Nation v. U.S. Department of the Interior, et al.         | 54332         | 05/03             | \$185,000           |
|   | Bay-Delta Conservation Plan/Delta Conveyance Project (with SWCs) | 170697        | 08/17             | \$500,000           |
|   | Environmental Compliance Issues                                  | 185888        | 05/20             | \$100,000           |
|   | Public Records Act Requests                                      | 203462        | 04/22             | \$30,000            |
| Blooston, Mordkofsky,<br>Dickens, Duffy &<br>Prendergast, LLP | FCC and Communications Matters                                   | 110227        | 11/10             | \$100,000           |
| Brown White & Osborn LLP                                      | HR Matter  | 203450        | 03/22             | \$50,000            |
| Buchalter, a<br>Professional Corp.                            | Union Pacific Industry Track<br>Agreement                        | 193464        | 12/07/20          | \$50,000            |
| Burke, Williams &<br>Sorensen, LLP                            | Real Property - General  | 180192        | 01/19             | \$100,000           |
| Gorensen, EEF   | Labor and Employment Matters                                     | 180207        | 04/19             | \$50,000            |
|   | General Real Estate Matters                                      | 180209        | 08/19             | \$100,000           |
| Law Office of Alexis<br>S.M. Chiu*                            | Bond Counsel   | 200468        | 07/21             | N/A                 |
| Cislo & Thomas LLP  | Intellectual Property  | 170703        | 08/17             | \$75,000            |
| Cummins & White, LLP  | Board Advice   | 207941        | 05/22             | \$10,000            |
| Curls Bartling P.C.*  | Bond Counsel   | 174596        | 07/18             | N/A                 |
|   | Bond Counsel   | 200470        | 07/21             | N/A                 |
| Duane Morris LLP  | SWRCB Curtailment Process  | 138005        | 09/14             | \$615,422           |
| Duncan, Weinberg,<br>Genzer & Pembroke<br>PC                  | Power Issues   | 6255          | 09/95             | \$3,175,000         |
| Ellison, Schneider,<br>Harris & Donlan                        | Colorado River Issues  | 69374         | 09/05             | \$175,000           |
| Tiallis & Dolliali  | Issues re SWRCB  | 84457         | 06/07             | \$200,000           |
| Haden Law Office  | Real Property Matters re<br>Agricultural Land                    | 180194        | 01/19             | \$50,000            |

| Firm Name  | Matter Name   | Agreement No.     | Effective<br>Date | Contract<br>Maximum |
|--|---|-------------------|-------------------|---------------------|
| Hanson Bridgett LLP                                  | SDCWA v. MWD  | 124103            | 03/12             | \$1,100,000         |
|  | Finance Advice  | 158024            | 12/16             | \$100,000           |
|  | Deferred Compensation/HR  | 170706            | 10/17             | \$ 400,000          |
|  | Tax Issues  | 180200            | 04/19             | \$50,000            |
| Hausman & Sosa, LLP                                  | MOU Hearing Officer Appeal  | 201892            | 09/21             | \$25,000            |
|  | MOU Hearing Officer Appeal  | 207943            | 05/22             | \$25,000            |
| Hawkins Delafield & Wood LLP*                        | Bond Counsel  | 193469            | 07/21             | N/A                 |
| Horvitz & Levy                                       | SDCWA v. MWD  | 124100            | 02/12             | \$900,000           |
|  | General Appellate Advice  | 146616            | 12/15             | \$100,000           |
|  | Colorado River  | 203464            | 04/22             | \$100,000           |
| Hunt Ortmann Palffy<br>Nieves Darling & Mah,<br>Inc. | Construction Contracts/COVID-19 Emergency                                   | <del>185883</del> | 03/20             | <del>\$40,000</del> |
| Internet Law Center                                  | HR Matter   | 174603            | 05/18             | \$60,000            |
|  | Cybersecurity and Privacy Advice and Representation                         | 200478            | 04/13/21          | \$100,000           |
|  | Systems Integrated, LLC v. MWD  | 201875            | 05/17/21          | \$65,000            |
| Amira Jackmon,<br>Attorney at Law*                   | Bond Counsel  | 200464            | 07/21             | N/A                 |
| Jackson Lewis P.C.                                   | Employment: Department of Labor<br>Office of Contract Compliance<br>(OFCCP) | 137992            | 02/14             | \$45,000            |
| Jones Hall, A<br>Professional Law<br>Corporation*    | Bond Counsel  | 200465            | 07/21             | N/A                 |
| Kegel, Tobin & Truce                                 | Workers' Compensation   | 180206            | 06/19             | \$250,000           |
| Lesnick Prince & Pappas LLP                          | Topock/PG&E's Bankruptcy  | 185859            | 10/19             | \$30,000            |

| Firm Name                             | Matter Name  | Agreement No.        | Effective<br>Date | Contract<br>Maximum   |  |
|---------------------------------------|--|----------------------|-------------------|---|--|
| Liebert Cassidy<br>Whitmore           | Labor and Employment   | 158032               | 158032 02/17      |   |  |
| willinore                             | EEO Investigations   | 180193               | 01/19             | \$100,000   |  |
|                                       | FLSA Audit   | 180199               | 02/19             | \$50,000  |  |
| LiMandri & Jonna LLP                  | Bacon Island Subrogation   | 200457               | 03/21             | \$50,000  |  |
| Manatt, Phelps &                      | In Re Tronox Incorporated  | 103827               | \$540,000         |   |  |
| Phillips                              | SDCWA v. MWD rate litigation   | 146627               | 06/16             | \$2,900,000   |  |
|                                       | Raftelis - Subcontractor of Manatt, Phelps & Phillips Agreement No. 146627: Pursuant to 05/02/22 Engagement Letter between Manatt, Phelps & Phillips and Raftelis Financial Consultants, Inc., Metropolitan Water District paid Raftelis Financial Consultants, Inc. | Invoice No.<br>23949 |                   | \$56,376.64 for expert services and reimburs- able expenses in SDCWA v. MWD |  |
| Meyers Nave Riback<br>Silver & Wilson | OCWD v. Northrop Corporation   | 118445               | 07/11             | \$2,300,000   |  |
| Cirvei & Wildeli                      | IID v. MWD (Contract Litigation)   | 193472               | 02/21             | \$100,000   |  |
| Miller Barondess, LLP                 | SDCWA v. MWD   | 138006               | 12/14             | \$600,000   |  |
| Morgan, Lewis &<br>Bockius            | SDCWA v. MWD   | 110226               | 07/10             | \$8,750,000   |  |
| Bockius                               | Project Labor Agreements   | 200476               | 04/21             | \$100,000   |  |
| Musick, Peeler &<br>Garrett LLP       | Colorado River Aqueduct Electric Cables Repair/Contractor Claims   | 193461 11/20         |                   | \$900,000   |  |
|                                       | Arvin-Edison v. Dow Chemical   | 203452 01/22         |                   | \$50,000  |  |
| Nixon Peabody LLP*                    | Bond Counsel   | 193473 07/21         |                   | N/A   |  |
| Norton Rose Fulbright US LLP*         | Bond Counsel   | 200466               | 07/21             | N/A   |  |
| Olson Remcho LLP                      | Government Law   | 131968 07/14         |                   | \$200,000   |  |
|                                       | Ethics Office  | 170714 01/18         |                   | \$350,000   |  |
|                                       | MWD Board/Ad Hoc Committee<br>Advice   | 203459 03/22         |                   | \$60,000  |  |

| Firm Name                           | Matter Name   | Agreement No.   | Effective<br>Date | Contract<br>Maximum |  |  |
|-------------------------------------|---|-----------------|-------------------|---------------------|--|--|
| Renne Public Law<br>Group, LLP      | ACE v. MWD (PERB Case No. LA-CE-1574-M)   | <u>203466</u>   | <u>05/22</u>      | <u>\$50,000</u>     |  |  |
| Ryan & Associates                   | Leasing Issues  | 43714           | 06/01             | \$200,000           |  |  |
| Seyfarth Shaw LLP                   | HR Litigation   | 185863          | 12/19             | \$250,000           |  |  |
|                                     | Claim (Contract #201897)  | 201897          | 11/04/21          | \$100,000           |  |  |
|                                     | Claim (Contract #203436)  | 203436 11/15/21 |                   | \$100,000           |  |  |
|                                     | Claim (Contract #203454)  | 203454          | 01/22             | \$100,000           |  |  |
|                                     | Claim (Contract #203455)  | 203455          | 10/21             | \$100,000           |  |  |
| Stradling Yocca<br>Carlson & Rauth* | Bond Counsel  | 07/21           | N/A               |                     |  |  |
| Theodora Oringher PC                | OHL USA, Inc. v. MWD  | 185854          | 09/19             | \$1,100,000         |  |  |
|                                     | Construction Contracts - General<br>Conditions Update                               | 185896          | 185896 07/20      |                     |  |  |
| Thomas Law Group                    | MWD v. DWR, CDFW, CDNR – Incidental Take Permit (ITP) CESA/CEQA/Contract Litigation | 185891          | 05/20             | \$250,000           |  |  |
|                                     | Iron Mountain SMARA (Surface<br>Mining and Reclamation Act)                         | 203435          | 12/03/21          | \$100,000           |  |  |
| Thompson Coburn LLP                 | FERC Representation re Colorado<br>River Aqueduct Electrical<br>Transmission System | 122465          | 12/11             | \$100,000           |  |  |
|                                     | NERC Energy Reliability Standards   | 193451          | 08/20             | \$100,000           |  |  |
| Van Ness Feldman,                   | General Litigation  | 170704          | 07/18             | \$50,000            |  |  |
| LLP                                 | Colorado River MSHCP  | 180191          | 01/19             | \$50,000            |  |  |
|                                     | Bay-Delta and State Water Project<br>Environmental Compliance                       | 193457          | 10/15/20          | \$50,000            |  |  |
| Western Water and<br>Energy         | California Independent System<br>Operator Related Matters                           | 193463          | 11/20/20          | \$100,000           |  |  |

<sup>\*</sup>Expenditures paid by Bond Proceeds/Finance \*\*Expenditures paid by another group



# **Internal Audit Report for June 2022**

## **Summary**

Internal Audit issued no reports in June.

# **Pending Reports**

Internal Audit Staff is finalizing two audit reports: 1) Review of the accounting and administrative controls over the Minor Capital Program; and 2) Review of Quarterly Board Reports for the period ending March 31, 2022.

#### **Annual Audit Plan**

We are continuing interviews with the board and executive management to develop the FY 2022/23 Audit Plan. In June, we plan to meet with board members and executive staff to solicit their input in developing the plan.

#### **RFP for External Auditors**

Internal Audit began the RFP process for engaging new external auditors for the fiscal years ending June 30, 2023, June 30, 2024, June 30, 2025, and June 30, 2026.

Issue Date: July 5, 2022



# **Ethics Office Monthly Report**

**June 2022** 

#### **POLICY**

Began drafting proposed revisions to ethicsrelated provisions in the Administrative Code consistent with the California State Auditor's report of findings and recommendations.

Collaborated with the Water System Operations section manager responsible for safety on incorporating information about retaliation and how to report potential retaliation into the employee safety manual.

#### **COMPLIANCE**

Lobbying – Launched Metropolitan's Lobbyist and Lobbying Firm Registration Program. Registration forms will be available to the public.

Form 700 – Continued management of the Form 700 annual filing season, which began January 1, 2022 and ended April 1, 2022. To date, filings from one director and four employees are pending and 673 filings have been received and filed. Staff continues efforts to obtain full compliance for Metropolitan.

Sent notices to 42 employees whose positions were added to Metropolitan's Conflict of Interest Code in March and who had not timely filed their Assuming Office statements. As of the date of this report, filings from 11 employees are pending.

Assisted employees with Assuming Office and Leaving Office Form 700 filings. Assistance included troubleshooting the electronic filing system and notifications of deadlines.

Monitored the status of past due Assuming Office and Leaving Office Form 700 filings;

obtained compliance from nine current employees and one former employee.

#### **ADVICE**

Addressed 19 advice matters involving: conflicts of interest, financial disclosure, recusal, gift and outside employment policies, and other ethics-related topics.

#### INVESTIGATIONS

Received complaints alleging in part that: 1) There is systemic racial discrimination in the hiring and promotional processes at Metropolitan, and 2) A Metropolitan official misused their authority to take actions that harmed other Metropolitan officials.

#### ETHICS OFFICER FINDINGS

The Ethics Officer found that allegations that a supervisor attempted to influence matters in which they had a personal conflict of interest and/or misused their authority to provide a private advantage to another person were not substantiated. The investigation was conducted by Ethics Office staff and the findings were based on evidence that the supervisor did not have a personal conflict of interest and their actions were driven by legitimate business purposes.

#### ADVICE AND INVESTIGATIVE DATA

| Advice Matters         | 19 |
|------------------------|----|
| Compliance Assistance  | 88 |
| Complaints Received    | 2  |
| Investigations Opened  | 0  |
| Pending Investigations | 3  |

#### **MINUTES**

#### **REGULAR MEETING OF THE**

#### **BOARD OF DIRECTORS**

#### THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

June 14, 2022

**52840** The Board of Directors of The Metropolitan Water District of Southern California met in regular session on Tuesday, June 14, 2022.

Chairwoman Gray called the teleconference meeting to order at 1:01 P.M.

**52841** The Meeting was opened with an invocation by Tyler Grossheim, Associate Engineer, Engineering Services Group.

**52842** The Pledge of Allegiance was given by Director Dennis Erdman, Municipal Water District of Orange County.

Chairwoman Gray made remarks regarding Pride Month, Juneteenth, and the Metropolitan Pride Employee Resource Group.

**52843** Board Secretary Abdo administered the roll call. Those responding present were: Directors Abdo, Ackerman, Atwater, Blois, Camacho, Cordero, De Jesus, Dennstedt, Erdman, Faessel, Fellow, Fong-Sakai, Gray, Hawkins, Jung, Kurtz, Lefevre, McCoy, Miller, Morris, Ortega, Petersen, Peterson, Phan, Pressman, Quinn, Ramos, Record, Repenning, Smith, Sutley, Tamaribuchi, and Williams.

Those not responding were: Directors Goldberg, and Kassakhian.

Directors Apodaca, Dick, and Luna entered the meeting after roll call.

Board Secretary Abdo declared a quorum present.

**52844** Chairwoman Gray invited members of the public to address the Board on matters within the Board's jurisdiction.

|    | Name          | Affiliation   | Item   |
|----|---------------|---|--|
| 1. | Tony Trembley | Councilmember City of Camarillo   | Delta Conveyance<br>Project                              |
| 2. | Caty Wagner   | Sierra Club of California   | Bay-Delta Policies<br>and Shaw Law<br>Group Report       |
| 3. | Ellen Mackey  | Senior Ecologist, Chair of the Women's Caucus, Metropolitan Employee            | Shaw Law Group<br>Report                                 |
| 4. | Maura Monagan | Los Angeles WaterKeeper   | Delta Conveyance<br>Project and Shaw<br>Law Group Report |
| 5. | Conner Everts | The Southern California Watershed<br>Alliance and Environmental Water<br>Caucus | Delta Conveyance<br>Project and Shaw<br>Law Group Report |

Chairwoman Gray addressed the following: Other Matters and Reports.

**52845** Chairwoman Gray asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of May as previously posted and distributed to the Board. No amendments were made.

**52846** Chairwoman Gray referred to her monthly report, which was previously posted and distributed to the Board. Chairwoman Gray reported on her attendance at the Ninth Summit of the Americas hosted by the President and Vice President of the United States.

**52847** Regarding matters relating to Metropolitan's operations and activities, General Manager Hagekhalil, reported on the following:

- 1. Acknowledgement of Juneteenth, Pride Month, and Metropolitan support of the new employee resources groups Pride and Voice. Pride will be hosting a Potluck on June 29<sup>th</sup> and Voice is an employee resources group to support employees with disabilities.
- Lake Oroville Dam and the Delta visit.
- 3. His presentation at the Groundwater Resource Association.
- 4. Nongovernmental organizations meeting regarding science in the Delta.
- 5. Meeting with San Diego County Water Authority's General Manager Sandra L. Kerl and the Industrial Environment Association.
- 6. Conservation and emergency within the State Water Project dependent areas. Acknowledged Tony Trembley's, Councilmember of the City of Camarillo, public comments and correspondence received. Mentioned that actions relating to water resources will be brought to the Board in August.
- 7. Listening session with environmental groups.
- 8. Metropolitan's testimony at the U.S. Bureau of Reclamation hearing relating to the Colorado River and Compact guidelines expiring in 2026.

- 9. Assistant Secretary of the Department of the Interior Tanya Trujillo visit at the June Executive Committee.
- 10. Metropolitan is repairing the leak in the Upper Feeder.
- 11. Metropolitan's National Government Employee of the Year award from the International Right of Way Association.

Director Luna entered the meeting after roll call.

The following Director(s) asked questions or made comments:

Director(s)

- 1. Smith
- 2. Sutley
- 3. Luna

Staff responded to the Directors' comments or questions.

**52848** General Counsel Scully stated she had nothing to add to her written report.

**52849** Interim General Auditor Tonsick stated he had nothing to add to his report.

**52850** Ethics Officer Salinas, reported on upcoming presentations regarding the State Audit and independent oversight program at the June 28, 2022 Audit and Ethics Committee meeting and that he will also provide an update on the current six ad hoc subcommittees.

Chairwoman Gray addressed the Consent Calendar Items for June 2022.

**52851** Chairwoman Gray asked Directors if there were any comments or discussions on the approval of the Minutes of the Regular Meeting for May 10, 2022, and the Special Meeting for May 24, 2022 (Agenda Item 6A). No comments or requests were made.

**52852** Adopt resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of Metropolitan's legislative bodies for a period of 30 days (Agenda Item 6B). Chairwoman Gray asked Directors if there were any comments or discussions on the item. No comments were made.

**52853** Authorize preparation of a Commendatory Resolution for Gerald C. Riss for his service and leadership during his term as General Auditor of the Metropolitan Water District of Southern California (Agenda Item 6C). Chairwoman Gray asked Directors if there were any comments or discussions on the item. No comments were made.

**52854** Approval of Committee Assignments (Agenda Item 6D). Chairwoman Gray appointed Director Miller as a member of the One Water (Conservation and Local Resources) Committee.

**52855** Chairwoman Gray addressed the Consent Calendar Items – Action for June 2022.

Chairwoman Gray called on the Committee Chairs to give a report of the Consent Calendar Action Items as discussed at their committees.

**52856** Authorize the General Manager to enter into a five-year agreement with Electric & Gas Industries Association to administer Metropolitan's consumer incentive programs, to be paid from funds the Board authorized for Metropolitan's consumer incentive programs, in accordance with a cost schedule that will not exceed the proposal in Attachment 1 of the board letter, as set forth in Agenda Item 7-1 board letter.

**52857** Approve the job description for the General Auditor, and approve the hiring process for the General Auditor, as set forth in Agenda Item 7-2 board letter.

**52858** Approve up to \$1.954 million to purchase insurance coverage for Metropolitan's Property and Casualty Insurance Program to renew or replace all the expiring excess liability and specialty insurance policies, and reserve funds to allow for the purchase of a \$5 million limit cyber liability policy with a cost up to \$200,000 if it becomes available, as set forth in Agenda Item 7-3 board letter.

**52859** Approve the Statement of Investment Policy for FY 2022/23, and delegate authority to the Treasurer to invest Metropolitan's funds for FY 2022/23, as set forth in Agenda Item 7-4 board letter.

**52860** Authorize agreements with Power-Tech Engineers, Inc., HDR, Inc., Mangan, Inc., and Burns & McDonnell Engineering Company, Inc., in an amount not-to-exceed total of \$750,000 each per year for a period of three years, to assess and mitigate arc flash risks for Metropolitan's facilities, as set forth in Agenda Item 7-5 board letter.

**52861** Adopt the CEQA determination that the proposed project was previously addressed in the certified 2022 Final PEIR, Findings, SOC, and MMRP, and that no further environmental analysis or documentation is required; and a. Award a \$6,176,521 contract to Siemens Industry, Inc. to construct Battery Energy Storage System facilities at the Weymouth plant; b. Authorize an increase of \$300,000 to agreement with Stantec Inc. for a new not-to-exceed total of \$1,750,000, to provide technical support, as set forth in Agenda Item 7-6 board letter.

**52862** Award a \$2,257,897 contract to Leed Electric, Inc. for replacement of ozone power supply units at the Jensen plant, as set forth in Agenda Item 7-7 board letter.

Agenda Item 7-8 was withdrawn.

**52863** Authorize the General Manager to increase contract 184454-02 with Johnson Service Group by \$22,000 to an amount not to exceed \$271,000, as set forth in Agenda Item 7-9 board letter.

**52864** Amend Section 1106 and Section 6226 of the Metropolitan Water District Administrative Code regarding Holidays and Annual Leave to ensure benefits parity by adding Juneteenth and an across-the-board standard for payments of excess accumulated annual leave, as set forth in Agenda Item 7-10 board letter.

**52865** Review and consider the Bureau of Land Management's Final Environmental Impact Statement certified to satisfy CEQA and take related CEQA actions; and authorize the General Manager to grant a permanent transmission line easement to Delaney Colorado River Transmission, LLC, as set forth in Agenda Item 7-11 board letter.

**52866** Review and consider the Lead Agency's adopted 2019 Mitigated Negative Declaration and take related CEQA actions, and adopt a resolution for the Calleguas Annexation No. 104 concurrently to Calleguas Municipal Water District and Metropolitan, as set forth in Agenda Item 7-12 board letter.

**52867** Adopt resolution for Calleguas Annexation No. 106 concurrently to Calleguas and Metropolitan, as set forth in Agenda Item 7-13 board letter.

**52868** By a two-thirds vote, authorize the General Manager to make payment of up to \$871,680 for support of the Colorado River Board and Six Agency Committee for FY 2022/23, as set forth in Agenda Item 7-14 board letter.

Chairwoman Gray called for a vote to approve the Consent Calendar Items 6A, 6B, 6C, 6D, 7-1 through 7-7 and 7-9 through 7-14 **(M.I. 52851 through 52868)**.

Director Camacho moved, seconded by Director Peterson that the Board approve the Consent Calendar Items 6A, 6B, 6C, 6D, 7-1 through 7-7 and 7-9 through 7-14 as follows:

Directors Apodaca and Dick entered the meeting.

The following is a record of the vote:

| Record of Vote on Consent Item(s):       | 6A, 6B, 6C,    | 6D, 7-1 throu              | gh 7-7 and | 17-9 thro | ugh 7-14    |      |      |         |                 |
|--|----------------|----------------------------|------------|-----------|-------------|------|------|---------|-----------------|
| Mambar Aranay                            | Total<br>Votes | Diverter                   | Dragant    | Vaa       | Yes<br>Vote | N.a. | No   | Abatain | Abstain<br>Vote |
| Member Agency Anaheim                    |                | <b>Director</b><br>Faessel | Present    | Yes       | 5277        | No   | Vote | Abstain | vote            |
| Beverly Hills                            |                | Pressman                   |            | X         | 4056        |      |      |         |                 |
| Burbank                                  |                | Ramos                      | X          |           | 2666        |      |      |         |                 |
| Calleguas Municipal Water District       | 11552          |                            | X<br>X     | X         | 11552       |      |      |         |                 |
| Central Basin Municipal Water District   |                | Apodaca                    | X          | X         | 8526        |      |      |         |                 |
| Ceritiai Basiri Municipai Water District | 17051          | Hawkins                    | X          | X<br>X    | 8526        |      |      |         |                 |
|  |                | пажкиз                     | Subtotal:  | Х         | 17051       |      |      |         |                 |
| Compton                                  | EE3            | McCov                      |            |           | 553         |      |      |         |                 |
|  |                | Record                     | Х          | Х         | 553         |      |      |         |                 |
| Eastern Municipal Water District         |                |                            |            |           | 04.04       |      |      |         |                 |
| Foothill Municipal Water District        |                | Atwater                    | X          | X         | 2131        |      |      |         |                 |
| Fullerton                                |                | Jung                       | Х          | Х         | 2255        |      |      |         |                 |
| Glendale                                 |                | Kassakhian                 |            |           | 10.400      |      |      |         |                 |
| Inland Empire Utilities Agency           |                | Camacho                    | X          | X         | 13433       |      |      |         |                 |
| Las Virgenes                             | _              | Peterson                   | Х          | Х         | 2741        |      |      |         |                 |
| Long Beach                               |                | Cordero                    | Х          | Х         | 5772        |      |      |         |                 |
| Los Angeles                              | 70689          | Sutley                     | Х          | Х         | 17672       |      |      |         |                 |
|  |                | Petersen                   |            |           | 4=0=0       |      |      |         |                 |
|  |                | Quinn                      | Х          | Х         | 17672       |      |      |         |                 |
|  |                | Luna                       | Х          | Х         | 17672       |      |      |         |                 |
|  |                | Repenning                  | X          | Х         | 17672       |      |      |         |                 |
|  |                |                            | Subtotal:  |           | 70689       |      |      |         |                 |
| Municipal Water Dist. of Orange County   | 57264          | Ackerman                   | Х          | Х         | 14316       |      |      |         |                 |
|  |                | Tamaribuchi                | Х          | Х         | 14316       |      |      |         |                 |
|  |                | Dick                       | Х          | Х         | 14316       |      |      |         |                 |
|  |                | Erdman                     | Х          | Х         | 14316       |      |      |         |                 |
|  |                |                            | Subtotal:  |           | 57264       |      |      |         |                 |
| Pasadena                                 |                | Kurtz                      | Х          | Х         | 3522        |      |      |         |                 |
| San Diego County Water Authority         | 58302          | Fong-Sakai                 | Х          | Х         | 19434       |      |      |         |                 |
|  |                | Goldberg                   |            |           |             |      |      |         |                 |
|  |                | Miller                     | Х          | Х         | 19434       |      |      |         |                 |
|  |                | Smith                      | Х          | Х         | 19434       |      |      |         |                 |
|  |                |                            | Subtotal:  |           | 58302       |      |      |         |                 |
| San Fernando                             |                | Ortega                     | Х          | Х         | 224         |      |      |         |                 |
| San Marino                               |                | Morris                     | Х          | Х         | 730         |      |      |         |                 |
| Santa Ana                                |                | Phan                       | Х          | Х         | 3035        |      |      |         |                 |
| Santa Monica                             |                | Abdo                       | Х          | Х         | 4352        |      |      |         |                 |
| Three Valleys Municipal Water District   |                | De Jesus                   | Х          | Х         | 7753        |      |      |         |                 |
| Torrance                                 |                | Lefevre                    | Х          | Х         | 3237        |      |      |         |                 |
| Upper San Gabriel Valley Mun. Wat. Dist. |                | Fellow                     | Х          | Х         | 11942       |      |      |         |                 |
| West Basin Municipal Water District      | 23608          | Williams                   | Х          | Х         | 11804       |      |      |         |                 |
|  |                | Gray                       | Х          | Х         | 11804       |      |      |         |                 |
|  |                |                            | Subtotal:  |           | 23608       |      |      |         |                 |
| Western Municipal Water District         |                | Dennstedt                  | Х          | Х         | 12466       |      |      |         |                 |
| Total                                    | 337725         |                            |            |           | 324611      |      |      |         |                 |
| Present and not voting                   |                |                            |            |           |             |      |      |         |                 |
| Absent                                   | 13114          |                            |            |           |             |      |      |         |                 |

The motion to approve the Consent Calendar Items 6A, 6B, 6C, 6D, 7-1 through 7-7, and 7-9 through 7-14 **(M.I. 52851 through 52868)**, passed by a vote of 324,611 ayes; 0 noes; 0 abstain; 0 not voting; and 13,114 absent.

#### \*Note: Individual vote tally for Item 6A

Directors Cordero and Fong-Sakai abstained on Item 6A. Director Phan commented that although she was not present, she did review the minutes. The motion to approve the Consent Calendar Item 6A passed by a vote of 299,405 ayes; 0 noes; 25,206 abstain; 0 not voting; and 13,114 absent.

#### \*Note: Individual vote tally for Item 6B

Director Peterson voted No on Item 6B. The motion to approve the Consent Calendar Item 6B passed by a vote of 321,870 ayes; 2,741 noes; 0 abstain; 0 not voting; and 13,114 absent.

#### \*Note: Individual vote tally for Item 7-6

Chairwoman Gray abstained on Item 7-6. The motion to approve the Consent Calendar Item 7-6 passed by a vote of 312,807 ayes; 0 noes; 11,804 abstain; 0 not voting; and 13,114 absent.

**52869** Chairwoman Gray stated there were no Other Board Items - Action.

**52870** Chairwoman Gray asked if there were questions or need for discussion for Board Information Item 9-1. No requests were made.

**52871** Update on Upcoming Department Head Performance Evaluations Process.

Chairwoman Gray called upon Diane Pitman, Group Manager, Human Resources to present Item 10-1.

The following Directors asked questions or made comments:

#### Director(s)

- 1. Ortega
- Dennstedt
- 3. Smith
- 4. Peterson

Staff responded to the Directors' comments or questions.

**52872** Chairwoman Gray asked if there were any Follow-up Items. No requests were made.

**52873** Chairwoman Gray asked if there were any future agenda items.

Director Camacho made a motion, seconded by Director Ortega as follows:

That the Board of Directors direct the Executive committee to place an item on the agenda for the regular board meeting in July to waive confidentiality of the final four Shaw group reports for the board to take action.

Chairwoman Gray called for a vote to approve the Future Agenda Item 12 (M.I. 52873).

Chairwoman Gray called for the vote. Secretary Abdo proceeded to do a roll call vote, but the vote was called off and retaken due to clarification of the motion.

The following is a record of the final vote:

| Record of Vote on Item:                 |             | ectors Direct<br>ng in July to v |           |     | •  |    | •          |         | -               |
|---|-------------|----------------------------------|-----------|-----|--|----|------------|---------|-----------------|
| Member Agency                           | Total Votes | Director                         | Present   | Yes | Yes<br>Vote                                      | No | No<br>Vote | Abstain | Abstain<br>Vote |
| Anaheim                                 | 5277        | Faessel                          | х         | Х   | 5277   |    |            |         |                 |
| Beverly Hills                           | 4056        | Pressman                         | х         |     |  | Х  | 4056       |         |                 |
| Burbank                                 | 2666        | Ramos                            |           |     |  |    |            |         |                 |
| Calleguas Municipal Water District      | 11552       | Blois                            | x         |     |  | Х  | 11552      |         |                 |
| Central Basin Municipal Water District  | 17051       | Apodaca                          | x         | Х   | 8526   |    |            |         |                 |
|   |             | Hawkins                          | x         | Х   | 8526   |    |            |         |                 |
|   |             |                                  | Subtotal: |     | 17051  |    |            |         |                 |
| Compton                                 | 553         | McCoy                            | x         |     |  | Х  | 553        |         |                 |
| Eastern Municipal Water District        | 9492        | Record                           |           |     |  |    |            |         |                 |
| Foothill Municipal Water District       | 2131        | Atwater                          |           |     |  |    |            |         |                 |
| Fullerton                               | 2255        | Jung                             | Х         | Х   | 2255   |    |            |         |                 |
| Glendale                                | 3622        | Kassakhian                       |           |     |  |    |            |         |                 |
| Inland Empire Utilities Agency          | 13433       | Camacho                          | Х         | Х   | 13433  |    |            |         |                 |
| Las Virgenes                            | 2741        | Peterson                         | х         |     |  | Х  | 2741       |         |                 |
| Long Beach                              | 5772        | Cordero                          | х         | Х   | 5772   |    |            |         |                 |
| Los Angeles                             | 70689       | Sutley                           | х         | Х   | 23563  |    |            |         |                 |
|   |             | Petersen                         |           |     |  |    |            |         |                 |
|   |             | Quinn                            | х         | Х   | 23563  |    |            |         |                 |
|   |             | Luna                             |           |     |  |    |            |         |                 |
|   |             | Repenning                        | х         | Х   | 23563  |    |            |         |                 |
|   |             |                                  | Subtotal: |     | 70689  |    |            |         |                 |
| Municipal Water Dist. of Orange County  | 57264       | Ackerman                         | х         |     |  | Х  | 14316      |         |                 |
|   |             | Tamaribuchi                      | х         |     |  | Х  | 14316      |         |                 |
|   |             | Dick                             | х         |     |  | Х  | 14316      |         |                 |
|   |             | Erdman                           | х         |     |  | Х  | 14316      |         |                 |
|   |             |                                  | Subtotal: |     |  |    | 57264      |         |                 |
| Pasadena                                | 3522        | Kurtz                            | х         |     |  | Х  | 3522       |         |                 |
| San Diego County Water Authority        | 58302       | Fong-Sakai                       | х         | Х   | 19434  |    |            |         |                 |
|   |             | Goldberg                         |           |     |  |    |            |         |                 |
|   |             | Miller                           | х         | Х   | 19434  |    |            |         |                 |
|   |             | Smith                            | х         | Х   | 19434  |    |            |         |                 |
|   |             |                                  | Subtotal: |     | 58302  |    |            |         |                 |
| San Fernando                            | 224         | Ortega                           | х         | Х   | 224  |    |            |         |                 |
| San Marino                              | 730         | Morris                           | х         |     |  | Х  | 730        |         |                 |
| Santa Ana                               | 3035        | Phan                             | х         | Х   | 3035   |    |            |         |                 |
| Santa Monica                            | 4352        | Abdo                             | х         | Х   | 4352   |    |            |         |                 |
| Three Valleys Municipal Water District  | 7753        | De Jesus                         | х         |     |  | Х  | 7753       |         |                 |
| Torrance                                | 3237        | Lefevre                          | Х         |     |  | Х  | 3237       |         |                 |
| Upper San Gabriel Valley Mun. Wat. Dist | 11942       | Fellow                           | x         |     |  | х  | 11942      |         |                 |
| West Basin Municipal Water District     |             | Williams                         | Х         |     |  | X  | 11804      |         |                 |
| Treet Saon Manierpai Water Blothet      |             | Gray                             | X         |     |  | X  | 11804      |         |                 |
|   |             |                                  | Subtotal: |     | <del>                                     </del> |    | 23608      |         |                 |
| Western Municipal Water District        | 12466       | Dennstedt                        | X         |     |  | Х  | 12466      |         |                 |
| Total                                   | 337725      |                                  | 1         |     | 180390   |    | 139424     |         |                 |
| Present and not voting                  | 1000        |                                  |           |     |  |    | 1          |         |                 |
| Absent                                  | 17911       |                                  |           |     |  |    | 1          |         |                 |

The motion to approve Future Agenda Item 12 **(M.I. 52873)** for the Board of Directors to direct the Executive Committee to place item on the agenda for the regular board meeting in July to waive confidentiality of the final four Shaw group reports for the Board to take action passed by a vote of 180,390 ayes; 139,424 noes; 0 abstain; 0 not voting; and 17,911 absent.

Chairwoman Gray announced to allow for a Board Summer Recess the Board will only meet on Tuesday, July 12. Monday, July 11, and Tuesday, July 26 Committee days have been canceled.

**52874** There being no objection, at 2:30 PM Chairwoman Gray adjourned the meeting.

JUDY ABDO

SECRETARY

## THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

### **RESOLUTION NO. 9312**

## RESOLUTION OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA RELYING ON GOVERNOR NEWSOM'S MARCH 4, 2020 PROCLAMATION OF A STATE OF EMERGENCY

AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR THE PERIOD OF 30 DAYS FROM JULY 12, 2022 TO AUGUST 11, 2022 PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, The Metropolitan Water District of Southern California ("Metropolitan") is committed to preserving and nurturing public access and participation in meetings of its legislative bodies; and

WHEREAS, all meetings of Metropolitan's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov't Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch the Metropolitan's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within Metropolitan's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution Number 9285 on September 28, 2021, finding that the requisite conditions exist for the legislative bodies of Metropolitan to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency, and the Board of Directors has done so in subsequent Resolutions Numbered 9287, 9288, 9291, 9292, 9295, 9296, 9297, 9298, 9300, 9306, 9308, and 9309 on October 12, 2021, November 9, 2021, November 23, 2021, December 14, 2021, January 11, 2022, February 8, 2022, March 8, 2022, March 29, 2022, April 12, 2022, May 10, 2022, May 24, 2022, and June 14, 2022 respectively; and

WHEREAS, such conditions now persist at Metropolitan, specifically, Governor Newsom's March 4, 2020 Proclamation of A State of Emergency caused by the COVID-19 pandemic; and

WHEREAS, state or local officials continue to impose or recommend measures to promote social distancing, including County of Los Angeles Department of Public Health Order issued on April 21, 2022 effective April 22, 2022, providing guidance for indoor masking and implementation of policies and practices that support physical distancing where possible; and

WHEREAS, as a consequence of the state of emergency, the Board of Directors does hereby find that the legislative bodies of Metropolitan shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, Metropolitan is providing call-in telephonic access for the public to make comment and to listen; and providing livestreaming of the meetings over the internet to ensure access for the public.

NOW, THEREFORE, the Metropolitan Board of Directors does hereby resolve as follows:

**Section 1.** Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Reconsider the Circumstances of the State of Emergency Persists. The Board of Directors hereby reconsiders the conditions of the state of emergency and the Board of Directors hereby continues to rely on the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 3. State or Local Officials Continue to Impose or Recommend Measures to Promote Social Distancing. The Board of Directors hereby acknowledges that state or local officials continue to impose or recommend measures to promote social distancing, including County of Los Angeles Department of Public Health Order issued on April 21, 2022 effective April 22, 2022, providing guidance for indoor masking and implementation of policies and practices that support physical distancing where possible.

**Section 4.** Remote Teleconference Meetings. The General Manager and legislative bodies of Metropolitan are hereby authorized and directed to take all actions necessary to carry out the

intent and purpose of this Resolution, including conducting open and public meetings in accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) August 11, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the legislative bodies of Metropolitan may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Section 54953.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held on July 12, 2022.

Secretary of the Board of Directors of The Metropolitan Water District of Southern California



## Board of Directors Engineering and Operations Committee

7/12/2022 Board Meeting

7-1

## **Subject**

Amend the Capital Investment Plan for fiscal years 2022/2023 and 2023/2024 to include the replacement of an expansion joint on the Upper Feeder at the Santa Ana River Bridge; and determine that there is a need to continue the emergency action of executing a no-bid contract for the expansion joint replacement (**Requires four-fifths vote of the Board**); the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

## **Executive Summary**

An expansion joint on the Upper Feeder needs to be replaced to facilitate reliable deliveries of Colorado River water into the central portion of Metropolitan's distribution system. As this project was not included in the CIP budget for fiscal years 2022/23 and 2023/24, this action amends the Capital Investment Plan (CIP) to include the replacement of this expansion joint. This action also authorizes the continuation of an emergency contract executed by the General Manager to replace the damaged expansion joint. Staff will provide regular progress updates to the Board on this work and obtain necessary board approvals until the completion of construction.

### **Details**

### **Background**

The Upper Feeder was constructed in 1936 as part of Metropolitan's original water delivery system. The 116-inch-diameter welded-steel pipeline extends approximately 60 miles from Lake Mathews to the Eagle Rock Control Facility in the city of Los Angeles. The feeder conveys untreated water from Lake Mathews to the F. E. Weymouth Water Treatment plant, and then delivers treated water to the Central Pool portion of the distribution system.

The Upper Feeder crosses the Santa Ana River with a 1,010-foot-long steel truss bridge in the cities of Jurupa Valley and Riverside. The feeder has an existing bellows-type expansion joint at the mid-span of the bridge that allows for thermal expansion and contraction of the pipeline. The bellows expansion joint was installed in January 2018.

On April 13, 2022, a leak was discovered at the bellows expansion joint. A steel bracket was installed as a temporary measure to stop the leak, and flow in the pipeline was reduced to approximately 525 cfs to decrease the pipeline's internal pressure. On a weekly basis, staff is currently monitoring the crack length and effectiveness of the short-term repair. After initially observing that the crack length was increasing, the crack length has remained stable for the last seven weeks. However, inspections of the bellows expansion joint by both Metropolitan staff and the bellows manufacturer concluded that the bellows joint should be replaced as it has been compromised. Staff recommends the expedited replacement of the damaged bellows joint with a new slip-type joint, which Metropolitan staff are currently fabricating.

Due to the critical nature of the feeder, the location of the expansion joint above environmentally sensitive areas, and the historically low State Water Project (SWP) allocations, the General Manager awarded an emergency contract with PCL Construction, Inc. for installation of the new joint on June 28, 2022, consistent with Section 8122(b) of Metropolitan's Administrative Code. This section of the Administrative Code, which mirrors Sections 21567 and 22050 of the California Public Contract Code, allows for the General Manager to waive competitive bidding requirements and execute contracts over the amount of \$250,000 in response to an

emergency condition. An emergency is defined as a sudden, unexpected occurrence that requires immediate action to prevent or mitigate the loss or substantial impairment of life, health, property, or essential public services. The General Manager is required to report the emergency action to the Board at the next regularly scheduled meeting, and the Board must determine by a four-fifths vote at subsequent meetings whether there is a need to continue the action.

Executing an emergency contract was necessary to allow adequate time for the contractor to plan, staff, and mobilize for construction so that the repair can be made as soon as fabrication of the new slip joint is complete. With the compromised bellows joint, Metropolitan is at risk of a prolonged, unplanned outage if the joint were to rupture. In addition, the Upper Feeder is currently operating at a reduced flow, and the repair is needed to return the feeder to full flow and support drought actions and operational shifts that could save SWP supply use in 2022.

### Upper Feeder Expansion Joint Replacement - Design, Fabrication and Construction

The scope of the project includes design, fabrication, and installation of a specialized piece of pipe to replace the damaged bellows. Staff investigated the use of both a carbon steel and stainless-steel slip-type joint. Although the stainless-steel expansion joint is expected to be more durable and reduce the long-term level of maintenance required compared to a carbon steel expansion joint, it requires a substantially longer time to procure materials and fabricate. Therefore, staff has initiated fabrication of a fast-track solution that includes the installation of a carbon steel replacement expansion joint. This expansion joint is expected to be complete by August 2022 and ready for installation shortly thereafter. Due to the critical nature of this feeder and expansion joint, staff is also pursuing the fabrication of a spare stainless-steel expansion joint so that a replacement part is readily available should this type of rehabilitation ever be needed in the future. Fabrication of the stainless-steel expansion joint will be advertised for competitive bidding at a later date.

The construction contract includes removal of bridge structural members to access the pipe and joint; removal of the existing bellows expansion joint; installation of the new slip-type expansion joint; removal and reinstallation of the steel cage that provides lateral restraint at the joint; and minor adjustments to the bridge truss isolators. In preparation for the construction activities, Metropolitan forces are also grading, clearing, and grubbing for the crane pad and access for construction. A shutdown has been scheduled for August/September 2022 for installation of the new expansion joint.

PCL Construction, Inc. was selected to perform the work based on familiarity with the project, as they performed the original installation of the bellow-type expansion joint in 2018. There is no indication that PCL's prior work on the project led to the current compromised condition of the expansion joint. A time-and-materials contract to conduct this work was issued to PCL Construction, Inc. on June 29, 2022. Staff expects that this emergency contracting action will continue until the joint installation is completed in September. Shortly thereafter, staff will return to the Board to request ratification of the completed contract. This ratification will also require a four-fifths vote of the Board.

A total of \$900,000 is required for the design and fabrication portion of the work. Allocated funds include \$60,000 for preliminary design and investigations; \$190,000 for final design; \$510,000 for fabrication of a slip-type expansion joint and Metropolitan force construction as described above; \$120,000 for environmental support, project management, and project controls; and \$20,000 for submittal review. **Attachment 1** provides the allocation of the required funds. Staff will report back to the Board on the total cost for the construction contract with PCL following the completion of the contractor's work.

Final design was performed by Metropolitan staff. Engineering Services' performance metric target range for final design with construction more than \$3 million is 9 to 12 percent. For this project, the performance metric goal for final design is 7.6 percent of the total construction cost. The estimated cost of construction for this project is anticipated to range from \$2.5 million to \$3.5 million.

### **Alternatives Considered**

Metropolitan's staff considered using an expedited schedule for board award of a construction contract rather than utilizing the emergency contracting provisions in the administrative code. However, even with an accelerated advertisement and award approach, construction work would not begin until November 2022. Staff determined that this is not an acceptable schedule considering the current flow restrictions that have been placed on the feeder. An emergency contract with PCL Construction, Inc. allows the contractor to start mobilizing, acquiring

key equipment, and begin contract submittals, including a detailed construction schedule, contractor means, methods, and safety plan. Issuing an emergency contract to PCL Construction, Inc. allows timely repair of a major pipeline that delivers Colorado River water into the central portion of Metropolitan's distribution system. It is a critical facility helping to reduce the impacts of the extreme drought conditions on the SWP. The selected option will reduce the risk of costly emergency repairs and enhance reliable deliveries to Metropolitan's member agencies.

### **Summary**

This action amends the CIP to include the replacement of an expansion joint on the Upper Feeder at the Santa Ana River Bridge. This action also authorizes the continuation of an emergency contract executed by the General Manager to replace the damaged expansion joint. See **Attachment 1** for the Allocation of Funds; and **Attachment 2** for the Location Map.

### **Project Milestone**

September 2022 - Replacement of Leaking Expansion Joint

### **Policy**

Metropolitan Water District Administrative Code Section 8122: Emergency Contracts

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 52778, dated April 12th, 2022, the Board appropriated a total of \$600 million for projects identified in the Capital Investment Plan for Fiscal Years 2022/23 and 2023/24

### California Environmental Quality Act (CEQA)

### **CEQA** determination for Option #1:

The proposed action is statutorily exempt under the provisions of CEQA and the State CEQA Guidelines because it involves the immediate emergency repair of an existing pipeline with the same purpose and capacity to maintain service essential to the public health, safety, or welfare. (Section 15269(b) of the State CEQA Guidelines). In addition, the proposed action is statutorily exempt under the provisions of CEQA and the State CEQA Guidelines because it involves the installation of a new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline that does not exceed one mile in length. (Section 15262(k) of the State CEQA Guidelines).

### **CEQA** determination for Option #2:

None required

### **Board Options**

### Option #1

- a. Amend the current CIP to include planning and implementation of infrastructure projects to replace an expansion joint on the Upper Feeder; and
- b. Determine that there is a need to continue the emergency action of executing a no-bid contract for installation of a new expansion joint on the Upper Feeder. (Requires four-fifths vote of the Board.)

**Fiscal Impact:** Expenditure of \$900,000 in capital funds for design and fabrication. Total cost for construction is currently unknown due to the structure of the emergency contract executed by the General Manager. All funds will be incurred in the current biennium and have been previously authorized. It is not anticipated that the addition of the project listed above to the CIP will increase CIP expenditures in the current biennium beyond those which have been previously approved by the Board.

**Business Analysis:** This project enhances delivery reliability to member agencies and reduces the risk of unplanned shutdowns of the Upper Feeder.

### Option #2

Do not determine that there is a need to continue the emergency action.

Fiscal Impact: Unknown costs for work performed by the contractor to date

**Business Analysis:** This option would delay the replacement of the expansion joint. The delay would limit flow on the Upper Feeder and expose Metropolitan to a greater risk of pipe rupture, which would severely disrupt water deliveries to member agencies.

### **Staff Recommendation**

Option #1

6/29/2022

John V. Bednarski Manager/Chief Engineer Date

Adel Hagekhalil

7/1/2022 Date

General Manager

Attachment 1 – Allocation of Budgeted Funds

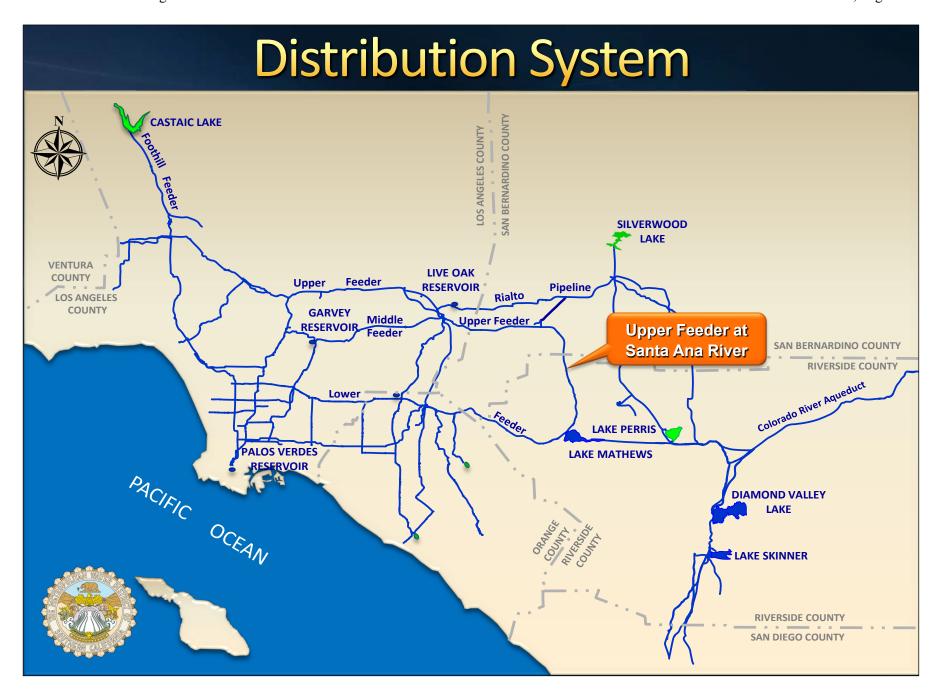
Attachment 2 - Location map

Ref# es07122022

## Allocation of Funds for the Upper Feeder Expansion Joint Replacement

|                                   | Current Board<br>Action<br>(Jul. 2022) |  |
|-----------------------------------|--|--|
| Labor                             |  |  |
| Studies & Investigations          | \$<br>60,000                           |  |
| Final Design                      | 190,000                                |  |
| Owner Costs (Program mgmt.,       | 120,000                                |  |
| envir. monitoring)                |  |  |
| Submittals Review & Record Drwgs. | 20,000                                 |  |
| Construction Inspection & Support | -                                      |  |
| Metropolitan Force Construction   | 150,000                                |  |
| Materials & Supplies              | 350,000                                |  |
| Incidental Expenses               | 10,000                                 |  |
| Professional/Technical Services   | -                                      |  |
| Right-of-Way                      | -                                      |  |
| Equipment Use                     | -                                      |  |
| Contracts                         | -                                      |  |
| Remaining Budget                  | -                                      |  |
| Total                             | \$<br>900,000                          |  |

This is the initial action for the Upper Feeder Expansion Joint Replacement. The total estimated cost to complete the Upper Feeder Expansion Joint Replacement including funds allocated for the work described in this action, and future construction costs, is anticipated to range from \$3 million to \$4 million.





## **Engineering & Operations Committee**

## Upper Feeder Expansion Joint Replacement

Item 7-1 July 12, 2022

## Upper Feeder Expansion Joint Replacement

## **Current Action**

- Amend the Capital Investment Plan for fiscal years 2022/2023 and 2023/2024 to include replacement of an expansion joint on the Upper Feeder at the Santa Ana River Bridge
- Authorize the continuation of an emergency contract executed by the General Manager (Requires four-fifths vote of the Board)

## Distribution System



## Upper Feeder – Santa Ana River Crossing

- Multi-span bridge with steel trusses and concrete piers
- 9'-8" ID steel pipe

- Pipeline design flow: 750 cfs
- Pipeline internal pressure:
   200 psi



## Upper Feeder – Bellows Installation

 Bellows expansion joint & restraining cage installed January 2018



Bellows Joint





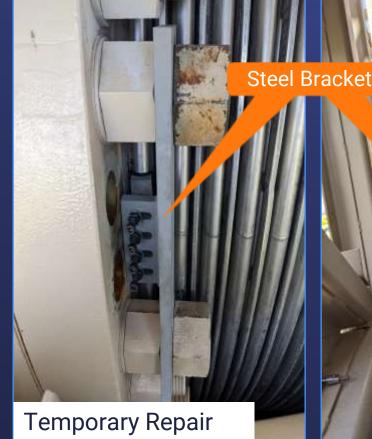
## Upper Feeder **Expansion Joint**

Replacement

## Bellows Expansion Joint Leak

- Discovered April 13, 2022
- Flow reduced
- Leak temporarily repaired April 21, 2022







## Upper Feeder Expansion Joint Replacement



## **Bellows Expansion Joint Inspection**

- Bellows joint compromised; to be replaced with sliptype expansion joint
- Crack has stabilized; monitoring weekly
- Forensic analysis of bellows failure ongoing
- Stainless steel slip joint to be installed in the future

## **Expansion Joint Replacement Urgency**

- Current flow limited to 525 cfs
- Unplanned shutdown and catastrophic failure risk
- Upper Feeder needed to support new drought actions
   & operational shifts to save SPW

## Upper Feeder Expansion Joint Replacement

## **Alternatives Considered**

- Board awards competitively bid contract
  - Delays start of construction
  - Increased risk of catastrophic failure
- Selected option
  - GM executed emergency contract
  - Metropolitan initiated fabrication of replacement sliptype expansion joint, installation design, and minor construction preparation activities
  - Contractor starts mobilizing, acquiring key equipment,
     & preparing contract submittals
  - Estimated start of on-site construction August 2022

# Upper Feeder Expansion Joint Replacement

## **Emergency Contract**

- Executed per Admin Code section 8122(b)
  - Waived competitive bid requirements
  - Emergency means a sudden, unexpected occurrence that requires immediate action to prevent or mitigate the loss or substantial impairment of life, health, property, or essential public services
  - Emergency declared June 8, 2022
  - GM awarded contract on June 28, 2022
  - Monthly reporting to the Board required and continuation of contract activities determined by four-fifths vote
  - Board to ratify construction contract upon completion of construction activities
- Time and materials contract

## Upper Feeder Expansion Joint Replacement



Quagga Filters for Dewatering

## Upper Feeder Shutdown

- Planned start date: 9/6/22; Duration: ±14 days
- CRW filtered prior to release to Santa Ana River
- Weymouth Treatment Plant to use 100% SPW during the shutdown
  - Approximately 1,000 AF/day (varies by demand)
- Member Agencies receiving water from Weymouth & Diemer will be asked to go to no outdoor watering during shutdown
- Metropolitan will be coordinating with Member Agencies on outreach and messaging
  - Social media, earned media, & press releases

## PCL Construction, Inc.

- Installed bellows joint in 2018
- Familiar with project and site conditions

## Upper Feeder Expansion Joint Replacement

## Contractor Scope of Work

- Removal of bridge structural members & restraining cage for pipe access
- Removal of bellows joint
- Installation of new sleeve-type joint
- Reinstallation of bridge structural members & restraining cage

## Upper Feeder Expansion Joint Replacement

## Metropolitan Scope

- Complete fabrication & installation design packages
- Fabricate new slip-type expansion joint
- Procure hardware & accessories
- Clear & grub area adjacent to the bridge for crane pad & access in advance of contractor's arrival
- Install 4-inch tap near expansion joint to facilitate construction
- Install new 36-inch accessway

New Slip Joint Fabrication @ La Verne Shops







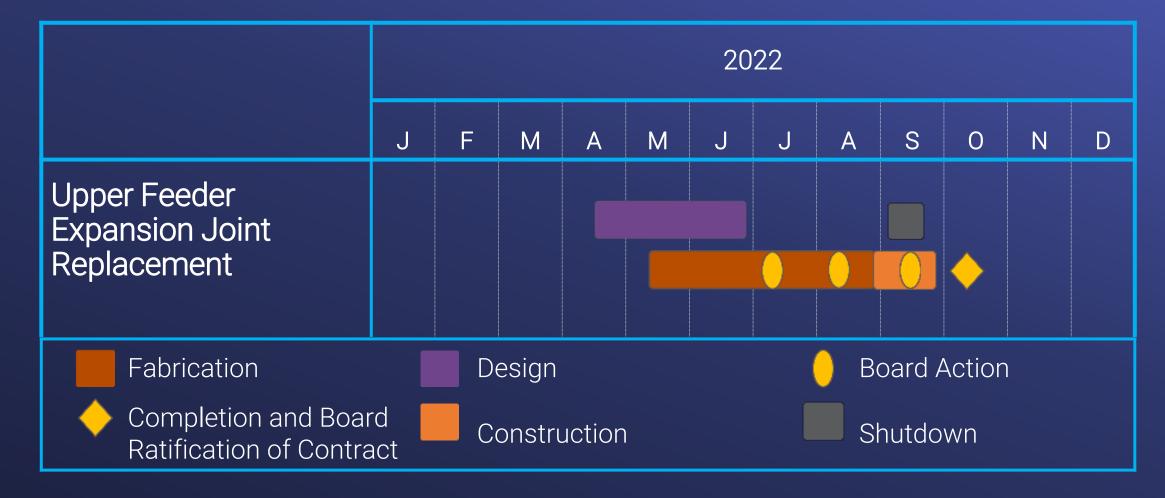
## Allocation of Funds

## Upper Feeder Expansion Joint Replacement

| Metropolitan Labor                                     |           |
|--|-----------|
| Program mgmt. environmental support, & contract admin. | \$120,000 |
| Preliminary design & investigations                    | 60,000    |
| Final design   | 190,000   |
| Submittal review & record drawings                     | 20,000    |
| Force construction                                     | 150,000   |
| Materials  | 360,000   |
| Total  | \$900,000 |

<sup>\*\*</sup>Anticipated total project costs including construction contract is \$3M - \$4M; final costs, including the construction contract, will be reported to the Board upon completion of construction.

## Project Schedule



## **Board Options**

- Option #1
  - a. Amend the current CIP to include planning and implementation of infrastructure projects to replace an expansion joint on the Upper Feeder; and
  - b. Determine that there is a need to continue the emergency action of executing a no-bid contract for installation of a new expansion joint on the Upper Feeder. (Requires four-fifths vote of the Board.)
- Option #2

Do not determine that there is a need to continue the emergency action.

## Staff Recommendation

• Option #1





## Board of Directors Engineering and Operations Committee

7/12/2022 Board Meeting

7-2

## **Subject**

Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2015 Final EIR, related CEQA actions, and Addendum No. 3; and award \$25,972,700 contract to Mladen Buntich Construction Company, Inc. for Stage 3 rehabilitation of the Etiwanda Pipeline

## **Executive Summary**

Previous investigations revealed that the protective mortar lining on the inside of the northern portion of the Etiwanda Pipeline is failing due to pressure fluctuations that occur when the downstream Etiwanda Power Plant is in operation. While the pipeline remains functional and the structural integrity of the line remains sound at present, staff recommended that the 5.4-mile northern portion of the pipeline be relined to enhance long-term reliability. In 2014 and 2016, approximately three miles of the pipeline were relined under two separate construction contracts. Staff recommends moving forward with the third and final stage of the project at this time. This action awards a construction contract to rehabilitate the remaining 2.4 miles of mortar lining along the northern portion of the Etiwanda Pipeline.

### **Details**

### **Background**

The Etiwanda Pipeline was constructed in 1993 to convey untreated water from the Rialto Pipeline to the Upper Feeder. This 6.4-mile-long welded steel pipeline is 144 inches in diameter. The northern portion of the pipeline, which is 5.4 miles long, conveys high-pressure water to the Etiwanda Power Plant. From that facility, the southern portion of the line continues for one mile to an interconnection with the Upper Feeder. The pipeline is located within the cities of Fontana and Rancho Cucamonga.

The Etiwanda Pipeline provides flexibility in conveying untreated water from the East Branch of the State Water Project to the F. E. Weymouth Water Treatment Plant. The pipeline allows Metropolitan to generate power from the high-pressure flows available in the northern portion of the line. Under peak flow conditions, annual revenues from the Etiwanda Power Plant have reached \$8.3 million.

The Etiwanda Pipeline was constructed with a 0.75-inch-thick interior mortar lining to prevent corrosion of the steel pipe. During a 2008 internal inspection of the pipeline, staff discovered that approximately 37 percent of the northern portion of the line had missing or delaminated mortar lining. At the present time, the structural integrity of the pipeline remains sound. Over time, however, the loss of mortar lining will expose the pipeline to accelerated rates of corrosion which could lead to leakage or structural integrity issues.

Since the initial discovery of the lining issues, staff and third-party pipeline experts have conducted extensive investigations into the cause of the lining damage. The primary cause of the lining failures appears to be the daily internal pressure fluctuation within the pipeline resulting from power generation at the Etiwanda Power Plant. This fluctuation of internal pressure likely produced stress cracking in the mortar lining. In addition, variation in availability of State Water Project supplies resulted in prolonged periods when the pipeline was removed from service, creating drying and shrinkage cracks which exacerbated the deterioration of the mortar lining.

In December 2012, Metropolitan's Board authorized final design to replace the lining in the Etiwanda Pipeline. The first stage of the lining replacement was completed in December 2014. This effort replaced the mortar lining in approximately 2,800 feet of the pipeline with a polyurethane lining. By performing this work on a relatively short length of the feeder, staff was able to confirm production rates and efficiencies of the lining process prior to commencing the full-scale effort. The initial contract also validated the use of the polyurethane lining for this specific application. The experience gained during the initial contract was incorporated into the work plan for relining the remaining five miles of the feeder. Finally, the polyurethane lining system was also determined to be resilient to the expected pressure fluctuations in the pipeline.

In June 2015, Metropolitan's Board authorized final design of the remaining two stages of lining replacement, certified the final EIR for the project, and adopted a Mitigation Monitoring and Reporting Program (MMRP) for the work. The second stage of the relining replacement utilized the polyurethane lining system and was completed in December 2016. Staff recommends moving forward with construction to complete the third and final stage of the relining replacement to the pipeline, while State Project Water supplies are expected to be limited, and the Etiwanda Pipeline can remain out of service. The pipe procurement contract for this third stage of the overall project was awarded by the Board in November 2021.

In accordance with the April 2022 action on the biennial budget for Fiscal Years 2022/23 and 2023/24, the General Manager will authorize staff to proceed with the rehabilitation of the Etiwanda Pipeline, pending board award of the contract described below. Based on the current Capital Investment Plan expenditure forecast, funds for the work to be performed pursuant to this action during the current biennium are available within the Capital Investment Plan Appropriation for Fiscal Years 2022/23 and 2023/24 (Appropriation No. 15441). This project has been reviewed in accordance with Metropolitan's CIP prioritization criteria and was approved by Metropolitan's CIP evaluation team to be included in the Distribution System Reliability Program.

### Etiwanda Pipeline Lining Rehabilitation, Stage 3 - Construction

The scope of the contract includes rehabilitating approximately 13,800 feet of existing large-diameter pipe, including removing existing cement mortar lining and applying new polyurethane lining. The contract will also install a new steel liner in approximately 1,300 feet of Metropolitan-furnished pipe in a section of the pipeline that has exhibited accelerated corrosion. Metropolitan force activities will include shutdown planning and coordination, dewatering the pipeline, and removing valves from the accessway for contractor access. In addition, Metropolitan will furnish new valves for blowoffs and pump wells.

A total of \$33,000,000 is required for this work. In addition to the contract amount, other allocated funds include: \$577,000 for Metropolitan force construction; \$200,000 for Metropolitan furnished materials; \$2,400,000 for construction management and inspection; \$281,000 for submittal review and record drawing preparation; \$571,000 for project management, environmental monitoring, and public outreach; and \$2,998,300 for remaining budget. **Attachment 1** provides the allocation of the required funds. The completion of this third and final stage of the Etiwanda Pipeline relining project will bring the total cost of this three-stage project to \$65 million.

### Award of Construction Contract (Mladen Buntich Construction Company, Inc.)

Specifications No. 1857 for Etiwanda Pipeline Lining Rehabilitation was advertised for bids on April 7, 2022. As shown in **Attachment 2**, four bids were received and opened on June 14, 2022. The low bid from Mladen Buntich Construction Company, Inc., in the amount of \$25,972,700, complies with the requirements of the specifications. The other bids ranged from \$26.17 to \$29.93 million, while the engineer's estimate was \$30.5 million. For this contract, Metropolitan established a Small Business Enterprise participation level of at least 15 percent of the total bid amount. Mladen Buntich Construction Company, Inc. has committed to meet this level of participation. The subcontractors for this contract are listed in **Attachment 3**.

As described above, Metropolitan staff will perform construction management and inspection. Engineering Services' performance metric target range for construction management and inspection of projects with construction greater than \$3 million is 9 to 12 percent. For this project, the performance metric goal for inspection is 7.3 percent of the total construction cost. The total cost of construction for this project is \$32.9 million, which includes the cost of the contract (\$25,972,700), the cost of the Metropolitan-furnished steel liner pipe (\$6,147,262), Metropolitan force construction (\$577,000), and Metropolitan-furnished materials (\$200,000).

### **Alternatives Considered**

Staff considered accomplishing this final stage of the relining project by issuing two contracts, one for each affected city (Rancho Cucamonga and Fontana). This approach would manage the geographically diverse projects and resolve local agency permitting issues on a case-by-case basis. While this approach would also shorten the length of individual shutdowns, it would require successive shutdowns spread over multiple years. Following these evaluations, staff recommends using one construction contract to reline the remaining 13,800 feet of the Etiwanda Pipeline at this time. Design and coordination with the jurisdictional cities are in place to allow for relining of the final reach of the Etiwanda Pipeline under one contract. This alternative is a cost-effective approach that minimizes the risk of service interruptions to member agencies as a result of pipeline leaks and enhances the reliability of Metropolitan's distribution system

### **Summary**

This action awards a construction contract to Mladen Buntich Construction, Inc. for Stage 3 lining rehabilitation of the Etiwanda Pipeline. See **Attachment 1** for the Allocation of Funds, **Attachment 2** for the Abstract of Bids, **Attachment 3** for the listing of Subcontractors for Low Bidder, and **Attachment 4** for the Location Map.

### **Project Milestone**

October 2023 – Completion of construction

## **Policy**

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

Metropolitan Water District Administrative Code Section 11100: Environmental Matters

By Minute Item 50613, dated December 10, 2013, the Board awarded a contract for construction for Etiwanda Pipeline Stage 1 rehabilitation.

By Minute Item 50154, dated June 9, 2015, the Board authorized final design to rehabilitate the Etiwanda Pipeline.

By Minute Item 50911, dated February 9, 2016, the Board awarded a contract for construction of Etiwanda Pipeline Stage 2 rehabilitation.

By Minute Item 52577, dated 2021, the Board awarded a contract to furnish 1,300 feet of welded steel pipe and fittings to rehabilitate a portion of the Etiwanda Pipeline.

By Minute Item 52778, dated April 12, 2022, the Board appropriated a total of \$600 million for projects identified in the Capital Investment Plan for Fiscal Years 2022/2023 and 2023/2024.

## California Environmental Quality Act (CEQA)

### **CEQA** determination for Option #1:

The environmental effects of the funding, design, construction, and operation of the proposed project were evaluated in the Etiwanda Pipeline North Relining Project Final Environmental Impact Report (SCH No. 2014081047), which was certified by the Board on June 9, 2015. The Board also adopted the Findings of Fact (Findings), the Statement of Overriding Considerations (SOC), the Mitigation Monitoring and Reporting Program (MMRP), and the project itself. On March 28, 2022, Addendum No. 3 to the Final EIR was prepared to document proposed minor modifications to construction work areas; none of the proposed modifications would result in significant adverse impacts beyond those impacts already disclosed in the Final EIR; Addendum No. 3 can be found in **Attachment 5**. Hence, the previous environmental documentation acted on by the Board in conjunction with the proposed action fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further CEQA documentation is necessary for the Board to act on the proposed action.

### **CEQA determination for Option #2:**

None required

### **Board Options**

### Option #1

Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2015 Final EIR, related CEQA actions and Addendum No. 3, and

a. Award \$25,972,700 contract to Mladen Buntich Construction Company, Inc. to replace a portion of the interior lining of the Etiwanda Pipeline.

**Fiscal Impact:** Expenditure of \$33.0 million in capital funds. All expenditures will be incurred in the current biennium and have been previously authorized.

**Business Analysis:** This option will complete needed rehabilitation to the damaged lining of the Etiwanda Pipeline, which will protect Metropolitan assets and reduce the risk of costly emergency repairs.

### Option #2

Do not proceed with the project at this time.

Fiscal Impact: None

**Business Analysis:** This option would forgo an opportunity to enhance reliability and extend the service life of the Etiwanda Pipeline and could lead to higher costs, more extensive repairs, and unplanned shutdowns.

### **Staff Recommendation**

Option #1

nn V. Bednarski

6/22/2022 Date

Manager/Chief Engineer

6/29/2022

Adel Hagekhalil

General Manager

Date

Attachment 1 - Allocation of Funds

Attachment 2 - Abstract of Bids

Attachment 3 - Subcontractors for Low Bidder

Attachment 4 - Location Map

Attachment 5 - Etiwanda Draft EIR, Final EIR, NOD, and Addendum Phase 3

Ref# es12689037

## Allocation of Funds for Etiwanda Pipeline North Relining – Stage 3

|   | Current Board Action (July 2022) |            |
|---|----------------------------------|------------|
| Labor                                     |                                  |            |
| Studies & Investigations                  | \$                               | -          |
| Final Design                              |                                  | _          |
| Owner Costs (Program mgmt.,               |                                  | 571,000    |
| envir. monitoring)                        |                                  |            |
| Submittals Review & Record Drwgs.         |                                  | 281,000    |
| Construction Inspection & Support         |                                  | 2,400,000  |
| Force Construction                        |                                  | 577,000    |
| Materials & Supplies                      |                                  | 200,000    |
| Incidental Expenses                       |                                  | _          |
| Professional/Technical Services           |                                  | -          |
| Right-of-Way                              |                                  | _          |
| Equipment Use                             |                                  | -          |
| Contracts                                 |                                  |            |
| Mladin Buntich Construction Company, Inc. |                                  | 25,972,700 |
| Remaining Budget                          |                                  | 2,998,300  |
| Total                                     | \$                               | 33,000,000 |

The total amount expended to date on Stage 3 of the relining of the Etiwanda Pipeline is approximately \$7,500,000. The total estimated cost to complete Stage 3 of this project, including the amount appropriated to date and funds allocated for the work described in this action, is \$40.5 million.

## The Metropolitan Water District of Southern California

## Abstract of Bids Received on June 14, 2022 at 2:00 P.M.

## Specifications No. 1857 Etiwanda Pipeline North Relining – Stage 3

The Stage 3 work consists of removal of the cement mortar lining along 2.5 miles of pipeline and replacing it with a polyurethane lining.

Engineer's estimate: \$30,500,000

| Bidder and Location                                     | Total        | SBE<br>Amount | SBE % | Met SBE <sup>1</sup> |
|---|--------------|---------------|-------|----------------------|
| Mladen Buntich Construction Co., Inc. Upland, CA        | \$25,972,700 | \$3,895,900   | 15%   | Yes                  |
| J.F. Shea Construction, Inc.<br>Walnut, CA              | \$26,169,000 | -             | -     | -                    |
| Kiewit Infrstructure West, Inc.<br>Sante Fe Springs, CA | \$29,484,000 | -             | -     | -                    |
| Spinello Infrastructure West, Inc.<br>Pomona, CA        | \$29,930,000 | -             | -     | -                    |

<sup>&</sup>lt;sup>1</sup> SBE (Small Business Enterprise) participation level established at 15 percent for this contract bid.

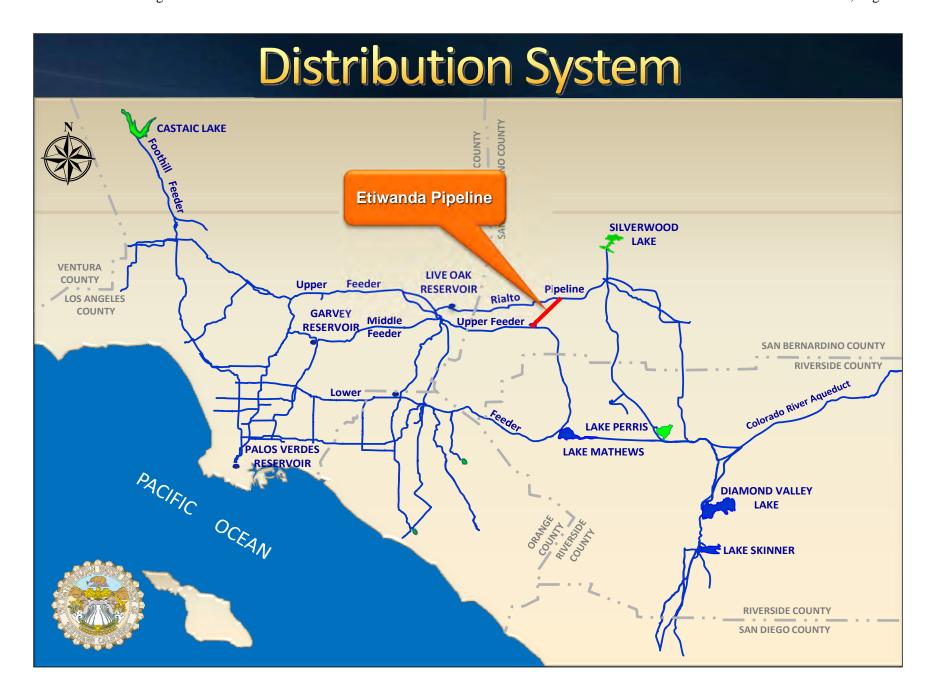
## The Metropolitan Water District of Southern California

## **Subcontractors for Low Bidder**

## Specifications No. 1857 Etiwanda Pipeline North Relining – Stage 3

Low bidder: Mladen Buntich Construction Company, Inc.

| Subcontractor and Location                     |
|--|
| Cell-Crete<br>Monrovia, CA                     |
| Dean's Certified Welding Temecula, CA          |
| F.D. Thomas, Inc.<br>Central Point, OR         |
| Southern Contracting Company<br>San Marcos, CA |



## California Environmental Quality Act: Notice of Determination

The Metropolitan Water District of Southern California Office of Planning and Research From: P.O. Box 54153 1400 Tenth Street, Room 212 Los Angeles, CA 90054-0153 Sacramento, CA 95814 Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code. Etiwanda Pipeline North Relining Project, SCH#2014081047 Project Title: Area Code/Telephone/Extension Lead Agency/Applicant Contact Person State Clearinghouse Number (213) 217-7173 The Metropolitan Water District 2014081047 of Southern California Wendy Picht Project Location (include county): The Metropolitan Water District of Southern California (Metropolitan) Etiwanda Pipeline North, which traverses in a northeast to southwest direction, with the northernmost portion of the alignment located approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the city of Fontana. The southern terminus of the Project area is just north of Foothill Boulevard, approximately 0.2 mile west of East Street in the city of Rancho Cucamonga. The Project is located within San Bernardino County (see attached map). Project Description: Metropolitan has prepared an Environmental Impact Report (EIR) for the relining of the Etiwanda Pipeline North in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The project, as described in the EIR, would remove the existing interior mortar lining, much of which has delaminated from the pipe, and recoat the pipe with a new lining to prevent further corrosion. Metropolitan, acting as the Lead Agency/Applicant under CEQA, certified an Environmental Impact Report for the "Etiwanda Pipeline North Relining Project" on June 09, 2015. This is to advise that The Metropolitan Water District of Southern California as the Lead Agency under CEQA has reviewed and considered the above-described project and has adopted the following determinations regarding the above-described project: 1. The project [ will will not] have a significant effect on the environment. 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. 3. Mitigation measures [ were not ] made a condition of the approval of the project. 4. A Statement of Overriding Considerations (SOC) [ was was not ] adopted for this project. 5. A Mitigation Monitoring Report or Monitoring Plan (MMRP) [\subseteq was not] adopted for this project 6. Findings [Neere were not] made pursuant to the provisions of CEQA. The certified Environmental Impact Report, responses to comments, SOC, MMRP, Findings, and related CEQA documentation are on file at Metropolitan's headquarters at 700 North Alameda Street, Los Angeles, CA 90012. Interim Manager, June 10, 2015 Environmental Planning Team Date Title Deborah Drezner Signature Date received for filing at County or OPR:

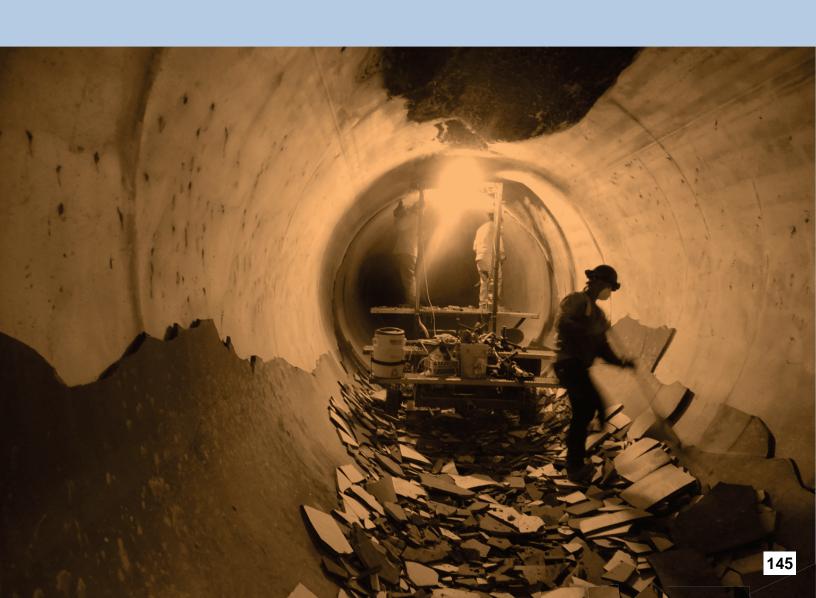


### The Metropolitan Water District of Southern California

# ETIWANDA PIPELINE NORTH RELINING PROJECT

Draft Environmental Impact Report Metropolitan Report No. 1472

January 2015



## ETIWANDA PIPELINE NORTH RELINING PROJECT

Draft Environmental Impact Report

The Metropolitan Water District of Southern California 700 North Alameda Street Los Angeles, CA 90012

> Metropolitan Report No. 1472 State Clearinghouse No. 2014081047

> > January 2015

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#### LIST OF ACRONYMS AND ABBREVIATIONS

AB Assembly Bill a.m./AM morning

CARB California Air Resources Board CCR California Code of Regulations

CDFW California Department of Fish and Wildlife CEQA California Environmental Quality Act

CH<sub>4</sub> methane

CMP Congestion Management Program
CNRA California Natural Resource Agency

CO carbon monoxide CO<sub>2</sub> carbon dioxide

CO<sub>2</sub>e carbon dioxide equivalent CRA Colorado River Aqueduct

dBA decibel(s) with A-weighting
DWR Department of Water Resources

EIR Environmental Impact Report

GHG greenhouse gas

HELIX Environmental Planning, Inc.

HFCs hydrofluorocarbons

hp horsepower

I-15 Interstate 15

 $L_{EQ}$  average sound level LOS level of service

MBTA Migratory Bird Treaty Act

Metropolitan Water District of Southern California

MMT million metric tons

MS4 Municipal Separate Storm Sewer Systems

MT metric tons

 $\begin{array}{ccc} N_2O & \text{nitrous oxide} \\ NO_2 & \text{nitrogen dioxide} \\ NO_X & \text{oxides of nitrogen} \\ NOP & \text{Notice of Preparation} \end{array}$ 

NPDES National Pollutant Discharge Elimination System

Etiwanda Pipeline North Relining Project

Draft EIR

List of Acronyms and Abbreviations

 $O_3$  ozone

OSHA Occupational Safety and Health Administration

PCE passenger car equivalent

PFCs perfluorocarbons

p.m./PM evening

 $PM_{2.5}$  fine particulate matter with a diameter of 2.5 microns or less  $PM_{10}$  respirable particulate matter with a diameter of 10 microns or less

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ppm parts per million
PRC Public Resources Code

Project Etiwanda Pipeline North Relining Project

P-UC Public Utility Corridor

SANBAG San Bernardino Associated Governments SCAQMD South Coast Air Quality Management District

SCE Southern California Edison

 $SF_6$  sulfur hexafluoride  $SO_2$  sulfur dioxide  $SO_X$  oxides of sulfur

SP-E Etiwanda Specific Plan

SR State Route

SWP State Water Project

TACs toxic air contaminants

USEPA U.S. Environmental Protection Agency

USFWS U.S. Fish and Wildlife Service

USGS U.S. Geological Survey

VdB vibration decibels

VOC volatile organic compound

μg/m<sup>3</sup> micrograms per cubic meter

### **SUMMARY**

#### **SUMMARY**

This chapter provides a summary of this Environmental Impact Report (EIR) for implementation of the Metropolitan Water District of Southern California's (Metropolitan's) Etiwanda Pipeline North Relining Project (herein referred to as "proposed Project" or "Project"). This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code [PRC] Section 21000 et seq.) and the Guidelines for Implementation of CEQA (State CEQA Guidelines) published by the Public Resources Agency of the State of California (California Code of Regulations [CCR], Title 14, Section 15000 et seq.).

This chapter highlights the major areas of importance in the environmental analysis for the proposed Project as required by State CEQA Guidelines Section 15123. It provides a brief description of the Project objectives, the proposed Project, and alternatives to the proposed Project. In addition, this chapter includes a table summarizing: (1) the direct impacts that would occur from implementation of the proposed Project; (2) the level of impact significance before mitigation; (3) the recommended mitigation measures that would avoid or reduce significant environmental impacts; and (4) the level of impact significance after mitigation measures are implemented.

#### S.1 PROJECT LOCATION

The proposed Project involves relining of Metropolitan's Etiwanda Pipeline North. The portion of the pipeline to be relined includes approximately 4.4 miles of pipeline right-of-way in the city of Fontana, beginning at Metropolitan's Rialto Pipeline and ending at East Avenue, and approximately 0.4 mile of pipeline right-of-way in the city of Rancho Cucamonga, continuing from East Avenue and ending just north of Foothill Boulevard. The pipeline parallels Interstate 15 (I-15), approximately 0.4 mile east of I-15 and crosses under State Route (SR) 210. The alignment traverses in a northeast to southwest direction, with the northernmost portion of the alignment located approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the city of Fontana. The southern terminus of the Project area is just north of Foothill Boulevard, approximately 0.2 mile west of East Street in the city of Rancho Cucamonga.

#### S.2 PROJECT DESCRIPTION

#### **Project Objectives**

The proposed Project would remove the existing mortar lining that has become separated from the inside of Etiwanda Pipeline North and install a new lining to prevent further corrosion. The primary objectives of the Project are as follows:

- Enable Metropolitan to continue conveyance of water from the Rialto Pipeline to the Upper Feeder as needed to supply customers;
- Enable Metropolitan to continue electricity generation through water conveyance to the Etiwanda Hydroelectric Plant;

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- Provide a safe, feasible and cost-effective relining method; and
- Minimize Project-related nuisances such as traffic disruption, noise, air quality, dust, and odor to the extent feasible.

#### **Proposed Project**

To prevent further corrosion of the steel pipe in the approximately five-mile-long segment of Etiwanda Pipeline North, the Project proposes to remove the existing interior mortar lining, much of which has eroded and delaminated, and recoat the pipe with a new lining.

Except for excavation and staging, Project activities would mostly occur below-ground. Access to the pipe for relining activities would be accomplished via rollouts (where a 20-foot segment of pipe would be removed), existing manholes, existing buried outlets (similar to manholes but without surface structures), and proposed new buried outlets. While the remainder of the right-of-way and staging areas may be used for access and material storage, no other disturbance of the existing ground is anticipated. Surface disturbance could occur in the remainder of the right-of-way from materials staging and grubbing of vegetation. Project activities would not occur within storm drainage courses, public roadways, or public rights-of-way.

Primary activities would include the following: site preparation; preparation of access points into the pipeline; pipeline shutdown and removal of water; surface preparation of the interior of the pipe surfaces (including removal of the existing lining); application of the new liner; and closing access points and site completion. Following the completion of pipeline relining, the Project would not require operations or maintenance personnel beyond those already required for the existing pipeline.

The proposed Project activities are expected to begin in 2015 and would occur during pipeline shutdown periods, the number and duration of which would be determined by water demands and available supplies. Up to three phases would be required, each lasting approximately one year with each shutdown period lasting approximately six to nine months. Although the Project work schedule would vary throughout the duration of Project activities, during the pipeline shutdown period, work could be performed up to 24 hours per day and seven days per week.

Metropolitan's mission includes incorporation of environmental responsibility into its projects and operation of its facilities. Environmental commitments are proposed as part of the Project to reflect and incorporate Metropolitan's best practices to avoid, minimize, or offset potential environmental effects from its projects. The Project, with these environmental commitments incorporated, was then evaluated for potentially significant impacts and the need for mitigation measures. Implementation of these commitments as part of the Project would reduce potential impacts relative to air pollutant emissions, biological resources, and noise.

#### S.3 SCOPE OF ENVIRONMENTAL ANALYSIS

This EIR contains a discussion of the potential significant environmental effects resulting from implementation of the proposed Project, including information related to existing site conditions, analyses of the type and magnitude of individual and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts. For analysis

purposes, certain assumptions were made in the types, quantities, and uses of equipment and workers. These assumptions reflect the best level of judgment and information available about the design of the Project, but they also allow necessary flexibility for adjustments during final design and performance of the work. Refinements in the Project may result in minor variations in specific types, numbers, and uses of equipment and workers; however, the assumptions used in the analyses are considered the worst-case Project scenarios for air emissions, noise, and traffic. Actual emissions, noise, and traffic levels could be lower than shown in the analysis conclusions.

7-2

In accordance with the State CEQA Guidelines, Metropolitan circulated a Notice of Preparation (NOP) and Initial Study for this Draft EIR in August 2014 to responsible agencies and other interested parties, to solicit comments on the scope of the Draft EIR. The 30-day public review period ended on September 17, 2014. The Initial Study, NOP and comment letters received on the NOP are included in **Appendix A** of this document. Based on the results of the Initial Study/NOP, this EIR analyzes the potential environmental effects of the proposed Project for the following issue areas:

- 1. Air Quality
- 2. Biological Resources
- 3. Greenhouse Gas Emissions
- 4. Land Use and Planning
- 5. Noise
- 6. Transportation and Traffic

Issue areas that were determined by the Initial Study to have less than significant impacts from the proposed Project were not further analyzed in this EIR. These environmental issue areas are as follows:

- 1. Aesthetics
- 2. Agriculture and Forestry Resources
- 3. Cultural Resources
- 4. Geology and Soils
- 5. Hazards and Hazardous Materials
- 6. Hydrology and Water Quality

- 7. Mineral Resources
- 8. Population and Housing
- 9. Public Services
- 10. Recreation
- 11. Utilities and Service Systems

#### S.4 AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED

Section 15123 of the State CEQA Guidelines requires the identification of any areas of controversy known to the lead agency, including issues raised by other agencies and the public. While no areas of controversy were identified for the Project in the NOP comment letters, it is anticipated that temporary noise levels during Project activities would be controversial. The anticipated noise levels, as well as measures that would limit impacts to adjacent residences, are detailed in **Section 3.5**, *Noise*, of this EIR. As discussed in that section, Metropolitan would work closely with the representatives from the Cities of Fontana and Rancho Cucamonga to reach resolution regarding acceptable noise levels.

#### S.5 SUMMARY OF PROJECT ALTERNATIVES

Alternatives are analyzed in **Chapter 6.0**, **Project Alternatives**, of this Draft EIR. A number of alternatives were identified and subjected to screening analysis, as part of the proposed Project design process. The objective of the alternatives analysis is to consider a reasonable range of potentially feasible alternatives to foster informed decision-making and public participation. All of the alternatives for the Project were rejected as infeasible and would not meet the basic Project objectives. The proposed Project, therefore, is considered to be the environmentally superior alternative.

7-2

#### S.6 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table S-1, Environmental Impacts and Mitigation Measures, provides a summary of the environmental impacts that could result from implementation of the proposed Project and feasible mitigation measures that could reduce or avoid environmental impacts. For each impact, Table S-1 identifies the significance of the impact prior to and following implementation of mitigation measures. With the exception of air quality impacts and noise impacts, all Project-specific significant impacts would be reduced to below a level of significance following implementation of the mitigation measures. The Project's generation of nighttime noise would conflict with General Plan noise policies; however, as the Project is exempt from local zoning and building ordinances through California Government Code Section 53091, the short-term policy conflict represents a noise, rather than a land use, impact. Project-related impacts combined with impacts from other projects in the cumulative project study area also would not result in significant and unmitigable cumulative impacts, with the exceptions of air quality and noise.

### Table S-1 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7-2

| Issue  | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)  | Significance<br>After<br>Mitigation |
|--|---|--------------------------------------|--|-------------------------------------|
| 3.1 Air Quality                                  |   |                                      |  |                                     |
| Conflict with<br>Applicable Air<br>Quality Plans | The proposed Project would not exceed the assumptions in the Air Quality Management Plan; however, Project emissions would exceed regional criteria pollutant thresholds established by the South Coast Air Quality Management District (SCAQMD). | Significant                          | AIR-1: All off-road diesel-powered construction equipment greater than 50 horsepower (hp) will meet Tier 4 emission standards. All construction equipment will be outfitted with California Air Resources Board-certified best available control technology devices. Any emissions-control device used by the contractor will achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by California Air Resources Board regulations. A copy of each unit's certified tier specification, best available control technology documentation, and California Air Resources Board or South Coast Air Quality Management District operating permit will be provided at the time of mobilization of each applicable unit of equipment.  AIR-2: Diesel haul trucks (e.g., material delivery trucks and debris export) will be 2010 model year or newer.  AIR-3: Electricity from power poles will be used instead of temporary diesel or gasoline-powered generators and air compressors to reduce the associated emissions, where power poles are within 100 feet of equipment sites and feasible connections are available. | Significant                         |
| Conformance to Air<br>Quality Standards          | Project emissions would exceed regional criteria pollutant thresholds established by the SCAQMD for emissions of volatile organic   | Significant                          | Mitigation measures <b>AIR-1</b> through <b>AIR-3</b> will be implemented to reduce potential impacts associated with Project activities.  | Significant                         |

### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7-2

| Issue   | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation         |
|---|---|--------------------------------------|---|---|
| 3.1 Air Quality (cont   | .)  |                                      |   |   |
|   | compounds (VOCs), nitrogen oxides (NO <sub>X</sub> ), and particulate matter that is 2.5 microns or smaller (PM <sub>2.5</sub> ). Project-related emissions would also exceed SCAQMD's localized criteria pollutant thresholds for emissions of NO <sub>X</sub> , particulate matter that is 10 microns or smaller (PM <sub>10</sub> ), and PM <sub>2.5</sub> . |                                      |   |   |
| Cumulatively Considerable Net Increase in Criteria Pollutants | The Project would result in regional and localized exceedances, as discussed above, which would be potentially cumulatively considerable.   | Significant                          | Mitigation measures <b>AIR-1</b> through <b>AIR-3</b> will be implemented to reduce potential impacts associated with Project activities. | Significant                                 |
| Expose Sensitive<br>Receptors to<br>Pollutants                | Project-related local emissions of criteria pollutants and toxic air contaminants would result in potentially significant health risks to nearby residences, schools, and off-site workers.   | Significant                          | Mitigation measures <b>AIR-1</b> through <b>AIR-3</b> will be implemented to reduce potential impacts associated with Project activities. | Significant<br>(local<br>emissions<br>only) |
| Create Objectionable<br>Odors                                 | Project-related odors associated with equipment operations would be temporary and would not be objectionable to a substantial number of people.   | Less than significant                | No mitigation is required.  | Less than significant                       |

### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue  | Impact   | Significance<br>Before<br>Mitigation | Mitigation Measure(s)      | Significance<br>After<br>Mitigation |
|--|--|--------------------------------------|----------------------------|-------------------------------------|
| Adversaly Affect Candidate, Sensitive, or Special Status Species           | The Project would result in minor, temporary loss of foraging and movement areas for the San Diego jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse; as well as potential direct impacts to the San Diego pocket mouse and Los Angeles pocket mouse from ground-disturbing activities. Potential impacts to nesting birds would be less than significant through Metropolitan's standard environmental practices and compliance with the Migratory Bird Treaty Act (MBTA). | Less than significant  Less than     | No mitigation is required. | Less than significant  Less than    |
| Adversely Affect<br>Sensitive Natural<br>Communities                       | impact isolated habitat fragments of disturbed Riversidean upland sage scrub and disturbed Riversidean alluvial fan sage scrub within the existing right-ofway.  | significant                          | No mitigation is required. | significant                         |
| Conflict with Local Policies or Ordinances Protecting Biological Resources | The Project would not conflict with local policies or ordinances protecting biological resources.  | Less than significant                | No mitigation is required. | Less than significant               |

### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue  | Impact   | Significance<br>Before<br>Mitigation | Mitigation Measure(s)  | Significance<br>After<br>Mitigation |
|--|--|--------------------------------------|--|-------------------------------------|
| 3.3 Greenhouse Gas   | Emissions  |                                      |  |                                     |
| Generate GHG Emissions that may Result in a Significant Impact | The Project would not generate GHG emissions that would result in a significant impact on the environment.                               | Less than<br>Significant             | No mitigation is required.   | Less than<br>Significant            |
| Conflict with Plans<br>for Reducing GHG<br>Emissions           | The Project would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions.        | Less than significant                | No mitigation is required.   | Less than significant               |
| 3.4 Land Use and Pla   | nning  |                                      |  |                                     |
| Conflict with applicable land use plan, policy, or regulation. | The Project would temporarily conflict with noise standards in the General Plans of cities of Fontana and Rancho Cucamonga. <sup>1</sup> | Less than<br>Significant             | The short-term policy conflict represents a noise, rather than a land use, impact, due to Metropolitan's exemption from local zoning and building ordinances (which is fully discussed in Section 3.5). No mitigation is required. | Less than<br>Significant            |

<sup>-</sup>

<sup>&</sup>lt;sup>1</sup> California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances, including local general plans. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Nonetheless, Metropolitan intends to voluntarily work with the local communities to reduce impacts due to conflicts with the local plans.

#### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7-2

| Issue  | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation |
|--|---|--------------------------------------|---|-------------------------------------|
| 3.5 Noise                                    |   |                                      |   | _                                   |
| Generate Noise Levels in Excess of Standards | The Project would include 24-hour construction and result in noise levels exceeding the maximum allowable noise levels at adjacent residences during both daytime and nighttime hours. <sup>2</sup> | Significant                          | A noise control plan will be developed in coordination with the City of Rancho Cucamonga and the City of Fontana, and will have the concurrence of the cities prior to beginning work in the Project area. The noise control plan will include but not necessarily be limited to mitigation measures NOI-2 through NOI-6, to the extent feasible to protect the interests of the public and to allow for Project completion in light of critical work schedules, necessary work methods, and the physical constraints of Metropolitan's right-of-way and available work areas.  NOI-2: Noise Monitoring  NOI-2.a – Noise monitoring will be performed to measure noise levels during work in the vicinity of sensitive receptors and to measure the effectiveness of noise control measures.  NOI-2.b – Where measured noise levels at the property line of residences are shown to exceed daytime noise levels of 75 dBA L <sub>EQ</sub> , or nighttime noise levels of 65 dBA L <sub>EQ</sub> , new noise control measures or improvements to noise control measures already in | Significant                         |

<sup>&</sup>lt;sup>2</sup> California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances, including local noise ordinances in the local zoning or building codes. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Nonetheless, Metropolitan intends to voluntarily work with the local communities to reduce impacts due to conflicts with the local noise ordinances.

### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue             | Impact | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation |
|-------------------|--------|--------------------------------------|---|-------------------------------------|
| 3.5 Noise (cont.) |        |                                      | place will be implemented in an effort to achieve those daytime and nighttime thresholds, or lower, to the extent feasible; noise monitoring will be performed to record the achieved level of noise reduction.  NOI-3: General Noise Control for All Project Activities  • NOI-3.a – Trucks and equipment equipped with back-up alarms will have the back-up alarms disengaged to the extent allowed by the Occupational Safety and Health Administration (OSHA); safety will be provided by lights and flagmen and safety lighting will be directed away from residences. |                                     |
|                   |        |                                      | • NOI-3.b – Areas where workers gather (e.g., break areas, shift-change areas, meeting areas) will be located a minimum of 100 feet away from any residence if feasible. Worker gathering areas that must be located within 100 feet of residences will be equipped with minimum eight-foot high noise control barriers between the gathering area and residences; entrances will not face residences.  |                                     |
|                   |        |                                      | • NOI-3.c – Parking areas will be located a minimum of 150 feet from sensitive receptors. Parking areas that are within 500 feet of sensitive receptors will be posted to prohibit workers from gathering during nighttime hours, and prohibiting radios and music at any time.   |                                     |

### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7-2

| Issue             | Impact | Significance<br>Before<br>Mitigation | Mitigation Measure(s)  | Significance<br>After<br>Mitigation |
|-------------------|--------|--------------------------------------|--|-------------------------------------|
| 3.5 Noise (cont.) |        |                                      |  | T                                   |
|                   |        |                                      | <ul> <li>NOI-3.d – Equipment will be maintained to a<br/>minimum standard that includes engine noise baffles<br/>and mufflers that meet or exceed the original<br/>manufacturer's requirements.</li> </ul>   |                                     |
|                   |        |                                      | • <b>NOI-3.e</b> – Equipment that has noise control doors will be operated only with the doors fully closed.   |                                     |
|                   |        |                                      | <ul> <li>NOI-3.f – Equipment delivery trucks will be allowed<br/>only during daytime hours, and back-up alarms will be<br/>disengaged to the extent allowed by OSHA.</li> </ul>  |                                     |
|                   |        |                                      | • NOI-3.g – Fuel deliveries will occur during daytime hours and at a minimum of 500 feet from residences, to the extent feasible. Fueling stations that must be located within 500 feet of residences will have minimum eight-foot high noise control barriers, and fuel trucks that are required during nighttime hours will maintain a minimum distance of 100 feet from residences. |                                     |
|                   |        |                                      | <ul> <li>NOI-3.h – Noise control barriers and enclosures,<br/>where used in accordance with NOI-2.b, will be fully<br/>in place prior to work at that location.</li> </ul>   |                                     |
|                   |        |                                      | • <b>NOI-3.i</b> – Noise control barriers and enclosures, where used in accordance with <b>NOI-2.b</b> , will be implemented using the most appropriate material, configuration, and location to achieve the maximum feasible noise reduction.   |                                     |

## Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue         | Impact | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation |
|---------------|--------|--------------------------------------|---|-------------------------------------|
| Noise (cont.) |        |                                      |   |                                     |
|               |        |                                      | NOI-4: Noise Control During Site Preparation, Excavation, and Site Closure Activities   |                                     |
|               |        |                                      | Site preparation, excavation, and site closure activities will be allowed only during daytime hours.  |                                     |
|               |        |                                      | NOI-5: Noise Control During Mortar Lining Removal, Pipeline Dewatering, and New Pipeline Liner Application Activities   |                                     |
|               |        |                                      | Increased noise levels from these activities primarily result from pressurized air venting or leaking from equipment. The following measures would reduce the noise that results from this potential occurrence.  |                                     |
|               |        |                                      | <ul> <li>NOI-5.a – No air line, air relief valve, air switch, air control, or any other equipment component will be allowed to vent pressurized air directly to the atmosphere. All air vent lines will go through an air silencing system that reduces air vent noise to 75 dBA L<sub>EQ</sub> (1-second) or less at a distance of five feet.</li> </ul> |                                     |
|               |        |                                      | • NOI-5.b – When air leaks are detected in a piece of equipment, the air source will be turned off, the air line will be depressurized, and the leak will be repaired prior to resuming use of the equipment.   |                                     |

### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7-2

| Issue             | Impact | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation |
|-------------------|--------|--------------------------------------|---|-------------------------------------|
| 3.5 Noise (cont.) |        |                                      |   |                                     |
|                   |        |                                      | NOI-6: Noise Control at Rollout and Ventilation Locations   |                                     |
|                   |        |                                      | • NOI-6.a – The use of mobile equipment during nighttime hours will be limited to the following types – (a) skid-steer or rubber-tracked excavator; (b) tiremounted, medium-sized mobile crane; (c) two-axle delivery truck; (d) water truck; (e) pick-up truck.  |                                     |
|                   |        |                                      | • NOI-6.b – All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencing systems will be placed on the east side of the pipeline or east of rollout and ventilation locations, whichever distance and/or location will achieve maximum feasible noise reduction at nearby residences.   |                                     |
|                   |        |                                      | • NOI-6.c – All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencer systems will be used behind noise control barriers or within noise control enclosures as necessary to prevent noise at sensitive receptors from exceeding 75 dBA L <sub>EQ</sub> to the extent feasible. Enclosure entrances will face away from residences. Equipment entrances will be for daytime use only; worker entrances will be for |                                     |
|                   |        |                                      | daytime and nighttime use but will be kept fully closed when not in use.  |                                     |

### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

7-2

| Issue  | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation |  |  |  |
|--|---|--------------------------------------|---|-------------------------------------|--|--|--|
| 3.5 Noise (cont.)  |   |                                      |   |                                     |  |  |  |
| Increase Temporary<br>Ambient Noise<br>Levels                                    | During Project-related activities,<br>the proposed Project would result<br>in a temporary increase in ambient<br>noise levels at nearby residences.   | Significant                          | Mitigation measures <b>NOI-1</b> through <b>NOI-6</b> will be implemented to reduce potential impacts associated with Project activities to the extent feasible.  | Significant                         |  |  |  |
| Result in Excessive Ground-borne Vibration or Noise Levels  3.6 Transportation a | The proposed Project would cause some annoyance to nearby residences due to ground-borne vibration or noise levels; however, the Project would not result in excessive ground-borne vibration or noise levels such that structural damage would occur.  Additionally, the Project is not near vibration-sensitive uses. | Less than significant                | No mitigation is required.  | Less than significant               |  |  |  |
| Conflict with a<br>Circulation System<br>Plan, Ordinance, or<br>Policy           | The Project would contribute more than 50 peak hour trips to an intersection currently operating at unacceptable LOS. The Project would not result in conflicts with other applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system.              | Significant                          | <b>TR-1:</b> No more than 50 vehicle trips will utilize the intersection of Heritage Circle at Baseline Avenue during morning peak hours, between 7:00 a.m. and 9:00 a.m. This may be accomplished through a combination of shift scheduling, carpool incentives, and/or verification of employee and truck routes. | Less than significant               |  |  |  |
| Conflict with a Congestion Management Program                                    | Temporary trips associated with<br>the Project would not result in a<br>conflict with the applicable<br>Congestion Management Program.  | Less than significant                | No mitigation is required.  | Less than significant               |  |  |  |

### Chapter 1.0

### **INTRODUCTION**

#### 1.0 INTRODUCTION

This Environmental Impact Report (EIR) was prepared by the Metropolitan Water District of Southern California (Metropolitan) for the proposed Etiwanda Pipeline North Relining Project (proposed Project). The Project involves repair of approximately five miles of the Etiwanda Pipeline North, consisting of removal of damaged concrete mortar lining inside the pipeline followed by application of a new polyurethane coating. This EIR was prepared to evaluate the potential impacts of the Project on the environment and on adjacent communities in the cities of Fontana and Rancho Cucamonga.

#### 1.1 PURPOSE OF THE EIR

This EIR assesses the potential environmental effects of the Etiwanda Pipeline North Relining Project. This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code [PRC] Section 21000 et seq.) and the Guidelines for Implementation of CEQA (State CEQA Guidelines) published by the Public Resources Agency of the state of California (California Code of Regulations [CCR], Title 14, Section 15000 et seq.). Metropolitan is the Lead Agency under CEQA (PRC Section 21067, as amended), is responsible for the preparation of the EIR, and will use this document to objectively review and assess the proposed Project prior to approval or disapproval.

This EIR is intended to: (1) inform decision makers and the public about the potentially significant environmental effects of the proposed activities; (2) identify the ways that significant environmental effects can be avoided or reduced; and (3) prevent significant, avoidable damage to the environment by requiring changes in the proposed Project through the use of alternatives or mitigation measures, to the extent that Metropolitan determines the changes to be feasible (CEQA Guidelines Section 15002; PRC Section 21002.1).

#### 1.2 SCOPE OF THE EIR

Metropolitan prepared an Initial Study for the proposed Project (**Appendix A**). The Initial Study indicated that the Project would result in less than significant impacts to the following environmental issue areas:

- 1. Aesthetics
- 2. Agriculture and Forestry Resources
- 3. Cultural Resources
- 4. Geology and Soils
- 5. Hazards and Hazardous Materials
- 6. Hydrology and Water Quality

- 7. Mineral Resources
- 8. Population and Housing
- 9. Public Services
- 10. Recreation
- 11. Utilities and Service Systems

Therefore, these issue areas do not require additional analysis. The Initial Study, however, indicated that significant impacts may occur with respect to the following environmental issue areas:

- 1. Air Quality
- 2. Biological Resources
- 3. Greenhouse Gas Emissions

- 4. Land Use and Planning
- 5. Noise
- 6. Transportation and Traffic

Accordingly, Metropolitan determined that an EIR was necessary to address these potentially significant issues. These issues are discussed in detail in this EIR (**Chapter 3.0**, **Environmental Impact Analysis**).

On August 15, 2014, Metropolitan circulated a Notice of Preparation (NOP) to responsible agencies and other interested parties. The Initial Study, NOP and comment letters received on the NOP are included in **Appendix A** of this document. The topics identified in the comment letters received in response to the NOP, and the manner in which such comments are addressed, are summarized below.

• Concerns regarding Project-related trips and recommendations for trip reductions:

Project-generated trips, their impact on the existing circulation system, and measures necessary to reduce the single significant impact are detailed in **Section 3.6**, *Transportation and Traffic*.

• Work performed in Flood Control District right-of-way would require a permit and/or other on-site or off-site improvements:

Only below-ground work within the existing pipeline would occur within Flood Control District right-of-way. There would be no change to existing drainage patterns in these areas, and no permit would be required.

• Discussion of drainage and development in a floodplain:

The Initial Study discussed drainage and activities within a floodplain in accordance with Appendix G of the State CEQA Guidelines. Because no potentially significant impacts were identified, no discussion in this EIR is required.

 Assessment of adverse impacts on historical/archaeological resources and implementation of appropriate mitigation related to such resources, in addition to coordination with the tribes on the Native American contacts list provided by the Native American Heritage Commission:

As described in the Initial Study, a record search and survey of the Project area were conducted, which identified no potentially significant resources in the Project area. In addition, no concerns were raised by representatives of the tribes on the Native American contacts list provided by the Native American Heritage Commission. Potential impacts to cultural resources were determined to be less than significant, and no discussion in the EIR is required.

• Concerns regarding impacts to sensitive biological resources, including impacts to burrowing owls, wetlands and riparian habitats, take of listed species, and avoidance and protection of rare natural communities:

Biological resources within the Project area, potential impacts, and Metropolitan's standard measures to minimize potential impacts to such resources are detailed in **Section 3.2**, *Biological Resources*.

• Recommendations regarding the air quality analysis:

Existing air quality conditions, anticipated Project emissions, and measures to reduce potential impacts related to air quality are detailed in **Section 3.1**, *Air Quality*.

#### 1.3 FORMAT OF THE EIR

This EIR is organized as follows:

*Executive Summary* – The Executive Summary includes a brief project description, summary of environmental impacts and proposed mitigation measures that would reduce or avoid impacts determined to be significant, alternatives considered, areas of controversy known to the Lead Agency, and any issues to be resolved including the choice among alternatives or how to mitigate significant impacts (CEQA Guidelines Section 15123).

**Chapter 1.0,** *Introduction* – This chapter describes the scope and purpose of the EIR, provides a brief summary of the CEQA process, and establishes the document format.

**Chapter 2.0,** *Project Description* – This chapter provides a description of Metropolitan, Etiwanda Pipeline North, and the proposed Project, including the goals and objectives of the Project and proposed Project features. In addition, the intended and required uses of the EIR and a discussion of discretionary actions required for Project implementation are included.

Chapter 3.0, Environmental Impact Analysis – This chapter constitutes the main body of the EIR and includes the detailed impact analysis for each environmental issue. The topics analyzed in this chapter include: air quality, biological resources, greenhouse gas emissions, land use and planning, noise, and transportation and traffic. Under each topic, Chapter 3.0 includes a discussion of methods of analysis, existing conditions, the thresholds identified for the determination of significant impacts, and an evaluation of the impacts associated with implementation of the Project. Where the impact analysis demonstrates the potential for the Project to have a significant adverse impact on the environment, mitigation measures are provided which would minimize the significant effects. The EIR indicates if the proposed mitigation measures would reduce impacts to less than significant levels.

**Chapter 4.0,** *Cumulative Impact Analysis* – This chapter addresses the cumulative impacts due to implementation of the proposed Project in combination with other past, present, and reasonably foreseeable or probable future projects in the area.

**Chapter 5.0,** *Mandatory CEQA Topics* – This chapter discusses additional topics required by CEQA, including unavoidable adverse impacts, growth inducement, and irreversible environmental changes.

**Chapter 6.0,** *Alternatives to the Proposed Project* – This chapter provides a description of alternatives to the proposed Project and an evaluation of their potential to reduce or avoid the proposed Project's significant impacts.

Chapter 7.0, References – This chapter includes a listing of applicable reference materials.

**Chapter 8.0,** *List of Preparers* – This chapter includes a list of individuals involved in the preparation of the EIR, including Lead Agency staff and consultants.

### Chapter 2.0

### PROJECT DESCRIPTION

#### 2.0 PROJECT DESCRIPTION

This chapter describes Metropolitan, the Etiwanda Pipeline North, and the proposed Project for the public, reviewing agencies, and decision makers. In conjunction with the description of the proposed Project activities, this chapter includes the purpose, goals, and objectives of the Project; a description of the Project's location; an overview of the existing setting and adjacent land uses; a description of the Project's characteristics; and a summary of other approvals that may be required for Project implementation.

#### 2.1 ABOUT METROPOLITAN

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

The Metropolitan Water District of Southern California (Metropolitan) was formed in 1928 under an enabling act of the California legislature to construct and operate the 242-mile Colorado River Aqueduct (CRA), to bring water from the Colorado River to southern California. Metropolitan is comprised of 26 cities and water districts (member agencies) and provides drinking water to nearly 19 million people in southern California. Metropolitan's service area includes 5,200 square miles of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties.

Metropolitan owns and operates the CRA, which extends from Lake Havasu on the California-Arizona border, to Metropolitan's Lake Mathews Reservoir in western Riverside County. To augment their supply of water, in 1960, Metropolitan and 30 other public agencies signed a long-term contract to enable construction of the 444-mile California Aqueduct, to bring State Water Project (SWP) water from the San Francisco Bay Area to southern California. The California Aqueduct is controlled by the Department of Water Resources (DWR) and provides water to Metropolitan and others under contract. The California Aqueduct extends from northern California's Sacramento-San Joaquin Delta to southern California reservoirs including Lake Silverwood, Lake Perris, and Lake Castaic.

Metropolitan's water sources also include local supplies from groundwater storage agreements and water transfer arrangements with other water suppliers and users. Supplies from the Colorado River, northern California, and local sources may vary substantially on the basis of availability and environmental factors. In total, Metropolitan moves more than 1.5 billion gallons of water per day through its system. Metropolitan's headquarters are in Los Angeles, and numerous field offices are maintained throughout the service area to operate and maintain the system. The primary components of Metropolitan's conveyance, treatment, and distribution system are summarized below.

- CRA 242 miles, includes pumping plants, siphons, tunnels, canals, and pipelines
- Water treatment plants five water treatment plants, including the Joseph E. Jensen plant (Granada Hills), Robert A. Skinner plant (north of Temecula), F.E. Weymouth plant (La Verne), Robert B. Diemer plant (Yorba Linda), and the Henry J. Mills plant (Riverside)

- Reservoirs 10 water storage reservoirs, including Diamond Valley Lake (near Hemet), Etiwanda (Riverside), Lake Mathews (Riverside), Lake Skinner (north of Temecula), Copper Basin and Gene Wash (desert region), Live Oak Reservoir (La Verne), Garvey Reservoir (Monterey Park), Palos Verdes Reservoir (Rolling Hills), and Orange County Reservoir (Brea)
- Distribution pipelines to member agencies 819 miles of pipeline extending throughout the service area
- Hydroelectric plants 16 hydroelectric plants at various locations throughout the service area

#### 2.2 ETIWANDA PIPELINE NORTH

The Etiwanda Pipeline was built by Metropolitan in 1993. The pipeline is 6.3 miles in length and 12 feet in diameter. Its construction is welded-steel pipe with an approximately 3/4-inch cement mortar lining for corrosion protection inside the pipe. The pipeline is within a Metropolitan-owned right-of-way ranging in width from approximately 50 to 100 feet, with original excavation for installation of the pipe approximately 70 feet wide. The Etiwanda Pipeline extends from Metropolitan's Rialto Pipeline in Fontana to Metropolitan's Upper Feeder pipeline in Rancho Cucamonga. Access to the pipeline is via a series of 24-inch manholes along the length of the alignment. Approximately 4.4 miles of the 6.3-mile pipeline are in the city of Fontana and 1.9 miles are in the city of Rancho Cucamonga, in San Bernardino County.

The 5.5-mile northern portion of the pipeline, Etiwanda Pipeline North, extends from the Rialto Pipeline (pipeline station 0+00) at Knox Avenue east of Lytle Creek Road, to the Etiwanda Hydroelectric Plant (pipeline station 286+05) at Etiwanda Avenue south of Foothill Boulevard. The Etiwanda Pipeline North serves as a "penstock" to convey high-pressure, untreated water from the East Branch pipeline of the SWP to the hydroelectric plant at sufficient pressure to generate power. **Figure 2-1**, *Representative Photographs – Existing Facilities*, shows existing facilities related to and along Etiwanda Pipeline North.

The approximately 0.8-mile southern portion of the Etiwanda Pipeline extends south from the Etiwanda Power Plant to the Upper Feeder at Etiwanda Avenue, north of 6th Street, in Rancho Cucamonga. This connection allows the Upper Feeder to convey both SWP water and CRA water to Metropolitan's F.E. Weymouth Water Treatment Plant in La Verne, from which treated water supplies are distributed to customers in Los Angeles and Orange counties.

#### 2.3 PROJECT NEED

Approximately 40 percent of Metropolitan's water delivery system is over 60 years old, and modernization of facilities and of the overall system is an ongoing priority. Modernization includes capital projects such as Diamond Valley Lake and San Diego Pipeline No. 6; upgrades of existing facilities such as Oxidation Retrofit Programs at the Jensen, Skinner, Mills, Diemer and Weymouth treatment plants; and ongoing repairs and maintenance of all of Metropolitan's pipelines and associated structures. Systematic inspections of facilities are a necessary component of this modernization effort. Comprehensive inspections of pipelines and canals

occur during scheduled shutdowns of portions of the system (pipelines, canals, etc.), when water deliveries are suspended temporarily for periods ranging from hours to weeks.

During shut-downs in 2008 and 2009, inspections of the interior of the Etiwanda Pipeline North revealed that portions of the mortar lining were missing or had delaminated from the steel pipe surfaces. Extensive investigations were initiated to determine the cause of the lining erosion. The investigations concluded that the primary cause was the cycling of high-pressure water within the pipeline related to on-peak and off-peak operation of the Etiwanda Hydroelectric Plant, which resulted in substantial daily fluctuations in pressure inside the pipe. In addition, the seasonal variations in availability of SWP water supplies resulted in prolonged periods when the pipeline was not in service, which created drying and shrinkage cracks in the lining. The inflexible mortar lining was incapable of moderating or absorbing these physical stresses.

Although Etiwanda Pipeline North remains in service and its structural integrity remains sound, the loss of mortar lining over time would continue to expose the interior of the pipe to corrosion and eventually would result in leakage, and possibly failure. Relining of the pipe has been determined to be necessary to maintain the long-term integrity of, and reliability of water deliveries through, the Etiwanda Pipeline North. After extensive study and application of various coating alternatives on an approximately half-mile segment of the pipeline in 2014, a flexible polyurethane lining was determined to be the most suitable replacement for the existing mortar lining. The Etiwanda Pipeline North Relining Project (Project) is designed to remove the existing mortar lining and replace it with new polyurethane lining within an approximately five-mile length of Etiwanda Pipeline North.

#### 2.4 PROJECT OBJECTIVES

A clear statement of Project objectives allows for the analysis of reasonable alternatives to the proposed Project. The overall intent of the Project is to repair the pipe lining and prevent further corrosion of approximately five miles of Etiwanda Pipeline North. Project objectives are as follows:

- Enable Metropolitan to continue conveyance of water from the Rialto Pipeline to the Upper Feeder as needed to supply customers;
- Enable Metropolitan to continue electricity generation through water conveyance to the Etiwanda Hydroelectric Plant;
- Provide a safe, feasible and cost-effective relining method; and
- Minimize Project-related nuisances such as traffic disruption, noise, air quality, dust, and odor to the extent feasible.

#### 2.5 PROJECT LOCATION

The proposed Project includes repairs to approximately five miles of Etiwanda Pipeline North within the cities of Fontana and Rancho Cucamonga in San Bernardino County (**Figure 2-2**, *Regional Map*). The portion of the pipeline to be relined includes approximately 4.4 miles in Fontana, beginning at Metropolitan's Rialto Pipeline and ending at East Avenue, and

approximately 0.4 mile in Rancho Cucamonga, continuing from East Avenue and ending just north of Foothill Boulevard (**Figure 2-3**, *Project Vicinity Map*). The existing pipeline parallels Interstate 15 (I-15), approximately 0.4 mile east of I-15, and crosses under State Route (SR) 210. The alignment traverses in a northeast-to-southwest direction, with the northernmost portion of the alignment located approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the city of Fontana (pipeline station 0+00). The southern terminus of the Project area is just north of Foothill Boulevard, approximately 0.2 mile west of East Street in the city of Rancho Cucamonga (approximately pipeline station 254+90).

#### 2.6 EXISTING SETTING AND LAND USES

#### 2.6.1 Existing Environmental Setting

Within the city of Fontana, the Project is located in a utility corridor that includes Southern California Edison (SCE) transmission towers immediately east of the existing pipeline right-of-way. The Project area within the city of Fontana is zoned as Public Utility Corridor (P-UC), as well as designated P-UC in the Fontana General Plan. Within the city of Rancho Cucamonga boundaries, the Project area is zoned as Etiwanda Specific Plan (SP-E). The Etiwanda Specific Plan designates the Project area as Open Space, while the Rancho Cucamonga General Plan designates it as Flood Control/Utility Corridor. The pipeline alignment also is adjacent to areas containing residential uses, agricultural uses, and vacant land.

While the majority of Project activities would occur within Metropolitan's existing pipeline right-of-way, some staging may occur within the adjacent SCE right-of-way and/or other adjacent private property. Primary activities would occur within up to 12 work locations along the pipeline identified as Contractor Work and Storage Areas. The right-of-way, together with adjacent temporary construction easements, is referred to as the Project area. The pipeline right-of-way has a variable width along the alignment, ranging from approximately 50 to 100 feet. At some work area locations, the centerline of the pipeline ranges from approximately 36 to 70 feet from the adjacent residential property boundaries.

#### 2.6.2 Adjacent Land Uses

Uses adjacent to the northernmost portion of the Project area include single-family residential on the west and vacant land on the east (refer to **Figures 3.4-1a to 3.4-1d**, *Existing Land Uses* for mapping and to **Figure 2-4**, *Representative Photographs – Existing Setting*, for examples). Approximately 0.2 mile north of Summit Avenue in Fontana, the Project area is adjacent to Fontana Park, which contains a community center, aquatics center, play areas, and Fontana North Skate Park. South of Summit Avenue, the Project area is adjacent to single-family residential uses, Rosena Park, vacant land, and agricultural uses, and also passes in proximity to Summit High School. Further south, the Project area is then adjacent, on the east and on the west, to vacant land for approximately 1.6 miles. A portion of the Project area is adjacent to single-family residential for approximately 1.2 miles prior to crossing the Fontana/Rancho Cucamonga city limits at East Avenue.

Within the city of Rancho Cucamonga, adjacent land uses include single-family residential, Garcia Park, and vacant land, with multi-family uses in proximity to Foothill Boulevard.

#### 2.7 PROJECT CHARACTERISTICS

To prevent further corrosion of the steel pipe in the approximately five-mile-long segment of Etiwanda Pipeline North, the Project proposes to remove the existing interior mortar lining, much of which has delaminated from the pipe, and recoat the pipe with a new lining.

7-2

Except for excavation and staging, Project activities mostly would occur below-ground. Access to the pipe for relining activities would be accomplished via rollouts (where a 20-foot segment of pipe would be removed), existing manholes, existing buried outlets (similar to manholes but without surface structures), and proposed new buried outlets (**Figures 2-5a-5j**, *Proposed Outlets*, *Manholes*, *and Rollout Stations*). The assumed excavation areas for these access points are as follows:

- Rollouts 70 feet by 70 feet
- Existing manholes 10 feet by 10 feet
- Existing buried outlets 20 feet by 30 feet
- Proposed new buried outlets 30 feet by 40 feet

While the remainder of the right-of-way and staging areas may be used for access and material storage, no other disturbance of the existing ground is anticipated. Surface disturbance could occur in the remainder of the right-of-way from materials staging and grubbing of vegetation. Project activities would not occur within storm drainage courses, public roadways, or public rights-of-way.

#### 2.7.1 **Project Activities**

The proposed Project involves removing the existing mortar lining inside Etiwanda Pipeline North and recoating the pipe with a new liner. Primary activities would include the following: site preparation; preparation of access points into the pipeline; pipeline shutdown and dewatering; surface preparation of the interior surfaces of the pipe (including removal of the existing lining); application of the new liner; and closing access points and site completion (refer also to **Figure 2-6**, *Representative Photographs – Project Activities*). Following the completion of pipeline relining, the Project would not require operations or maintenance personnel beyond those already required for the existing pipeline.

#### **Site Preparation**

The Project would begin with site preparation activities at each of the access points along the pipeline prior to shutdown of the pipeline. Weed abatement and grading of access roads, if needed, would occur at each of the access points and at the designated laydown and staging locations. Aggregate may be placed on the access roads and work areas as needed to create an all-weather driving surface, and water trucks or soil binders may be used for dust suppression. Each of these areas may be temporarily fenced for safety and security purposes, particularly at the excavation areas. Materials and equipment needed for construction would be staged either at Contractor Work and Storage Areas or near any of the pipeline access points.

#### **Preparation of Access Points**

Access points would allow entry into the pipeline for personnel, materials and equipment. Four types of access points would be used: existing manholes, existing buried outlets, rollout sections of pipe, and new outlets. If excavation is required at these locations, it could be completed prior to, during, or following the shutdown of the pipeline. All excavation pits could be open for the length of Project activities. The excavated material would be stored either at Contractor Work and Storage Areas along the pipeline or near any of the excavation sites.

7-2

#### **Pipeline Shutdown and Dewatering**

To allow the entrance of workers inside the pipeline, Etiwanda Pipeline North would be taken out of service (i.e., shut down), and the water inside the pipeline would be removed (dewatered). The majority of the water would be discharged by gravity flow into the Upper Feeder or discharged into the Etiwanda Reservoir at the Etiwanda Hydroelectric Plant site. Water still remaining within the low points of the pipeline sections could be pumped to the next downstream low point or could be pumped out through manhole locations along the pipeline by the contractor. The water may be discharged to the Etiwanda Reservoir and/or to existing storm drains. Applicable permits would be obtained by the contractor. Dewatering is estimated to take approximately two to three days.

#### **Surface Preparation of the Pipeline**

Following the pipeline shutdown and dewatering, the existing cement mortar lining would be detached from the walls of the pipeline using hand-held power tools, manual equipment, and/or other mechanical equipment. Once detached, the cement mortar lining would be removed either with hand tools or with small, motorized equipment and a movable conveyor belt through the pipeline access points. After removal of the existing mortar lining, the interior of the pipeline would be blasted with abrasives for suitable adherence of the new liner. Hand-held blast nozzles and semi-automated abrasive blasting mechanical equipment may be used for this process. Additional repair of the steel pipe may be required after abrasive blasting reveals corrosion needing more than a new coating.

Environmental control of the pipeline interior during and after this process is critical to keep the inside surface of the pipe clean and dry prior to application of the new lining. Improper surface condition that could result from dust or humidity would reduce the service life of the lining. Environmental controls would involve blowers, fans, and dehumidification equipment. Ventilation equipment and dehumidification equipment would be placed at one end of each pipe section being worked on to blow the required air inside the pipeline, and dust collection equipment would be placed at the other end to collect blown dust and debris.

#### **Application of New Liner**

Following completion of pipeline surface preparation, the new liner would be applied. The new liner is expected to be a two-component, paint-type polyurethane product that would coat and protect the pipeline's steel surfaces. The coating equipment for the new liner would consist of mixing tanks, pumps, hoses, and nozzles. Hand-operated or mechanized spraying equipment would be used during the coating application. Once the application process begins, coating must

occur continuously to avoid joints, which would be more prone to future failure, in the new liner. Low humidity also is important for polyurethane application and curing. Dehumidification equipment and dust collection equipment would continue to be used during this stage.

#### **Closing Access Points and Site Completion**

After the new lining has been fully applied and inspected, the pipeline would be cleaned and then all access points would be sealed, and the pipeline would be ready to be placed back into service. Each of the excavated pits for the rollouts and new and previously existing buried outlets would have shoring removed, and be backfilled and compacted. The backfill required at these locations could be completed either during or after the shutdown of the pipeline. Clean-up and recontouring of disturbed areas would be performed at each of the pipeline access points.

#### 2.7.2 **Project Schedule and Phasing**

#### **Project Phasing**

The proposed Project activities are expected to begin in 2015 and would occur during pipeline shutdown periods, the number and duration of which would be determined by water demands and available supplies. Up to three shutdown periods, each approximately six to nine months long, over a period of up to three years, could be used to complete the approximately five-mile-long Project.

In addition to an approximately six- to nine-month shutdown window, four to five months prior to the shutdown would be used for site preparation, and one to two months after the shutdown would be used for site completion work. An overall construction period during each repair phase would be approximately one year.

Initial work on an approximately 0.4-mile segment of the pipeline was completed in 2014 as part of a pilot phase (Phase 1). Repair work for the proposed Project would be completed as Phase 2 and Phase 3. Phases 2 and 3 are currently anticipated to include two sub-phases (Sub-phases 2A, 2B, 3A, and 3B), as illustrated on **Figure 2-7**, *Proposed Project Phasing*. An optional phase (Phase 4) would only be included if work included as part of Phases 2 and 3 is not completed within the proposed Project schedule. The first pipeline shutdown is assumed to include work on Sub-phases 2A and 3A, and the second shutdown is assumed to occur as part of Sub-phases 2B and 3B.

Each Project phase is expected to be divided into two contracts (two for Phase 2 and two for Phase 3) that would be underway simultaneously in order to minimize the shutdown period and complete the Project as quickly as possible. Work within Sub-phases 2A and 3A could be concurrent and would commence in 2015. Sub-phases 2B and 3B are estimated to begin in 2016. Phase 4, if included, would begin in 2017.

#### **Project Schedule**

The Project work schedule would vary throughout the duration of Project activities. Twelve-hour shifts are proposed for site preparation and site completion. During the pipeline shutdown period, work could be performed up to 24 hours per day and seven days per week; this

schedule is critical to accommodate time-sensitive work sequencing and to allow completion of work within the pipeline shutdown period. Excavation, access location closure, off-hauling of materials, and site completion would occur only between normal daytime hours (6:00 a.m. and 6:00 p.m.). Various other types of proposed activities could potentially occur during either daytime or nighttime hours.

#### 2.7.3 Personnel and Equipment

The numbers of workers and equipment required would vary throughout the Project activities described above. The assumptions used for the impact analysis were estimated in consideration of the proposed Project tasks and based on the pilot phase work of relining Etiwanda Pipeline North, as well as Metropolitan's extensive experience with other similar pipeline projects. Project implementation is dependent on contractor requirements and allowable shut-down periods based on water supplies. Accordingly, many of the assumptions used for personnel and equipment represent worst-case scenarios in the analysis of potential impacts. The types, quantities, and use of equipment and personnel might vary somewhat to allow flexibility in implementation, but impacts and conclusions (for noise, emissions, traffic) are considered to represent worst-case intensity of activity.

The Project is assumed to require 320 workers per day per phase (including two concurrent subphases), based on two work shifts during the most active periods of the Project (160 workers per shift).

**Table 2-1,** *Equipment Per Project Sub-phase*, lists the number of pieces of equipment that are assumed for the purposes of this analysis to be operating per day at the same repair section (either rollout or vent location) per Project sub-phase. Refer to **Figure 2-8,** *Representative Photographs – Representative Equipment*, for images of some of the typical equipment expected to be used during Project activities. In this worst-case analysis, all equipment (except excavation equipment, vibratory soil compactor, wheel asphalt paver, concrete truck, and 100-ton crane) is assumed to be operating concurrently during a given day.

| Table 2-1 EQUIPMENT PER PROJECT SUB-PHASE                              |   |  |  |  |
|--|---|--|--|--|
| Equipment  | Number of Equipment<br>Operating Per Day<br>Per Sub-phase |  |  |  |
| Air compressor   | 6   |  |  |  |
| Vacuum   | 2   |  |  |  |
| Dust collector   | 2   |  |  |  |
| Dehumidifier   | 2   |  |  |  |
| Blower   | 2   |  |  |  |
| Generator  | 6   |  |  |  |
| Abrasive blasting equipment (blast pots, hoses, cooling/dehumidifiers) | 6   |  |  |  |
| Abrasive recycle equipment   | 1   |  |  |  |
| Air-powered coating sprayers   | 3   |  |  |  |

| Table 2-1 (cont.) EQUIPMENT PER PROJECT SUB-PHASE       |   |  |  |  |
|---|---|--|--|--|
| Equipment   | Number of Equipment<br>Operating Per Day<br>Per Sub-phase |  |  |  |
| Pneumatic and electric tools for chipping and scraping  | 4   |  |  |  |
| Concrete saw  | 1   |  |  |  |
| Concrete truck  | 0.5*  |  |  |  |
| Excavator   | 1   |  |  |  |
| Dump truck  | 2   |  |  |  |
| Large crane (100-ton) for removing and placing rollouts | 1   |  |  |  |
| Smaller cranes for material and equipment               | 6   |  |  |  |
| Loader  | 6   |  |  |  |
| Forklift  | 6   |  |  |  |
| Water truck   | 2   |  |  |  |
| Semi-trailer truck with flat bed                        | 3   |  |  |  |
| Vibratory soil compactor                                | 1   |  |  |  |
| Wheel asphalt paver                                     | 1   |  |  |  |
| Pickup truck  | 12  |  |  |  |

<sup>\*</sup> Concrete trucks would be needed for a half-day or less.

Source: Metropolitan 2014.

#### 2.7.4 **Hauling and Access Routes**

Project equipment and debris hauling would utilize the pipeline right-of-way to get to adjacent surface streets, then continue to a main arterial route and then to I-15 for disposal. Average hauling distance is anticipated to be approximately 20 miles.

The total number of Project vehicles in use is likely to vary during the course of each phase. Once mobilization for each sub-phase is complete, approximately two daily truck trips would be required for Site Preparation and Pipeline Access phases and eight daily truck trips would be required for Pipeline Lining phases. While some variation may occur in actual numbers, types, or frequency of use of vehicles during the work, anticipated truck usage during mobilization in preparation for each phase includes the following:

- Four dump trucks (2 trips/day each for a total of 8 trips/day)
- Six semi-trucks with trailers (2 trips/day each for a total of 12 trips/day)
- Four water trucks (8 trips/day each for a total of 32 trips/day)
- Twenty-four pick-up trucks (4 trips/day each for a total of 96 trips/day)

#### 2.7.5 **Environmental Commitments**

Environmental commitments are included in the Project to reflect and incorporate Metropolitan's best practices that avoid, minimize, or offset potential environmental effects from its projects. These best practices are relatively standardized and/or compulsory; they represent sound and proven methods to reduce the potential effects of projects and operations of facilities.

Implementation of these measures as part of the Project, in advance of impact findings and determinations, is in good faith to improve the quality and integrity of the Project, streamline the environmental analysis, and demonstrate environmental responsibility. Environmental commitments incorporated into the proposed Project include the following:

- Project activities would adhere to South Coast Air Quality Management District Rule 403, which includes a variety of measures intended to reduce fugitive dust emissions. In light of extreme drought conditions, Metropolitan would consider alternative feasible methods of dust control that minimize the use of water.
- If activities are proposed to occur during the general bird nesting season of February 1 through September 15, Metropolitan would retain a qualified biologist to ensure that nesting birds, including burrowing owls, are protected in compliance with the Migratory Bird Treaty Act and California Fish and Game Code (refer to **Section 3.2.3** for details).
- Work areas would be kept clean of attractive nuisances (e.g., trash and food) to wildlife, and the management of any wildlife that may occur within or adjacent to work areas would be in consultation with a qualified biologist.
- The use of any nighttime safety or security lighting would be directed away from homes and oncoming vehicles.

#### 2.8 OTHER REQUIRED PROJECT APPROVALS

California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Nonetheless, Project implementation is anticipated to require traffic control plans and waivers from local noise ordinances from the cities of Fontana and Rancho Cucamonga. These cities may have discretionary authority over some aspects of the Project and may use this EIR when considering the Project or issuing permits.

Other permits or approvals that could be required include:

- California Air Resources Board and/or South Coast Air Quality Management District certification of abrasive blast media and construction equipment;
- California Occupational Health and Safety Administration Tunnel Safety Order compliance; and
- Conformance with applicable State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) and/or Municipal Separate Storm Sewer Systems (MS4) requirements.



Manhole



Manhole



Rialto Pipeline Turnout



Pipeline Access Point



Section of Pipeline

Representative Photographs – Existing Facilities

ETIWANDA PIPELINE NORTH RELINING PROJECT

**Regional Map** 

ETIWANDA PIPELINE NORTH RELINING PROJECT



**Project Vicinity Map** 

ETIWANDA PIPELINE NORTH RELINING PROJECT





SCE Transmission Line and Flood Control Channel



Garcia Park



SCE Transmission Line and Open Land



Residential Development



SCE Transmission Line and Vineyard



Residential Development and Open Land

## Representative Photographs – Existing Setting ETIWANDA PIPELINE NORTH RELINING PROJECT

**Proposed Outlets, Manholes, and Rollout Stations** 



Shoring at Access Locations



Mortar Lining Removal



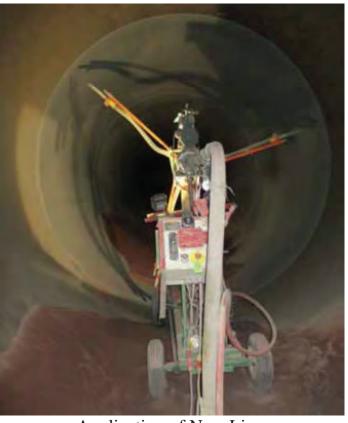
Welding Pipeline Outlet



**Debris Removal** 



Off-hauling of Debris



Application of New Liner

## Representative Photographs – Project Activities ETIWANDA PIPELINE NORTH RELINING PROJECT



ETIWANDA PIPELINE NORTH RELINING PROJECT

0 3,500 Feet



Air Compressors and Dehumidifiers



Bag Filters



Loader and Excavator



Blower



Crane and Generator

# Representative Photographs – Representative Equipment ETIWANDA PIPELINE NORTH RELINING PROJECT

### Chapter 3.0

### **ENVIRONMENTAL IMPACT ANALYSIS**

#### 3.1 AIR QUALITY

This section is based on the information and analysis presented in the proposed Project's Air Quality Technical Report, dated December 2014 (HELIX Environmental Planning, Inc. [HELIX] 2014a). The technical report is included in its entirety as **Appendix B** of this EIR.

The methods for assessing air quality impacts included estimating emissions that would be generated by construction equipment during the proposed Project, including diesel particulate matter as part of a health risk assessment, and comparing estimated emission levels with applicable thresholds. The California Air Resources Board's (CARB's) off-road emissions inventory database (OFFROAD2011) and EMFAC2011 models were used to estimate the emissions from heavy construction equipment and on-road vehicles, respectively. The U.S. Environmental Protection Agency's (USEPA's) AERMOD model was used to analyze potential health effects from Project activities, in accordance with the guidelines in the South Coast Air Quality Management District's (SCAQMD's) *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Analysis of air quality impacts also reflects topics of interest (including health risk assessment) brought forth in SCAQMD's NOP comment letter, dated August 27, 2014. This air quality impact assessment was prepared by HELIX and the health risk assessment was prepared by Urban Crossroads.

Although there would likely be minor variations in the numbers/types/use of equipment and workers compared to the assumptions incorporated into the emissions calculations, these assumptions generally provide for an overall worst-case analysis. This approach was used in order to allow flexibility in final design and implementation, and actual conditions might be less. Refer to **Appendix B** for complete listings of the assumptions used in the analysis and model outputs.

#### 3.1.1 Existing Conditions

#### **Air Pollutants of Concern**

#### Criteria Pollutants

Air quality is defined by ambient air concentrations of seven "criteria air pollutants," which are a group of common air pollutants identified by the USEPA to be of concern with respect to the health and welfare of the general public. The criteria air pollutants relevant to the proposed Project include nitrogen dioxide ( $NO_2$ ), ozone ( $O_3$ ), particulate matter (including particulates 10 microns or smaller [ $PM_{10}$ ] and particulates 2.5 microns or smaller [ $PM_{2.5}$ ]), carbon monoxide ( $PM_{2.5}$ ), and sulfur dioxide ( $PM_{2.5}$ ). A description of each criteria air pollutant, including source types and health effects, is provided in the Air Quality Technical Report (**Appendix B**). Project-related equipment operations, vehicle trips, and grading would result in emissions of these pollutants.

#### **Toxic Air Contaminants**

Toxic air contaminants (TACs) refer to a diverse group of air pollutants that can affect human health; however, they are not subject to an adopted ambient air quality standard. With regard to the proposed Project, the primary toxic air contaminant of concern is diesel particulate matter. The exhaust from diesel engines includes hundreds of different gaseous and particulate

components, many of which are toxic. Accordingly, diesel particulate matter can be used as a surrogate measure of exposure for the mixture of chemicals that make up diesel exhaust as a whole.

#### **Existing Air Quality**

#### **Attainment Designations**

Based on monitored air pollutant concentrations, the USEPA and CARB designate an area's status in attaining the federal and state standards, respectively (discussed below). **Table 3.1-1**, *Attainment Status of Criteria Pollutants in the South Coast Air Basin*, summarizes the basin's current attainment status. When an area has been reclassified from a nonattainment area to an attainment area for a federal standard, the status is identified as "maintenance," and there must be a plan and measures that will keep the region in attainment for the following 10 years. As shown in **Table 3.1-1**, the air basin is a federal nonattainment area for ozone and PM<sub>2.5</sub>, and a state nonattainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. For pollutants for which the SCAB is in nonattainment, the SCAQMD is responsible for preparing plans that demonstrate how the SCAB will attain these standards. Impacts at the project level are determined based on a project's conformance with these plans.

| Table 3.1-1 ATTAINMENT STATUS OF CRITERIA POLLUTANTS IN THE SOUTH COAST AIR BASIN |               |                        |  |  |  |
|---|---------------|------------------------|--|--|--|
| Pollutant   | State         | Federal                |  |  |  |
| Ozone (1 hour)  | Nonattainment | No standard            |  |  |  |
| Ozone (8 hour)  | Nonattainment | Extreme Nonattainment  |  |  |  |
| $PM_{10}$   | Nonattainment | Attainment/Maintenance |  |  |  |
| $PM_{2.5}$  | Nonattainment | Nonattainment          |  |  |  |
| CO  | Attainment    | Attainment/Maintenance |  |  |  |
| $NO_2$  | Attainment    | Attainment/Maintenance |  |  |  |
| $SO_2$  | Attainment    | Attainment             |  |  |  |

Sources: CARB 2013c; USEPA 2013a, 2013b.

#### **Toxic Air Contaminants**

The SCAQMD has conducted a monitoring and evaluation study which focuses on the carcinogenic risk from exposure to toxic air contaminants in the South Coast Air Basin. This carcinogenic risk is expressed in terms of the expected number of additional cancers in a population of 1 million individuals that are exposed to toxic air contaminants over a 70-year lifetime, with this risk scalable for individual project analyses based on the actual duration of exposure. The SCAQMD-modeled carcinogenic risk for the area in which the Project is located ranges from approximately 804 to 942 per 1 million individuals exposed, which is less than the overall South Coast Air Basin average of about 1,200 per 1 million individuals exposed (SCAQMD 2008b). The study attributed about 94 percent of the carcinogenic risk to emissions associated with mobile sources, and about 6 percent of the risk to toxic air contaminants emitted from stationary sources (e.g., dry cleaners and chrome

plating operations). The results of the study indicate that diesel exhaust is the major contributor to carcinogenic risk due to toxic air contaminants, accounting on average for about 84 percent of the total risk (SCAQMD 2008a).

#### **Regulatory Framework**

Federal and state ambient air quality standards have been set to protect the most sensitive persons from illness or discomfort. Residential areas, schools, playgrounds, child care centers, athletic facilities, hospitals, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes are especially likely to include persons sensitive to air pollutants. The standards and regulations most relevant to the proposed Project are summarized below, with additional detail provided in the Air Quality Technical Report.

#### Federal

Pursuant to the Clean Air Act of 1970 and its 1977 and 1990 amendments, the USEPA is responsible for setting and enforcing the National Ambient Air Quality Standards for criteria pollutants. As part of its enforcement responsibilities, the USEPA requires each state with federal nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain and maintain the federal standards. As detailed above in **Table 3.1-1**, the Project area is a federal nonattainment area for ozone and PM<sub>2.5</sub> and must therefore comply with measures identified in the State Implementation Plan.

#### State

The CARB, a part of the California Environmental Protection Agency, is responsible for the coordination and administration of both federal and state air pollution control programs in California. In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards, compiles emission inventories, develops suggested control measures, and oversees local programs.

The applicable air districts for regions that do not attain the state standards are required by the CARB to prepare plans for attaining the standards which are then integrated into the State Implementation Plan.

#### Regional

South Coast Air Quality Management District

The SCAQMD regulates air quality in the South Coast Air Basin, which includes the non-desert portion of San Bernardino County. As a regional agency, the SCAQMD works directly with the Southern California Association of Governments, county transportation commissions, and local governments, as well as cooperates actively with applicable federal and state government agencies. The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary. Rules, regulations, and plans developed by the SCAQMD that are relevant to the Project are summarized below and described in detail in the Air Quality Technical Report.

- The SCAQMD is responsible for preparing air quality management plans that address the attainment and maintenance of state ambient air quality standards. The latest air quality management plan was adopted by SCAQMD in 2012 and approved by the CARB in 2013. As detailed above in **Table 3.1-1**, the Project area is a state nonattainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. SCAQMD adopts rules and regulations to implement portions of the Air Quality Management Plan. Several of these rules may apply to construction or operation of the proposed Project, with the most notable of these rules being Rules 402 and 403.
- SCAQMD's Rule 402, Nuisance, requires that air contaminants or other materials not be released in quantities such that they cause nuisance or annoyance to a considerable number of people. This rule would apply to potential odors generated by the Project.
- SCAQMD's Rule 403, Fugitive Dust, aims to reduce the amount of particulate matter introduced into the ambient air from man-made fugitive dust sources by requiring measures to prevent, reduce, or mitigate fugitive dust emissions. This rule would apply to the Project's excavation, grading, and other ground-disturbing activities.

#### 3.1.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines, a significant impact would occur if the proposed Project would do any of the following, identified below as Thresholds A through E:

- Threshold A: Conflict with or obstruct implementation of the applicable air quality plan;
- Threshold B: Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Threshold C: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Threshold D: Expose sensitive receptors to substantial pollutant concentrations; or
- Threshold E: Create objectionable odors affecting a substantial number of people.

Appendix G of the State CEQA Guidelines states that the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. As such, SCAQMD has established significance thresholds intended to more specifically define CEQA Thresholds A through E. To assess conformance to the Air Quality Management Plan (SCAQMD 1993) under Threshold A, SCAQMD thresholds consider whether the Project would (A1) result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards; and (A2) exceed the assumptions in the Air Quality Management Plan. **Table 3.1-2**, *SCAQMD Air Quality Thresholds*, presents the SCAQMD's current significance thresholds relative to CEQA Thresholds B through E (i.e., for daily regional emissions for short-term

construction projects [applicable to Project activities], daily local emissions, and maximum incremental carcinogenic risk and hazard indices for toxic air contaminants). While a regional impact analysis is based on attaining or maintaining regional emissions standards, a local impact analysis compares the on-site emissions of a pollutant to a health-based standard.

As indicated in the first column of **Table 3.1-2**, the SCAQMD's thresholds are used to determine impacts relative to applicable CEQA thresholds (Thresholds A through E). Some CEQA thresholds require multiple SCAQMD thresholds to determine impacts (e.g., both regional emission thresholds [B1] and local emission thresholds [B2] are considered to determine significance with respect to CEQA Threshold B). Therefore, a significant impact would occur if the proposed Project would exceed the SCAQMD's established daily emission rates, risk values, or concentrations.

| Table 3.1-2<br>SCAQMD AIR QUALITY THRESHOLDS  |   |   |  |  |  |
|---|---|---|--|--|--|
| Threshold                                     | Pollutant   | Daily Regional Emissions Thresholds (pounds/day)        |  |  |  |
|   | VOC   | 75  |  |  |  |
|   | $NO_X$  | 100   |  |  |  |
| A1/B1/C1                                      | СО  | 550   |  |  |  |
| AI/DI/CI                                      | $PM_{10}$   | 150   |  |  |  |
|   | PM <sub>2.5</sub>   | 55  |  |  |  |
|   | $SO_X$  | 150   |  |  |  |
| Daily Local Emissions Thresholds (pounds/day) |   |   |  |  |  |
|   | $NO_X$  | 118   |  |  |  |
| D2/C2/D1                                      | CO  | 863   |  |  |  |
| B2/C2/D1                                      | $PM_{10}$   | 5   |  |  |  |
|   | PM <sub>2.5</sub>   | 4   |  |  |  |
| Other Thresholds                              |   |   |  |  |  |
| D2  | TAC   | Maximum Incremental Carcinogenic Risk ≥ 10 in 1 million |  |  |  |
| D3  | TACs Chronic & Acute Hazard Index ≥ 1.0 (project increment) |   |  |  |  |
| E1  | Odor  | Project creates an odor nuisance pursuant to Rule 402   |  |  |  |

Notes: VOC: volatile organic compound; NO<sub>X</sub>: nitrogen oxides; CO: carbon monoxide; PM<sub>10</sub>: respirable particulate matter with a diameter of 10 microns or less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less; SO<sub>X</sub>: sulfur oxides; TACs: toxic air contaminants; NO<sub>2</sub>: nitrogen dioxide; ppm: parts per million; µg/m<sup>3</sup>: micrograms per cubic meter.

Source: SCAQMD 2011.

#### 3.1.3 <u>Impact Analysis</u>

#### **Consistency with Air Quality Plans (Threshold A)**

The proposed Project would not involve a change in General Plan designation or zoning and, therefore, would not exceed the assumptions in the Air Quality Management Plan (Threshold A2). However, as described below (*Conformance to Air Quality Standards*), Project-related emissions would exceed thresholds that SCAQMD has established for the purposes of maintaining regional air quality. Therefore, the Project could result in an increase in the

frequency or severity of existing air quality violations, cause or contribute to new violations, and/or delay timely attainment of air quality standards (Threshold A1); impacts would be potentially significant and would require mitigation, as described in **Section 3.1.4**.

#### **Conformance to Air Quality Standards (Threshold B)**

Project activities would result in temporary emissions through use of heavy equipment in the Project area as well as vehicle trips to the Project area from commuting construction workers and from delivery/haul trucks. The Project also would generate fugitive dust during grading activities.

#### **Daily Regional Emissions**

Project activities are assumed to occur concurrently for Sub-phases 2A and 3A, and for Sub-phases 2B and 3B. In order to assess the maximum daily regional emissions as a result of the proposed Project, emissions from concurrent sub-phases are summed. Though each sub-phase was assumed to use the same equipment, emissions would decrease in later years as turnover in the fleet mix inventory phases out older, more polluting equipment in favor of newer, cleaner-burning models. Therefore, maximum daily regional emissions would occur when Sub-phase 2A activities overlap with Sub-phase 3A activities. **Table 3.1-3**, *Maximum Daily Regional Emissions*, compares the anticipated maximum daily regional emissions to the SCAQMD thresholds for daily regional emissions (Threshold B1).

| Table 3.1-3 MAXIMUM DAILY REGIONAL EMISSIONS (pounds/day)   |     |       |       |    |     |     |  |
|---|-----|-------|-------|----|-----|-----|--|
| Maximum Daily Emissions VOC CO NO <sub>X</sub> SO <sub>X</sub> PM <sub>10</sub> PM <sub>2.5</sub> |     |       |       |    |     |     |  |
| Sub-phases 2A and 3A  | 275 | 1,200 | 2,547 | 4  | 100 | 98  |  |
| SCAQMD Regional Thresholds (Table 3.1.2 Threshold B1) 75 550 100 150 55                           |     |       |       |    |     |     |  |
| Exceed Threshold?   | Yes | Yes   | Yes   | No | No  | Yes |  |

Notes: VOC: volatile organic compound; NO<sub>X</sub>: nitrogen oxides; CO: carbon monoxide; SO<sub>X</sub>: sulfur oxides; PM<sub>10</sub>: respirable particulate matter with a diameter of 10 microns or less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District.

Source: HELIX 2014a.

As shown in **Table 3.1-3**, maximum daily regional emissions would exceed the SCAQMD thresholds for VOC, CO,  $NO_X$ , and  $PM_{2.5}$ . As such, impacts related to maximum daily regional emissions would be potentially significant (Threshold B1), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

#### **Daily Local Emissions**

Although activities are assumed to occur concurrently for Sub-phases 2A and 3A, and for Sub-phases 2B and 3B, activities in each sub-phase would occur far enough apart such that they would not share sensitive receptors. Local emissions are therefore not summed the same way

regional emissions are. **Table 3.1-4,** *Maximum Daily Local Emissions*, compares the anticipated maximum daily local emissions to the SCAQMD daily local emission thresholds (Threshold B2). These maximum emissions would occur with Sub-phases 2A and 3A. Emissions of these two sub-phases would be identical.

| Table 3.1-4 MAXIMUM DAILY LOCAL EMISSIONS (pounds/day) |                   |        |           |            |  |  |
|--|-------------------|--------|-----------|------------|--|--|
| Maximum Local Emissions                                | CO                | $NO_X$ | $PM_{10}$ | $PM_{2.5}$ |  |  |
| Maximum Local Emissions                                | 556               | 1,267  | 49        | 49         |  |  |
| SCAQMD Local Thresholds                                | 863               | 110    | 5         | 1          |  |  |
| (Table 3.1.2 Threshold B2)                             | 863   118   5   4 |        |           |            |  |  |
| Exceed Threshold?                                      | No                | Yes    | Yes       | Yes        |  |  |

otes: NO<sub>X</sub>: nitrogen oxides; CO: carbon monoxide; PM<sub>10</sub>: respirable particulate matter with a diameter of 10 microns or less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less.

Source: HELIX 2014a.

As shown in **Table 3.1-4**, maximum daily local emissions would exceed the SCAQMD thresholds for NO<sub>X</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. As such, impacts related to maximum daily local emissions would be potentially significant (Threshold B2), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

#### **Cumulatively Considerable Net Increase of Criteria Pollutants (Threshold C)**

The region is a federal and/or state nonattainment area for PM<sub>10</sub>, PM<sub>2.5</sub>, and ozone. The Project would contribute PM<sub>10</sub>, PM<sub>2.5</sub>, and VOC and NO<sub>X</sub> (which form ozone when subjected to chemical reactions in the presence of sunlight) to the area during short-term Project activities. Notwithstanding the short-term, temporary nature of the Project, PM<sub>2.5</sub>, VOC, and NO<sub>X</sub> emissions would exceed the SCAQMD significance thresholds for maximum daily regional emissions, as shown in **Table 3.1-3**. Therefore, the net increase to the region of Project-related criteria pollutants would be potentially cumulatively considerable, and the impact would be potentially significant (Threshold C1). Reduction measures would be required, as described in **Section 3.1.4**, to mitigate this impact.

For local impacts, cumulative particulate impacts are considered when projects may be within a few hundred yards of each other. Activities associated with the SCE Falcon Ridge Substation Project could occur immediately adjacent to the proposed Project, generally during the same timeframe. As shown in **Table 3.1-4**, the Project's maximum daily local emissions would exceed the SCAQMD significance thresholds for NO<sub>X</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Therefore, the net increase locally of Project-related criteria pollutants would be potentially cumulatively considerable, and the impact would be potentially significant (Threshold C2). Measures would be required, as described in **Section 3.1.4**, to mitigate this impact.

#### **Sensitive Receptors (Threshold D)**

Impacts to sensitive receptors (including workers, residences, and schools) have the potential to result from exposure of those individuals to criteria pollutant emissions and exposure to toxic air contaminants. With respect to criteria pollutants emitted locally during Project activities, as described above and shown in **Table 3.1-4**, maximum daily local emissions would exceed the SCAQMD significance thresholds. As such, sensitive receptors near Project activities may be exposed to significant concentrations of criteria pollutants (Threshold D1).

Project activities also would result in temporary toxic air contaminant emissions in the form of diesel particulate matter from off-road and on-road equipment and from worker and haul/delivery vehicles. The SCAQMD suggests that projects with diesel powered mobile sources quantify potential carcinogenic risks from the diesel particulate emissions. Therefore, impacts associated with emissions of diesel particulate matter were analyzed in accordance with the guidelines in the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. Health risks associated with exposure to toxic air contaminants are described in terms of the carcinogenic risk and a Hazard Index for exposure to a chemical at a given concentration. Carcinogenic risks are estimated as the incremental probability that an individual would develop cancer over his/her lifetime as a direct result of exposure to potential carcinogens. The estimated risk is expressed as a probability (e.g., 10 in 1 million). A risk level of one in one million implies a likelihood that up to one person out of one million equally exposed people would contract cancer if exposed to a specific concentration for a specific amount of time during that person's assumed lifetime (70 years). This would be in addition to those cancer cases that would normally occur in an unexposed population of one million people.

The "Hazard Index" expresses the potential for chemicals to result in non-cancer-related health impacts. These effects are evaluated by comparing a given exposure concentration to the Reference Exposure Level, which is the concentration at which no adverse health effects are seen. The Hazard Index represents a ratio of the exposure concentration to the Reference Exposure Level. If an exposure level is equal to the safe exposure level (Reference Exposure Level), then the ratio, referred to as the Hazard Index, would equal 1.0. Hazard Indices are expressed using decimal notation (e.g., 0.001). A calculated Hazard Index exposure of less than 1.0 would likely not result in adverse non-cancer-related health effects over an individual's lifetime.

The analysis of Project impacts reflects that increased exposure would occur over a three-year period, and considers the distance between Project activities and the applicable sensitive receptors. The residential receptor with the greatest potential exposure to Project diesel particulate matter source emissions is located approximately 20 feet from the western boundary of the Project area. The maximum incremental carcinogenic risk attributable to Project diesel particulate matter source emissions based on the input parameters is estimated at 78.79 in 1 million and non-carcinogenic risks were estimated to have a Hazard Index of 3.46. The worker receptor with the greatest potential exposure to Project diesel particulate matter source emissions is located approximately 125 feet from the western boundary of the Project area. Based on the input parameters, the maximum incremental carcinogenic risk is estimated to be 10.42 in 1 million with a non-carcinogenic risk Hazard Index of 1.33. The school receptor with the

greatest potential exposure to Project diesel particulate matter source emissions is located approximately 320 feet from the western boundary of the Project area. Based on the input parameters, the maximum incremental carcinogenic risk is estimated to be 13.88 in 1 million with a non-carcinogenic risk Hazard Index of 0.62.

The total carcinogenic risk over the lifetime of the Project would exceed SCAQMD thresholds for off-site workers, residences, and schools. As such, impacts related to carcinogenic risks would be potentially significant (Threshold D2), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

While the Project's Hazard Index for schools would be below the SCAQMD threshold, the Hazard Index would exceed the SCAQMD threshold for residences and off-site workers. Therefore, impacts related to chronic non-carcinogenic hazards would be potentially significant (Threshold D3), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

#### **Objectionable Odors (Threshold E)**

While objectionable odors rarely cause any physical harm, they can be unpleasant, leading to distress among sensitive receptors and sometimes generating citizen complaints to local governments and air districts.

Project equipment and activities would generate odors primarily from diesel exhaust emissions associated with equipment operating on the site. There may be situations where odors would be noticeable by nearby residents, but these odors would not be unfamiliar nor necessarily objectionable. The odors would be temporary and would dissipate rapidly from the source with an increase in distance. Therefore, the impacts would be short-term and would not be objectionable to a substantial number of people; the impact would be less than significant (Threshold E1).

#### 3.1.4 <u>Mitigation Measures</u>

The following mitigation measures have been identified to reduce air quality impacts associated with the proposed Project.

- AIR-1 All off-road diesel-powered construction equipment greater than 50 horsepower (hp) will meet Tier 4 emission standards. All construction equipment will be outfitted with CARB-certified best available control technology devices. Any emissions-control device used by the contractor will achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, best available control technology documentation, CARB or SCAQMD operating permit will be provided at the time of mobilization of each applicable unit of equipment.
- AIR-2 Diesel haul trucks (e.g., material delivery trucks and debris export) will be 2010 model year or newer.

AIR-3 Electricity from power poles will be used instead of temporary diesel or gasoline-powered generators and air compressors to reduce the associated emissions, where power poles are within 100 feet of equipment sites and feasible connections are available.

#### 3.1.5 Conclusions

As demonstrated in **Table 3.1-5**, *Maximum Daily Regional Emissions with Mitigation*, and **Table 3.1-6**, *Maximum Daily Local Emissions with Mitigation*, implementation of mitigation measures AIR-1 and AIR-2 would reduce emissions of VOC, NO<sub>X</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Mitigation measure AIR-3 is to be implemented as feasible and would further reduce Project-related emissions; however, because the extent of this measure's feasibility is unknown at this time, reductions were not quantified. Although mitigation measures AIR-1 and AIR-2 would reduce emissions, regional emissions of VOC, CO, and NO<sub>X</sub> as well as local emissions of PM<sub>2.5</sub> would still exceed their respective SCAQMD thresholds of significance. Project-related impacts associated with air quality Thresholds A through D would, therefore, be significant and unavoidable. Although Project emissions would be below Thresholds D2 and D3 as further described below, impacts to Threshold D as a whole are considered significant because Threshold D1 would be exceeded.

| Table 3.1-5 MAXIMUM DAILY REGIONAL EMISSIONS WITH MITIGATION (pounds/day)   |     |       |     |    |    |    |  |
|---|-----|-------|-----|----|----|----|--|
| Maximum Daily Emissions VOC CO NO <sub>X</sub> SO <sub>X</sub> PM <sub>10</sub> PM <sub>2.5</sub>   |     |       |     |    |    |    |  |
| Sub-phases 2A and 3A  | 162 | 1,200 | 175 | 4  | 10 | 9  |  |
| SCAQMD Thresholds         75         550         100         150         150         55           (Table 3.1.2 Thresholds A1, B1, C1)         75         550         100         150         55 |     |       |     |    |    |    |  |
| Exceed Threshold?   | Yes | Yes   | Yes | No | No | No |  |

Notes: VOC: volatile organic compound; NO<sub>X</sub>: nitrogen oxides; CO: carbon monoxide; SO<sub>X</sub>: sulfur oxides; PM<sub>10</sub>: respirable particulate matter with a diameter of 10 microns or less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District.

Source: HELIX 2014a.

| Table 3.1-6 MAXIMUM DAILY LOCAL EMISSIONS WITH MITIGATION (pounds/day) |             |        |           |            |  |  |
|--|-------------|--------|-----------|------------|--|--|
| Maximum Local Emissions  | CO          | $NO_X$ | $PM_{10}$ | $PM_{2.5}$ |  |  |
| Waximum Local Emissions  | 556         | 83     | 4         | 4          |  |  |
| SCAQMD Thresholds  | 962         | 110    | 5         | 1          |  |  |
| (Table 3.1.2 Thresholds B2, C2, D1)                                    | 863 118 5 4 |        |           |            |  |  |
| Exceed Threshold?  | No          | No     | No        | Yes        |  |  |

Notes:  $NO_X$ : nitrogen oxides; CO: carbon monoxide;  $PM_{10}$ : respirable particulate matter with a diameter of 10 microns or

less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less.

Source: HELIX 2014a.

Implementation of mitigation measures AIR-1 and AIR-2 would reduce emissions of diesel particulate matter. Mitigation measure AIR-1 would reduce on-site diesel particulate matter by over 90 percent and mitigation measure AIR-2 would reduce off-site diesel particulate matter by up to 10 percent. With incorporation of mitigation measures AIR-1 and AIR-2, carcinogenic risk for sensitive receptors (residential, workers and schools) would remain below the threshold of 10 in 1 million for carcinogenic risk and below the Hazard Index threshold of 1.0 for the non-carcinogenic risk (Table 3.1-2). Based on the input parameters, the greatest potential residential exposure is estimated to be reduced to 8.48 in 1 million, and non-carcinogenic risk is estimated to have a Hazard Index of 0.37. The greatest potential worker receptor exposure is estimated to have a mitigated carcinogenic risk of 1.11 in 1 million and a non-carcinogenic risk Hazard Index of 0.14. The greatest potential school receptor exposure is estimated to have a mitigated carcinogenic risk of 1.49 in 1 million and a non-carcinogenic risk Hazard Index of 0.07.

Accordingly, with implementation of the noted measures, the total carcinogenic risk over the lifetime of the Project would not exceed SCAQMD standards to residences, workers, or schools (Threshold D2). Similarly, implementation of the noted mitigation measures would reduce the chronic non-carcinogenic risk Hazard Index for the Project to levels below the SCAQMD thresholds (Threshold D3). Project-related impacts to sensitive receptors associated with air quality Thresholds D2 and D3 would therefore be rendered less than significant; however, as discussed above, impacts related to Threshold D1 would still be considered significant and unavoidable due to local emissions. As a result, total impacts related to Threshold D would be considered significant.

For Threshold E, as discussed in **Section 3.1.3**, Project-related impacts from objectionable odors would be less than significant, and no mitigation is required.

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#### 3.2 BIOLOGICAL RESOURCES

This section is based on the information and analysis presented in the proposed Project's Biological Resources Letter Report, dated October 24, 2014 (HELIX 2014b). The report is included as **Appendix C** of this EIR.

Prior to conducting field surveys, a thorough review was performed of relevant maps, databases, and literature pertaining to biological resources known to occur within southwestern San Bernardino County. The Biological Resources Letter Report is based on vegetation mapping; general biological surveys; habitat assessments for burrowing owl and Delhi Sands flower-loving fly; a focused presence/absence trapping survey for small mammals including San Bernardino kangaroo rat, San Diego pocket mouse, San Diego desert woodrat, and Los Angeles pocket mouse; and an assessment of wetland and aquatic resources potentially under state or federal jurisdiction. General biological surveys and habitat assessments were conducted by HELIX in October 2013 and March 2014, and the small mammal trapping survey was conducted by ENVIRA in April 2014. The study area for biological resources encompasses the Project area and adjacent lands that might be indirectly affected by Project activities. Potential impacts were evaluated based on the observed and potential biological resources in the Project area and the locations of proposed work areas.

#### 3.2.1 Existing Conditions

#### **Vegetation Communities**

The entire study area contains evidence of disturbance, including disturbance from excavation for the Etiwanda Pipeline in 1993, regular vegetation maintenance in the pipeline right-of-way, on-going disturbance by agricultural activities, and permanent disturbance by development. The Project area consists almost entirely of disturbed land, with small patches of native vegetation that are heavily invaded by non-native species (**Figures 3.2-1a to 3.2-1j** *Vegetation and Sensitive Resources/Impacts*).

Six vegetation community or land use types were mapped within the study area: Riversidean upland sage scrub, Riversidean alluvial fan sage scrub, streambed, non-native vegetation, disturbed land, and developed land (**Table 3.2-1**, *Vegetation Communities and Habitat Types in the Study Area*).

#### Riversidean Upland Sage Scrub - Disturbed

Riversidean upland sage scrub is the driest expression of coastal sage scrub, found on steep slopes, severely drained soils, and very dry sites. It is considered to be a sensitive natural community in accordance with Section 15380 of the State CEQA Guidelines. Within the study area, this community is characterized as disturbed because it includes relatively high numbers of non-native species, fewer native species than in typical undisturbed examples of the community, and evidence of physical disturbance to plants and soils from human activities. This community occurs in the middle of the Project area in two patches, near Cherry Avenue and Victoria Street. These patches are low in habitat quality due to disturbance, small patch size, and isolation from habitat blocks in the local and regional area.

| Table 3.2-1 VEGETATION COMMUNITIES AND HABITAT TYPES IN THE STUDY AREA |       |  |  |  |
|--|-------|--|--|--|
| Vegetation Community   | Acres |  |  |  |
| Riversidean Upland Sage Scrub – Disturbed                              | 5.0   |  |  |  |
| Riversidean Alluvial Fan Sage Scrub – Disturbed                        | 0.2   |  |  |  |
| Streambed  | 0.3   |  |  |  |
| Non-native Vegetation  | 0.7   |  |  |  |
| Disturbed Land   | 59.9  |  |  |  |
| Developed  | 6.4   |  |  |  |
| TOTAL  | 72.5  |  |  |  |

#### Riversidean Alluvial Fan Sage Scrub – Disturbed

This community is similar to Riversidean upland sage scrub, but it occurs on terraces of seasonal streams and alluvial fans and includes some riparian species. It is considered to be a sensitive natural community. Within the study area, this community is disturbed from human activity and includes a variety of non-native species. A small patch of this community occurs in the Project area south of Victoria Street. This patch is considered low in habitat quality for the same reasons described for Riversidean upland sage scrub.

#### Streambed

A streambed is the sandy, gravelly, or rocky bed of a waterway that is mostly or completely unvegetated on a permanent basis. Non-native grasses and early-colonizing herbaceous species might be present seasonally, but rarely exceed 10 percent cover. Fluctuating water levels prevent the establishment of woody species. One patch of streambed occurs in the Project area, north of Baseline Avenue, where the Project area crosses an unnamed flood control channel.

#### Non-native Vegetation

Non-native vegetation is composed of non-native and/or landscape species that form patches that exclude native species. Non-native vegetation in the Project area consists of planted landscaping along the embankment and ramps for the interchange between SR 210 and I-15.

#### Disturbed Land

Disturbed land is highly disturbed ground that still retains a soil surface. Vegetation, if any, consists almost exclusively of upland species that are non-native and weedy, and therefore able to colonize after human disturbance. The vast majority of the Project area is disturbed land, with a variety of non-native grasses and herbs and some colonized native species. One patch of disturbed land adjacent to the streambed has small individuals of native species typically associated with sage scrub, but regular disturbance (discing/mowing) maintains this habitat as disturbed.

#### **Developed Land**

Developed land is land that has been built upon or physically altered to the point that it no longer naturally supports vegetation or retains a soil surface. Developed land in the Project area includes paved roads and a park.

#### **Plant Species**

No special-status plant species were observed during the October 2013 and March 2014 general biological surveys. A search of relevant databases did not result in any point records for special-status plant species in or immediately adjacent to the Project area, and no special-status plant species have better than low potential to occur within the study area due to lack of suitable habitat, inappropriate soil conditions, inappropriate elevations, existing disturbances, and the prevalence of non-native plant species. A complete list of plants observed in the study area is provided in Attachment A of the Biological Resources Letter Report.

#### **Animal Species**

No rare, threatened, or endangered species was observed or otherwise detected within the study area. Animal species observed in the study area, or detected audibly or by sign, include common species such as side-blotch lizard, house finch, European starling, northern mockingbird, Anna's hummingbird, common raven, desert cottontail, California ground squirrel, coyote, and blacktailed jackrabbit. In addition, a single raptor species, a red-tailed hawk, was observed soaring over the study area. The study area is predominantly disturbed and does not provide high-quality, native habitat for animal species, and overall animal activity during the general biological surveys was low relative to the results of surveys in other locations. A complete list of animals detected in the study area is provided in Attachment A of the Biological Resources Letter Report.

To develop a preliminary list of special-status animal species with potential to occur, previous observation records within the four U.S. Geological Survey (USGS) quadrangle maps adjacent to the study area were reviewed. A total of 25 special-status animal species were identified through this review and analyzed for their potential to occur within the study area. Of those 25 species, three were observed during Project surveys. An additional four species that have potential to occur and that would be subject to special consideration if present in the study area are discussed in greater detail below.

#### Special-Status Animal Species Present in the Project Area

Three special-status animal species were observed in the study area during the general biological surveys and during protocol-level trapping for small mammals: San Diego pocket mouse, Los Angeles pocket mouse, and San Diego black-tailed jackrabbit. Each of these species is statelisted as a Species of Special Concern, which carries no formal legal status; however, CEQA requires full analysis of potential Project impacts to such species. The status of these species in the Project area is discussed below. Trapping locations were determined on the basis of potentially suitable habitat within the study area and access authorization by property owners.

## San Diego Pocket Mouse

The habitat quality for San Diego pocket mouse was generally considered to be low. A total of seven San Diego pocket mice were trapped at three locations in the Project area during trapping surveys in April 2014. Trapping locations with positive results were as follows: (1) north of Baseline Avenue and east of Del Norte Street, on the south side of the unnamed channel; (2) north of Baseline Avenue and east of Del Norte Street, on the north side of the unnamed channel; and (3) north of Vienna Lane, east of Campania Way and west of Knox Avenue (**Figure 3.2-1d and 3.2-1i**).

# Los Angeles Pocket Mouse

The habitat quality for San Diego pocket mouse was generally considered to be low. A total of six Los Angeles pocket mice were trapped at three locations in the Project area during trapping surveys in April 2014. Trapping locations with positive results were as follows: (1) northeast of Del Norte Street, on the north side of the unnamed channel; (2) north of North Frontage Road and immediately west of San Sevaine Road; and (3) northwest of Reagan Drive, south of Summit Avenue and east of River Rock Drive (Figures 3.2-1d, 3.2-1f, and 3.2-1h).

#### San Diego Black-tailed Jackrabbit

An individual black-tailed jackrabbit was observed in the Project area south of Victoria Street during the general biological survey. This individual was determined to be the San Diego black-tailed jackrabbit subspecies based on distinguishing characteristics observed during the survey, the location of the study area within the subspecies' range, and previous recordation of the subspecies in the study area.

## Special-Status Animal Species with Potential to Occur in the Project Area

Four special-status animal species either have historical records or designated habitat within the study area, or are widespread and known to occur in the region but were not observed during biological surveys of the Project area: San Bernardino kangaroo rat, Delhi Sands flower-loving fly, coast horned lizard, and burrowing owl. The potential for these species to occur in the Project area is discussed below.

#### San Bernardino Kangaroo Rat

The San Bernardino kangaroo rat is listed by U.S. Fish and Wildlife Service (USFWS) as endangered, indicating that it is considered to be in danger of extinction throughout all or a significant portion of its range; the portion of the study area north of Summit Avenue has been designated by USFWS as critical habitat for this species. San Bernardino kangaroo rat is identified as a Species of Special Concern by the California Department of Fish and Wildlife (CDFW). The San Bernardino kangaroo rat is found on alluvial fans where soils are loose, sandy, or gravelly, and vegetative cover is below 25 percent. It requires alluvial sage scrub habitat, and is found mostly in early- and intermediate-stage alluvial sage scrub on lower stream channel terraces; less frequently, the species is found in mature alluvial sage scrub on higher terraces. Areas where herbaceous and/or annual grass cover is high are not suitable for

the San Bernardino kangaroo rat, as roots impede burrowing and there is insufficient bare soil surface for foraging.

7-2

As previously described, a total of 0.2 acre of Riversidean alluvial fan sage scrub occurs in the Project area and it is highly disturbed by non-native species. It is located along what appears to be an abandoned agricultural drain that likely has not experienced in many years the fluvial processes associated with soils and vegetation favored by the San Bernardino kangaroo rat. No other suitable habitat occurs in the Project area. No San Bernardino kangaroo rats were trapped during the focused presence/absence survey in April 2014, and the Project area is presumed to be unoccupied by this species.

## Delhi Sands Flower-loving Fly

The Delhi Sands flower-loving fly is listed as endangered by USFWS. The Delhi Sands flower-loving fly requires fine, sandy soils, preferring those in the Delhi soil series that occur as stabilized dunes, and preferring relatively undisturbed habitat with 10 to 20 percent vegetative cover. Typical Delhi Sands flower-loving fly habitat includes vegetative cover of less than 50 percent.

The biological survey of the Project area included an assessment of potentially suitable habitat for the Delhi Sands flower-loving fly. The southern portion of the study area, from Foothill Boulevard to 0.5-mile north of Baseline Avenue, is within an observation record for Delhi Sands flower-loving fly; this area also is within the limits of the Ontario Recovery Unit of the USFWS Delhi Sands Flower-loving Fly Recovery Plan and 5-Year Review (USFWS 1997, 2008). The study area north of Baseline Avenue is outside the known range of the Delhi Sands flower-loving fly, and Delhi series soils do not occur anywhere in the study area. The Delhi Sands flower-loving fly is not expected to occur within the Project area or elsewhere within the study area due to a lack of Delhi series soils, the high level of soil disturbance from discing and other maintenance activities, prevalence of non-native grasses, unsuitable vegetative cover, and low frequency of indicator plant species.

#### Coast Horned Lizard

The coast horned lizard is listed as a Species of Special Concern by CDFW. Preferred habitats of coast horned lizard include coastal sage scrub, chaparral, grasslands, forest, woodland, and riparian areas, with open areas for basking and abundant native ants and other insect prey.

There are two historical records of the coast horned lizard in the study area, but the species is considered to have low potential to occur in the Project area or elsewhere within the study area due to disturbance by agriculture and maintenance activities, overall lack of suitable surface soils and cover, and presumed low abundance of suitable prey.

#### Burrowing Owl

The burrowing owl is listed by CDFW as a Species of Special Concern and is covered by special management protocols that have been recommended as a guideline for management of the species (CDFW 2012). The burrowing owl is a ground-nesting raptor that utilizes abandoned squirrel burrows as nesting habitat. The burrowing owl is also known to use debris piles, pipes,

culverts, and rock piles for burrows. The preferred habitat is flat to gently rolling terrain with less than 30 percent shrub cover.

A habitat assessment and directed search for the burrowing owl were conducted in the study area with negative results. Burrows with potential to support the burrowing owl were observed in the study area but outside of the Project area, and no sign of current or previous occupation by burrowing owls (i.e., feathers, pellets, whitewash, decoration) was observed. Based on disturbed conditions and lack of suitable burrows, the burrowing owl is not expected in the Project area and has a low potential to occur in agricultural and undeveloped lands within the study area outside the Project area.

## **Regulatory Framework**

Activities affecting the biological resources determined to exist or have the potential to exist within the study area are subject to the federal, state, and local regulations discussed below. The standards and regulations most relevant to the proposed Project are summarized below, with additional detail provided in the Project's Biological Resources Letter Report (**Appendix C**).

#### Federal

## Federal Endangered Species Act

The Federal Endangered Species Act provides a process for the listing of plant and animal species as threatened or endangered, and extends legal protection to those listed species. No species listed under the Endangered Species Act were observed in the Project area, and the potential to occur is considered low; therefore, no permits would be required for incidental take of listed species, and no consultation with USFWS would be required.

#### Migratory Bird Treaty Act

All migratory bird species that are native to the United States or its territories are protected under the federal Migratory Bird Treaty Act (MBTA) as amended under the Migratory Bird Treaty Reform Act of 2004. In common practice, compliance with the MBTA is satisfied by appropriate measures to avoid and minimize direct impacts and indirect noise impacts to active bird nests.

No bird nests were observed in the study area during surveys. Nevertheless, birds may still nest in the low-quality, disturbed habitat that occurs in the Project area. Given this possibility, Metropolitan applies standard practices for all of its projects and operations to avoid adverse impacts to nesting birds, including burrowing owls and other raptors. These practices would be applied to the proposed Project.

#### State

# California Endangered Species Act

Similar to the federal Endangered Species Act, the California Endangered Species Act, along with the Native Plant Protection Act, authorizes CDFW to designate, protect, and regulate the

taking of special-status species in California. No species listed under the California Endangered Species Act was observed in the study area or has high potential to occur; therefore, the California Endangered Species Act is not applicable to the Project.

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## California Fish and Game Code

The California Fish and Game Code regulates the taking or possession of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as wetlands and waters of the state. It includes the California Endangered Species Act (Sections 2050-2115), Native Plant Protection Act (Sections 1900 *et seq.*), and Streambed Alteration Agreement regulations (Sections 1600-1616). The code also includes protection of birds (Sections 3500 *et seq.*) and the California Native Plant Protection Act of 1977 (Sections 1900-1913).

Pursuant to California Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the code or any associated regulation. Raptors (birds of prey) and owls and their active nests are protected by California Fish and Game Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW. In common practice, CDFW places timing restrictions on clearing of potential nesting habitat (e.g., vegetation), as well as restrictions on disturbances allowed near active raptor nests.

The presence in the study area of three mammalian Species of Special Concern creates the potential for significant Project impacts to species covered by the California Fish and Game Code. As previously noted, Metropolitan's standard practices for projects and facilities include measures to avoid impacts to nesting birds and raptors, including the burrowing owl. These potential impacts are analyzed in detail below. The remaining portions of the code are not expected to apply to the Project.

#### California Environmental Quality Act (CEQA)

Although threatened and endangered species are protected by specific federal and state laws, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain criteria. CEQA Guidelines Section 15380(d) allows a public agency to undertake a review to determine if a significant effect would occur on species that have not yet been listed by either the USFWS or CDFW (i.e., species of concern).

Potential Project impacts to special-status species known to occur in the Project area (i.e., Los Angeles pocket mouse, San Diego pocket mouse, and black-tailed jackrabbit), and to special-status species with potential to occur (i.e., San Bernardino kangaroo rat, Delhi sands flower-loving fly, coast horned lizard, and burrowing owl), must be analyzed for significance under CEQA thresholds.

#### Local

The adopted General Plans of the cities of Rancho Cucamonga and Fontana include several policies relevant to the protection of biological resources. Although California Government

Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances, these policies provide a point of reference regarding resource protection priorities of those jurisdictions. The portion of the proposed Project in Rancho Cucamonga does not include biological resources that are addressed by the environmental protection policies of the General Plan.

Relevant policies of the City of Fontana General Plan include the following:

- Goal 1.2, Policy 2: Require mitigation for removal of any natural habitat, including
  restoration of degraded habitat of the same type, creation of new or extension of existing
  habitat of the same type, financial contribution to a habitat conservation fund
  administered by federal, state or local government agency, or by a non-profit
  conservancy.
- Goal 1.2, Policy 3: Apply local CEQA procedures to identify impacts to rare, threatened and endangered species.

## 3.2.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would do any of the following, identified below as Thresholds A through C:

- Threshold A: Have a substantial adverse effect, either directly or through habitat
  modifications, on any species identified as a candidate, sensitive, or special status species
  in local or regional plans, policies, or regulations, or by the CDFW or USFWS;
- Threshold B: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS; or
- Threshold C: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

#### 3.2.3 Impact Analysis

## Candidate, Sensitive, and Special-status Species (Threshold A)

As described in **Section 3.2.1**, no sensitive plants were observed during the general biological survey, and none of the sensitive plant species identified through database searches has a better than low potential to occur within the Project area. Therefore, no significant impacts to sensitive plant species are expected.

Three sensitive mammal species were observed within portions of the Project area: San Diego black-tailed jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse. A single individual of San Diego black-tailed jackrabbit was observed in the study area. This is a large, mobile species that is active during the day and assumed to be easily capable of escaping harm

by Project activities. Project impacts to San Diego jackrabbit are restricted to minor, temporary loss of foraging and movement areas, and would be less than significant.

7-2

San Diego pocket mouse and Los Angeles pocket mouse are small, nocturnal rodents that spend the day in underground burrows and forage above-ground at night. Both were trapped in very low numbers during small mammal trapping surveys. Pocket mice are not expected to easily escape harm by Project ground-disturbing activities, given their small size and nocturnal habits, and the Project has potential for direct impact to individuals of these species. Overall activity was low during the small mammal trapping survey (captures in less than seven percent of traps), and small mammal population sizes in the study area are considered low (ENVIRA 2014). Both species were represented by fewer than 10 individuals in the trapping survey results, suggesting that the Project area supports less than one percent of the lowest estimated statewide population of San Diego pocket mouse, and little more than one percent of the lowest estimated statewide population of Los Angeles pocket mouse.

Given the low number and density of both San Diego pocket mouse and Los Angeles pocket mouse in the Project area, and the small portion of the Project area that would be directly impacted by Project activities (**Figures 3.2-1a to 3.2-1j**), the potential for direct impact to either species is low and potential impacts would not jeopardize the survival of either species. Potential Project impacts to these two species would be restricted to minor, temporary loss of foraging and movement habitat, and low-likelihood direct impacts to fewer than 10 individuals from ground-disturbing activities. These impacts would be less than significant.

The study area contains vegetation and structures that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and California Fish and Game Code. The proposed Project could result in the removal or trimming of vegetation, and elevated noise levels during the general bird nesting season (March 1 through September 15) and, therefore, could result in impacts to nesting birds. Direct impacts could occur as a result of removal of vegetation supporting an active nest, and noise impacts could affect raptors nesting in nearby SCE electrical transmission towers or in adjacent agricultural lands. As previously noted, Metropolitan employs standard practices, for all projects and facilities, to protect nesting birds from adverse impacts and to ensure compliance with the MBTA and Fish and Game Code.

As a general practice, for any Metropolitan projects or operations activities that would occur during the general bird nesting season of February 1 through September 15, Metropolitan would retain a qualified biologist to perform a pre-activity survey of potential nesting habitat to confirm the absence of active nests. The pre-activity survey would be performed no more than seven days prior to the start of work in each area. If the biologist determines that no active nests are present, work is allowed to proceed. If the qualified biologist determines that an active nest is present, an adequate avoidance buffer is established to ensure that no adverse impacts would occur until the young have fledged the nest and the nest is confirmed no longer to be active. The avoidance buffer distance that Metropolitan generally applies is up to 300 feet for songbirds or non-raptors and up to 500 feet for raptors, depending on the species, site conditions, and nature of the work. Where suitable buffers are not feasible, modified work schedules and/or methods may be applied. Additionally, where potential nesting vegetation is present in the vicinity of work areas, Metropolitan's qualified biologist is consulted to maintain such vegetation outside the nesting season to minimize the potential for nesting activity near work areas where indirect impacts might

occur. Application of these standard practices to the Project would ensure that impacts to species protected under the MBTA and Fish and Game Code would be less than significant.

The Project area does not contain suitable burrows for burrowing owl, and burrowing owl is not expected to occur in the Project area. Surrounding undeveloped lands outside the Project area but within the study area have low potential for burrowing owl based on disturbance and agricultural activities. No direct impacts to burrowing owl are expected, and the potential for indirect impacts outside the Project area is considered to be low. The low likelihood of burrowing owl presence in the areas surrounding the Project, and the implementation of avoidance and minimization measures should any be detected during pre-activity nesting bird surveys, would ensure that the Project's impacts to burrowing owl would be less than significant.

In summary, the potential Project impacts to sensitive species (Threshold A) would be less than significant.

## **Sensitive Natural Communities (Threshold B)**

Two sensitive natural communities were mapped within the Project area: Riversidean alluvial fan sage scrub and Riversidean upland sage scrub. Potential Project impacts to sensitive natural communities are depicted in **Figures 3.2-1a to 3.2-1j**, and summarized in **Table 3.2-2**, *Sensitive Vegetation Community Impacts*.

| Table 3.2-2 SENSITIVE VEGETATION COMMUNITY IMPACTS* |          |        |  |
|---|----------|--------|--|
| Vegetation Community                                | Existing | Impact |  |
| Riversidean Upland Sage Scrub – Disturbed           | 5.0      | 2.6    |  |
| Riversidean Alluvial Fan Sage Scrub – Disturbed     | 0.2      | 0.1    |  |
| TOTAL   | 5.2      | 2.7    |  |

\*Areas are in acres

Note: Impacts reported in this table reflect vegetation within proposed Contractor Work and Storage Areas and excavation areas. Impacts to up to an additional 2.4 acres of Riversidean upland sage scrub and up to 0.08 acre of Riversidean alluvial fan sage scrub may be subject to temporary disturbance.

The Project would temporarily impact 2.6 acres of disturbed Riversidean upland sage scrub and 0.1 acre of disturbed Riversidean alluvial fan sage scrub in the proposed Contractor Work and Storage Areas and excavation areas. The Riversidean alluvial fan sage scrub and Riversidean upland sage scrub in the Project area represent vegetation that has re-grown since excavation for installation of Etiwanda Pipeline North in 1993. These communities are highly disturbed and provide limited biological function and value. Neither has a high potential to support any sensitive species. The San Bernardino kangaroo rat was determined to be absent from these communities. The Riversidean alluvial fan sage scrub is not associated with any functioning riparian habitat and is of low quality. The Riversidean upland sage scrub is highly disturbed, low in quality, and isolated from core habitat blocks in the local and regional area. Temporary impacts to these communities (Threshold B) would be less than significant.

Sensitive native vegetation outside the areas proposed for direct disturbance but within the Project area (totaling up to an additional 2.4 acres of Riversidean upland sage scrub and up to 0.08 acre of Riversidean alluvial fan sage scrub) may be subject to disturbance by vehicle access and equipment storage as necessary for Project activities, or by routine vegetation maintenance. Because no permanent removal of habitat would be necessary to accommodate temporary access and storage in these areas, vegetation in these communities is expected to recover after Project completion. These areas are isolated habitat fragments in disturbed condition and the potential temporary impact (Threshold B) would be less than significant.

## Local Policies, Ordinances, and Adopted Plans (Threshold C)

As described in **Section 3.2.1**, the adopted General Plan for the City of Fontana includes policies relevant to the protection of biological resources. These policies include identification of impacts to sensitive species and mitigation for removal of natural habitat. As noted above, California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. These policies provide a point of reference regarding resource protection priorities of those jurisdictions and are evaluated for purposes of full disclosure of potential Project impacts on the environment. Potential impacts to sensitive species are addressed above, and appropriate protective measures would be provided in accordance with Metropolitan's standard practices for the protection of nesting birds. Also as addressed above, the Project would result in temporary impacts to Riversidean upland sage scrub and Riversidean alluvial fan sage scrub. These communities are, however, disturbed, low in quality, and provide limited biological function and value. They represent vegetation that has re-grown since excavation for installation of Etiwanda Pipeline North in 1993, and vegetation in these communities is expected to recover after Project completion. Impacts would be less than significant and do not require mitigation. Based on these considerations, the Project would not conflict with local policies or ordinances protecting biological resources (Threshold C).

## 3.2.4 <u>Mitigation Measures</u>

Impacts related to Thresholds A, B, and C would be less than significant; no mitigation is required.

## 3.2.5 Conclusions

Impacts to special-status animal species and sensitive communities would be less than significant given the relatively low sensitivity of resources present, small numbers of individuals likely to be affected, and Metropolitan's standard practices for the protection of nesting birds, including burrowing owls and other raptors. No impacts would occur related to consistency with local policies, ordinances, or plans.

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Section 3.2
Biological Resources

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#### 3.3 GREENHOUSE GAS EMISSIONS

This section is based on the information and analysis presented in the proposed Project's Greenhouse Gas Emissions Technical Report, dated December 2014 (HELIX 2014c). The technical report is included in its entirety as **Appendix E** of this EIR.

HELIX assessed potential greenhouse gas (GHG) impacts by estimating emissions that would be generated by construction equipment, off-road vehicles, and on-road vehicles during the proposed Project and comparing the emission levels with applicable thresholds. These emissions were estimated using the Project-specific information previously described in **Section 2.7.3**, **Personnel and Equipment**. CARB's off-road emissions inventory database (OFFROAD2011) and EMFAC2011 models were used to estimate the emissions from heavy construction equipment and on-road vehicles, respectively. Complete listings of the assumptions used in the analysis and model outputs are provided in **Appendix D**. Although there would likely be minor variations in the numbers/types/use of equipment and workers compared to the assumptions incorporated into the emissions calculations, these assumptions generally provide for an overall worst-case analysis. This approach was used in order to allow flexibility in final design and implementation; actual GHG emissions may be less.

#### 3.3.1 Existing Conditions

#### **Climate Change and Greenhouse Gases**

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns, over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Historical records show that global temperature changes have occurred naturally in the past, such as during previous ice ages and warming periods. Changes in global climate patterns have recently been attributed to global warming, which is an average increase in the temperature of the atmosphere near the Earth's surface.

Global temperatures are moderated by naturally occurring atmospheric gases. These gases are commonly referred to as GHGs because they function like a greenhouse by letting light in but preventing heat from escaping, thus warming the Earth's atmosphere. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. GHGs, as defined under California Assembly Bill 32 (AB 32), include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). The global warming potential of each GHG is multiplied by the potency and lifespan in the atmosphere of that gas to produce CO<sub>2</sub> equivalents (CO<sub>2</sub>e).

#### **Existing Greenhouse Gas Emissions**

In 2012, total GHG emissions in California were estimated at 459 million metric tons (MMT) CO<sub>2</sub>e (CARB 2014). According to the San Bernardino County GHG Inventory (San Bernardino Associated Governments [SANBAG] 2013), San Bernardino County emitted 17.5 MMT CO<sub>2</sub>e in 2008. This inventory indicated that the largest contributors of GHG emissions in San Bernardino

County were the light- and medium-duty vehicles and heavy-duty vehicles categories, which comprised 35 percent (6 MMT CO<sub>2</sub>e) of the total amount. By 2020, in the absence of any reduction measures, SANBAG estimates regional GHG emissions would be 20 MMT CO<sub>2</sub>e (SANBAG 2013).

## **Regulatory Framework**

Regulatory agencies, such as the USEPA, CARB, etc., have adopted a variety of regulations in an attempt to address the potential effects of GHGs on global climate. The regulations most relevant to the proposed Project are summarized below, with additional detail provided in the Project's Greenhouse Gas Emissions Technical Report (**Appendix D**).

#### Federal

The U.S. Supreme Court ruled in *Massachusetts v. U.S. Environmental Protection Agency* that CO<sub>2</sub> is an air pollutant, as defined under the federal Clean Air Act, and that the USEPA has the authority to regulate emissions of GHGs. Following the court decision, the USEPA announced that GHGs threaten the public health and welfare of the American people.

## **State**

The California Global Warming Solutions Act of 2006 (AB 32) required CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB was directed to reduce GHG emissions to 1990 levels by 2020. AB 32 required CARB to adopt a scoping plan that includes various measures, rules, and regulations in an open public process to achieve the GHG reductions.

#### South Coast Air Quality Management District

In 2008, the SCAQMD proposed a tiered threshold approach for analyzing GHG emissions: Tier 1 determines if a project qualifies for an applicable CEQA exemption; Tier 2 determines consistency with GHG reduction plans; and Tier 3 proposes a numerical screening value as a threshold. In 2010, the SCAQMD suggested a Tier 3 screening threshold of 3,000 metric tons (MT) CO<sub>2</sub>e per year for all land use types. This screening threshold is used only for guidance, as it has not been formally approved by the SCAQMD board as of September 2014.

#### 3.3.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines, a significant impact would occur if the proposed Project would result in the following, identified below as Thresholds A and B:

- Threshold A: Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Threshold B: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

For Threshold A, there are no established federal, state, or local quantitative thresholds applicable to the Project to determine the quantity of GHG emissions that may have a significant effect on the environment. CARB, the SCAQMD, and various cities and agencies have proposed, or adopted on an interim basis, thresholds of significance that require the implementation of GHG emission reduction measures. For the proposed Project, the most appropriate screening threshold for determining GHG emissions is the SCAQMD proposed Tier 3 screening threshold (SCAQMD 2010); therefore, a significant impact would occur if the proposed Project would exceed the SCAQMD proposed Tier 3 screening threshold of 3,000 MT CO<sub>2</sub>e per year.

## 3.3.3 Impact Analysis

The magnitude of global GHG emissions is extremely large when compared to the emissions of an individual project, such as the Project's infrastructure work; therefore, it is accepted by GHG policymakers that an individual project would be unlikely to result in the magnitude of GHG emissions necessary to directly impact climate change. The California Natural Resource Agency (CNRA), which is charged with the adoption of CEQA guidelines for GHGs, stated, "Due to the global nature of GHG emissions and their potential effects, GHG emissions will typically be addressed in a cumulative impacts analysis" (CNRA 2009). Thus, the GHG impact analysis represents a cumulative GHG impact analysis for Project-related GHG emissions.

#### **Direct and Indirect Emissions of Greenhouse Gases (Threshold A)**

Project activities would result in GHG emissions through the use of heavy equipment in the Project area, as well as from vehicle trips to and from the Project area by commuting workers and delivery/haul trucks. As shown in **Table 3.3-1**, *Estimated GHG Emissions*, based on emission estimates using the OFFROAD2011 and EMFAC2011 models, total GHG emissions associated with relining activities are estimated at 82,588 MT CO<sub>2</sub>e.

| Table 3.3-1<br>ESTIMATED GHG EMISSIONS |                                     |
|--|-------------------------------------|
| Sub-phase                              | Emissions<br>(MT CO <sub>2</sub> e) |
| 2A                                     | 16,529                              |
| 2B                                     | 16,520                              |
| 3A                                     | 16,529                              |
| 3B                                     | 16,520                              |
| 4A                                     | 16,490                              |
| TOTAL <sup>1</sup>                     | 82,588                              |
| Amortized Emissions <sup>2</sup>       | 2,753                               |

The total presented is the sum of the unrounded values.

Source: HELIX 2014c.

It should be noted that mitigation measures AIR-1 (construction equipment would use emission-control technology), AIR-2 (contractor would use 2010 and newer diesel haul trucks),

<sup>&</sup>lt;sup>2</sup> Emissions are amortized over 30 years in accordance with SCAQMD guidance.

and AIR-3 (use of power pole electricity where feasible) would have the effect of reducing GHG emissions from the Project. AIR-1 and AIR-2 reductions were incorporated in the estimates above. Although the implementation of AIR-3 would likely lead to the biggest reduction in Project GHG emissions of the three mitigation measures, it was not included in the model as the extent to which this measure would be feasible to implement has yet to be determined.

SCAQMD, in its *Draft Guidance Document – Interim CEQA GHG Significance Thresholds*, recommends that construction emissions be amortized over a 30-year project lifetime (SCAQMD 2008c). The proposed Project, therefore, as shown in **Table 3.3-1**, would contribute 2,753 MT CO<sub>2</sub>e emissions per year on an amortized basis.

The amount of amortized Project emissions is less than the significance threshold of 3,000 MT CO<sub>2</sub>e per year. Therefore, the Project GHG emissions would not be cumulatively considerable, and the impacts under Threshold A would be less than significant.

# **Consistency with Plans for Reducing Greenhouse Gas Emissions (Threshold B)**

As previously discussed, the increase in GHG emissions would be less than SCAQMD's significance threshold being applied to this analysis. Therefore, implementation of the proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. No impact under Threshold B would occur.

# 3.3.4 Mitigation Measures

Impacts related to Thresholds A and B would be less than significant; no mitigation is required.

## 3.3.5 Conclusions

The assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. As discussed above, the impact of the Project's GHG emissions on climate change would not be cumulatively significant, as the Project does not exceed the SCAQMD screening threshold or conflict with an applicable GHG plan, policy, or regulation.

#### 3.4 LAND USE AND PLANNING

The focus of the following analysis is on the consistency of the proposed Project with the General Plans and zoning designations for the cities of Fontana and Rancho Cucamonga. In addition, the analysis considers the relationship of the proposed Project with surrounding land uses.

Land use impacts were assessed by generating existing land use maps and designated land use maps for the Project area and nearby properties; reviewing the General Plans of the cities of Rancho Cucamonga and Fontana for policies that might be applicable to a pipeline relining project within an existing pipeline right-of-way; assessing the potential for the Project to conflict with existing or planned land uses in or adjacent to the Project area; and comparing the proposed Project to the relevant General Plan policies of the cities of Rancho Cucamonga and Fontana. The existing land use and designated land use mapping was obtained from SANBAG; the review of General Plans and assessment of potential land use impacts was conducted by HELIX.

It should be noted that California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Despite this exemption from local land use planning jurisdiction, for purposes of full disclosure of potential Project impacts on the environment, this EIR evaluates Project compatibility with relevant General Plan policies of the cities of Rancho Cucamonga and Fontana.

## 3.4.1 Existing Conditions

## **Environmental Setting**

The Project area includes approximately 4.4 miles of pipeline right-of-way in Fontana and 0.4 mile of pipeline right-of-way in Rancho Cucamonga. The Etiwanda Pipeline North right-of-way is within a designated public utility corridor, which contains both the pipeline and an adjacent SCE transmission line.

**Figures 3.4-1a to 3.4-1d,** *Existing Land Uses*, illustrate existing land uses as mapped by SANBAG. Beginning in the southern end of the Project area in the city of Rancho Cucamonga, the Project area is adjacent to electrical power facilities, vacant land, flood control channels, and a park. The Project area then continues northeast in the city of Fontana, where it is adjacent to electrical power facilities, high-density single-family homes, low-rise apartments, religious facilities, retail centers, pre-schools and day care centers, local and regional parks, irrigated cropland, orchards and vineyards, and vacant land.

## **Regulatory Framework**

#### General Plans

The General Plans of the Cities of Fontana and Rancho Cucamonga contain land use designations, as well as goals and policies adopted for the purpose of avoiding or mitigating an environmental effect. Land use designations as compiled by SANBAG are illustrated on **Figures 3.4-2a to 3.4-2d**, *Designated Land Uses*. The applicable land use designations are

addressed below, with the applicable goals and policies summarized in **Table 3.4-1**, *Project Consistency with General Plan Policies* (see below).

## City of Fontana

The City of Fontana General Plan includes land use development policies and land use maps to guide future development in the city. The pipeline right-of-way is designated as Public Utility Corridor (P-UC); this designation is used to indicate locations in Fontana that contain easements for public utilities.

Land use designations near the Project area in Fontana include residential, other retail/service, open-non development, parks, schools, general commercial, urban mixed, and transportation (refer to **Figures 3.4-2b to 3.4-2d**).

## City of Rancho Cucamonga

In the City of Rancho Cucamonga General Plan, the pipeline right-of-way is designated as Flood Control/Utility Corridor. According to the General Plan, this land use designation includes lands primarily used for flood control purposes and to support public utilities.

The land uses designated near the Project area in Rancho Cucamonga include parks, office, general commercial, and residential (refer to **Figure 3.4-2a**).

## Zoning

The Zoning and Development Codes of the cities of Fontana and Rancho Cucamonga contain the regulatory framework that specifies allowable uses. The pipeline right-of-way is zoned as Public Utility Corridor by the City of Fontana. The right-of-way is zoned under the Etiwanda Specific Plan by the City of Rancho Cucamonga; that specific plan lists the area as a Utility Corridor.

## 3.4.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would do the following, identified below as Threshold A:

• Threshold A: Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

## 3.4.3 <u>Impact Analysis</u>

#### **Consistency with Zoning**

As stated above, the Project area is zoned as Public Utility Corridor by the City of Fontana and as a Utility Corridor by the City of Rancho Cucamonga. The Project would repair an existing pipeline within the existing utility corridor. Temporary use of adjacent properties for contractor

staging areas would not affect the long-term use of those properties. Project activities would not interfere with existing or future zoning. Therefore, the Project would not result in conflicts with zoning ordinances (Threshold A).

## **Consistency with General Plans**

#### City of Fontana

The Project would take place within a land use designation appropriate for Etiwanda Pipeline North – Public Utility Corridor. This land use designation accommodates long-term operation and maintenance of the pipeline, which was originally built in 1993. The Project would involve only temporary activities and would restore the Project area to its pre-existing condition after Project activities have been completed. The Project would be consistent with the environmental goals, policies, and actions of the City of Fontana General Plan, except for one action (Goal 3, Action 18) under the Noise Element, as demonstrated in **Table 3.4-1**.

Project activities would exceed the hours of construction activity operation allowed in the City of Fontana Municipal Code (as discussed in **Section 3.5**, *Noise*), and while mitigation measures would lessen the impacts from these exceedances, the noise impacts would still be potentially significant and unmitigable. The short-term policy conflict represents a noise, rather than a land use, impact, and is fully discussed in Section 3.5. Land use impacts would be less than significant (Threshold A).

# City of Rancho Cucamonga

The Project would take place within a land use designation appropriate for Etiwanda Pipeline North – Flood Control/Utility Corridor. This land use designation accommodates long-term operation and maintenance of the pipeline, which was originally built in 1993. The Project would involve only temporary activities and would restore the Project area to its preexisting condition after Project activities have been completed. The Project would be consistent with the environmental goals, objectives, and guidelines of the City of Rancho Cucamonga General Plan, except for one policy (Policy PS-13.4) under the Public Health and Safety Element regarding noise, as shown in **Table 3.4-1**. Project activities would exceed City of Rancho Cucamonga Municipal Code and General Plan standards with regard to acceptable noise levels near residences. While mitigation measures would lessen the impacts from these exceedances, the noise impacts still would be potentially significant and unmitigable. The short-term policy conflict represents a noise, rather than a land use, impact, and is fully discussed in Section 3.5. Land use impacts would be less than significant (Threshold A).

## 3.4.4 <u>Mitigation Measures</u>

Impacts related to Threshold A would be less than significant; no mitigation is required.

## 3.4.5 Conclusions

Project activities temporarily would increase noise to nearby noise-sensitive land uses. The mitigation measures specified in **Section 3.5.4** would decrease the noise impacts to the extent feasible; however, the resulting noise levels are expected to exceed noise significance thresholds

even with mitigation at some locations of the Project area, during some periods of Project activity. Although the Project would be inconsistent with noise policies in the General Plans of the cities of Fontana and Rancho Cucamonga, California Government Code Section 53091 exempts Metropolitan, and therefore the Project, from local zoning and building ordinances (as discussed at the beginning of this section). The short-term policy conflict represents a noise, rather than a land use, impact, and is fully discussed in Section 3.5. Impacts to land use and planning would be less than significant.

| Table 3.4-1  |  |             |
|--|--|-------------|
| PROJECT CO   | NSISTENCY WITH GENERAL PLAN POLICIES   |             |
| Policy   | Discussion   | Consistent? |
| City of Fontana General Plan   | Discussion   | Consistent. |
| City of Fontana General Plan – Land Use Element  |  |             |
| Goal 2, Policy 2: Regionally beneficial land uses                                      | The Project area is located within a land use and zoning designation of              | Yes         |
| such as transportation corridors, flood control  | P-UC. Repairing Etiwanda Pipeline North would assist in                              |             |
| systems, utility corridors, and recreational corridors                                 | Metropolitan's ability to continue to provide water to customers within              |             |
| shall be sensitively integrated into our community.                                    | its southern California service area. Project activities would be                    |             |
| , c  | temporary; after completion of the Project, the Project area would be                |             |
|  | returned to its existing condition.  |             |
| Goal 2, Policy 3: Multiple uses within utility   | The proposed Project is located within a utility corridor that is mostly             | Yes         |
| easements shall emphasize open spaces but may  | vacant above-ground. Project activities would be temporary; upon                     |             |
| accommodate more intensive uses to safely augment                                      | completion, the Project area would be returned to its existing condition.            |             |
| adjacent uses.   | Metropolitan generally maintains exclusive use of its facility rights-of-            |             |
|  | way; however, the Project would not preclude the Project area from                   |             |
|  | being used for multiple purposes.  |             |
| City of Fontana General Plan – Public Facilities, Services, and Infrastructure Element |  |             |
| Goal 9, Policy 2: The installation of utilities shall be                               | The Project would consist of repair of an existing pipeline within                   | Yes         |
| coordinated so that disruption of public rights-of-                                    | Metropolitan's existing right-of-way. The Project would not result in                |             |
| way and private property is kept to a minimum.   | disruptions to roadways or other public rights-of-way. Metropolitan                  |             |
|  | would obtain temporary construction easements from private properties                |             |
|  | that would be used as staging areas, and they would be returned to their             |             |
|  | current status following completion of Project activities.                           |             |
| City of Fontana General Plan - Open Space and Co                                       |  |             |
| Goal 1.2, Policy 2: Require mitigation for removal                                     | As discussed in <b>Section 3.2</b> , <i>Biological Resources</i> , the Project would | Yes         |
| of any natural habitat, including restoration of                                       | temporarily impact 2.6 acres of disturbed Riversidean upland sage scrub              |             |
| degraded habitat of the same type, creation of new                                     | and 0.1 acre of disturbed Riversidean alluvial fan sage scrub in the                 |             |
| or extension of existing habitat of the same type,                                     | proposed staging areas and excavation areas. These communities are                   |             |
| financial contribution to a habitat conservation fund                                  | highly disturbed and provide limited biological function and value.                  |             |
| administered by federal, state or local government                                     | Impacts would be temporary and are considered less than significant;                 |             |
| agency, or by a non-profit conservancy.  | therefore, no mitigation is required for sensitive habitat.                          |             |

| Table 3.4-1 (cont.) PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES |  |             |
|--|--|-------------|
|  |  |             |
| Policy   | Discussion   | Consistent? |
| City of Fontana General Plan (cont.)                               |  |             |
| City of Fontana General Plan - Open Space and Co.                  | nservation Element (cont.)   |             |
| Goal 1.2, Policy 3: Apply local CEQA procedures to                 | As discussed in <b>Section 3.2</b> , no rare, threatened, or endangered species    | Yes         |
| identify impacts to rare, threatened and endangered                | were observed in the Project area and the potential for them to occur is           |             |
| species.   | considered low. Impacts would be less significant; therefore, no                   |             |
|  | mitigation is required for these species.  |             |
| Goal 2.1, Policy 1: Link multi-use utility corridors to            | Project activities are temporary, and upon completion, the area would be           | Yes         |
| other elements of the local and regional parks and                 | restored to its existing condition. Metropolitan generally maintains               |             |
| trails systems wherever feasible.                                  | exclusive use of its facility rights-of-way; however, the Project would            |             |
|  | not preclude the use of the utility corridor for multi-use linkages                |             |
|  | between parks and trails.  |             |
| City of Fontana General Plan – Noise Element                       |  |             |
| Goal 3, Action 5: Construction shall be performed as               | As discussed in <b>Section 3.5</b> , <i>Noise</i> , the Project would generate     | Yes         |
| quietly as feasible when performed in proximity to                 | substantial noise levels at adjacent residences at some locations in the           |             |
| residential or other noise sensitive land uses.                    | Project area during daytime and nighttime hours. Project mitigation                |             |
|  | measures specified in <b>Section 3.5.4</b> would lessen the impact to the          |             |
|  | extent feasible.   |             |
| Goal 3, Action 18: Ensure that construction activities             | The Fontana Municipal Code establishes allowable daytime construction              | No          |
| are regulated to established hours of operation                    | hours. Project activities are anticipated to occur up to 24 hours per day.         |             |
| included in the noise ordinance.                                   |  |             |
| Goal 3, Action 20: Require that all construction                   | As discussed in <b>Section 3.5</b> , the Project would result in substantial noise | Yes         |
| equipment utilizes noise reduction features                        | levels and a number of noise control measures are identified in                    |             |
| (e.g., mufflers and engine shrouds) that are no less               | <b>Section 3.5.4</b> . Control measures would include noise reduction features     |             |
| effective than those originally installed by the                   | on equipment that will be maintained to a minimum standard, which                  |             |
| manufacturer.  | includes engine noise baffles and mufflers that meet or exceed the                 |             |
|  | original manufacturer's requirements (NOI-3.e).                                    |             |

| Table 3.4-1 (cont.)                                 |   |             |
|---|---|-------------|
| PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES      |   |             |
| D.P   | D'  | C           |
| Policy  | Discussion  | Consistent? |
| City of Fontana General Plan (cont.)                |   |             |
| City of Fontana General Plan - Air Quality Elemen   |   |             |
| Goal 4, Policy 1: Particulate emissions from roads, | As discussed in <b>Section 3.1</b> , <i>Air Quality</i> , Project activities would exceed | Yes         |
| parking lots, construction sites, and agricultural  | the SCAQMD maximum daily regional emission threshold for PM <sub>2.5</sub> ,              |             |
| lands shall be kept at the minimum feasible level.  | and the SCAQMD maximum daily local emission thresholds for both                           |             |
|   | $PM_{10}$ and $PM_{2.5}$ . The mitigation measures specified in <b>Section 3.1.4</b>      |             |
|   | would reduce these emissions to a minimum feasible level.                                 |             |
| Goal 4, Policy 2: Emissions from building materials | As discussed in <b>Section 3.1</b> , Project activities would exceed the                  | Yes         |
| and construction methods that generate excessive    | SCAQMD maximum daily regional emission threshold for VOC, CO,                             |             |
| pollutants shall be kept at the minimum feasible    | and NO <sub>X</sub> , and the SCAQMD maximum daily local emission threshold               |             |
| level.  | for NO <sub>X</sub> . Project activities also would result in temporary toxic air         |             |
|   | contaminant emissions from diesel particulate matter from off-road and                    |             |
|   | on-road equipment and vehicles. The mitigation measures specified in                      |             |
|   | <b>Section 3.1.4</b> would reduce these emissions to a minimum feasible level.            |             |
| Goal 4, Action 1: Incorporate the provisions of     | The Project's environmental commitments, discussed under                                  | Yes         |
| SCAQMD Rule 403 (Dust Control) into City land       | Section 2.6.5, include adhering to SCAQMD Rule 403 to reduce                              |             |
| use administration rules and procedures.            | fugitive dust emissions. Because the Project would comply with                            |             |
| •   | SCAQMD Rule 403 and emissions of regulated particulate matter (PM <sub>10</sub>           |             |
|   | and PM <sub>2.5</sub> ) would be reduced to below SCAQMD maximum emission                 |             |
|   | thresholds, the Project would not generate significant amounts of dust.                   |             |
| Goal 4, Action 2: Establish grading and building    | Refer to previous response.   | Yes         |
| permitting procedures so that all construction      |   |             |
| involving demolition or earth movement reduces      |   |             |
| fugitive dust emissions through the appropriate     |   |             |
| techniques (e.g., wetting).                         |   |             |

| Table 3.4-1 (cont.)                                   |   |             |
|---|---|-------------|
| PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES        |   |             |
|   |   |             |
| Policy  | Discussion  | Consistent? |
| City of Rancho Cucamonga General Plan                 |   |             |
| City of Rancho Cucamonga General Plan - Commun        | ity Mobility Element  |             |
| Policy CM 6.3: Maintain consistency with the          | The Project would cumulatively contribute pollutants to the regional and      | Yes         |
| SCAQMD air quality mandates, SANBAG's                 | local area per SCAQMD thresholds. The mitigation measures specified           |             |
| Congestion Management and Nexus Programs, and         | in <b>Section 3.1.4</b> would reduce emissions to below the applicable        |             |
| SCAG's Regional Mobility Plan requirements.           | threshold, achieving consistency with applicable SCAQMD air quality           |             |
|   | plans and other applicable mandates. Potential impacts related to             |             |
|   | congestion would be temporary and would be reduced to less than               |             |
|   | significant levels through the incorporation of specified mitigation. The     |             |
|   | Project would not affect regional mobility.                                   |             |
| City of Rancho Cucamonga General Plan - Public H      | ealth and Safety Element  |             |
| Policy PS-10.4: Require projects that generate        | Refer to response for Goal 4, Policy 1 of the City of Fontana General Plan    | Yes         |
| potentially significant levels of air pollutants to   | – Air Quality Element.  |             |
| incorporate the best available air quality mitigation |   |             |
| into the project design, as appropriate.              |   |             |
| Policy PS-13.4: Require that acceptable noise levels  | The Project would create temporary noise in excess of 65 decibels with        | No          |
| are maintained near residences, schools, health care  | A-weighting (dBA) at nearby residential uses. As discussed in                 |             |
| facilities, religious institutions, and other noise   | <b>Section 3.5</b> , the Project would generate substantial noise levels at   |             |
| sensitive uses in accordance with the Development     | sensitive receptors at some locations in the Project area during daytime      |             |
| Code and noise standards contained in the General     | and nighttime hours. Project mitigation measures specified in                 |             |
| Plan.   | <b>Section 3.5.4</b> would lessen the impact to the extent feasible. However, |             |
|   | the resulting noise levels are expected to exceed the thresholds even with    |             |
|   | mitigation during some periods of Project activity. Noise impacts would       |             |
|   | be significant and unmitigable and the Project would be in conflict with      |             |
|   | this policy.  |             |

| Table 3.4-1 (cont.) PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES   |   |             |
|--|---|-------------|
| Policy   | Discussion  | Consistent? |
| City of Rancho Cucamonga General Plan (cont.)  |   |             |
| City of Rancho Cucamonga General Plan - Public H   | ealth and Safety Element (cont.)  |             |
| Policy PS-13.5: Limit the hours of operation at noise generating sources that are adjacent to noise-sensitive uses, wherever practical.  | Project activities are anticipated to occur up to 24 hours per day adjacent to noise-sensitive uses at some locations in the Project area. Because of the coating techniques that would be employed to install the new pipe liner, 24-hour operations of some equipment are required. The mitigation measures contained in <b>Section 3.5.4</b> would reduce associated impacts to the extent feasible. | Yes         |
| Policy PS-13.6: Implement appropriate standard construction noise controls for all construction projects.  | The Project would employ standard noise control measures, such as mufflers. In addition, a number of specialty measures as described in <b>Section 3.5.4</b> would be employed to further reduce noise levels to the extent feasible.   | Yes         |
| Policy PS-13.7: Require all exterior noise sources (construction operations, air compressors, pumps, fans, and leaf blowers) to use available noise suppression devices and techniques to bring exterior noise levels down to acceptable levels. | Refer to the above response.  | Yes         |

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Section 3.4
Land Use and Planning

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**Existing Land Uses** 

0 700 Feet

0 700 Feet

**Existing Land Uses** 

# Existing Land Uses

0 700 Feet

**Existing Land Uses** 

0 700 Feet



**Designated Land Uses** 



700 Feet **Designated Land Uses** 

Data Source: General Plan (SANBAG, 2013)

**General Commercial** 

**Designated Land Use** 

Residential

Transportation

Urban Mixed

Public Utility Corridors

## **Designated Land Uses**

0 700 Feet

0 700 Feet

Data Source: General Plan (SANBAG, 2013)

**Designated Land Uses** 

#### 3.5 NOISE

This section is based on the information and analysis presented in the proposed Project's Acoustical Site Assessment, dated November 4, 2014 (HELIX 2014d). The technical report is included in its entirety as **Appendix E** of this EIR.

The methods HELIX used for assessing noise impacts included taking baseline noise measurements in and near the Project area; measuring noise generated by construction equipment during the pilot phase (Phase 1); estimating noise levels that would be generated by construction equipment during the proposed Project; and comparing estimated noise levels with applicable thresholds, including those adopted by the cities of Rancho Cucamonga and Fontana. As noted in **Chapter 2**, *Project Description*, the proposed Project would use several different types of equipment to install the new liner. Some of the equipment, such as excavators, loaders, and dump trucks, are standard equipment that has been incorporated into the Federal Highway Administration Roadway Construction Noise Model (U.S. Department of Transportation 2008); however, other equipment, such as those associated with the mortar lining debris removal and abrasive blasting, are highly specialized.

To provide a basis for estimating noise from specialized equipment, noise levels were measured for individual pieces of representative equipment that were used during similar work on the pilot phase (Phase 1) on the pipeline segment south of the Project. Noise levels were then calculated both for a standardized distance of 50 feet and, where applicable, at the closest noise sensitive receptor (the closest noise sensitive receptors would be located approximately 20 to 30 feet away from Project noise sources, depending on the type of activity being undertaken and equipment being used).

Although there would likely be minor variations in the numbers/types/use of equipment and workers compared to the assumptions incorporated into the noise calculations, the assumptions used generally provide for an overall worst-case analysis. This approach was used in order to allow flexibility in final design and implementation, and actual conditions might be less.

#### 3.5.1 Existing Conditions

#### **Noise Fundamentals**

Sound can be described as vibrations that travel through the air and can be heard when they reach a person's ear. Noise is defined as loud, unexpected, or annoying sound. Sound becomes unwanted when it interferes with normal activities, causes actual physical harm, or has adverse effects on health.

All noise-level or sound-level values presented in this section are expressed in terms of decibels with A-weighting (dBA) to approximate the hearing sensitivity of humans. **Table 3.5-1**, *Typical A-Weighted Noise Levels*, compares common activities and their noise levels (dBA). Under the decibel scale, a doubling of sound energy corresponds to an increase of 3 dBA.

Time-averaged noise levels are expressed as " $L_{EQ}$ ."  $L_{EQ}$  represents the average of the noise levels occurring over a specified period. Unless a different time period is specified,  $L_{EQ}$  implies a period of one hour.

## **Existing Noise Environment**

Ambient noise measurements were conducted at a series of locations along the Project alignment on May 15, 2014, for a duration of 20 minutes at each location. The survey was conducted to determine the typical daytime ambient noise levels in the Project area and to note information about the locations of noise-sensitive land uses (see Noise-sensitive Receptors below for more discussion) and noise sources (non-transportation) at those locations.

7-2

The measurement locations are shown on **Figure 3.5-1**, *Ambient Noise Measurements*, and ambient noise level measurements are provided in **Table 3.5-2**, *Ambient Noise Measurements*. As shown on **Figure 3.5-1** and **Table 3.5-2**, average daytime exterior noise levels ranged from approximately 38 dBA northwest of Knox Avenue (site 9) to 50 dBA near the Etiwanda Hydroelectric Plant (site 1).

| Table 3.5-1 TYPICAL A-WEIGHTED NOISE LEVELS |                   |   |  |  |  |  |
|---|-------------------|---|--|--|--|--|
| Common Outdoor Activities                   | Noise Level (dBA) | Common Indoor Activities                    |  |  |  |  |
|   | —110 —            | Rock band                                   |  |  |  |  |
| Jet fly-over at 1,000 feet                  |                   |   |  |  |  |  |
|   | — 100 —           |   |  |  |  |  |
| Gas lawn mower at 3 feet                    |                   |   |  |  |  |  |
|   | <b>— 90 —</b>     |   |  |  |  |  |
| Diesel truck at 50 feet at 50 mph           |                   | Food blender at 3 feet                      |  |  |  |  |
|   | <b>— 80 —</b>     | Garbage disposal at 3 feet                  |  |  |  |  |
| Noisy urban area, daytime                   |                   |   |  |  |  |  |
| Gas lawn mower, 100 feet                    | <b>— 70 —</b>     | Vacuum cleaner at 10 feet                   |  |  |  |  |
| Commercial area                             |                   | Normal speech at 3 feet                     |  |  |  |  |
| Heavy traffic at 300 feet                   | <b>— 60 —</b>     |   |  |  |  |  |
| •   |                   | Large business office                       |  |  |  |  |
| Quiet urban daytime                         | <b>— 50 —</b>     | Dishwasher next room                        |  |  |  |  |
| Quiet urban nighttime                       | <b>—40</b> —      | Theater, large conference room (background) |  |  |  |  |
| Quiet suburban nighttime                    |                   |   |  |  |  |  |
|   | <b>— 30 —</b>     | Library                                     |  |  |  |  |
| Quiet rural nighttime                       |                   | Bedroom at night, concert hall (background) |  |  |  |  |
|   | <b>— 20 —</b>     |   |  |  |  |  |
|   |                   | Broadcast/recording studio                  |  |  |  |  |
|   | —10—              |   |  |  |  |  |
| Lowest threshold of human hearing           | _0_               | Lowest threshold of human hearing           |  |  |  |  |

Source: Caltrans 2009

41.2 dBA

38.4 dBA

4:45 p.m.

5:05 p.m.

| Table 3.5-2 AMBIENT NOISE MEASUREMENTS  |           |                         |
|---|-----------|-------------------------|
| <b>Location Description</b>   | Time      | $\mathbf{L}_{	ext{EQ}}$ |
| North of East Foothills Boulevard, east of Rancho Cucamonga water pump near Garcia Park | 1:30 p.m. | 50.0 dBA                |
| East of East Avenue, edge of parking lot  | 1:55 p.m. | 40.6 dBA                |
| East of West Liberty Parkway, northeast end of parking lot                              | 2:23 p.m. | 43.8 dBA                |
| Southwest of South Heritage Circle  | 2:56 p.m. | 41.3 dBA                |
| Northeast of Del Norte Street near Pacific Electric Bike Path                           | 3:20 p.m. | 43.5 dBA                |
| Southwest of Cherry Avenue and South Highland Avenue in old field area                  | 3:55 p.m. | 44.5 dBA                |
| Northeast of San Sevaine Road (Lyster Avenue and Vine Avenue)                           | 4:22 p.m. | 42.8 dBA                |

7-2

Note: Some pump noise was audible at Site #1.

#### **Noise-sensitive Receptors**

Site #

1

2

3 4

5

6

7

8

A noise-sensitive land use is one in which users would be adversely affected by high levels of noise. Individual uses, such as residences, churches, schools, parks, and hospitals, are considered to be noise-sensitive receptors. Noise-sensitive receptors along or in proximity to the Project area include single-family residences, Summit High School, Rosena Park, and Fontana Park in Fontana, and single- and multi-family residences and Garcia Park in Rancho Cucamonga.

Northeast of Lyle Creek Road at northeast corner of a small park

Northwest of Knox Avenue next to fenced area

### **Regulatory Framework**

The relevant portions of the municipal codes of the cities of Fontana and Rancho Cucamonga are summarized below, and Table 3.5-3, Exterior Noise Limits Within Residential Districts, lists allowable exterior noise limits established by each City. It should be noted that California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances (but not from noise ordinances that are outside of the zoning and building ordinances). Despite this exemption from local planning ordinances, for purposes of full disclosure of potential Project impacts on the environment, this assessment of potential noise impacts evaluates Project compatibility with noise-related General Plan policies of the cities of Rancho Cucamonga and Fontana.

| Table 3.5-3 EXTERIOR NOISE LIMITS WITHIN RESIDENTIAL DISTRICTS |                         |  |  |  |  |  |
|--|-------------------------|--|--|--|--|--|
| City   | Time                    | Maximum Allowable Noise<br>Level (dBA) |  |  |  |  |
| Fontana  | 7:00 a.m. to 10:00 p.m. | 65                                     |  |  |  |  |
| Fontana  | 10:00 p.m. to 7:00 a.m. | 65                                     |  |  |  |  |
| Rancho Cucamonga   | 7:00 a.m. to 10:00 p.m. | 65*                                    |  |  |  |  |
|  | 10:00 p.m. to 7:00 a.m. | 60*                                    |  |  |  |  |

## City of Fontana Municipal Code

The City of Fontana Municipal Code prohibits unnecessary, excessive, and annoying noises throughout the city. Performance standards for noise levels within residential districts are specified under the Municipal Code's Zoning and Development section (see **Table 3.5-3**). Specifically, it establishes a maximum allowable noise level of 65 dBA at any time of day.

Regarding vibrations, the municipal code states that no person shall create or cause to be created any activity which causes a vibration that can be felt beyond the property line of any residentially zoned property with or without the aid of an instrument.

The Municipal Code also applies to construction and repair noise. Acts that create loud, excessive, impulsive, or intrusive sound or noise that annoys or disturbs people at a distance of 50 feet or more from the edge of the property, structure, or units in which the source is located are prohibited. Although the following activities are generally prohibited, the building inspector may issue a permit granting an exemption:

- Construction activities (e.g., demolition, excavating, structural repair) occurring on weekdays outside of 7:00 a.m. to 6:00 p.m., and on Saturdays outside of 8:00 a.m. to 5:00 p.m.
- Transportation of rails, pillars or similar materials along streets and other public places that causes loud, excessive, impulsive, or intrusive noise
- Operation between the hours of 6:00 p.m. and 7:00 a.m. of any construction equipment which causes loud, excessive, impulsive or intrusive noise (e.g., pile driver, pneumatic hammer)
- Operation of any noise-creating blower, power fan, or engine other than from 7:00 a.m. and 6:00 p.m. on a weekday and 8:00 a.m. and 5:00 p.m. on a Saturday, unless the noise is equipped with a muffler device sufficient to deaden such noise

<sup>\*</sup>These exterior noise limits may be exceeded for a cumulative period of not more than 15 minutes in one hour; by 5dBA for not more than a cumulative period of 10 minutes in one hour; and by 14 dBA (but not 15 dBA or more) for a cumulative period of not more than 5 minutes in one hour.

Sources: City of Fontana Municipal Code Section 30-182.A, Rancho Cucamonga Municipal Code Section 17.66.050-1

## City of Rancho Cucamonga Municipal Code

The noise standards contained in the City of Rancho Cucamonga Municipal Code establish a maximum allowable noise level at the adjacent residential property line (exterior) of 65 dBA between 7:00 a.m. and 10:00 p.m., and 60 dBA between 10:00 p.m. and 7:00 a.m. (see **Table 3.5-3**). The ordinance allows incremental increases of the exterior noise limit as follows: for a cumulative period of not more than 15 minutes in one hour; by 5 dBA for not more than a cumulative period of 10 minutes in one hour; and by 14 dBA (but not 15 dBA or more) for a cumulative period of not more than 5 minutes in one hour.

Noise sources associated with various construction activities are excluded from the noise level limits provided the following conditions apply:

- 1. When adjacent to residence, school, church, or similar land use, the noise generating activity must not take place between 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday, and provided noise levels created do not exceed the standard of 65 dBA when measured at the adjacent property line.
- 2. When adjacent to a commercial or industrial use, the noise generating activity does not take place between 10:00 p.m. and 6:00 a.m. on weekdays, including Saturday and Sunday, and provided noise levels created do not exceed the standard of 70 dBA when measured at the adjacent property line.

The code also regulates vibration sources; however, vibration from temporary construction/demolition is exempt.

## 3.5.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would result in the following, identified below as Thresholds A through C:

- Threshold A: Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Threshold B: A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; or
- Threshold C: Exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels.

With regard to Threshold B, as described in **Section 3.5.3**, the city of Fontana, which encompasses most of the proposed Project area, provides for Noise Ordinance exemptions for construction activities and does not specify associated construction noise thresholds. Many southern California jurisdictions that set a noise level threshold for construction activities consider exceedance of 75 dBA  $L_{EO}$  for a one-hour average noise level between 7:00 a.m. and 7:00 p.m. to reflect a

substantial temporary increase in ambient noise levels. This standard is consistent with findings that the community noise environment is normally unacceptable for residential sites that are exposed to noise where the average sound level exceeds 75 dBA (U.S. Department of Housing and Urban Development 1991). Therefore, this 75-dBA threshold is applied for assessing the potential significance of Project daytime noise levels as it relates to substantial temporary or periodic increases in ambient noise levels (Threshold B).

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More stringent standards are typically applied to nighttime work. The City of Fontana has established a general exterior noise standard of 65 dBA; the City of Rancho Cucamonga uses a general exterior noise standard of 60 dBA from 10:00 p.m. to 7:00 a.m., and 65 dBA from 7:00 a.m. to 7:00 p.m. For the purposes of establishing a uniform significance threshold for assessing whether the Project would cause a substantial temporary or periodic increase in nighttime ambient noise levels, construction noise would be considered to result in a substantial temporary increase in ambient noise levels if the one-hour average noise level exceeds 65 dBA L<sub>EQ</sub> between 7:00 p.m. and 7:00 a.m. at the boundary of any residential or noise-sensitive land use property line.

Note that the 75 dBA daytime threshold and 65 dBA nighttime threshold were specifically developed for purposes of assessing whether the proposed Project addressed in this EIR would cause a substantial temporary or periodic increase in ambient noise levels (Threshold B); the 75-dBA daytime threshold and 65-dBA nighttime threshold do not reflect adopted city ordinances or regulations within the Project area.

#### 3.5.3 Impact Analysis

#### **Exceedance of Noise Standards (Threshold A)**

As detailed in **Section 3.5.1** and shown on **Table 3.5-2**, the cities have established maximum allowable noise levels of 60 to 65 dBA, depending on the jurisdiction and the time of day. In addition, work is typically allowed only during daytime hours Monday through Saturday, although the City of Fontana's Municipal Code includes a provision that allows the building inspector to issue a permit granting an exemption from these restrictions. Project activities would include operation of some heavy equipment up to 24 hours per day and 7 days per week. In addition to exceeding the construction hours specified in the Municipal Codes, these activities would result in noise levels exceeding the maximum allowable noise levels at adjacent residences during both daytime and nighttime hours, as described below (Threshold B).

Metropolitan intends to coordinate with each of the cities to establish allowable work schedules and noise levels to allow deviation from the Municipal Code provisions for daytime and nighttime noise. These work schedules and noise levels will be agreed upon both to protect the public welfare and to accommodate necessary Project activities. Nonetheless, the Project activity hours and associated noise levels would result in the exposure of adjacent residents to noise levels in excess of established Municipal Code standards (Threshold A), and a significant impact would result.

#### **Temporary Increase in Ambient Noise (Threshold B)**

The Project would generate temporarily elevated noise levels that may disrupt nearby noise-sensitive receptors. The magnitude of the impact would depend on the type of work being

performed, the equipment used to perform or support that work, the duration of each work activity, the distance between the noise source and sensitive receptors, and any intervening structures or topography that would serve to lessen noise.

The following analysis is divided into Project activities that would utilize both standard equipment (such as trucks, cranes, excavation equipment, and generators) and specialized equipment that is uniquely required for this Project (such as abrasive blasting equipment and ventilation equipment). **Table 3.5-4**, *Summary of Equipment Noise Levels*, summarizes the projected noise levels associated with various Project activities.

| Table 3.5-4 SUMMARY OF EQUIPMENT NOISE LEVELS |                         |   |   |  |  |  |  |
|---|-------------------------|---|---|--|--|--|--|
|   | <b>Closest Point to</b> | <b>Closest Point to Sensitive Receptors</b> |   |  |  |  |  |
| <b>Equipment Type</b>                         | Distance<br>(feet)      | Noise Level<br>(dBA L <sub>EO</sub> )       | Noise to <75 dBA L <sub>EQ</sub> (feet) |  |  |  |  |
| Standard Equipment                            | 20                      | 89  | 100                                     |  |  |  |  |
| <b>Rollout Locations</b>                      |                         |   |   |  |  |  |  |
| Abrasive Blasting                             |                         | 85  | 210                                     |  |  |  |  |
| Debris Removal                                | 30                      | 73  | 90                                      |  |  |  |  |
| Pipeline Coating                              |                         | 78  | 90                                      |  |  |  |  |
| <b>Ventilation Locations</b>                  | •                       |   |   |  |  |  |  |
| Abrasive Blasting                             |                         | 90  | 210                                     |  |  |  |  |
| Debris Removal                                | 30                      | 79  | 190                                     |  |  |  |  |
| Pipeline Coating                              |                         | 88  | 190                                     |  |  |  |  |

Note: The nearest noise-sensitive receptors would be approximately 10 feet further from rollout and ventilation locations than from the standard noise equipment because standard equipment, including excavation equipment, would operate closer to the residences located to the west and northwest of the pipeline right-of-way.

#### Standard Equipment Noise Levels

The following Project activities would primarily use standard equipment: site preparation in the Contractor Work and Storage areas and other potential access and work areas; excavation of pipe segments for rollouts, buried outlets, and ventilation access points; final sealing of the pipeline after relining has been completed; and backfilling excavated areas as part of site closure. As noted in **Section 2.6.2**, excavation activities would occur only during daytime hours.

Based on estimated distances of the equipment to the nearest sensitive receptors, the combined hourly average noise level from Project activities at the nearest residence is calculated to be approximately 89 dBA  $L_{EQ}$ , at a distance of 20 feet. These estimated noise levels are substantially higher than existing ambient noise levels noted in **Section 3.5.1**, which range from approximately 38 dBA  $L_{EQ}$  (northwest of Knox Avenue) to 50 dBA  $L_{EQ}$  (near the Etiwanda Hydroelectric Plant). Impacts would exceed the daytime threshold of 75 dBA  $L_{EQ}$  and be potentially significant (Threshold B).

The same equipment in operation at 100 feet or greater from any noise-sensitive land use would result in noise levels less than 75 dBA  $L_{EQ}$ , based on a standard attenuation rate of 6 dBA per doubling of distance from stationary noise sources. The reduction could be more or less than 6 dBA depending on intervening structures and topography, but at a distance of 100 feet or greater from Project activities, the standard construction equipment is expected to be able to operate during normal daytime hours (that is, at noise levels less than 75 dBA  $L_{EQ}$ ) without a significant adverse noise impact (Threshold B).

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## Specialty Equipment Noise Levels

The use of specialty equipment would occur primarily during the following Project activities: removal of the existing mortar lining and associated debris; abrasive blasting of the steel interior surfaces of the pipe; and application of the new polyurethane pipeline lining material. These activities would occur sequentially, and some of the equipment would be used for more than one activity. The analysis below describes estimated noise levels that would occur at rollout locations and ventilation locations, where specialty equipment primarily would be used.

#### Rollout Locations

A detailed equipment list with associated noise levels is available in the Acoustical Site Assessment, Table 10, Construction Activity Equipment Usage at Rollout Location. The activity that would require the most units of equipment to be operating simultaneously would be the abrasive blasting operation. Under worst-case conditions, the noise level during abrasive blasting at a distance of 30 feet from the nearest noise-sensitive land use (generally, this would occur where residences are immediately west or northwest of the pipeline right-of-way), is calculated to be 84.9 dBA L<sub>EQ</sub>. (Note that the nearest noise-sensitive receptors would be approximately 10 feet further from rollout locations than from the standard noise equipment discussed above because standard equipment, including excavation equipment, would operate closer to the residences located to the west and northwest of the pipeline right-of-way.) Noise levels during the mortar lining debris removal and pipeline coating activities would be lower (approximately 73 and 78 dBA L<sub>EO</sub>, respectively). Nevertheless, the noise level for any of the three activities – mortar lining debris removal, abrasive blasting, application of new pipeline coating – would be potentially significant at rollout locations as the noise levels for each of these activities would exceed the daytime noise threshold of 75 dBA L<sub>EO</sub> and nighttime threshold of 65 dBA L<sub>EO</sub>, at a distance of 30 feet (Threshold B).

Proximity to sensitive receptors is critical in the final analysis of the potential significance of Project noise levels. If the equipment used for the mortar lining debris removal and pipeline coating application is positioned at a distance of 90 feet or more from the nearest noise-sensitive land use, the resulting noise level may be reduced to 75 dBA  $L_{EQ}$  or lower. Accordingly, mortar lining debris removal and pipeline coating equipment placed at least 90 feet from residences would not be likely to result in a significant impact during daytime hours. Noise from mortar lining debris removal and pipeline coating equipment would still exceed the nighttime noise threshold of 65 dBA at this distance, and the impact would be considered significant (Threshold B). At rollout locations, abrasive blasting equipment (including blast-pot, blast-pot blow-off, air-filters, etc.) would need to be placed at least 210 feet from the nearest residences for noise levels to be reduced to 75 dBA  $L_{EQ}$  or lower; even at this distance, abrasive blasting

noise would exceed the 65 dBA  $L_{EQ}$  nighttime significance threshold (Threshold B). Additionally, it may not be feasible to locate the mortar lining debris and pipeline coating equipment at least 90 feet and the abrasive blasting equipment at least 210 feet from the nearest residences.

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#### Ventilation Locations

A detailed equipment list with associated noise levels is available in the Acoustical Site Assessment, Table 11, *Construction Activity Equipment Usage at Ventilation Locations*. Abrasive blasting activities would require the most units of equipment at ventilation locations. Under worst-case conditions, the noise level during this activity at the anticipated distance of 30 feet from the equipment to the nearest noise-sensitive land use would be approximately 90 dBA L<sub>EQ</sub>. Noise levels during the mortar lining debris removal and pipeline coating activities would be lower (approximately 79 and 88 dBA L<sub>EQ</sub>, respectively). Nevertheless, similar to the rollout locations, the noise level for any of the three activities – mortar lining debris removal, abrasive blasting, application of pipeline coating – would be potentially significant at ventilation locations as the noise levels would exceed the daytime noise threshold of 75 dBA L<sub>EQ</sub> and nighttime threshold of 65 dBA L<sub>EQ</sub> (Threshold B).

If the equipment used for the mortar lining debris removal and pipeline coating operations is positioned at a distance of 190 feet or more from the nearest noise-sensitive land use, the resulting noise level may be reduced to 75 dBA or lower. Accordingly, mortar lining debris removal and pipeline coating equipment placed at least 190 feet from residences is not likely to result in a significant impact during daytime hours. Noise from mortar lining debris removal and pipeline coating equipment would still exceed the nighttime noise threshold of 65 dBA at this distance, and the impact would be considered significant (Threshold B). At ventilation locations, abrasive blasting equipment would need to be placed at least 210 feet from the nearest residences for noise levels to be reduced to 75 dBA  $L_{EQ}$  or lower; even at this distance, abrasive blasting noise would exceed the 65 dBA  $L_{EQ}$  nighttime significance threshold (Threshold B). Additionally, it may not be feasible to locate the mortar lining debris and pipeline coating equipment at least 190 feet and the abrasive blasting equipment at least 210 feet from the nearest residences.

#### **Excessive Ground-borne Vibration (Threshold C)**

Annoyance is the primary impact associated with excessive ground-borne vibration from this type of project. Project activities would not involve high-impact activities such as pile-driving and blasting. Vibration-causing activities primarily would consist of the excavation of access locations at rollouts and ventilation points, using equipment such as excavators and loaders. The Project area was previously excavated and backfilled during the original pipeline installation; therefore, blasting would not be required, and the ground is generally expected to yield easily to excavation at the rollouts and outlets.

The strongest source of potential vibration from the Project would be the use of a vibratory roller during final Project closure. The typical vibration level for this type of equipment at a distance of 25 feet is 94 vibration decibels (VdB). At a distance of 20 feet, the projected vibration level would be approximately 97 VdB. At this level, the vibratory roller would cause some annoyance

to nearby residences, but this level would not cause structural damage. The Project is not near vibration-sensitive uses (such as sensitive laboratory equipment or fragile historic structures). Furthermore, the vibratory roller is mobile and would not be a steady source of vibration at any one location for a long duration. As a result, impacts would be less than significant (Threshold C).

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#### 3.5.4 Mitigation Measures

Noise control measures will be implemented for all work within 500 feet of sensitive receptors to reduce daytime and nighttime noise levels to the extent feasible. Measures may include, but will not necessarily be limited to, the following. In all cases, "daytime hours" refers to 6:00 a.m. to 6:00 p.m., and "nighttime hours" refers to 6:00 p.m. to 6:00 a.m. As noted in NOI-1, all measures are subject to feasibility of design and to coordination with the City of Rancho Cucamonga and the City of Fontana.

#### **NOI-1** Noise Control Plan

A noise control plan will be developed in coordination with the City of Rancho Cucamonga and the City of Fontana, and will have the concurrence of the cities prior to beginning work in the Project area. The noise control plan will include but not necessarily be limited to mitigation measures NOI-2 through NOI-6, to the extent feasible to protect the interests of the public and to allow for Project completion in light of critical work schedules, necessary work methods, and the physical constraints of Metropolitan's right-of-way and available work areas.

## **NOI-2** Noise Monitoring

- NOI-2.a Noise monitoring will be performed to measure noise levels during work in the vicinity of sensitive receptors and to measure the effectiveness of noise control measures.
- NOI-2.b Where measured noise levels at the property line of residences are shown to exceed daytime noise levels of 75 dBA L<sub>EQ</sub>, or nighttime noise levels of 65 dBA L<sub>EQ</sub>, new noise control measures or improvements to noise control measures already in place will be implemented in an effort to achieve those daytime and nighttime thresholds, or lower, to the extent feasible; noise monitoring will be performed to record the achieved level of noise reduction.

## NOI-3 General Noise Control for All Project Activities

- NOI-3.a Trucks and equipment equipped with back-up alarms will have the back-up alarms disengaged to the extent allowed by the Occupational Safety and Health Administration (OSHA); safety will be provided by lights and flagmen, and safety lighting will be directed away from residences.
- NOI-3.b Areas where workers gather (e.g., break areas, shift-change areas, meeting areas) will be located a minimum of 100 feet away from any residence if feasible. Worker gathering areas that must be located within 100 feet of

residences will be equipped with minimum eight-foot high noise control barriers between the gathering area and residences; entrances will not face residences.

- NOI-3.c Parking areas will be located a minimum of 150 feet from sensitive receptors. Parking areas that are within 500 feet of sensitive receptors will be posted to prohibit workers from gathering during nighttime hours, and prohibiting radios and music at any time.
- **NOI-3.d** Equipment will be maintained to a minimum standard that includes engine noise baffles and mufflers that meet or exceed the original manufacturer's requirements.
- **NOI-3.e** Equipment that has noise control doors will be operated only with the doors fully closed.
- **NOI-3.f** Equipment delivery trucks will be allowed only during daytime hours, and back-up alarms will be disengaged to the extent allowed by OSHA.
- **NOI-3.g** Fuel deliveries will occur during daytime hours and at a minimum of 500 feet from residences, to the extent feasible. Fueling stations that must be located within 500 feet of residences will have minimum eight-foot high noise control barriers, and fuel trucks that are required during nighttime hours will maintain a minimum distance of 100 feet from residences.
- **NOI-3.h** Noise control barriers and enclosures, where used in accordance with NOI-2.b, will be fully in place prior to work at that location.
- **NOI-3.i** Noise control barriers and enclosures, where used in accordance with NOI-2.b, will be implemented using the most appropriate material, configuration, and location to achieve the maximum feasible noise reduction.

## NOI-4 Noise Control During Site Preparation, Excavation, and Site Closure Activities

Site preparation, excavation, and site closure activities will be allowed only during daytime hours.

# NOI-5 Noise Control During Mortar Lining Removal, Pipeline Dewatering, and New Pipeline Liner Application Activities

Increased noise levels from these activities primarily result from pressurized air venting or leaking from equipment. The following measures would reduce the noise that results from this potential occurrence.

• **NOI-5.a** – No air line, air relief valve, air switch, air control, or any other equipment component will be allowed to vent pressurized air directly to the atmosphere. All air vent lines will go through an air silencing system that reduces air vent noise to 75 dBA L<sub>EO</sub> (1-second) or less at a distance of five feet.

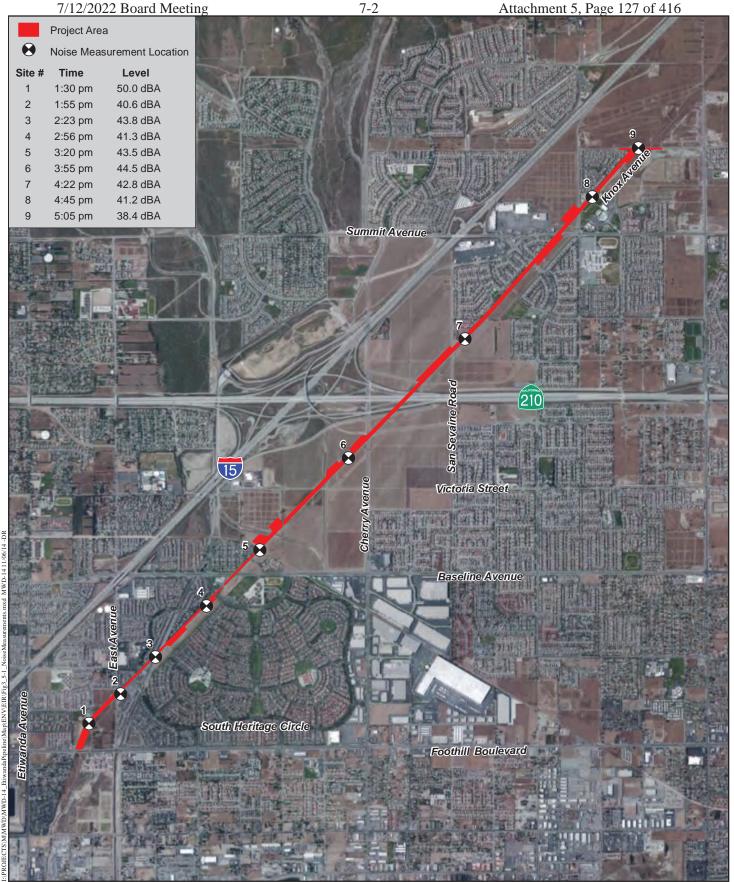
• **NOI-5.b** – When air leaks are detected in a piece of equipment, the air source will be turned off, the air line will be depressurized, and the leak will be repaired prior to resuming use of the equipment.

## NOI-6 Noise Control at Rollout and Ventilation Locations

- NOI-6.a The use of mobile equipment during nighttime hours will be limited to the following types (a) skid-steer or rubber-tracked excavator; (b) tire-mounted, medium-sized mobile crane; (c) two-axle delivery truck; (d) water truck; (e) pick-up truck.
- **NOI-6.b** All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencing systems will be placed on the east side of the pipeline or east of rollout and ventilation locations, whichever distance and/or location will achieve maximum feasible noise reduction at nearby residences.
- NOI-6.c All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencer systems will be used behind noise control barriers or within noise control enclosures as necessary to prevent noise at sensitive receptors from exceeding 75 dBA L<sub>EQ</sub> to the extent feasible. Enclosure entrances will face away from residences. Equipment entrances will be for daytime use only; worker entrances will be for daytime and nighttime use but will be kept fully closed when not in use.

#### 3.5.5 <u>Conclusions</u>

Project activities would temporarily increase noise at noise-sensitive land uses in the Project area. The mitigation measures specified above would decrease the noise impacts to the extent feasible. However, the resulting noise levels even with mitigation are expected to exceed significance Thresholds A and B at some locations during some periods of Project activity. Resulting impacts would, therefore, be significant and unmitigable.



## **Ambient Noise Measurements**

ETIWANDA PIPELINE NORTH RELINING PROJECT

0 3,000 Feet

Figure 3.5-1

#### 3.6 TRANSPORTATION AND TRAFFIC

This section is based on the information and analysis presented in the Etiwanda Pipeline North Relining Project Traffic Impact Analysis dated October 22, 2014 (Urban Crossroads 2014b). The Traffic Impact Analysis is included in its entirety as **Appendix F** of this EIR.

Potential impacts to traffic and circulation from Project-related activities were assessed by Urban Crossroads. The study compared the anticipated traffic from the Project to the traffic capacity and operating conditions of the local street system. Intersection traffic counts during peak travel periods were conducted as part of the Traffic Impact Analysis in August 2013 and August 2014 to determine existing operating conditions.

To determine whether the proposed Project would cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system in the traffic study area, the traffic report analyzed trip generation associated with the proposed Project. As discussed in **Chapter 2**, *Project Description*, the numbers of workers and vehicles required would vary throughout Project-related activities. The trip volumes used for the traffic impact analysis were estimated in consideration of the proposed Project activities and were based on the pilot phase (Phase 1) relining activities to the south of the Project, as well as Metropolitan's extensive experience with other, similar pipeline projects. Project design and implementation are dependent on contractor requirements and allowable shut-down periods based on water supplies. Accordingly, many of the assumptions used for personnel and vehicles represent worst-case scenarios in the analysis of potential impacts. The types, quantities, and use of equipment and personnel might vary somewhat to allow flexibility in implementation, but impacts and conclusions are considered to represent worst-case intensity of activity.

The projected trip generation at each intersection was then added to the projected future intersection volumes to determine Levels of Service (LOS) and evaluate the Project's effect on the operation of intersections relative to local agency and Congestion Management Program criteria.

#### 3.6.1 Existing Conditions

#### **Traffic Fundamentals**

LOS is the term used to denote the different operating conditions that occur on a given roadway segment or intersection under various traffic volumes. LOS is a qualitative measure used to describe a quantitative analysis, taking into account factors such as the geometry of roadways and intersections, the phasing of signal lights, vehicle speed, travel delay, freedom to maneuver on roadways and through intersections, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A through F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is calculated differently for signalized and unsignalized intersections due to different traffic patterns of vehicles moving through the intersections.

For signalized intersections, LOS criteria are stated in terms of *average* control delay per vehicle for a 15-minute analysis period. Control delay includes the initial delay of decelerating when

approaching the intersection, the delay of being stopped at the intersection, the time to move up in the vehicle queue, and the delay of accelerating through the intersection.

For unsignalized intersections, LOS criteria are stated in terms of *weighted-average* control delay per vehicle for a 15-minute analysis period. For all-way stop-controlled intersections, LOS is calculated for the intersection as a whole. For intersections where vehicular movement is controlled by stop signs in two directions (e.g., at side streets), LOS is calculated for the intersection as a whole, as well as for each movement that is subject to a stop sign and for the left turn movement from the major street. For a single-lane approach to the intersection, LOS is calculated as the average of all movements in that lane.

Each jurisdiction has adopted standards (which can also vary by intersection, as described below) of what LOS is considered acceptable. Although the Project is exempt from local zoning and building ordinances pursuant to California Government Code Section 53091, traffic conditions with the Project are compared to these adopted local government standards for the purposes of full disclosure of potential impacts.

## **Existing Street Network**

The traffic study area includes the key roadways and intersections in the vicinity of the proposed Project which are anticipated to carry Project-related traffic. The existing roadways and intersections within the traffic study area are illustrated in **Figure 3.6-1**, *Traffic Study Area*, and are described in detail in Chapter 3 of the Traffic Impact Analysis (**Appendix F**). Roadway segments range from two-lane undivided residential roadways to six-lane roadways with raised medians.

#### **Truck Routes**

The cities of Fontana and Rancho Cucamonga designate truck routes in Section17.428 and Section 10.56 of their municipal codes, respectively. Designated truck routes within the traffic study area include Foothill Boulevard, Baseline Avenue, Etiwanda Avenue (south of Foothill Boulevard), and Cherry Avenue (south of Citrus Avenue).

#### **Existing Traffic Volumes and Levels of Service**

Peak travel periods occur on weekdays from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. **Table 3.6-1,** *Actual Intersection Operations under Existing (2014) Conditions*, lists the peakperiod delay and LOS of intersections in the traffic study area based on actual traffic counts. As shown, all of the intersections are currently operating at an LOS during the peak hours that is considered acceptable by the applicable local jurisdiction, with the following exceptions:

- Heritage Circle at Baseline Avenue
- Heritage Circle at Liberty Parkway

## Table 3.6-1 ACTUAL INTERSECTION OPERATIONS UNDER EXISTING (2014) CONDITIONS

|                                      |                                 | Delay (seconds) <sup>2</sup> |                    | Accomtoble                              | LC                 | $\mathrm{OS}^4$    |
|--------------------------------------|---------------------------------|------------------------------|--------------------|---|--------------------|--------------------|
| Intersection                         | Traffic<br>Control <sup>1</sup> | AM<br>Peak<br>Hour           | PM<br>Peak<br>Hour | Acceptable<br>LOS<br>Level <sup>3</sup> | AM<br>Peak<br>Hour | PM<br>Peak<br>Hour |
| Etiwanda Avenue / Foothill Boulevard | S                               | 33.3                         | 34.5               | Е                                       | С                  | С                  |
| East Avenue / Foothill Boulevard     | S                               | 21.5                         | 13.7               | D                                       | C                  | В                  |
| East Avenue / Miller Avenue          | U                               | 17.9                         | 15.1               | D                                       | C                  | C                  |
| Heritage Circle / Baseline Avenue    | S                               | 43.6                         | 23.8               | C                                       | D                  | C                  |
| Heritage Circle / Liberty Parkway    | U                               | 34.6                         | 9.0                | C                                       | D                  | A                  |
| E. Heritage Circle / Baseline Avenue | S                               | 27.0                         | 18.3               | C                                       | C                  | В                  |
| Cherry Avenue / Highland Avenue      | U                               | 35.6                         | 37.8               | E                                       | $E^5$              | $E^5$              |
| San Sevaine Road / Frontage Road     | U                               | 9.7                          | 8.9                | C                                       | A                  | A                  |
| Beech Avenue / Frontage Road         | S                               | 14.0                         | 15.2               | С                                       | В                  | В                  |
| Beech Avenue / Summit Avenue         | S                               | 21.9                         | 25.4               | С                                       | С                  | С                  |
| Lytle Creek Road / Summit Avenue     | S                               | 15.6                         | 12.5               | С                                       | В                  | В                  |

U = unsignalized (with all-way stop); S = signalized.

Source: Urban Crossroads 2014b.

## **Regulatory Framework**

#### San Bernardino County Congestion Management Program

SANBAG, which serves as the County Congestion Management Agency, adopted a Congestion Management Program for the County and associated cities (including the cities of Fontana and Rancho Cucamonga) in 1992, with the Congestion Management Program updated through 2011 and a current update pending. The County Congestion Management Program is intended to maintain or enhance the performance of the multimodal transportation system, and minimize travel delays. It defines a network of state highways and arterials, associated LOS standards (acceptable LOS for Congestion Management Program intersections is LOS E or better) and procedures, and a process for mitigation of impacts to the transportation network for new development. The traffic study area includes two intersections subject to the standards in the Congestion Management Program.

#### City of Fontana General Plan

The approximately 4.4-mile portion of the Project east of East Avenue is within the city of Fontana. The City of Fontana General Plan Circulation Element identifies LOS C or better as the adopted standard. At intersections where LOS C improvements are not considered to be feasible, LOS D is typically considered the worst acceptable level in urbanized areas of the city. At intersections that already have unacceptable LOS, the City of Fontana also considers the

<sup>&</sup>lt;sup>2</sup> Average seconds of delay during the peak hour.

<sup>&</sup>lt;sup>3</sup> Acceptable LOS levels for each intersection are based on local agency criteria; refer to Table 3.6-2.

<sup>&</sup>lt;sup>4</sup> Bold and shaded LOS values indicate an unacceptable LOS per local jurisdiction guidelines; refer to corresponding intersection LOS standards in Table 3.6-2.

<sup>&</sup>lt;sup>5</sup> LOS E is acceptable at this intersection per Fontana/CMP standards.

addition of 50 or more peak hour trips to be a significant impact to that intersection. Circulation goals and policies that are applicable to the proposed Project are as follows:

Goal CE-1: A balanced transportation system for Fontana is provided that meets the mobility needs of current and future residents and ensures the safe and efficient movements of vehicles, people and goods throughout the City.

• Policy CE-1.12: All streets and intersections designed after the adoption of the General Plan will be planned to function at LOS C or better, wherever possible. Improvements to existing streets will be designed to LOS C standards whenever feasible.

Goal CE-3: A circulation system is provided that reduces conflicts between commercial trucking, private/public transportation and land uses.

- Policy CE-3.1: Provide designated truck routes for use by commercial trucking that minimize impacts on local traffic and neighborhoods.
- Policy CE-3.2: Provide appropriately designed roadways for the designated truck routes including designated truck routes for large STAA trucks that can safely accommodate truck travel [an "STAA truck" is a large truck allowed to operate on National Network routes pursuant to the Surface Transportation Assistance Act of 1982].
- Policy CE-3.4: Encourage the development of adequate on-site loading areas to minimize interference of truck loading activities with efficient traffic circulation on adjacent roadways.

## City of Rancho Cucamonga General Plan

The approximately 0.4-mile portion of the Project west of East Avenue and north of Foothill Boulevard is within the city of Rancho Cucamonga. The City of Rancho Cucamonga General Plan Community Mobility Element identifies LOS D or better as the adopted standard. Community Mobility goals and policies that are applicable to the proposed Project are as follows:

Goal CM-4: Maximize the operational efficiency of the street system.

- Policy CM-4.1: Continue to implement traffic management and traffic signal operation measures along the arterial roadway to minimize delay and congestion for all modes, without adversely impacting transit, bicycles, and pedestrians.
- Policy CM-4.2: Continue to design and operate arterials and intersections for the safe operation of all modes of transportation, including transit, bicyclists, and pedestrians.

Goal CM-7: Maintain an efficient and safe network of goods and freight movement that supports the needs of the business community.

 Policy CM-7.1: Continue to maintain a truck circulation system that defines truck routes, directs the movement of trucks safely along major roadways, and minimizes truck travel on local and collector streets.

## 3.6.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would do the following, identified below as Thresholds A and B:

- Threshold A: Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths; or
- Threshold B: Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards, established by the county congestion management agency for designated roads or highways.

As noted in the Regulatory Framework, each of the applicable surrounding jurisdictions has its own traffic standards. The standards of the applicable local jurisdictions are used to assist in determining significance associated with the significance thresholds above. Some CEQA thresholds require multiple thresholds to determine impacts (e.g., both intersection LOS operations [A1] and number of Project trips contributed [A2] are considered to determine significance with respect to CEQA Threshold A). Threshold A1/B1 also applies to the determination of significance under CEQA Threshold B. As such, a significant impact would occur if the proposed Project would:

- Threshold A1/B1: Cause the addition of project-generated trips resulting in the peak hour LOS of the study intersection to change from acceptable operation to deficient operation (refer to **Table 3.6-2**, *Acceptable LOS Levels for the Traffic Study Intersections*, which outlines the LOS levels considered acceptable for each intersection by the applicable local jurisdiction); or
- Threshold A2: Contribute 50 or more peak hour trips to an intersection that is currently operating at unacceptable LOS.

| Table 3.6-2 ACCEPTABLE LOS LEVELS FOR THE TRAFFIC STUDY INTERSECTIONS |                 |                                     |  |  |  |  |  |
|---|-----------------|-------------------------------------|--|--|--|--|--|
| Intersection  | LOS<br>Criteria | Jurisdiction                        |  |  |  |  |  |
| Etiwanda Avenue / Foothill Boulevard                                  | Е               | Rancho Cucamonga / CMP <sup>1</sup> |  |  |  |  |  |
| East Avenue / Foothill Boulevard                                      | D               | Rancho Cucamonga / Fontana          |  |  |  |  |  |
| East Avenue / Miller Avenue   | D               | Rancho Cucamonga / Fontana          |  |  |  |  |  |
| Heritage Circle / Baseline Avenue                                     | C               | Fontana                             |  |  |  |  |  |
| Heritage Circle / Liberty Parkway                                     | C               | Fontana                             |  |  |  |  |  |
| E. Heritage Circle / Baseline Avenue                                  | C               | Fontana                             |  |  |  |  |  |
| Cherry Avenue / Highland Avenue                                       | Е               | Fontana / CMP                       |  |  |  |  |  |
| San Sevaine Road / Frontage Road                                      | C               | Fontana                             |  |  |  |  |  |
| Beech Avenue / Frontage Road  | C               | Fontana                             |  |  |  |  |  |
| Beech Avenue / Summit Avenue  | C               | Fontana                             |  |  |  |  |  |
| Lytle Creek Road / Summit Avenue                                      | С               | Fontana                             |  |  |  |  |  |

<sup>1</sup> CMP = Congestion Management Program.

Source: Urban Crossroads 2014b.

## 3.6.3 <u>Impact Analysis</u>

#### **Circulation System Performance (Threshold A)**

## **Trip Generation**

The Project is assumed to require 320 workers per day, based on two work shifts during the most active periods of the Project (160 workers per shift). The number of trucks assumed to access the site per day includes 8 dump trucks, 12 semi-trucks with trailers, 4 water trucks, and 48 half-ton pick-up trucks.

Because large trucks affect traffic flow more than passenger vehicles, rather than counting trucks as single vehicles, truck trips are converted to a "passenger car equivalent" (PCE).

As shown in **Table 3.6-3**, *Project Trip Generation*, with the assumptions above, the Project would generate a total of approximately 1,000 trips per day (using PCE for trucks) with approximately 96 a.m. peak hour trips (7:00 to 9:00 a.m.) and 90 p.m. peak hour trips (4:00 to 6:00 p.m.). Peak hours represent the daily time periods with the highest traffic volumes and provide a conservative evaluation of Project trips in relation to intersection/roadway capacity.

| Table 3.6-3 PROJECT TRIP GENERATION    |              |    |         |           |      |         |         |       |
|--|--------------|----|---------|-----------|------|---------|---------|-------|
| m · m                                  | 0 414        | AM | Peak Ho | our Trips | PM P | eak Hou | r Trips | ъ "   |
| Trip Type                              | Quantity     | In | Out     | Total     | In   | Out     | Total   | Daily |
| Dump Truck                             | 8            | 1  | 1       | 2         | 1    | 1       | 2       | 16    |
| Dump Truck PCE <sup>1</sup> (2.0)      |              | 2  | 2       | 4         | 2    | 2       | 4       | 32    |
| Semi-Truck with Trailer                | 12           | 1  | 1       | 2         | 1    | 1       | 2       | 24    |
| Semi-Truck with Trailer PC             | $E^{1}(3.0)$ | 3  | 3       | 6         | 3    | 3       | 6       | 72    |
| Water Truck                            | 4            | 2  | 1       | 3         | 2    | 1       | 3       | 32    |
| Water Truck PCE <sup>1</sup> (2.0)     |              | 4  | 2       | 6         | 4    | 2       | 6       | 64    |
| ½ Ton Pick-Up Truck                    | 48           | 8  | 8       | 16        | 8    | 8       | 16      | 192   |
| 1/2 Ton Pick-Up Truck PCE <sup>1</sup> | (1.0)        | 8  | 8       | 16        | 8    | 8       | 16      | 192   |
| Subtotal Truck Trips                   |              |    | 11      | 23        | 12   | 11      | 23      | 264   |
| Subtotal Truck Trips (PCE)             |              |    | 15      | 32        | 17   | 15      | 32      | 360   |
| Employees <sup>2</sup>                 | 320          | 46 | 18      | 64        | 26   | 32      | 58      | 640   |
| PROJECT TOT                            | 63           | 33 | 96      | 43        | 47   | 90      | 1,000   |       |

Notes:

### Trip Distribution

Because access routes have not been specified for the Project, the potential interaction between Project activities and surrounding regional access routes was considered in identifying the routes where Project traffic would be anticipated to travel. The trip distribution pattern is heavily influenced by the geographical location of Project activities, the location of surrounding uses, and the proximity to the regional freeway system. I-15 and SR 210 are anticipated to provide the primary regional access for truck and employee trips to the Project area. Existing dirt roads at or near individual work locations would be utilized for access within the Project area.

## Other Changes in Traffic Volumes

As growth occurs in a region, the number of vehicle trips tends to increase over time. To account for the anticipated increase in the number of vehicles unrelated to the Project on area roadways, future traffic volumes have been calculated based on the interpolation of growth between 2014 and 2035 from other traffic studies near the Project traffic study area. The annual growth rate was then used to calculate peak hour volumes for each intersection in the traffic study area for the duration of the Project (2015 to approximately 2017).

#### Traffic Volumes With Project

Although all Project phases are estimated to generate the same number of trips, the actual destination of traffic would vary throughout the various Project activities, depending on the specific location of work at a given time. The traffic study area was divided into three separate work locations for the purposes of traffic impact analysis, with the greatest potential overlap being six trips. **Table 3.6-4**, *Traffic Volumes With Project*, assumes growth that would be

Passenger car equivalent (PCE) factors: dump trucks and water trucks = 2.0; semi-truck = 3.0; 1/2 ton pick-up truck = 1.0

Daily quantities assume two auto trips per employee (one inbound / one outbound). Source: Urban Crossroads 2014b.

expected to occur regardless of the Project, as well as Project-related trips. Based on the anticipated number of trips, the table illustrates the projected traffic conditions for each intersection within the traffic study area, identifies those intersections that would operate at unacceptable LOS during peak hours, and identifies the number of associated Project trips. As shown, the only intersections anticipated to operate at unacceptable peak hour LOS with Project activities are the two intersections that were previously identified as operating at unacceptable LOS under existing conditions:

- Heritage Circle at Baseline Avenue LOS D in the a.m. peak hour
- Heritage Circle at Liberty Parkway LOS E in the a.m. peak hour

With regard to Threshold A1, the Project would not change the LOS of intersections in the traffic study area from acceptable LOS to unacceptable LOS. The intersection of Heritage Circle with Liberty Parkway would deteriorate from LOS D under existing conditions to LOS E in the future with ambient growth and Project-generated traffic. As this intersection is already operating at unacceptable levels, however, this is not considered a significant impact pursuant to Threshold A1.

| Table 3.6-4 TRAFFIC VOLUMES WITH PROJECT |                              |      |                  |    |    |  |    |  |
|--|------------------------------|------|------------------|----|----|--|----|--|
| Intersection                             | Delay (seconds) <sup>1</sup> |      | LOS <sup>2</sup> |    |    | Project-generated<br>Traffic Volume <sup>3</sup> |    |  |
|  | AM                           | PM   | Criterion        | AM | PM | AM   | PM |  |
| Etiwanda Avenue / Foothill Boulevard     | 38.8                         | 41.6 | Е                | D  | D  | 78   | 73 |  |
| East Avenue / Foothill Boulevard         | 25.3                         | 14.5 | D                | С  | В  | 76   | 65 |  |
| East Avenue / Miller Avenue              | 20.9                         | 17.1 | D                | C  | C  | 6  | 6  |  |
| Heritage Circle / Baseline Avenue        | 49.9                         | 25.1 | С                | D  | C  | 72   | 67 |  |
| Heritage Circle / Liberty Parkway        | 40.8                         | 9.3  | С                | E  | A  | 22   | 15 |  |
| E. Heritage Circle / Baseline Avenue     | 29.1                         | 19.3 | С                | C  | В  | 42   | 43 |  |
| Cherry Avenue / Highland Avenue          | 40.3                         | 49.9 | Е                | Е  | Е  | 24   | 22 |  |
| San Sevaine Road / Frontage Road         | 10.4                         | 9.2  | С                | В  | A  | 13   | 11 |  |
| Beech Avenue / Frontage Road             | 14.6                         | 16.6 | С                | В  | В  | 15   | 13 |  |
| Beech Avenue / Summit Avenue             | 23.0                         | 29.6 | С                | С  | С  | 57   | 54 |  |
| Lytle Creek Road / Summit Avenue         | 15.9                         | 13.1 | C                | В  | В  | 36   | 35 |  |

#### Notes:

Average seconds of delay during the peak hour.

Source: Urban Crossroads 2014b.

With regard to Threshold A2, the Project would contribute 72 vehicle trips (PCE) during a.m. peak hours at one deficient intersection, Heritage Circle at Baseline Avenue. This impact is considered significant based on the City of Fontana's significance criterion of 50 or more Project-related peak hour vehicle trips at intersections currently operating at unacceptable LOS. No other deficient intersections would experience 50 or more Project-related peak hour vehicle trips. Project-related vehicle trips would cease once Project activities are completed and impacts

Bold and shaded LOS values indicate an unacceptable LOS per local jurisdiction guidelines; refer to corresponding intersection LOS standards in Table 3.6-2.

Bold and shaded Project traffic volumes indicate significant impact related to contribution of 50 or more peak hour trips to an intersection currently operating at unacceptable LOS.

would be temporary; therefore, only temporary modifications to Project-related traffic would be required, as discussed in Section 3.6.4, to mitigate this impact.

### **Congestion Management Program Conformance (Threshold B)**

With regard to Threshold B, the temporary increase in traffic due to Project-related vehicle trips would not change the LOS of traffic study area intersections within the Congestion Management Program from acceptable LOS to unacceptable LOS. Additionally, because Project-related traffic would be temporary, the Project would not conflict with other provisions of the Congestion Management Program. Therefore, the temporary increase in vehicle trips due to the proposed Project would result in a less than significant impact and no mitigation is required.

## 3.6.4 <u>Mitigation Measures</u>

The following mitigation measure has been identified to reduce transportation and traffic impacts associated with the proposed Project.

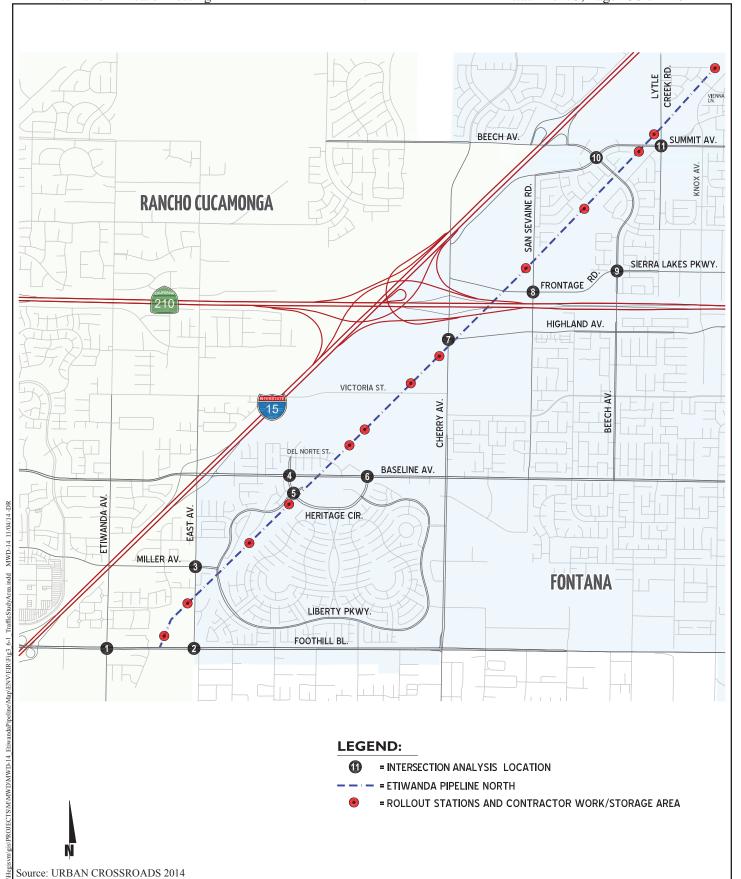
TR-1 No more than 50 vehicle trips related to Project activities will utilize the intersection of Heritage Circle at Baseline Avenue during morning peak hours, between 7:00 a.m. and 9:00 a.m. This may be accomplished through a combination of shift scheduling, carpool incentives, and/or verification of employee and truck routes.

### 3.6.5 Conclusions

The proposed Project would contribute more than 50 peak hour trips to one intersection operating at a deficient LOS under existing conditions: Heritage Circle at Baseline Avenue. This impact would be reduced to less than significant levels through implementation of the mitigation measure addressed above. Based on the anticipated Project traffic distribution in relation to roadway capacity, routing the required proportion of traffic to alternate intersections would not result in significant impacts at other locations.

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## Traffic Study Area

ETIWANDA PIPELINE NORTH RELINING PROJECT

Figure 3.6-1

# Chapter 4.0

## **CUMULATIVE IMPACT ANALYSIS**

#### 4.0 CUMULATIVE IMPACT ANALYSIS

#### 4.1 INTRODUCTION

The State CEQA Guidelines define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (State CEQA Guidelines Section 15355). According to State CEQA Guidelines Section 15130, an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively significant. A cumulative impact analysis must include either: (1) a list of past, present, and reasonably anticipated future projects; or (2) a summary of projections contained in adopted plans designed to evaluate regional or area-wide conditions.

A cumulative impact analysis considers the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor, but collectively substantial, impacts taking place over a period of time. The cumulative impact analysis presented in this chapter addresses all of the resource issues evaluated in this EIR, which were included in the EIR because they were determined in the Initial Study to have the potential for adverse impacts as a result of the Project.

#### 4.2 CUMULATIVE IMPACT ANALYSIS METHODS

To determine resources with the potential for cumulative impacts, this analysis evaluated impacts of the Project when combined with impacts from past, current, and reasonably anticipated future projects. A list of cumulative projects located within two miles of the Project was compiled with the cooperation of the cities of Fontana and Rancho Cucamonga, as well as from information contained in the EIR for SCE's adjacent Falcon Ridge Substation Project. The locations of these projects are illustrated on **Figure 4-1**, *Cumulative Projects*, and their key characteristics are presented in **Table 4-1**, *Cumulative Projects*.

| Table 4-1<br>CUMULATIVE PROJECTS |   |                              |                             |   |                     |  |  |  |
|----------------------------------|---|------------------------------|-----------------------------|---|---------------------|--|--|--|
| Map<br>No.                       | Project No.                                       | Name                         | Location                    | Description                               | Status              |  |  |  |
| City of                          | City of Fontana                                   |                              |                             |   |                     |  |  |  |
| 1                                | MCN 12-47<br>ASP 12-031<br>TPM 12-09<br>VAR 12-02 | Farmer Boys<br>Retail Center | 14505 Foothill<br>Boulevard | Retail center of approximately 21,800 sf  | Pending approval    |  |  |  |
| 2                                | CUP 14-003<br>CUP 14-004<br>MCN 14-010            | Buscados<br>Restaurant       | 14765 Foothill<br>Boulevard | New restaurant; New CUP for entertainment | Pending<br>approval |  |  |  |

| CUMULATIVE PROJECTS |  |  |                                |   |                          |  |  |
|---------------------|--|--|--------------------------------|---|--------------------------|--|--|
| Map<br>No.          | Project No.  | Name                                       | Location                       | Description   | Status                   |  |  |
| City of             | Fontana (cont.)  | •  |                                | 1   |                          |  |  |
| 3                   | MCN 13-029<br>TTM 13-04<br>GPA 13-003<br>ZCA 13-005  | N/A  | 15205 Center<br>Avenue         | Subdivide 19.4 acres into 105 single-family lots  | Approved<br>October 2014 |  |  |
| 4                   | TTM 18881<br>CUP 14-032<br>MCN 14-078<br>PAM 14-0128   | N/A  | 15544 Joliet<br>Court          | Large family day care   | Pending approval         |  |  |
| 5                   | DRP 13-03<br>MCN 13-033<br>PAM 13-090  | Citrus Height                              | 15581 Brewer<br>Lane           | Construct 12 homes  | Pending approval         |  |  |
| 6                   | DRP 13-014<br>DRP 13-015<br>MCN 13-071<br>TTM 18244<br>TTM 18245                             | N/A  | 15902 Baseline<br>Avenue       | 85 single-family detached<br>units in TTM#18244 and<br>120 attached multi-family<br>units in 20 buildings in<br>TTM#18245                     | Approved<br>March 2014   |  |  |
| 7                   | MCN 12-55<br>ASP 12-037<br>CUP 12-032<br>LLA 12-006<br>TPM 13-0010<br>GPA 14-07<br>ZCA 14-08 | N/A  | 16019 Summit<br>Avenue         | Construction of two reservoirs, new booster building, and water storage   | Pending approval         |  |  |
| 8                   | MCN 14-082<br>ZCA 14-013<br>GPA 14-010<br>TPM 14-015<br>MUP 14-09                            | N/A  | 16177 Baseline<br>Avenue       | Construction of two<br>Fontana Water Co. water<br>reservoirs  | Pending approval         |  |  |
| 9                   | DRP 14-018<br>MCN 14-049<br>TPM 14-011   | Kia<br>Dealership                          | 16273 Highland<br>Avenue       | Construction of a new 25,433 sf car dealership  | Pending approval         |  |  |
| 10                  | MCN 14-70<br>ASP 14-032<br>PAM 14-0100   | Sierra Lakes<br>Professional<br>Park Pad B | 16391 Sierra<br>Lakes Parkway  | 6,005 sf retail shops building  | Pending approval         |  |  |
| 11                  | MCN 14-69<br>ASP 14-031<br>PAM 14-099  | Sierra Lakes<br>Marketplace<br>Pad G       | 16595 Sierra<br>Lakes Parkway  | 6,178 sf retail shops<br>building with drive thru<br>lane   | Pending approval         |  |  |
| 12                  | DRP 12-017<br>MCN 12-050<br>SPA 12-02<br>CUP 12-027  | N/A  | 16733 South<br>Highland Avenue | Proposed amendment to<br>current specific plan to<br>allow construction of<br>Wal-Mart store,<br>restaurant, retail space,<br>and gas station | Pending<br>approval      |  |  |

|            | Table 4-1 (cont.) CUMULATIVE PROJECTS   |      |                         |   |                          |  |  |  |  |
|------------|---|------|-------------------------|---|--------------------------|--|--|--|--|
| Map<br>No. | Project No.   | Name | Location                | Description   | Status                   |  |  |  |  |
| City of    | City of Fontana (cont.)   |      |                         |   |                          |  |  |  |  |
| 13         | DRP 12-02<br>PLN 11-052<br>TTM 11-004<br>TTM 18825  | N/A  | 5655 Citrus<br>Avenue   | Proposed subdivision of<br>154 single-family<br>detached residences for<br>Tract #18825 | Approved<br>July 2012    |  |  |  |  |
| 14         | GPA 14-009<br>MCN 14-062<br>TTM 14-007<br>ZCA 14-010<br>PAM 13-0150   | N/A  | 5924 Citrus<br>Avenue   | Proposed subdivision of 105 residential lots  | Pending approval         |  |  |  |  |
| 15         | CUP 12-019<br>DRP 12-012<br>MCN 12-0031<br>GPA 14-004<br>GPA 14-005<br>ZCA 14-005<br>ZCA 14-006<br>CUP 14-019<br>DRP 14-013<br>PAM 14-040 | N/A  | 5975 Sierra<br>Avenue   | New church and 8 buildings on 40 acres  | Pending approval         |  |  |  |  |
| 16         | MCN 14-028<br>TTM 14-002<br>PAM 14-017  | N/A  | 6207 Knox<br>Avenue     | 5 lot subdivision   | Pending approval         |  |  |  |  |
| 17         | MCN 13-023<br>TPM 13-004<br>PAM 13-0016   | N/A  | 6908 Oleander<br>Avenue | TPM to subdivide one existing one parcel into four residential parcels                  | Approved<br>April 2014   |  |  |  |  |
| 18         | DRP 13-005<br>DRP 13-006<br>MCN 13-044<br>TTM 13-006<br>PAM 13-074  | N/A  | 7041 Citrus<br>Avenue   | Subdivision of one 5-acre parcel into 18 lots and construct 18 single-family residences | Approved<br>October 2013 |  |  |  |  |
| 19         | CUP 13-20<br>DRP 13-11<br>SPA 13-03<br>MCN 12-063   | N/A  | 7625 East<br>Avenue     | Construction of 3,000-seat sanctuary and parking structure for Water of Life            | Approved<br>January 2014 |  |  |  |  |
| 20         | DRP 12-010<br>MCN 12-023<br>DRP 13-0017<br>TT 17885<br>TT 18676-1<br>TT 18676   | N/A  | 7816 Lime<br>Avenue     | Construct 332 single-family homes   | Approved<br>March 2014   |  |  |  |  |
| 21         | MCN 12-29<br>ASP 12-0021<br>TPM 12-007  | DMV  | 8026 Hemlock<br>Avenue  | Proposed construction of<br>two new buildings of<br>22,189 sf and 2,500 sf              | Approved<br>October 2012 |  |  |  |  |

| Table 4-1 (cont.) CUMULATIVE PROJECTS |                         |   |  |  |   |  |  |
|---------------------------------------|-------------------------|---|--|--|---|--|--|
| Map<br>No.                            | Project No.             | Name  | Location   | Description  | Status  |  |  |
| City of                               | f Fontana (cont.)       |   |  |  |   |  |  |
| 22                                    | MUP 14-06<br>MCN 13-070 | N/A   | 8143 Banana<br>Avenue  | Construction of a 8,931 sf fire station on 1.83 acres  | Approved<br>July 2014   |  |  |
| 23                                    | N/A                     | Fontana Auto<br>Center                      | Along the south side of SR 210 between Sierra Avenue and Citrus Avenue   | A multi-acre development<br>area zoned specifically for<br>automotive sales,<br>accommodating up to<br>12 dealerships  | Three dealerships have completed construction; one dealership is in the development process with anticipated completion in Spring of 2015 |  |  |
| 24                                    | N/A                     | Shady Trails                                | Near the<br>southwest corner<br>of Casa Grande<br>Drive and Citrus<br>Avenue   | 174 single-family homes on 37.5 gross acres, which will include various amenities such as a recreation room, a pool, spa, tot lot, large sun deck, a basketball half court, and an open lawn area          | Approved<br>October 19,<br>2010   |  |  |
| 25                                    | N/A                     | I-15 / Duncan<br>Canyon Road<br>Interchange | At the I-15 /<br>Duncan Canyon<br>Road Interchange   | The existing two-lane overpass will be widened to a six-lane interchange and will include on and off ramps connecting to I-15  | Construction<br>began in 2012<br>and is not<br>complete   |  |  |
| 26                                    | SPL 04-006              | Arboretum<br>Specific Plan                  | Approximately 0.5 mile north of Summit Avenue, west of Sierra Avenue, east of Citrus Avenue, and south of Duncan Canyon Road | A master-planned community on 531.3 acres to contain the following: maximum of 3,526 residential units, a public arboretum, a public park, private parks, three elementary schools, and an activity center | Approved September 23, 2009; construction has not begun   |  |  |

| Table 4-1 (cont.) CUMULATIVE PROJECTS |  |   |   |  |  |  |  |  |  |  |
|---------------------------------------|--|---|---|--|--|--|--|--|--|--|
| Map<br>No.                            | Project No.  | Name  | Location  | Description  | Status   |  |  |  |  |  |
| City of Fontana (cont.)               |  |   |   |  |  |  |  |  |  |  |
| 27                                    | SPL 07-001<br>DRP 07-010<br>TTM 07-009<br>PLN 07-008 | Citrus<br>Heights<br>North<br>Specific Plan     | Bordered on the south by Summit Avenue, on the east by Citrus Avenue, and on the west by Lytle Creek Road   | Approximately 212 acres with a maximum of 1,154 residential dwelling units, a community sport center, an area for private recreation use, and a commercial site  | Approved August 14, 2004; approximately 350 single- family residential units have been built, and approximately 114 attached condominium units have been completed |  |  |  |  |  |
| 28                                    | SPL 10-001<br>AGR 10-003                             | Summit at<br>Rosena<br>Specific Plan            | Southeast of I-15 within the northwest quadrant of the interception of Summit Avenue and Sierra Avenue  | Approximately 179.8 acres to include 856 dwelling units, a mixed- use activity center featuring both attached dwellings and neighborhood retail and service uses, an elementary school, and open space areas providing both passive and active recreational uses | Approved by<br>the City<br>Council on<br>March 22,<br>2006; no<br>development<br>has occurred  |  |  |  |  |  |
| 29                                    | AMD 06-010<br>ZCH 06-007<br>TT 06-010<br>PLN 06-008  | Ventana at<br>Duncan<br>Canyon<br>Specific Plan | Bounded by I-15<br>on the north and<br>west, Citrus<br>Avenue on the<br>east, and the SCE<br>power line<br>transmission<br>corridor on the<br>south | Mixed-use community<br>with a maximum of<br>842 residential units, retail<br>commercial space, office /<br>business park space,<br>restaurant space, and hotel<br>space  | Approved by<br>City Council<br>on April 10,<br>2007; no<br>development<br>has occurred   |  |  |  |  |  |

| Table 4-1 (cont.) CUMULATIVE PROJECTS |  |                                       |  |  |  |  |  |  |  |  |  |
|---------------------------------------|--|---------------------------------------|--|--|--|--|--|--|--|--|--|
| Map<br>No.                            | Project No.  | Name                                  | Location   | Description  | Status   |  |  |  |  |  |  |
| City of                               | City of Rancho Cucamonga                             |                                       |  |  |  |  |  |  |  |  |  |
| 30                                    | AMD 09-001<br>PLN 09-006<br>ZCH 09-001<br>SPL 09-001 | West Gate<br>Specific Plan            | North of Baseline<br>Avenue, south<br>and west of Lytle<br>Creek Road with<br>the major portion<br>west of San<br>Sevaine Road<br>and Highland<br>Avenue                   | Approximately 964 acres to include a maximum of 5,554 residential units, commercial retail, business park/public facilities, public parks, private parks, and two schools  | Currently being processed for a total revision of the permitted land uses; no development has occurred |  |  |  |  |  |  |
| 31                                    | DRC 2013-<br>00642                                   | N/A                                   | APN: 1100-201-<br>05   | Proposed parking above the Metropolitan easement   | Idle since 2013  |  |  |  |  |  |  |
| South                                 | ern California Ed                                    | ison                                  |  |  |  |  |  |  |  |  |  |
| 32                                    | CPUC<br>10-12-017                                    | Falcon Ridge<br>Substation<br>Project | South of Casa<br>Grande Avenue,<br>east of Sierra<br>Avenue, north of<br>Summit Avenue,<br>and adjacent to<br>SCE's existing<br>transmission<br>right-of-way in<br>Fontana | 66/12 kilovolt unattended, automated, 56 megavoltampere low-profile substation with two sub-transmission source lines and new telecommunications infrastructure work (overhead and underground) to connect the proposed substation to nearby substations | Approved<br>May 2014;<br>Expected<br>Completion<br>2017  |  |  |  |  |  |  |

Sources: City of Fontana 2014a and 2014b; City of Rancho Cucamonga 2014; SCE 2012 Acronyms/abbreviations:

A = ApplicationDRP = Design Review Permit SPA = Specific Plan Amendment AGR = Development Agreement GPA = General Plan Amendment SPL = Specific Plan AMD = Municipal Code Amendment LLA = Lot Line Adjustment TT = Tentative Tract APN = Assessor Parcel Number MCN = Master Case Number TTM = Tentative Tract Map ASP = Site Permit MUP = Municipal Use Permit TPM = Tentative Parcel Map CPUC = California Public Utilities N/A = not applicableVAR = VarianceCommission PAM = Pre-Application Meeting ZCA = Zone Change Amendment

sf = square feet

CUP = Conditional Use Permit PLN = Planning Review ZCH = Zone Change

## 4.3 CUMULATIVE IMPACT ANALYSIS

#### 4.3.1 Air Quality

DRC = Design Review Committee

The proposed Project, in conjunction with other projects in the area, would have the potential to produce a cumulative increase in criteria pollutant emissions. The regional and local daily emissions thresholds established by SCAQMD have been developed specifically to address cumulative impacts to air quality. Even with implementation of the mitigation measures presented in **Section 3.1.4**, the Project would exceed the SCAQMD thresholds for regional

emissions of VOC, CO, and NO<sub>X</sub>. Therefore, the Project would contribute significantly to the cumulative impact to regional emissions.

With respect to local impacts, cumulative particulate impacts are considered when projects may be within a few hundred yards of each other. As identified in **Table 4-1** and **Figure 4-1**, several projects have been identified within this proximity to the Project, including a water reservoir and booster station, church and associated parking, three private development projects, and the Falcon Ridge Substation Project. The Falcon Ridge Substation Project is anticipated to be under construction concurrently with the Etiwanda Pipeline North Relining Project. The construction schedule for the other projects is unknown and, although it is unlikely that they would all be under construction at the same time as the proposed Project, they are conservatively assumed to overlap for the purposes of this analysis. As shown in **Table 3.1-6**, implementation of the mitigation measures AIR-1 and AIR-2 would reduce local emissions of CO, NO<sub>X</sub>, and PM<sub>10</sub> to below the SCAQMD thresholds. Because these thresholds have been developed for the specific purpose of addressing cumulative impacts, the Project would not contribute significantly to cumulative impacts regarding local emissions of CO, NO<sub>X</sub>, and PM<sub>10</sub>. Even with implementation of mitigation measures, the proposed Project would result in local emissions of PM<sub>2.5</sub> that exceed the SCAQMD significance thresholds. Therefore, the Project would contribute significantly to the cumulative local emissions impact.

In summary, the Project would contribute significantly to cumulative impacts to regional and local air pollutant emissions.

#### 4.3.2 <u>Biological Resources</u>

Portions of the cumulative project area support, or previously supported, habitat types such as Riversidean sage scrub and Riversidean alluvial fan sage scrub, which may provide habitat for species such as San Bernardino kangaroo rat, San Diego pocket mouse, and Los Angeles pocket mouse. The extensive development that has occurred in the region has resulted in a loss of substantial amounts of these habitats and associated species, which has resulted in them being considered sensitive by the applicable resource agencies. The cumulative regional loss of sensitive vegetation communities and associated sensitive species would be considered significant.

The proposed Project would also result in the removal of Riversidean sage scrub and Riversidean alluvial fan sage scrub. However, these communities occur only in small patches that are highly disturbed, discontinuous, and provide limited biological function and value. As a result, the minor, temporary Project-related impacts to these communities would not contribute significantly to cumulative vegetation impacts.

The San Bernardino kangaroo rat was determined to be absent from the Project area. As discussed in **Section 3.2**, Project-related impacts to the three sensitive species identified within the Project area (San Diego black-tailed jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse) would include less than significant impacts from temporary loss of patchy, low-quality foraging and movement areas, as well as possible direct impacts to the San Diego pocket mouse and Los Angeles pocket mouse from ground-disturbing activities. Survey results, however, suggest that the Project area supports less than one percent of the lowest estimated

statewide population of San Diego pocket mouse, and a little more than one percent of the lowest estimated statewide population of Los Angeles pocket mouse.

Although only minimal, disturbed, low-quality patches of native vegetation occur in the Project area, the study area contains vegetation and structures that may provide nesting opportunities for common birds, including raptors. These birds are protected under the MBTA and California Fish and Game Code, and the potential for adverse impacts to nesting birds would be minimized through Metropolitan's standard practices for the protection of nesting birds. Therefore, the Project would not contribute significantly to cumulative impacts to sensitive species.

In summary, the Project would not contribute significantly to cumulative impacts to biological resources.

#### 4.3.3 Greenhouse Gas Emissions

The assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. Therefore, the discussion in **Section 3.3** of this EIR addresses cumulative GHG impacts and determines that the impact of the Project's GHG emissions on climate change would not be cumulatively considerable, as the Project would not exceed the SCAQMD screening threshold or conflict with an applicable GHG plan, policy, or regulation. The Project would not contribute significantly to cumulative greenhouse gas emission impacts.

#### 4.3.4 Land Use and Planning

The proposed Project consists of repairing an existing facility and would not result in an alteration of present or planned zoning or land use designations. California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. The Project would conflict with noise policies in the General Plans of the cities of Fontana and Rancho Cucamonga. This conflict represents a noise, rather than land use, impact, and is addressed in Section 4.3.5. Therefore, the Project would not contribute significantly to cumulative impacts to land use and planning.

#### **4.3.5** Noise

#### **Temporary Increases in Ambient Noise**

Noise impacts are highly localized due to the decreasing effect that distance has upon noise levels. Construction of the SCE Falcon Ridge Substation Project may occur at the same time as the proposed Project. As part of the substation project, a sub-transmission source line segment would be installed adjacent to the Project. The new line would be built east of the existing line in the area north of SR 210 and west of the existing line south of SR 210. The distances to the nearest noise-sensitive land uses range from 75 to 135 feet in the southeast direction, and 370 to 430 feet in the northwest direction. The individual and combined noise levels are shown in **Table 4-2**, *Cumulative Noise Impacts to Noise-sensitive Land Uses*. Noise levels for the proposed Project assume implementation of the mitigation measures specified in **Section 3.5.4**.

| Table 4-2<br>CUMULATIVE NOISE IMPACTS TO NOISE-SENSITIVE LAND USES |   |                 |   |                 |  |
|--|---|-----------------|---|-----------------|--|
| Project  | Noise Levels for Work<br>North of SR 210 (L <sub>EQ</sub> ) |                 | Noise Levels for Work<br>South of SR 210 (L <sub>EQ</sub> ) |                 |  |
|  | Southeast   | Northwest       | Southeast   | Northwest       |  |
| Etiwanda North Pipeline Project                                    |   |                 |   |                 |  |
| Rollout Location   | 48.1dBA   | 63.8 dBA        | 48.1 dBA  | 63.8 dBA        |  |
| Ventilation Location   | 44.2 dBA  | 51.0 dBA        | 44.2 dBA  | 51.0 dBA        |  |
| Falcon Ridge Substation Project                                    |   |                 |   |                 |  |
| Proposed Line  | 76.1 <sup>1</sup> dBA                                       | 66.5 dBA        | 70.3 dBA  | 67.0 dBA        |  |
| <b>Combined Noise Levels</b>                                       |   |                 |   |                 |  |
| for Both Projects  | <b>76.1</b> dBA   | <b>68.4</b> dBA | <b>70.3</b> dBA   | <b>68.8</b> dBA |  |

<sup>&</sup>lt;sup>1</sup>Noted as a significant impact with mitigation requirements in SCE EIR (SCE 2012).

As shown, combined noise levels would exceed the daytime noise threshold of 75 dBA  $L_{EQ}$ , at the location southeast of SR 210, and cumulative noise levels from both projects would be significant. However, the Falcon Ridge Substation Project is the predominant noise source; the proposed Project's contribution to the combined noise levels would be less than 3 dBA because noise resulting from the Project would have to be at least equal in volume to increase the noise level by 3 dBA. The Project's contribution of less than 3 dBA to the cumulative noise impact would not be cumulatively considerable. Further, mitigation within the SCE Falcon Ridge Substation Project EIR requires the implementation of noise reduction measures, and actual noise levels would be lower as a result. In summary, the Project would not contribute significantly to cumulative noise impacts.

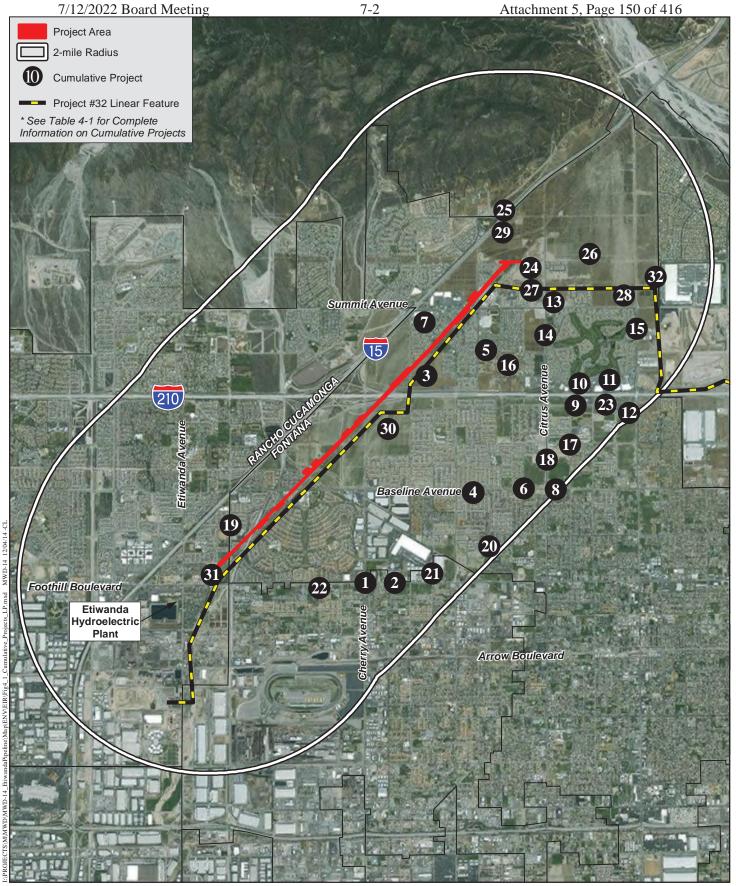
#### **Generation of Ground-borne Vibration**

Ground-borne vibration is also a localized phenomenon that is progressively reduced as the distance from the source increases. The area of cumulative impact that would be considered for the vibration cumulative impact analysis would be only those projects within the immediate vicinity of the proposed Project.

The closest project that may be constructed at the same time as the proposed Project is the SCE Falcon Ridge Substation Project. At the estimated distances to the nearest sensitive land use from the proposed Project (75 to 135 feet in the southeast direction, and 370 to 430 feet in the northwest direction) and the substation project (125 to 380 feet in the southeast direction, and 175 to 330 feet in the northwest direction), impacts from the most likely source of vibration, a vibratory roller, would be less than significant for either project. As a result, cumulative vibration impacts would be less than significant. The Project would not contribute significantly to cumulative ground-borne vibration impacts.

#### 4.3.6 <u>Transportation and Traffic</u>

The proposed Project would result in increased traffic during Project activities. The analysis in **Section 3.6** takes into account projected growth in the Project area. With implementation of mitigation measure TR-1, the Project would not result in a cumulatively considerable traffic impact to intersections or roadway segments within the Project traffic study area. Additionally, as shown in **Table 3.6-4**, projected traffic volumes would not result in a cumulative impact to study area intersections. Therefore, the Project would not result in increases in traffic that would combine with other projects to result in a cumulative impact. In summary, the Project would not contribute significantly to cumulative transportation and traffic impacts.



**Cumulative Projects** 

ETIWANDA PIPELINE NORTH RELINING PROJECT

0 5,600 Feet

Figure 4-1

# Chapter 5.0

# OTHER CEQA CONSIDERATIONS

#### 5.0 OTHER CEQA CONSIDERATIONS

In addition to the topics analyzed elsewhere in this EIR, Section 15126 of the State CEQA Guidelines requires analysis of the following topics addressed in this chapter: growth-inducing impacts; significant environmental effects that cannot be avoided upon implementation of the proposed Project; and significant irreversible environmental effects associated with implementation of the proposed Project.

#### 5.1 GROWTH INDUCEMENT

In accordance with Section 15126(d) of the State CEQA Guidelines, an EIR must include an analysis of the growth-inducing impact of the proposed Project. The growth inducement analysis must address: (1) the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment; and (2) the potential for a project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. This second issue involves the potential for a project to induce growth by the expansion or extension of existing services, utilities, or infrastructure. The State CEQA Guidelines further state that "[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment" (Section 15126.2[d]).

The proposed Project would consist of repair of an existing pipeline. During the Project, demand for various construction trade skills and labor would increase. It is anticipated that this demand would be met by the local labor force and would not require importation of a substantial number of workers that could cause an increased demand for temporary or permanent housing in this area. The Project would not change the pipeline capacity or service area, or otherwise include or require new infrastructure or utilities or roadway extensions. In addition, repair of the existing pipeline would not remove any barriers to growth. Therefore, growth inducement would not result from the proposed Project.

#### 5.2 UNAVOIDABLE ADVERSE IMPACTS

Section 15126.2(b) of the State CEQA Guidelines requires the identification of significant impacts that would not be avoided, even with the implementation of feasible mitigation measures. The final determination of significance of impacts and of the feasibility of mitigation measures would be made by Metropolitan's Board of Directors as part of its certification of this EIR. Sections 3.1 through 3.6 of this EIR provide an evaluation of the potentially significant environmental effects and corresponding mitigation measures associated with implementation of the proposed Project. According to this evaluation, the Project would result in significant impacts relative to temporarily increased noise levels at nearby noise-sensitive land uses as well as regional and local air pollutant emissions. Although measures have been proposed to reduce these impacts, the resulting levels are nonetheless expected to be significant. It is anticipated that additional measures to further reduce associated noise levels and air pollutant emissions would not be feasible, and no feasible alternatives to the proposed Project would avoid these significant impacts. Therefore, air quality and noise impacts are considered significant and unavoidable.

#### 5.3 IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the State CEQA Guidelines requires an evaluation of significant irreversible environmental changes which would be involved should a proposed project be implemented. Section 15126.2(c) of the State CEQA Guidelines describes significant irreversible environmental changes that would be caused by a proposed project as follows:

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Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project.

The proposed Project would entail the commitment of energy and non-renewable resources, such as energy derived from fossil fuels, construction materials (e.g., abrasives, mortar), and labor. Use of these resources would have an incremental effect on the regional consumption of these commodities. As the Project involves repair of an existing pipeline, it would not directly or indirectly change uses within or adjacent to the Project area. Furthermore, no environmental accidents or hazards are anticipated to occur as a result of Project implementation, as disclosed in the Initial Study/Notice of Preparation prepared for the Project (refer to **Appendix A**). Therefore, the impact from irreversible environmental changes from the proposed Project would not be significant.

# Chapter 6.0

# ALTERNATIVES TO THE PROPOSED PROJECT

#### 6.0 ALTERNATIVES TO THE PROPOSED PROJECT

#### 6.1 INTRODUCTION

During consideration of a project that could have a significant effect on the environment, CEQA requires that alternatives that could avoid or lessen the project's significant effect(s) be considered. This chapter presents potential alternatives to the Project and evaluates them as required by CEQA. The State CEQA Guidelines also require EIRs to identify the Environmentally Superior Alternative from among the alternatives (including the proposed Project). The environmentally superior alternative is identified in **Section 6.5**.

#### 6.2 SUMMARY OF PROJECT OBJECTIVES AND SIGNIFICANT IMPACTS

#### **6.2.1** Project Objectives

In developing the alternatives to be addressed in this section, consideration was given to their feasibility to implement and their ability to meet the basic objectives of the Project. The Project involves removing the existing mortar lining, much of which has become separated from the inside of Etiwanda Pipeline North, and applying a new, flexible, polyurethane liner to prevent corrosion inside the pipe. Project objectives were identified in **Chapter 2**, **Project Description**, of this EIR as follows:

- Enable Metropolitan to continue conveyance of water from the Rialto Pipeline to the Upper Feeder as needed to supply customers;
- Enable Metropolitan to continue electricity generation through water conveyance to the Etiwanda Hydroelectric Plant;
- Provide a safe, feasible and cost-effective relining method; and
- Minimize Project-related nuisances such as traffic disruption, noise, air quality, dust, and odor to the extent feasible.

#### **6.2.2** Significant Environmental Impacts

Based on analysis in **Chapter 3**, *Environmental Impact Analysis*, the Project would have significant impacts with regard to the following issues: air quality, noise, and transportation and traffic. Noise impacts also would result in a conflict with City of Fontana General Plan Noise Element Goal 3, Action 18 and City of Rancho Cucamonga General Plan Policy PS-13.4. Project-related environmental impacts to transportation and traffic would be mitigated to less than significant levels; environmental impacts related to air quality and noise would be mitigated to the extent feasible, but are likely to remain significant even with mitigation.

#### 6.3 ALTERNATIVES CONSIDERED BUT REJECTED

As described below, alternatives considered but rejected include location (**Section 6.3.1**) and design alternatives (**Section 6.3.2**) as well as the No Project Alternative (**Section 6.4**). All of the potential alternatives that were considered for the Project have been rejected. Section 15126.6(a)

of the State CEQA Guidelines states that an EIR shall describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project," as well as provide an evaluation of "the comparative merits of the alternatives." Under Section 15126.6(a), an EIR does not need to consider alternatives that are not feasible, nor need it address every conceivable alternative to the project. The range of alternatives "is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." The focus is on informed decision-making and public participation rather than providing a set of alternatives simply to satisfy format.

#### **6.3.1** Alternative Location

Potential alternative pipeline locations are substantially constrained by the need to connect the Rialto Pipeline to the Etiwanda Hydroelectric Plant and Upper Feeder, as well as the width of Metropolitan's existing right-of-way. In consideration of these constraints, this alternative would construct a new, smaller (10 feet in diameter) pipeline parallel to the existing Etiwanda Pipeline North. Minimal disruptions of service would occur during installation of a new pipeline. Similar to the proposed Project, the smaller pipe would be lined with a flexible lining for corrosion resistance and would be tolerant of the wide fluctuations in water flows and pressures inside the pipe.

This alterative would result in substantially more ground disturbance than would be required for the proposed Project. This would result in greater potential impacts to biological resources due to ground disturbance and vegetation removal throughout the Project area, and potentially in additional areas outside of the work locations that are identified for the proposed Project. Extensive heavy equipment operations and ground disturbance likely would increase emissions of air pollutants, including criteria pollutants, fugitive dust, and GHGs. Potential impacts to the transportation system would be increased by the number of workers and the number of trucks that would be required to remove excess soil, and potentially by trenching across area roadways. While this alternative likely would avoid or minimize the need for nighttime construction noise, excavation would result in high levels of daytime noise at more adjacent residences for a potentially longer period of time.

Other potential environmental impacts that were addressed in the Initial Study as not being potentially significant would require re-evaluation under this alternative. Open-trench excavation along the approximately five-mile length of Etiwanda Pipeline North likely would result in potentially significant impacts to hydrology, impacts to natural and man-made drainages that are able to be avoided under the proposed Project, and impacts to cultural and paleontological resources if excavation were to occur in previously undisturbed soils.

This alternative would have the highest initial costs for construction, given the likely need to acquire additional right-of-way either for temporary construction easements or for long-term operation and maintenance of the new pipeline. Considering the remaining integrity of the existing pipeline, the considerably greater or broader level of potential environmental impacts and disturbance to nearby communities, and the substantially higher cost of new pipeline construction, this alternative was eliminated from further consideration due to not meeting the

Project objectives of providing a feasible and cost-effective relining method, and minimizing disturbance to the environment and nearby communities.

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#### 6.3.2 **Design Alternatives**

Seven liner repair/replacement alternatives and one pressure control facility coupled with a liner repair alternative were considered during initial Project design. Based on review of physical properties, advantages, and disadvantage of each of these alternatives, Metropolitan rejected each as not being feasible. Each alternative is briefly described below.

#### **Liner Repair/Replacement Alternatives**

Work activities for each of the liner repair/replacement alternatives would be generally similar to the proposed Project, as described in **Section 2.7.1**, *Project Activities*. They would include site preparation; preparation of access points into the pipeline; pipeline shutdown and removal of water; surface preparation of the interior of the pipe; application of the new liner; and closing access points and site completion. Although the specific equipment types and processes would vary, the resulting level of environmental impact would be similar to the proposed Project.

#### **Cement Mortar Liners**

Standard and Fabric-Reinforced Cement Mortar Liners

These mortar liner alternatives would replace the existing cement mortar liner of Etiwanda Pipeline North with a new cement mortar liner, of standard, non-reinforced, or fiber-reinforced construction. Mortar lining is relatively inexpensive, is widely used, and has demonstrated corrosion protection in water pipelines under most operating conditions. The limitations of mortar lining under the operating conditions of Etiwanda Pipeline North have been demonstrated by the deterioration of the existing mortar lining. Mortar lining must be kept in continuous moist conditions or irreversible cracks can develop. These alternatives likely would result in the need for repeated future repairs, involving more frequent disturbance of nearby communities, more frequent interruptions of water supplies through Etiwanda Pipeline North while repairs are made, and diminished reliability of Etiwanda Pipeline North both for generation of power and for water deliveries to the Upper Feeder.

This alternative was rejected from further consideration due to not meeting any of the four Project objectives of providing a feasible and cost-effective relining method, minimizing environmental and community disturbance, enabling continued use of Etiwanda Pipeline North for generation of power, and enabling continued use of Etiwanda Pipeline North for water conveyance.

#### Mesh-Reinforced Cement Mortar Liner

This alternative would replace the existing cement mortar liner of Etiwanda Pipeline North with mesh-reinforced cement mortar lining. Mesh reinforcement provides improvements in the strain capacity, toughness, impact resistance, and crack control over standard and fabric-reinforced mortar liners; however, this liner is usually reserved for short pipeline sections where equipment access is not required. In addition, mesh-reinforced mortar liner has not been tested in a pipeline with highly variable pressures and may be expected to perform similar to other mortar liners under extreme operating conditions. The application process for mesh-reinforced mortar also is more labor intensive than other mortar linings. For these reasons, mesh-reinforced mortar liner was rejected from further consideration due to not meeting any of the four Project objectives.

#### Flexible Coating System Alternatives

#### Epoxy Liner

Use of epoxy liner would be similar to the proposed use of polyurethane, in that epoxy would provide flexible corrosion resistance able to withstand the operating conditions of Etiwanda Pipeline North. This alternative would have no clear advantages over the proposed Project, and disadvantages would include a more extensive application process requiring a longer duration of work and higher costs. While epoxy provides more flexibility than cement mortar, epoxy is less flexible than polyurethane, has less adherence strength, and has greater potential for blistering, leading to a higher potential for future damage than polyurethane. This alternative was rejected from further consideration due to not meeting the project objective of minimizing disturbance to the environment and nearby communities, and not meeting to as high a degree as the proposed Project the objectives of continued use of Etiwanda Pipeline North for power generation and water conveyance.

#### **Slip-Liner Alternatives**

Slip-liner alternatives would consist of installing a new, smaller pipeline within the existing Etiwanda Pipeline North. Pipe construction would be steel, pre-stressed concrete cylinder, or fiberglass-reinforced polymer mortar. For each type, the pipe segments would be pushed or pulled into the existing pipeline and extra space between the slip liner and the existing pipeline would be grouted with cement. The new liner would provide corrosion resistance and be able to withstand high pressures, and would not require removal of the existing mortar liner in Etiwanda Pipeline North or on-site application of a new interior liner.

The most expensive of the liner alternatives, slip-lining is typically used in situations where the original pipe has lost, or is at risk of losing, substantial strength due to physical damage; this is not the case with Etiwanda Pipeline North, where corrosion and potential leakage are the most likely results of the deteriorating existing mortar. Slip-lining was rejected from further consideration due to not meeting the objective of providing a feasible or cost-effective relining method.

#### **Pressure-Control Facility Alternative**

This alternative would repair/replace the cement mortar lining within Etiwanda Pipeline North, and construct a new pressure-control facility to regulate water pressure within the pipeline. Construction of the new pressure-control facility would occur at the northern end of Etiwanda Pipeline North near the connection to the Rialto Pipeline. The facility would be located on land currently owned by Metropolitan; however, additional property might need to be acquired in order to provide sufficient space and adequate access for operation and maintenance of the facility.

The pressure control facility would allow the pipeline to operate continuously at a relatively uniform pressure, which would prevent stress cracking of the new liner by relieving stresses from large fluctuations in pressure and flows. This alternative would involve relining the pipe, as with the proposed Project, but also would include the additional cost of construction, operation, and maintenance of the new pressure-control facility. In addition, the uniform, lower pressure would adversely affect the ability to continue to use Etiwanda Pipeline North for the generation of power. This alternative was rejected from further consideration due to not meeting the project objective of enabling continued use of Etiwanda Pipeline North for power generation.

#### 6.4 NO PROJECT ALTERNATIVE

#### **6.4.1** No Project Alternative Description

Pursuant to Section 15126.6(e)(3)(B) of the State CEQA Guidelines, the No Project Alternative reflects the "circumstances under which the Project does not proceed." The No Project Alternative assumes that Etiwanda Pipeline North would not be repaired, and that no major pipeline work would occur in the Project area. Existing maintenance activities would continue. No coordination with the City of Fontana, City of Rancho Cucamonga, or other agencies would be required. Impacts associated with this alternative, compared to the proposed Project, are described below.

#### 6.4.2 Comparison of the Impacts of the No Project Alternative to the Proposed Project

Because the No Project Alternative would not involve any physical improvements, it would avoid significant impacts that would occur from the proposed Project related to air quality, noise, and transportation and traffic. This alternative would not, however, meet any of the four Project objectives and could potentially result in significant interruptions to regional water deliveries/supplies, loss of power generation, and temporary flooding if corrosion of the pipeline results in substantial future leaking or failure. A break in the pipeline would result in temporary impacts during emergency repairs, which would result in impacts similar to the proposed Project. Potential flooding could result in property damage to nearby structures, as well as more impacts to biological resources within the Project area.

# 6.5 SUMMARY OF ALTERNATIVES ANALYSIS AND IDENTIFICATION OF THE ENVIRONMENTALLY SUPERIOR ALTERNATIVE

If an alternative is considered clearly superior to the proposed Project relative to identified environmental impacts, Section 15126.6 of the State CEQA Guidelines requires that alternative be identified as the environmentally superior alternative. By statute, if the environmentally superior alternative is the No Project Alternative, an EIR must also identify an environmentally superior alternative among the other alternatives.

Based on the alternatives discussion provided in this chapter, several alternatives to the proposed Project were analyzed; however, each of these alternatives was rejected as being infeasible and not meeting the basic Project objectives. The No Project Alternative would avoid significant environmental impacts from the Project in the interim, but likely would result in similar impacts, or potentially more or greater impacts, in the event that unanticipated damage were to occur and emergency repairs were required.

The proposed Project would repair and prevent corrosion of Etiwanda Pipeline North, enable the continued conveyance of water as needed to supply customers and to generate power, provide a feasible and cost-effective relining method, and minimize Project-related nuisances to the extent feasible. The proposed Project, therefore, is considered to be the environmentally superior alternative.

Chapter 7.0

**REFERENCES** 

#### 7.0 REFERENCES

California Air Resources Board (CARB)

2014 California Greenhouse Gas Inventory for 2000-2012. May. Available at: http://www.arb.ca.gov/cc/inventory/pubs/reports/ghg\_inventory\_00-12\_report.pdf

California Department of Fish and Wildlife (CDFW)

2012 Staff Report on Burrowing Owl Mitigation. March 7.

California Natural Resources Agency (CNRA)

2009 Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97. December. Available at: <a href="http://resources.ca.gov/ceqa/docs/Final\_Statement\_of\_Reasons.pdf">http://resources.ca.gov/ceqa/docs/Final\_Statement\_of\_Reasons.pdf</a>

#### **ENVIRA**

2014 Presence/Absence Trapping Studies For The San Bernardino Kangaroo Rat and Los Angeles Pocket Mouse - Etiwanda Pipeline North Repair, San Bernardino County, California. May 21.

#### Fontana, City of

- 2014a City Projects by Type and Department. Available at: <a href="http://www.fontana.org/index.aspx?NID=2020">http://www.fontana.org/index.aspx?NID=2020</a>
- 2014b Email communication with Salvador N. Quintanilla, MPA, Assistant Planner, Planning Division. November 3.
- 2003 City of Fontana General Plan. October 21. Available at: https://www.fontana.org/index.aspx?NID=813

#### HELIX Environmental Planning, Inc. (HELIX)

- 2014a Etiwanda Pipeline North Relining Project, Air Quality Technical Report. December.
- 2014b Biological Resources Letter Report for the Etiwanda Pipeline North Relining Project. October.
- 2014c Greenhouse Gas Emissions Technical Report for the Etiwanda Pipeline North Relining Project. December.
- 2014d Acoustical Site Assessment for the Etiwanda Pipeline North Relining Project. November.

#### Rancho Cucamonga, City of

- 2014 Email Communication with Tabe Van der Zwaag, Associate Planner, Development Review. October 29.
- 2010 Rancho Cucamonga General Plan. May 19. Available at: <a href="http://www.cityofrc.us/cityhall/planning/genplan.asp">http://www.cityofrc.us/cityhall/planning/genplan.asp</a>

#### San Bernardino Associated Governments (SANBAG)

2013 San Bernardino County Regional 2008 Community Greenhouse Gas Inventories and 2020 Forecasts. Available at:

<a href="http://www.sanbag.ca.gov/planning2/greenhousegas/FinalSBCRegionalGHGReductionAppA.pdf">http://www.sanbag.ca.gov/planning2/greenhousegas/FinalSBCRegionalGHGReductionAppA.pdf</a>

#### South Coast Air Quality Management District (SCAQMD)

- 2011 SCAQMD Air Quality Significance Thresholds. Available at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2">http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2</a>
- 2010 Greenhouse Gas CEQA Significance Threshold Stakeholder Working Group Meeting #15 (slide presentation). Available at:

  <a href="http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2">http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2</a>
- 2008a Final Report, Multiple Air Toxics Exposure Study in the South Coast Air Basin, MATES III. September.
- 2008b Multiple Air Toxics Exposure Study III Model Estimated Carcinogenic Risk. Available at: http://www2.agmd.gov/webappl/matesiii/
- 2008c Draft Guidance Document Interim CEQA GHG Significance Thresholds.
- 2003 Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. August. Available at: <a href="http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis">http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis</a>
- 1993 CEQA Air Quality Handbook (as amended).

#### Southern California Edison (SCE)

2012 Falcon Ridge Substation Project Environmental Impact Report. January.

United States Department of Transportation, Federal Highway Administration

2008 Roadway Construction Noise Model. Available at: http://www.fhwa.dot.gov/environment/noise/construction\_noise/rcnm/

United States Fish and Wildlife Service (USFWS)

- 2008 5-Year Review Delhi Sands Flower-loving Fly. March.
- 1997 Final Recovery Plan for the Delhi Sands Flower-Loving Fly. September.

#### **Urban Crossroads**

- 2014a Etiwanda Pipeline North Relining Project Diesel Particulate Health Risk Assessment. October 30.
- 2014b Etiwanda Pipeline North Relining Project Traffic Impact Analysis. October 22.

Attachment 5, Page 165 of 416 Section 7.0 References

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# Chapter 8.0

### LIST OF PREPARERS

#### 8.0 LIST OF PREPARERS

The following professional staff participated in the preparation of this EIR.

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**ENVIRA** (Presence/Absence Trapping Studies for the San Bernardino Kangaroo Rat and Los Angeles Pocket Mouse)

Philippe Vergne, Principal

Attachment 5, Page 168 of 416 Section 8.0 List of Preparers

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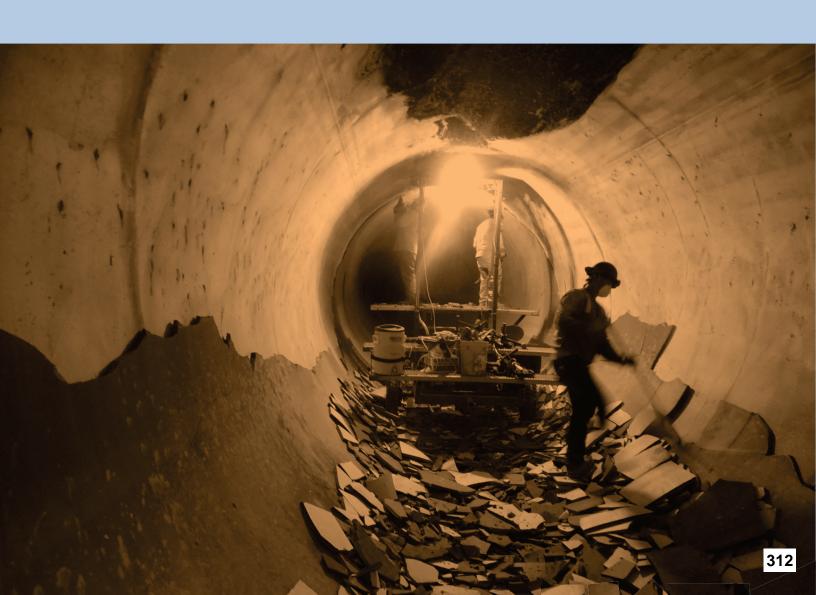


### The Metropolitan Water District of Southern California

## ETIWANDA PIPELINE NORTH RELINING PROJECT

Final Environmental Impact Report Metropolitan Report No. 1472

*May 2015* 



# ETIWANDA PIPELINE NORTH RELINING PROJECT

Final Environmental Impact Report

The Metropolitan Water District of Southern California 700 North Alameda Street Los Angeles, CA 90012

> Metropolitan Report No. 1472 State Clearinghouse No. 2014081047

> > May 2015

# FINAL EIR TABLE OF CONTENTS

#### **Section**

Final EIR Introduction

Responses to Comments Received on the Draft EIR

Revised Pages of the Draft EIR

Draft EIR as Modified

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## FINAL EIR INTRODUCTION

#### INTRODUCTION

The Environmental Impact Report (EIR) for the Etiwanda Pipeline North Relining Project (the "proposed Project") consists of two components: this Final EIR and a Draft EIR that was circulated for public review from January 9 through February 23, 2015. The Metropolitan Water District of Southern California (Metropolitan) is the lead agency for the proposed Project under the California Environmental Quality Act (CEQA) and also is the proposed Project proponent.

This Final EIR includes comments received during the public review period and Metropolitan's responses to those comments. Comments on the Draft EIR were received from the following public agencies and interested parties:

- A. California Department of Fish and Wildlife
- B. City of Fontana
- C. San Bernardino County
- D. Southern California Edison
- E. State Clearinghouse

The comments and responses to the comments follow this Introduction.

The Draft EIR includes an executive summary and an introduction to the proposed Project; describes the proposed Project; discusses existing environmental conditions in the Project area; and assesses the proposed Project's potential environmental impacts. The Draft EIR also addresses the extent to which the proposed Project would incrementally add to environmental effects caused by other projects; evaluates alternatives to the proposed Project; describes environmental effects found not to be significant and not requiring detailed analysis in the EIR; and provides lists of EIR preparers, personnel contacted during EIR preparation, references cited, and acronyms and abbreviations used.

Minor revisions have been made to the text of the Draft EIR based on comments received. These revisions are shown in <a href="strikeout/underline">strikeout/underline</a> format, and are indicated by a line in the left margin. The revisions consist of changes to text that clarify information. The changes do not constitute significant additional information that would change the outcome of the environmental analysis or necessitate recirculation of the document (CEQA Guidelines Section 15088.5). Specifically, the EIR has not been changed in such a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the Project or a feasible way to mitigate or avoid a substantial environmental effect that Metropolitan has declined to implement.

The Metropolitan Board of Directors will consider, among other things, the information in the Draft and Final EIRs and will determine the adequacy of the environmental documentation under CEQA. Should the Board of Directors elect to certify the Final EIR and approve the proposed Project, Metropolitan will file a Notice of Determination with the San Bernardino County Clerk

within five working days of the Project approval hearing. The Final EIR certification hearing for the proposed Project is scheduled for:

June 9, 2015 at Noon The Metropolitan Water District of Southern California Headquarters 700 N. Alameda Street Los Angeles, CA 90012

This hearing, which will be part of a Regular Board Meeting, is open to agencies and members of the public.

# RESPONSES TO COMMENTS RECEIVED ON THE DRAFT EIR



#### STATE OF CALIFORNIA

**COMMENTS** 

#### GOVERNOR'S OFFICE of PLANNING AND RESEARCH STATE CLEARINGHOUSE AND PLANNING UNIT



February 24, 2015

Wendy Picht Metropolitan Water District of Southern California P.O. Box 54153 Los Angeles, CA 90054-0153

Subject: Etiwanda Pipeline North Liner Repair Project

SCH#: 2014081047

Dear Wendy Picht:

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 February 23, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

Sincerely

Scott Morgan
Director, State Clearinghouse

Enclosures cc: Resources Agency

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

1 Comment noted.

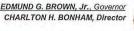
#### COMMENTS

| State Clearinghouse Data Base |   |  |  |  |
|-------------------------------|---|--|--|--|
| SCH#                          | 2014081047  |  |  |  |
| Project Title                 | Etiwanda Pipeline North Liner Repair Project  |  |  |  |
| Lead Agency                   | Metropolitan Water District of Southern California  |  |  |  |
| Туре                          | EIR Draft EIR   |  |  |  |
| Description                   | The proposed preject involves relining approximately 4.8 miles of Etiwanda Pipeline North, including 0.4 mile in Rancho Cucamonga and 4.4 miles in Fontana. Inspections have revealed that portions of the internal lining have cracked and delaminated from the pipe due primarily to the cycling of high pressure flows within the pipeline as a result of the operation of the Etiwanda Hydroelectric Plant. To prevent further corrosion of the steel pipe in the 4.8-mile segment of Etiwanda Pipeline North, Metropolitan proposes to remove the existing interior mortar lining and recoat the pipe with a new lining. |  |  |  |
| Lead Agend                    | y Contact   |  |  |  |
| Name                          | Wendy Picht   |  |  |  |
| Agency                        | Metropolitan Water District of Southern California  |  |  |  |
| Phone                         | 951 926 7173 Fax  |  |  |  |
| email                         | •   |  |  |  |
| Address                       | P.O. Box 54153  |  |  |  |
| City                          | Los Angeles State CA Zip 90054-0153   |  |  |  |
| Project Loc                   | ation   |  |  |  |
| County                        | San Bernardino  |  |  |  |
| City                          | Rancho Cucamonga, Fontana   |  |  |  |
| Region                        |   |  |  |  |
| Lat / Long                    | 34° 7' 54" N / 117° 29' 25" W   |  |  |  |
| Cross Streets                 | Etiwanda Ave. x Foothill Blvd to Duncan Cyn Rd x Citrus Ave   |  |  |  |
| Parcel No.                    |   |  |  |  |
| Township                      | 1N Range 6W Section 34 Base SBB&M   |  |  |  |
| Proximity to                  | ):  |  |  |  |
| Highways                      | Hwy 210   |  |  |  |
| Airports                      | •   |  |  |  |
| Railways                      |   |  |  |  |
| Waterways                     |   |  |  |  |
| Schools                       | Various   |  |  |  |
| Land Use                      | Various - industrial, residential   |  |  |  |
| Project Issues                | Air Quality; Biological Resources; Noise; Traffic/Circulation; Vegetation; Other Issues   |  |  |  |
| Reviewing                     | Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 6;  |  |  |  |
| Agencies                      | Department of Parks and Recreation; Department of Water Resources; California Highway Patrol;   |  |  |  |
| Agencies                      | Caltrans, District 8; Air Resources Board; State Water Resources Control Board, Divison of Financial  |  |  |  |
|                               | Assistance; State Water Resources Control Board, Division of Water Rights; Regional Water Quality   |  |  |  |
|                               | Control Board, Region 4; Department of Toxic Substances Control; California Energy Commission;  |  |  |  |
|                               | Native American Heritage Commission; State Lands Commission   |  |  |  |
|                               | Native American Heritage Commission, State Lands Commission   |  |  |  |
| Date Received                 | 01/09/2015 Start of Review 01/09/2015 End of Review 02/23/2015  |  |  |  |
|                               |   |  |  |  |
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RTC-2



State of California - Natural Resources Agency DEPARTMENT OF FISH AND WILDLIFE Inland Deserts Region 3602 Inland Empire Blvd., Suite C-220 Ontario, CA 91764 (909) 484-0459 www.wildlife.ca.gov



February 17, 2015

Ms. Wendy Picht Environmental Planning Team Metropolitan Water District of Southern California P.O. Box 54153 Los Angeles, CA 90054

Subject:

Draft Environmental Impact Report Etiwanda Pipeline North Relining Project State Clearinghouse No. 2014081047

Dear Ms. Picht:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Etiwanda Pipeline North Relining Project (Project) [State Clearinghouse No. 2014081047]. The Department is responding to the DEIR as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

**COMMENTS** 

The proposed Project involves relining a portion of the Etiwanda Pipeline North, which is located parallel to and approximately 0.4 mile east of Interstate 15, from the northern edge of Foothill Boulevard in the City of Rancho Cucamonga, extending northeast to approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the City of Fontana, San Bernardino County, California.

The Metropolitan Water District of Southern California (Metropolitan) proposes to remove the existing mortar lining that has become separated from the inside of Etiwanda Pipeline North and install a new lining to prevent further corrosion. Access to the pipe for relining activities would be accomplished via rollouts (removal of a 20-foot segment of pipe), existing manholes, existing buried outlets, and proposed new buried outlets. Surface disturbance is expected to occur from excavation, staging, vegetation grubbing, and storage of materials.

Conserving California's Wildlife Since 1870

These introductory comments are noted.

Draft Environmental Impact Report Etiwanda Pipeline North Relining Project SCH No. 2014081047 Page 2 of 5

§ 15386; Fish and Game Code, § 1802).

Following review of the Biological Resources section of the DEIR, the Department offers the comments and recommendations listed below to assist Metropolitan in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources. The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could affect biological resources. As a Trustee Agency, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities (CEQA Guidelines,

**COMMENTS** 

#### Nesting Birds

It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 et seq.). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) stipulate the following: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that is it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Page 3.2-9 of the DEIR states that as standard practice. Metropolitan would perform surveys for nesting birds prior to operations activities performed from February 1 through September 15. Please note that some species of raptors (e.g., owls) may commence nesting activities in January, and passerines may nest later than September 15. The Department encourages the Lead Agency to complete nesting bird surveys regardless of time of year to ensure compliance with all applicable laws related to nesting birds and birds of prey. Furthermore, the DEIR states that nesting bird surveys would be conducted no more than seven days prior to initiation of Project activities. Please note that the Department recommends that pre-construction surveys be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner. The Department also recommends that surveys occur over the entirety of the project site. and not be limited to those areas with shrubs and trees. Not all bird species nest in vegetation; some species nest directly on the ground. As mentioned previously, it is the Lead Agency's responsibility to ensure that the project complies with all applicable laws related to nesting birds and birds of prey, and that violations of these laws do not occur.

Metropolitan acknowledges its responsibility for compliance with all applicable laws, including the Migratory Bird Treaty Act and California Fish and Game Code, and for ensuring that violations of these laws do not occur. Metropolitan will, in consultation with qualified biologists, perform all due diligence to ensure compliance with these laws, including conducting pre-activity surveys and implementing adequate measures to avoid or minimize adverse impacts to nesting birds in the event that nests are identified (EIR page 3.2-9).

cont.

2

Draft Environmental Impact Report Etiwanda Pipeline North Relining Project SCH No. 2014081047 Page 3 of 5

Burrowing Owl

Suitable habitat for burrowing owl, a California Species of Special Concern, occurs on the project site. Although suitable burrows were not observed in the March 2014 habitat assessment, sufficient time has passed since then to allow burrowing owls to colonize the site. The Department recommends that Metropolitan perform a pre-activity take avoidance survey for burrowing owl no more than 14 days before ground disturbance activities, as outlined in Appendix D of the 2012 Staff Report on Burrowing Owl Mitigation, which can be found here:

http://www.dfg.ca.gov/wildlife/nongame/survey\_monitor.html.

COMMENTS

map.n www.arg.oa.gov/wildine/horigame/oarvey mornior.htm

San Diego Pocket Mouse and Los Angeles Pocket Mouse

The San Diego pocket mouse and the Los Angeles pocket mouse are California Species of Special Concern, and are considered "rare" pursuant to CEQA Guidelines Section 15380(b)(2). Focused trapping surveys for small mammals on the Project site resulted in the identification of seven individual San Diego pocket mice and six individual Los Angeles pocket mice. Based on this result, the Biological Resources Letter Report included with the DEIR asserts that the Project could have direct impacts to "fewer than 10 individuals" of each species. This appears to be based on the assumption that nearly 100% of the onsite populations were trapped. The Department does not understand how this conclusion was reached. The Final EIR should contain a thorough disclosure of the impacts to these species; please provide the analysis used to quantify the onsite populations of, and likely impacts to, each species. If the April 2014 survey did not provide sufficient data to accurately estimate the populations and impacts, additional surveys may be needed in order to do so. The Final EIR should include mitigation measures for impacts to Los Angeles pocket mouse and San Diego pocket mouse, such as use of an appropriate mitigation bank, or conserving occupied habitat through a conservation easement.

Impacts to Sensitive Natural Communities

According to the Biological Resources Letter Report, the Project would impact 2.6 acres of Riversidean upland sage scrub, and 0.1 acre of Riversidean alluvial fan sage scrub (RAFSS) within the Project site, as well as an additional 2.4 acres of offsite Riversidean upland sage scrub and 0.08 acre of RAFSS. Given the close similarity between the two communities, and the fact that RAFSS is mapped as being directly adjacent to the "upland" scrub, the Department is concerned that some or all of the areas identified as "Riversidean upland sage scrub" may actually be a more mature stage of RAFSS. Please clarify the methods used to differentiate RAFSS from Riversidean upland sage scrub.

Please note that RAFSS is a state-designated S-1.1 "very threatened" community, and Riversidean sage scrub is designated S-3, "vulnerable". The impacts are described in the DEIR as "temporary", and it is stated that "vegetation in these communities is

- Consistent with this comment, the Draft EIR acknowledged the suitability of habitat for burrowing owl, although burrowing owls have not been observed and the likelihood of potential impacts is considered low. As described in response to Comment 2, Metropolitan would consult with qualified biologists to ensure that Project activities are compliant with the Migratory Bird Treaty Act and California Fish and Game Code. These measures also would provide appropriate protections for burrowing owl.
- Consistent with this comment, the Draft EIR acknowledged the sensitivity of Los Angeles pocket mouse (LAPM) and northwestern San Diego pocket mouse (SDPM) and presented survey findings and conclusions of potential impacts of the Project. As stated in the Draft EIR and appendices, a presence/absence survey for San Bernardino kangaroo rat (SBKR) and LAPM was performed for the Project by Mr. Philippe Vergne of ENVIRA. Mr. Vergne is a certified principal investigator permitted by the U.S. Fish and Wildlife Service to trap and handle Stephens' kangaroo rat, SBKR and Pacific pocket mouse, and to conduct field studies on sensitive small mammals in Southern California (TE-068072-2): he also holds a California Department of Fish and Wildlife (CDFW) Memorandum of Understanding for the above-mentioned species, LAPM and other rodents, and a CDFW collection permit. In response to this comment, biologists with HELIX Environmental Planning, Inc. (HELIX), in consultation with Mr. Vergne, prepared the following information to further describe the rationale for analysis methods and conclusions in the Draft EIR pertaining to LAPM and SDPM.

The small mammal trapping survey was conducted in accordance with survey protocols for SBKR and was focused in areas of SBKR suitable habitat. A habitat assessment for SBKR identified eight areas in the Project impact footprint as suitable for SBKR and all eight areas were trapped. All three species (LAPM, SDPM, SBKR) share habitat affinities, namely: dry sandy soils, sparse shrub cover, and land cover dominated by grasses and bare ground. The trapping surveys found individuals of LAPM and SDPM in a total of five locations in the Project impact area; one location contained both species and each

#### RESPONSES

4 species was found separately in two other locations. Although the cont. trapping survey was not focused on LAPM and SDPM, it included areas of suitable habitat where these species were not found. Based on the absence of LAPM and SDPM from surveyed areas of suitable habitat, it is concluded that the areas where these species were trapped correspond to the extent of potential occupied habitat within the Project impact footprint. The total mapped area of potential occupied habitat is 4.0 hectares (approximately 9.9 acres) for LAPM and 4.4 hectares (approximately 10.9 acres) for SDPM.

The Project impact area has been reduced and modified to exclude all areas mapped as Riversidean alluvial fan sage scrub (RAFSS), with buffers where feasible, as illustrated on Final EIR Figure 3.2-1d. These avoidance areas coincide with the one location where both species (three individuals of each) were trapped, and are most likely to support LAPM and SDPM burrows based on the presence of loose, sandy soils. The great majority of the proposed impact footprint consists of staging areas where no excavation is expected to take place; excavation would be limited to access points over the existing pipeline that range in size from 100 to 4,900 square feet. Because the Project would be completed in phases, disturbance would occur at only a small number of locations at once.

Data on population densities for LAPM and SDPM are scarce. Review of literature including species descriptions by resource agencies and the Western Riverside County Multiple Species Habitat Conservation Plan indicates that little is known of the biology of either species, and most references do not include population densities. Published sources that do include estimates of population densities cite a single study for each species, both of which were performed in the early 1960s (Chew and Butterworth 1964, Jones 1993). These studies reported average densities of 1.7 individuals per hectare for LAPM and 0.36 individuals per hectare for SDPM. Personal communication between Dr. George Aldridge of HELIX and Dr. Mary V. Price, Professor Emeritus of biology at the University of California, Riverside, indicates that observed population densities of SDPM in the Inland Empire are higher than reported in Chew and Butterworth (1964). Dr. Price, whose curriculum vitae includes publications in peer reviewed journals of scientific studies of pocket and kangaroo mice spanning the 1970s to 2000s, advises that a density estimate of up to 3.0 SDPM per hectare would be more appropriate in the Project area. These estimates represent the best available scientific data regarding the densities at which these species occur in nature.

RESPONSES

Based on these average densities of 1.7 LAPM individuals per hectare and 3.0 SDPM individuals per hectare, estimates for the population sizes of these species in the Project impact area are 7 individuals of LAPM over 4.0 hectares of occupied habitat, and 13 individuals for SDPM over 4.4 hectares of occupied habitat. The trapping survey detected a total of 6 LAPM and 7 SDPM. Population densities of all organisms vary both in space and time, and estimates are necessarily approximate. The total of 6 LAPM that were detected in the survey matches closely the estimated number of 7 individuals. For SDPM, the total number of 7 individuals detected in the survey is lower than the estimated number of 13 but within a reasonable range of variation.

Species accounts for these species and for pocket mice in general indicate that pocket mice are asocial except during mating, and have limited overlap of home ranges. Although the specific trapping efficiency is unknown, the conclusion is reasonably drawn that the number of occurrences of each species in the trapping data, including up to three captures of each species in a single area (which could represent some re-captures of the same individuals), represents the upper end of the potential range of the number of SDPM and LAPM in the Project impact area. Therefore, the estimate of direct impact to fewer than 10 individuals stated in the Draft EIR is a reasonable estimate of the maximum number of individuals that could be affected by the Project.

Known records reported to the CNDDB for LAPM include locations south of Baseline Avenue and west of Interstate 15. These records indicate that LAPM was found in habitat very similar to the disturbed sage scrub described in the Project area. One of these CNDDB records for LAPM includes trapping data, which indicate a capture rate approximately three times higher than the 0.004 per trap-night in the trapping survey for this Project. The nearest CNDDB record for SDPM is northeast of the Project area near Lytle Creek, north of the Interstate 15/215 interchange. A description of LAPM published for CDFW by P.V. Brylski in 1998 states that the westernmost extant population of LAPM was then in Etiwanda Wash, north-northwest of the Project area. Based on this information, the Project impact area is peripheral for LAPM and SDPM, and represents small, isolated patches of low-quality habitat for both species.

In summary and consistent with the findings of the Draft EIR, Project impacts to LAPM and SDPM would be less than significant for the following reasons:

• Habitat in the Project area is highly disturbed, both historically prior to the installation of the Etiwanda Pipeline North, and currently

RESPONSES

4 cont.

from maintenance activities in the right-of-way and agriculture in surrounding areas;

- Subsequent to the Draft EIR, the Project impact area has been modified to exclude RAFSS, which is the habitat in the Project area that supported the greatest numbers of LAPM and SDPM individuals and is most likely to support their burrows (see response to Comment 5, below, and revised Figure 3.2-1d);
- The Project area supports a very small number of LAPM and SDPM, estimated at no more than 10 individuals of each species;
- The Project would affect approximately 1 percent of the statewide population of LAPM and 0.33 percent of the statewide population of SDPM;
- The Project area is not in an area of high-density occurrences of either LAPM or SDPM;
- Project impacts would be mostly on the surface; and
- Project impacts would be temporary and would occur in only a small proportion of the total impact area at any one time.

Because impacts would be less than significant, no mitigation is required.

Draft Environmental Impact Report Etiwanda Pipeline North Relining Project SCH No. 2014081047 Page 4 of 5

expected to recover after Project completion". However, the DEIR also characterizes the onsite Riversidean upland sage scrub and RAFSS communities as "highly disturbed" and providing "limited biological function and value" following regrowth since the original installation of the Etiwanda Pipeline North in 1993. The DEIR does not comment on whether the current disturbed condition is the direct result of the original pipeline installation. However, in the Department's opinion, it is unreasonable to assume that unmitigated disturbances to these communities will not result in further degradation of the habitat quality. It is therefore inappropriate to describe the impacts as "temporary". The Department recommends that Metropolitan adopt mitigation measures to address impacts to RAFSS and Riversidean upland sage scrub, including implementation of a Restoration Plan and control of invasive plant species after Project activities are concluded.

COMMENTS

Lake and Streambed Alteration Program

The Biological Resources Letter Report identified two streams crossing the project site. Although impacts to the streams are not planned, a Lake or Streambed Alteration Notification may be required if the potential for impacting the streams arises.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1602 of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the environmental document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <a href="http://www.dfg.ca.gov/habcon/1600/forms.html">http://www.dfg.ca.gov/habcon/1600/forms.html</a>.

The Department's website has additional information regarding dryland streams in "A review of Stream Processes and Forms in Dryland Watersheds" at this location: http://www.dfq.ca.Qov/habcon/1600/1600resources.html.

Additional information can also be found in "Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants, With the MESA Field Guide - Final Project Report" (MESA Guide) available here: <a href="http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html">http://www.energy.ca.gov/2014publications/CEC-500-2014-013/index.html</a> Please review page 9 of the MESA Guide. Please also refer to page E-14, which includes the definition of stream used by the Department's Lake and Streambed Alteration Program.

As stated in the Draft EIR and appendices, approximately 0.2 acre of the Project area was mapped as disturbed RAFSS during biological resources surveys in 2013 and 2014. This mapped area is within a channel located south of Victoria Street that appears to be an abandoned agricultural drain that has no evident watershed or downstream hydrological connection. Mapping was conducted by Mr. Robert Hogenauer, a biologist with 10 years of experience conducting biological resource surveys in the Inland Empire. In response to this comment, the following detailed information is provided to further describe the rationale for analysis methods and conclusions in the Draft EIR pertaining to RAFSS and RSS.

RAFSS in the Project area was mapped primarily on the basis of the presence of scalebroom (*Lepidospartum squamatum*) and its location in an identifiable channel, and secondarily on the presence of saltgrass (*Distichlis spicata*). Vegetation outside of this channel was mapped as disturbed Riversidean upland sage scrub (RSS) on the basis of it having a strong dominance of California buckwheat and deerweed, with poor shrub cover and very low species richness, and no scalebroom or other species associated with alluvial scrub communities. In addition to California buckwheat and deerweed, the RSS consisted of red brome (*Bromus madritensis ssp. rubens*), oats (*Avena sp.*), and red-stem filaree (*Erodium cicutarium*), which were prevalent in the surrounding disturbed areas. The landscape position of this RSS vegetation is entirely indistinguishable from the surrounding uplands for hundreds of meters, including agricultural lands, residential development, roadways, and parks.

Both RAFSS and RSS communities were mapped as disturbed based on high levels of non-native species invasion, sparse native cover, and evidence of historic and current disturbance. RAFSS areas contained large amounts of Bermuda grass (*Cynodon dactylon*) and wild lettuce (*Lactuca serriola*), and RSS vegetation included the non-native brome, oats, and filaree, as described above. The Draft Supplemental EIR for the original Etiwanda Pipeline and Power Plant (WESTEC 1988) characterized the RSS vegetation in the proposed right-of-way as disturbed prior to the original installation of the pipeline. Therefore, the current disturbed nature of the vegetation is not solely the result of pipeline installation, but also represents the pre-existing disturbed condition. In addition, the RSS areas have been disturbed by on-going maintenance activities in the right-of-way.

cont.

RESPONSES

5 Subsequent to circulation of the Draft EIR, the Project impact area cont. has been reduced and modified to exclude all areas mapped as RAFSS and provide a buffer around them as feasible (see revised Figure 3.2-1d). Impacts to RSS would be temporary and would occur in areas of very low habitat quality that are located within the existing maintained Metropolitan right-of-way. Most impacts would not involve ground disturbance or removal of vegetation.

The modified Project proposes no impacts to RAFSS and temporary impacts to 2.6 acres of disturbed RSS consisting of a sparse arrangement of California buckwheat and deerweed shrubs with non-native red brome, oats, and filaree. Temporary impacts would not be significant given the marginal nature and isolated location of the habitat. Both California buckwheat and deerweed are resilient disturbance-followers and early successional species in coastal sage scrub communities. In a 2002 publication prepared by San Diego State University Department of Biology for CDFW, California buckwheat is noted as having successful seed recruitment and being a well-known colonizer at disturbed sites (SDSU 2002). Deerweed is noted as being commonly associated with disturbed places that have been cleared or burned (Clarke et al. 2007, Lightner 2006). Due to these species' known resilience against disturbance events, it is expected that they would again successfully recolonize the temporary impact areas and form a post-impact RSS community that is functionally equivalent to the limited, disturbed community that currently exists.

Draft Environmental Impact Report Etiwanda Pipeline North Relining Project SCH No. 2014081047 Page 5 of 5

The following information will be required for the processing of a Notification of Lake or Streambed Alteration and the Department recommends incorporating this information into the CEQA document to avoid subsequent documentation and project delays. Please note that failure to include this analysis in the project's environmental document could preclude the Department from relying on the Lead Agency's analysis to issue an LSA Agreement without the Department first conducting its own, separate Lead Agency subsequent or supplemental analysis for the project:

**COMMENTS** 

 Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type):

 Discussion of avoidance and minimization measures to reduce project impacts; and,

 Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance. Please refer to section 15370 of the CEQA Guidelines for the definition of mitigation.

The Department appreciates the opportunity to comment on the DEIR for the Etiwanda Pipeline North Relining Project (SCH No. 2014081047) and requests that the Department's comments be addressed in the Final EIR (FEIR). If you should have any questions pertaining to this letter, please contact Gabriele Quillman at gabriele.quillman@wildlife.ca.gov or 909-980-3818.

Sincerely,

cont.

Leslie MacNair Acting Regional Manager

cc: State Clearinghouse, Sacramento

The Project has been designed to avoid impacts to drainages that may fall under the jurisdiction of CDFW. This additional guidance is acknowledged; however, a Lake or Streambed Alteration Notification and/or Agreement is not expected to be required.

Comments noted. The comments are addressed in this Final EIR as requested, and a copy of the response has been provided to CDFW in accordance with CEQA requirements.



## CITY OF FONTANA CALIFORNIA

**COMMENTS** 

February 19, 2015

Ms. Wendy Picht Environmental Planning Team The Metropolitan Water District of Southern California PO Box 54153 Los Angeles, CA 90054-0153

RE: Etiwanda Pipeline North Relining Project

Dear Ms. Picht:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Etiwanda Pipeline North Relining Project (SCH#2014081047). City staff has meet on several occasions with the Metropolitan Water District of Southern California (MWD) team to review and discuss the project prior to the circulation of this DEIR. The City appreciates the outreach efforts to date by the MWD and looks forward to partnering with your agency throughout the project; so that, it can be successful. We are requesting that your agency continue to coordinate with Mr. Ryan in the City of Fontana's Engineering Department. His contact information is as follows:

Mr. Kevin Ryan Strategic Transportation Engineering Manager – Engineering Department 8353 Sierra Avenue Fontana, CA 92335 (909) 350-6655 kryan@fontana.org

In addition to coordinating with Mr. Ryan, the City has the following comment as it relates to the DEIR:

#### Mitigation Measure NOI-01: Noise Control Plan

The City is requesting a Public Relations program to alert residents and businesses within the Roll Out Station areas of the project in advance of construction related activities. This plan should include advance public outreach as well as 24-hour contact information during construction for questions and concerns. The outreach program should also include neighborhood meetings as well as informational mailers to the surrounding areas within 660 feet of the project boundary. Please coordinate with Mr.

www.fontana.org 8353 Sierra Avenue Fontana, California 92335-3528 (909) 350-7600 Comments noted. Metropolitan has been coordinating with the City of Fontana and will continue the coordination with Mr. Kevin Ryan as requested.

Metropolitan will coordinate with Mr. Ryan as requested to develop the Noise Control Plan and to develop an effective public outreach program during the Project. The public outreach program will include provisions for neighborhood meetings, informational flyers and mailings, and appropriate contact information for Metropolitan, the City and the Project.

Page 2

cont.

Ryan to coordinate and develop the Noise Control Plan as required in Mitigation Measure NOI-1: Noise Control Plan.

When available, please send a copy of the Final Environmental Impact Report to my attention. My contact information is as follows:

**COMMENTS** 

Rina Leung
Assistant Planner – Community Development Department
8353 Sierra Avenue
Fontana, CA 92335
(909) 350-6566
rleung@fontana.org

Thank you for inviting the City of Fontana to participate in the public review process. We look forward to working with your agency on coordinating and developing the Noise Control Plan; as well as, on other components for the Etiwanda Pipeline North Relining project.

Respectfully,

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

Rina Leung Assistant Planner 3 Comments noted. A copy of the Final EIR has been provided to the City as requested.

**COMMENTS** 

SAN BERNARDINO COUNTY 825 East Third Street, San Bernardino, CA 92415-0835 | Phone: 909.387.8109 Fax: 909.387.8109

www.SBCounty.go

#### **Department of Public Works**

- Environmental & Construction Flood Control
- Operations Solid Waste Management
- Surveyor Transportation

Gerry Newcombe Director

File: 10(ENV)-4.01

February 23, 2015

Ms. Wendy Picht
Environmental Planning Team
The Metropolitan Water District of Southern California
PO Box 54153
Los Angeles, CA. 90054-0153
EPT@MWDH2o.com

RE: CEQA – NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE ETIWANDA PIPELINE RELINING PROJECT FOR THE METROPOLITAN WATER DISTRICT

Dear Ms. Picht:

Thank you for giving the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. **We received this request on January 13, 2015** and pursuant to our review, the following comments are provided:

Traffic Division (Eloy Ruvalcaba, PWE III, 909-387-1869):

 Please clarify if there are going to be any long-term road closures during construction of the project.

If you have any questions, please contact the individual(s) who provided the specific comment, as listed above.

Sincerely,

NIDHAM ARAM ALRAYES, MSCE, P.E., QSD/P Public Works Engineer III

Public Works Engineer III
Environmental Management

NAA:PE:nh/cEQAComment\_MWD\_EtiwandaPipelineRelining\_2015-02-23-08

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JAMES RAMOS

CURT HAGMA

IOSTE GONZALES

Children C. Devembers Line Laspens Office As described in Section 2.7, *Project Characteristics*, of the Draft EIR, Project activities other than transportation would not occur within public roadways or public rights-of-way (page 2-5). Therefore, no road closures will be required.



Jennifer Menjivar-Shaw Local Public Affairs 795 Redwood Avenue Fontana, CA 92336

February 23, 2015

Wendy Picht
Metropolitan Water District of Southern California
Environmental Planning Team US 3-311
P.O. Box 54153
Los Angeles, CA 90054-0153
EPT@mwdh2o.com

RE: Draft EIR for Etiwanda Pipeline North Relining Project

Dear Ms. Picht:

Southern California Edison (SCE) appreciates the opportunity to review and provide comments on the Draft Environmental Impact Report (DEIR) for the Etiwanda Pipeline North Relining Project. The Metropolitan Water District (MWD) is proposing to remove the existing interior mortar lining and recoat the pipe with a new lining. Except for excavation and staging, the Project activities would mostly occur below-ground. Access to the pipe for relining activities would be accomplished via rollouts (where a 20-foot segment of pipe would be removed), existing manholes, existing buried outlets (similar to manholes but without surface structures), and proposed new buried outlets. While the majority of Project activities would occur within Metropolitan's existing pipeline right-of-way, some staging may occur within the adjacent SCE right-of-way and/or other adjacent private property. Construction is anticipated to begin in 2015 and would occur over a period of up to three years.

**COMMENTS** 

SCE maintains electrical transmission and distribution facilities, as well as substations and supporting appurtenances in the Project vicinity. SCE's existing 500 kilovolt (kV) transmission line is adjacent to the proposed project. In addition, SCE's Falcon Ridge Substation Project was approved by the California Public Utilities Commission in February 2014. The approved project includes the construction of a 66 kV subtransmission line, which would be located within SCE's existing utility corridor. Construction is anticipated to begin in Quarter 1 of 2016 and occur over an 18-month period. The attached Figure 2-3, was modified to illustrate SCE's existing 500 kV transmission line as a dashed blue line and the approved 66 kV subtransmission line as a dashed yellow line.

SCE is concerned about the coinciding construction periods of the Falcon Ridge Substation Project and Etiwanda Pipeline Relining Project. Specifically, SCE is concerned with the DEIR's assessment of potential cumulative impacts to environmental resources identified by both projects in the surrounding and overlapping construction areas, and the application of avoidance, minimization and mitigation measures for these resources. For example, in the Draft EIR 'and Preliminary Environmental Assessment for the Falcon Ridge Substation Project? SCE similarly identified Riversidean Alluvial Fan Sage Scrub (RAFSS) habitat located adjacent to and within the coinciding project areas, and SCE must mitigate for impacts to this habitat. SCE's avoidance, minimization and mitigation measures for environmental resources in the project area can be found in the Falcon Ridge Substation Project Mitigation, Monitoring, Reporting, and Compliance Program³. Unanticipated cumulative impacts could result if impacts to environmental resources in the overlapping project areas are not similarly mitigated.

SCE requests the Etiwanda Pipeline North Relining Project DEIR include discussion of coordination regarding timing and use of staging areas between SCE and MWD to minimize potential cumulative construction impacts and ensure compliance with both project's mitigation measures. SCE is particularly concerned about an approximately two-mile stretch (located south of the Interstate 210 freeway, to the north of the Millier Lane and Liberty Parkway intersection) where construction of both projects would be in close proximity to each other. SCE suggests the DEIR establish MWD's responsibility for mitigating impacts associated with its project in these overlapping areas and clearly explain that SCE would not be responsible for mitigating impacts related to MWD project activities in areas where SCE and MWD construction coincide.

1 These introductory comments are noted.

The anticipated cumulative impacts of the Etiwanda Pipeline North Relining Project together with the Falcon Ridge Substation Project and other past, present, and reasonably anticipated future projects, are addressed in Section 4.0, *Cumulative Impact Analysis*, of the Draft EIR. Specifically with regard to Riversidean alluvial fan sage scrub (RAFSS), the proposed Project has been revised to exclude RAFSS from Project impact areas (see revised Figure 3.2-1d). As a result, no unanticipated cumulative impacts would result and no mitigation for impacts to this plant community would be necessary.

As noted in response to Comment 2, the cumulative impacts analysis contained in the Draft EIR addresses the anticipated cumulative impacts of the Etiwanda Pipeline North Relining Project and Falcon Ridge Substation Project. Metropolitan would coordinate with SCE as necessary for activities that are of mutual interest, including project phasing, work schedules, and work areas. Metropolitan acknowledges that each party is responsible for mitigating its own impacts as specified in its own environmental document.

http://www.cpuc.ca.gov/Environment/info/esa/falconridge/PEA/PEA\_Vol\_2\_AppD.pdf
http://docs.cpuc.ca.gov/Published/Docs/Published/G000/M087/K885/87885123.pdf

http://www.cpuc.ca.gov/Environment/info/esa/falconridge/DEIR/FRSS\_DEIR.pdf (refer to Section 4.4 Biological Resources)

February 23, 2015 MWD Etiwanda Pipeline DEIR Page 2 of 3

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If you have any questions regarding this letter, please do not hesitate to contact me at <a href="mailto:Jennifer.Shaw@sce.com">Jennifer.Shaw@sce.com</a> or (909) 357-6515.

**COMMENTS** 

Regards,

Jennifer Shaw

Local Public Affairs Region Manager Southern California Edison Company

cc: Jeremy Califano, SCE Falcon Ridge Project

4 Comment noted.

February 23, 2015 MWD Etiwanda Pipeline DEIR Page 3 of 3



COMMENTS

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## REVISED PAGES OF THE DRAFT EIR

Summary

#### S.5 SUMMARY OF PROJECT ALTERNATIVES

Alternatives are analyzed in **Chapter 6.0**, *Project Alternatives*, of this Draft EIR. A number of alternatives were identified and subjected to screening analysis, as part of the proposed Project design process. The objective of the alternatives analysis is to consider a reasonable range of potentially feasible alternatives to foster informed decision-making and public participation. All of the alternatives for the Project were rejected as infeasible and would not meet the basic Project objectives. The proposed Project, therefore, is considered to be the environmentally superior alternative.

7-2

#### S.6 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table S-1, Environmental Impacts and Mitigation Measures, provides a summary of the environmental impacts that could result from implementation of the proposed Project and feasible mitigation measures that could reduce or avoid environmental impacts. For each impact, Table S-1 identifies the significance of the impact prior to and following implementation of mitigation measures. With the exception of air quality impacts and noise impacts, all Project-specific significant impacts would be reduced to below a level of significance following implementation of the mitigation measures. The Project's generation of nighttime noise would conflict with General Plan noise policies; however, as the Project is exempt from local zoning and building ordinances through California Government Code Section 53091, the short-term policy conflict represents a noise, rather than a land use, impact. Project-related impacts combined with impacts from other projects in the cumulative project study area also would not result in significant and unmitigable cumulative impacts, with the exceptions of air quality-and noise.

Summary

## Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue  | Impact   | Significance<br>Before<br>Mitigation | Mitigation Measure(s)      | Significance<br>After<br>Mitigation |
|--|--|--------------------------------------|----------------------------|-------------------------------------|
| 3.2 Biological Reso  |  | T                                    |                            | T                                   |
| Adversely Affect Candidate, Sensitive, or Special Status Species           | The Project would result in minor, temporary loss of foraging and movement areas for the San Diego jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse; as well as potential direct impacts to the San Diego pocket mouse and Los Angeles pocket mouse from ground-disturbing activities. Potential impacts to nesting birds would be less than significant through Metropolitan's standard environmental practices and compliance with the Migratory Bird Treaty Act (MBTA). | Less than significant                | No mitigation is required. | Less than significant               |
| Adversely Affect<br>Sensitive Natural<br>Communities                       | The Project would temporarily impact isolated habitat fragments of disturbed Riversidean upland sage scrub and disturbed Riversidean alluvial fan sage scrub-within the existing right-ofway.  | Less than significant                | No mitigation is required. | Less than significant               |
| Conflict with Local Policies or Ordinances Protecting Biological Resources | The Project would not conflict with local policies or ordinances protecting biological resources.  | Less than significant                | No mitigation is required. | Less than significant               |

Summary

#### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES Significance Significance Before **Mitigation Measure(s)** After **Issue Impact** Mitigation Mitigation 3.5 Noise (cont.) **NOI-3.c** – Parking areas will be located a minimum of 150 feet from sensitive receptors. Parking areas that are within 500 feet of sensitive receptors will be posted to prohibit workers from gathering during nighttime hours, and prohibiting radios and music at any time. **NOI-3.d** – Equipment will be maintained to a minimum standard that includes engine noise baffles and mufflers that meet or exceed the original manufacturer's requirements. NOI-3.e – Equipment that has noise control doors will be operated only with the doors fully closed. **NOI-3.f** – Equipment delivery trucks will be allowed only during daytime hours, and back-up alarms will be disengaged to the extent allowed by OSHA. **NOI-3.g** – Fuel deliveries will occur during daytime hours and at a minimum of 500 feet from residences, to the extent feasible. Fueling stations that must be located within 500 feet of residences will have minimum eight-foot high noise control barriers, and fuel trucks that are required during nighttime hours will maintain a minimum distance of 100 feet from residences. **NOI-3.h** – Noise control barriers and enclosures, where used in accordance with NOI-12.b, will be fully in place prior to work at that location.

| Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES |        |                                      |  |                                     |
|---|--------|--------------------------------------|--|-------------------------------------|
| Issue   | Impact | Significance<br>Before<br>Mitigation | Mitigation Measure(s)  | Significance<br>After<br>Mitigation |
| 3.5 Noise (cont.)   |        | 1 9 9 1                              |  |                                     |
|   |        |                                      | <ul> <li>NOI-3.i – Noise control barriers and enclosures, where used in accordance with NOI-12.b, will be implemented using the most appropriate material, configuration, and location to achieve the maximum feasible noise reduction.</li> <li>NOI-4: Noise Control During Site Preparation, Excavation, and Site Closure Activities</li> <li>Site preparation, excavation, and site closure activities will be allowed only during daytime hours.</li> <li>NOI-5: Noise Control During Mortar Lining Removal, Pipeline Dewatering, and New Pipeline Liner Application Activities</li> <li>Increased noise levels from these activities primarily result from pressurized air venting or leaking from equipment. The following measures would reduce the noise that results from this potential occurrence.</li> <li>NOI-5.a – No air line, air relief valve, air switch, air control, or any other equipment component will be allowed to vent pressurized air directly to the atmosphere. All air vent lines will go through an air silencing system that reduces air vent noise to 75 dBA LEO (1-second) or less at a distance of five feet.</li> </ul> |                                     |

7-2

• Recommendations regarding the air quality analysis:

Existing air quality conditions, anticipated Project emissions, and measures to reduce potential impacts related to air quality are detailed in **Section 3.1**, *Air Quality*.

• Identification of potential permit requirements associated with work within the California Department of Transportation (Caltrans) right-of-way:

Metropolitan would obtain the necessary Caltrans Encroachment Permit prior to initiation of Project activities, as identified in **Section 2.8**, *Other Required Project Approvals*.

#### 1.3 FORMAT OF THE EIR

This EIR is organized as follows:

*Executive Summary* – The Executive Summary includes a brief project description, summary of environmental impacts and proposed mitigation measures that would reduce or avoid impacts determined to be significant, alternatives considered, areas of controversy known to the Lead Agency, and any issues to be resolved including the choice among alternatives or how to mitigate significant impacts (CEQA Guidelines Section 15123).

**Chapter 1.0,** *Introduction* – This chapter describes the scope and purpose of the EIR, provides a brief summary of the CEQA process, and establishes the document format.

Chapter 2.0, *Project Description* – This chapter provides a description of Metropolitan, Etiwanda Pipeline North, and the proposed Project, including the goals and objectives of the Project and proposed Project features. In addition, the intended and required uses of the EIR and a discussion of discretionary actions required for Project implementation are included.

Chapter 3.0, Environmental Impact Analysis – This chapter constitutes the main body of the EIR and includes the detailed impact analysis for each environmental issue. The topics analyzed in this chapter include: air quality, biological resources, greenhouse gas emissions, land use and planning, noise, and transportation and traffic. Under each topic, Chapter 3.0 includes a discussion of methods of analysis, existing conditions, the thresholds identified for the determination of significant impacts, and an evaluation of the impacts associated with implementation of the Project. Where the impact analysis demonstrates the potential for the Project to have a significant adverse impact on the environment, mitigation measures are provided which would minimize the significant effects. The EIR indicates if the proposed mitigation measures would reduce impacts to less than significant levels.

Chapter 4.0, *Cumulative Impact Analysis* – This chapter addresses the cumulative impacts due to implementation of the proposed Project in combination with other past, present, and reasonably foreseeable or probable future projects in the area.

**Chapter 5.0,** *Mandatory CEQA Topics* – This chapter discusses additional topics required by CEQA, including unavoidable adverse impacts, growth inducement, and irreversible environmental changes.

Implementation of these measures as part of the Project, in advance of impact findings and determinations, is in good faith to improve the quality and integrity of the Project, streamline the environmental analysis, and demonstrate environmental responsibility. Environmental commitments incorporated into the proposed Project include the following:

7-2

- Project activities would adhere to South Coast Air Quality Management District Rule 403, which includes a variety of measures intended to reduce fugitive dust emissions. In light of extreme drought conditions, Metropolitan would consider alternative feasible methods of dust control that minimize the use of water.
- If activities are proposed to occur during the general bird nesting season of February 1 through September 15, Metropolitan would retain a qualified biologist to ensure that nesting birds, including burrowing owls, are protected in compliance with the Migratory Bird Treaty Act and California Fish and Game Code (refer to **Section 3.2.3** for details).
- Work areas would be kept clean of attractive nuisances (e.g., trash and food) to wildlife, and the management of any wildlife that may occur within or adjacent to work areas would be in consultation with a qualified biologist.
- The use of any nighttime safety or security lighting would be directed away from homes and oncoming vehicles.

#### 2.8 OTHER REQUIRED PROJECT APPROVALS

California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Nonetheless, Project implementation is anticipated to require traffic control plans and waivers from local noise ordinances from the cities of Fontana and Rancho Cucamonga. These cities may have discretionary authority over some aspects of the Project and may use this EIR when considering the Project or issuing permits.

Other permits or approvals that could be required include:

- Caltrans Encroachment Permit;
- California Air Resources Board and/or South Coast Air Quality Management District certification of abrasive blast media and construction equipment;
- California Occupational Health and Safety Administration Tunnel Safety Order compliance; and
- Conformance with applicable State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) and/or Municipal Separate Storm Sewer Systems (MS4) requirements.

occur. Application of these standard practices to the Project would ensure that impacts to species protected under the MBTA and Fish and Game Code would be less than significant.

The Project area does not contain suitable burrows for burrowing owl, and burrowing owl is not expected to occur in the Project area. Surrounding undeveloped lands outside the Project area but within the study area have low potential for burrowing owl based on disturbance and agricultural activities. No direct impacts to burrowing owl are expected, and the potential for indirect impacts outside the Project area is considered to be low. The low likelihood of burrowing owl presence in the areas surrounding the Project, and the implementation of avoidance and minimization measures should any be detected during pre-activity nesting bird surveys, would ensure that the Project's impacts to burrowing owl would be less than significant.

In summary, the potential Project impacts to sensitive species (Threshold A) would be less than significant.

#### **Sensitive Natural Communities (Threshold B)**

Two sensitive natural communities were mapped within the Project area: Riversidean alluvial fan sage scrub and Riversidean upland sage scrub. Potential Project impacts to sensitive natural communities are depicted in Figures 3.2-1a to 3.2-1j, and summarized in Table 3.2-2, Sensitive Vegetation Community Impacts.

| Table 3.2-2 SENSITIVE VEGETATION COMMUNITY IMPACTS* |          |               |  |
|---|----------|---------------|--|
| Vegetation Community                                | Existing | Impact        |  |
| Riversidean Upland Sage Scrub – Disturbed           | 5.0      | 2.6           |  |
| Riversidean Alluvial Fan Sage Scrub – Disturbed     | 0.2      | 0. <u>0</u> 1 |  |
| TOTAL   | 5.2      | 2. <u>6</u> 7 |  |

\*Areas are in acres

Note: Impacts reported in this table reflect vegetation within proposed Contractor Work and Storage Areas and excavation areas. Impacts to upUp to an additional 2.4 acres of Riversidean upland sage scrub and up to 0.08 acre of Riversidean alluvial fan sage scrub may be subject to temporary disturbance.

The Project would temporarily impact 2.6 acres of disturbed Riversidean upland sage scrub and 0.1 acre of disturbed Riversidean alluvial fan sage scrub in the proposed Contractor Work and Storage Areas and excavation areas. According to biological surveys conducted for the original Etiwanda Pipeline North installation in 1988, Riversidean upland sage scrub in the proposed pipeline alignment was disturbed (WESTEC 1988), which indicates that this habitat has been of low quality since before the original pipeline installation. The Riversidean alluvial fan sage scrub and disturbed Riversidean upland sage scrub in the Project area represents vegetation that has re-grown since excavation for installation of Etiwanda Pipeline North in 1993, and that has continued to be disturbed by on-going maintenance activities in the right-of-way. Thisese communityies are remains highly disturbed, low in quality, and provides limited biological function and value. Neither has a high potential to support any sensitive species. The San Bernardino kangaroo rat was determined to be absent from these communities. The Riversidean alluvial fan sage scrub is not associated with any functioning riparian habitat and is of low

quality. The Riversidean upland sage scrub is highly disturbed comprised of a sparse arrangement of California buckwheat and deerweed shrubs with non-native red brome, oats, and filaree., low in quality, and It also is isolated from core habitat blocks in the local and regional area. Both California buckwheat and deerweed are resilient disturbance-followers, which are expected to again successfully colonize the temporary impact areas. Temporary impacts to thisese communityies (Threshold B) would be less than significant.

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Sensitive native vegetation outside the areas proposed for direct disturbance but within the Project area (totaling up to an additional 2.4 acres of Riversidean upland sage scrub—and up to 0.08 acre of Riversidean alluvial fan sage scrub) may be subject to disturbance by vehicle access and equipment storage as necessary for Project activities, or by routine vegetation maintenance. Because no permanent removal of habitat would be necessary to accommodate temporary access and storage in these areas, vegetation in these communities is expected to recover after Project completion. These areas are isolated habitat fragments in disturbed condition and the potential temporary impact (Threshold B) would be less than significant.

#### Local Policies, Ordinances, and Adopted Plans (Threshold C)

As described in **Section 3.2.1**, the adopted General Plan for the City of Fontana includes policies relevant to the protection of biological resources. These policies include identification of impacts to sensitive species and mitigation for removal of natural habitat. As noted above, California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. These policies provide a point of reference regarding resource protection priorities of those jurisdictions and are evaluated for purposes of full disclosure of potential Project impacts on the environment. Potential impacts to sensitive species are addressed above, and appropriate protective measures would be provided in accordance with Metropolitan's standard practices for the protection of nesting birds. Also as addressed above, the Project would result in temporary impacts to Riversidean upland sage scrub and Riversidean alluvial fan sage scrub. Thisese communityies isare, however, disturbed, low in quality, and provides limited biological function and value. They It represents vegetation that has re-grown in similar quality to the disturbed vegetation that existed prior to-since excavation for installation of Etiwanda Pipeline North in 1993., and <u>vVegetation in thisese</u> communit<u>yies</u> is expected to recover after Project completion to a community that is functionally equivalent to the limited, disturbed community that currently exists. Impacts would be less than significant and do not require mitigation. Based on these considerations, the Project would not conflict with local policies or ordinances protecting biological resources (Threshold C).

#### 3.2.4 <u>Mitigation Measures</u>

Impacts related to Thresholds A, B, and C would be less than significant; no mitigation is required.

#### 3.2.5 Conclusions

Impacts to special-status animal species and sensitive communities would be less than significant given the relatively low sensitivity of resources present, small numbers of individuals likely to be affected, and Metropolitan's standard practices for the protection of nesting birds, including burrowing owls and other raptors. No impacts would occur related to consistency with local policies, ordinances, or plans.

| Table 3.4-1  |   |     |  |  |
|--|---|-----|--|--|
| PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES   |   |     |  |  |
| Policy Discussion  |   |     |  |  |
| City of Fontana General Plan   |   |     |  |  |
| City of Fontana General Plan – Land Use Element  |   |     |  |  |
| Goal 2, Policy 2: Regionally beneficial land uses such as transportation corridors, flood control systems, utility corridors, and recreational corridors shall be sensitively integrated into our community.   | The Project area is located within a land use and zoning designation of P-UC. Repairing Etiwanda Pipeline North would assist in Metropolitan's ability to continue to provide water to customers within its southern California service area. Project activities would be temporary; after completion of the Project, the Project area would be returned to its existing condition.   | Yes |  |  |
| Goal 2, Policy 3: Multiple uses within utility easements shall emphasize open spaces but may accommodate more intensive uses to safely augment adjacent uses.  | The proposed Project is located within a utility corridor that is mostly vacant above-ground. Project activities would be temporary; upon completion, the Project area would be returned to its existing condition. Metropolitan generally maintains exclusive use of its facility rights-of-way; however, the Project would not preclude the Project area from being used for multiple purposes.   | Yes |  |  |
| City of Fontana General Plan - Public Facilities, Se   | rvices, and Infrastructure Element  |     |  |  |
| Goal 9, Policy 2: The installation of utilities shall be coordinated so that disruption of public rights-of-way and private property is kept to a minimum.   | The Project would consist of repair of an existing pipeline within Metropolitan's existing right-of-way. The Project would not result in disruptions to roadways or other public rights-of-way. Metropolitan would obtain temporary construction easements from private properties that would be used as staging areas, and they would be returned to their current status following completion of Project activities.                              | Yes |  |  |
| City of Fontana General Plan - Open Space and Con  | nservation Element  |     |  |  |
| Goal 1.2, Policy 2: Require mitigation for removal of any natural habitat, including restoration of degraded habitat of the same type, creation of new or extension of existing habitat of the same type, financial contribution to a habitat conservation fund administered by federal, state or local government | As discussed in <b>Section 3.2,</b> <i>Biological Resources</i> , the Project would temporarily impact 2.6 acres of disturbed Riversidean upland sage scrub and 0.1 acre of disturbed Riversidean alluvial fan sage scrub in the proposed staging areas and excavation areas. Thisese communityies are is highly disturbed and provides limited biological function and value. Impacts would be temporary and are considered less than significant; | Yes |  |  |
| agency, or by a non-profit conservancy.  | therefore, no mitigation is required for sensitive habitat.   |     |  |  |

residences will be equipped with minimum eight-foot high noise control barriers between the gathering area and residences; entrances will not face residences.

- **NOI-3.c** Parking areas will be located a minimum of 150 feet from sensitive receptors. Parking areas that are within 500 feet of sensitive receptors will be posted to prohibit workers from gathering during nighttime hours, and prohibiting radios and music at any time.
- **NOI-3.d** Equipment will be maintained to a minimum standard that includes engine noise baffles and mufflers that meet or exceed the original manufacturer's requirements.
- **NOI-3.e** Equipment that has noise control doors will be operated only with the doors fully closed.
- **NOI-3.f** Equipment delivery trucks will be allowed only during daytime hours, and back-up alarms will be disengaged to the extent allowed by OSHA.
- **NOI-3.g** Fuel deliveries will occur during daytime hours and at a minimum of 500 feet from residences, to the extent feasible. Fueling stations that must be located within 500 feet of residences will have minimum eight-foot high noise control barriers, and fuel trucks that are required during nighttime hours will maintain a minimum distance of 100 feet from residences.
- **NOI-3.h** Noise control barriers and enclosures, where used in accordance with NOI-1<del>2.b</del>, will be fully in place prior to work at that location.
- **NOI-3.i** Noise control barriers and enclosures, where used in accordance with NOI-<u>12.b</u>, will be implemented using the most appropriate material, configuration, and location to achieve the maximum feasible noise reduction.

#### NOI-4 Noise Control During Site Preparation, Excavation, and Site Closure Activities

Site preparation, excavation, and site closure activities will be allowed only during daytime hours.

## NOI-5 Noise Control During Mortar Lining Removal, Pipeline Dewatering, and New Pipeline Liner Application Activities

Increased noise levels from these activities primarily result from pressurized air venting or leaking from equipment. The following measures would reduce the noise that results from this potential occurrence.

• **NOI-5.a** – No air line, air relief valve, air switch, air control, or any other equipment component will be allowed to vent pressurized air directly to the atmosphere. All air vent lines will go through an air silencing system that reduces air vent noise to 75 dBA L<sub>EO</sub> (1-second) or less at a distance of five feet.

emissions of VOC, CO, and NO<sub>X</sub>. Therefore, the Project would contribute significantly to the cumulative impact to regional emissions.

With respect to local impacts, cumulative particulate impacts are considered when projects may be within a few hundred yards of each other. As identified in **Table 4-1** and **Figure 4-1**, several projects have been identified within this proximity to the Project, including a water reservoir and booster station, church and associated parking, three private development projects, and the Falcon Ridge Substation Project. The Falcon Ridge Substation Project is anticipated to be under construction concurrently with the Etiwanda Pipeline North Relining Project. The construction schedule for the other projects is unknown and, although it is unlikely that they would all be under construction at the same time as the proposed Project, they are conservatively assumed to overlap for the purposes of this analysis. As shown in **Table 3.1-6**, implementation of the mitigation measures AIR-1 and AIR-2 would reduce local emissions of CO, NO<sub>X</sub>, and PM<sub>10</sub> to below the SCAQMD thresholds. Because these thresholds have been developed for the specific purpose of addressing cumulative impacts, the Project would not contribute significantly to cumulative impacts regarding local emissions of CO, NO<sub>X</sub>, and PM<sub>10</sub>. Even with implementation of mitigation measures, the proposed Project would result in local emissions of PM<sub>2.5</sub> that exceed the SCAQMD significance thresholds. Therefore, the Project would contribute significantly to the cumulative local emissions impact.

In summary, the Project would contribute significantly to cumulative impacts to regional and local air pollutant emissions.

#### 4.3.2 Biological Resources

Portions of the cumulative project area support, or previously supported, habitat types such as Riversidean sage scrub and Riversidean alluvial fan sage scrub, which may provide habitat for species such as San Bernardino kangaroo rat, San Diego pocket mouse, and Los Angeles pocket mouse. The extensive development that has occurred in the region has resulted in a loss of substantial amounts of these habitats and associated species, which has resulted in them being considered sensitive by the applicable resource agencies. The cumulative regional loss of sensitive vegetation communities and associated sensitive species would be considered significant.

The proposed Project would also result in the removal of Riversidean sage scrub-and Riversidean alluvial fan sage scrub. However, thisese communityies occurs only in small patches that are highly disturbed, discontinuous, and provide limited biological function and value. This community was comprised of low quality vegetation prior to the original installation of the Etiwanda Pipeline and has since been disturbed by ongoing maintenance activities in the right-of-way. Because the native species currently present in this community are disturbance followers, vegetation in this community is expected to recover after Project completion to a community that is functionally equivalent to the limited, disturbed community that currently exists. As a result, the minor, temporary Project-related impacts to thisese communityies would not contribute significantly to cumulative vegetation impacts.

The San Bernardino kangaroo rat was determined to be absent from the Project area. As discussed in Section 3.2, Project-related impacts to the three sensitive species identified within

the Project area (San Diego black-tailed jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse) would include less than significant impacts from temporary loss of patchy, low-quality foraging and movement areas, as well as possible direct impacts to the San Diego pocket mouse and Los Angeles pocket mouse from ground-disturbing activities. Survey results, however, suggest that the Project area supports less than one percent of the lowest estimated statewide population of San Diego pocket mouse, and a little more than one percent of the lowest estimated statewide population of Los Angeles pocket mouse.

Although only minimal, disturbed, low-quality patches of native vegetation occur in the Project area, the study area contains vegetation and structures that may provide nesting opportunities for common birds, including raptors. These birds are protected under the MBTA and California Fish and Game Code, and the potential for adverse impacts to nesting birds would be <u>avoided or</u> minimized through Metropolitan's standard practices for the protection of nesting birds. Therefore, the Project would not contribute significantly to cumulative impacts to sensitive species.

In summary, the Project would not contribute significantly to cumulative impacts to biological resources.

#### 4.3.3 Greenhouse Gas Emissions

The assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. Therefore, the discussion in **Section 3.3** of this EIR addresses cumulative GHG impacts and determines that the impact of the Project's GHG emissions on climate change would not be cumulatively considerable, as the Project would not exceed the SCAQMD screening threshold or conflict with an applicable GHG plan, policy, or regulation. The Project would not contribute significantly to cumulative greenhouse gas emission impacts.

#### 4.3.4 Land Use and Planning

The proposed Project consists of repairing an existing facility and would not result in an alteration of present or planned zoning or land use designations. California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. The Project would conflict with noise policies in the General Plans of the cities of Fontana and Rancho Cucamonga. This conflict represents a noise, rather than land use, impact, and is addressed in **Section 4.3.5**. Therefore, the Project would not contribute significantly to cumulative impacts to land use and planning.

#### 4.3.5 **Noise**

#### **Temporary Increases in Ambient Noise**

Noise impacts are highly localized due to the decreasing effect that distance has upon noise levels. Construction of the SCE Falcon Ridge Substation Project may occur at the same time as the proposed Project. As part of the substation project, a sub-transmission source line segment would be installed adjacent to the Project. The new line would be built east of the existing line

#### 7.0 REFERENCES

California Air Resources Board (CARB)

2014 California Greenhouse Gas Inventory for 2000-2012. May. Available at: http://www.arb.ca.gov/cc/inventory/pubs/reports/ghg\_inventory\_00-12\_report.pdf

California Department of Fish and Wildlife (CDFW)

2012 Staff Report on Burrowing Owl Mitigation. March 7.

Clarke, O.F., D. Svehla, G. Ballmer, A. Montalvo

2007 Flora of the Santa Ana River and Environs. 495 pp.

California Natural Resources Agency (CNRA)

2009 Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97. December. Available at: http://resources.ca.gov/ceqa/docs/Final\_Statement\_of\_Reasons.pdf

#### Chew, RM and BB Butterworth

1964 Ecology of rodents in Indian Cove (Mojave Desert), Joshua Tree National Monument, California. Journal of Mammalogy 45: 203-225.

#### **ENVIRA**

2014 Presence/Absence Trapping Studies For The San Bernardino Kangaroo Rat and Los Angeles Pocket Mouse - Etiwanda Pipeline North Repair, San Bernardino County, California. May 21.

Fontana, City of

- 2014a City Projects by Type and Department. Available at: http://www.fontana.org/index.aspx?NID=2020
- 2014b Email communication with Salvador N. Quintanilla, MPA, Assistant Planner, Planning Division. November 3.
- 2003 City of Fontana General Plan. October 21. Available at: https://www.fontana.org/index.aspx?NID=813

HELIX Environmental Planning, Inc. (HELIX)

2014a Etiwanda Pipeline North Relining Project, Air Quality Technical Report.

December.

#### HELIX Environmental Planning, Inc. (HELIX) (cont.)

- 2014b Biological Resources Letter Report for the Etiwanda Pipeline North Relining Project. October.
- 2014c Greenhouse Gas Emissions Technical Report for the Etiwanda Pipeline North Relining Project. December.
- 2014d Acoustical Site Assessment for the Etiwanda Pipeline North Relining Project.

#### Jones, T.

1993 The social systems of Heteromyid rodents. *In*: Biology of the Heteromyidae, HH
Genoways and JH Brown, *eds*. American Society of Mammalogists Special
Publications No. 10.

#### Lightner, J.

2006 San Diego County Native Plants. 2<sup>nd</sup> Edition. 320 pp.

#### Rancho Cucamonga, City of

- 2014 Email Communication with Tabe Van der Zwaag, Associate Planner, Development Review. October 29.
- 2010 Rancho Cucamonga General Plan. May 19. Available at: http://www.cityofrc.us/cityhall/planning/genplan.asp

#### San Bernardino Associated Governments (SANBAG)

2013 San Bernardino County Regional 2008 Community Greenhouse Gas Inventories and 2020 Forecasts. Available at:
<a href="http://www.sanbag.ca.gov/planning2/greenhousegas/FinalSBCRegionalGHGReductionAppA.pdf">http://www.sanbag.ca.gov/planning2/greenhousegas/FinalSBCRegionalGHGReductionAppA.pdf</a>

#### San Diego State University (SDSU)

2002 Coastal Sage Scrub Response to Disturbance. A Literature Review and
 Annotated Bibliography. Prepared for California Department of Fish and Game.

 February 28. 87 pp. Available at:
 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=26433

#### South Coast Air Quality Management District (SCAQMD)

2011 SCAQMD Air Quality Significance Thresholds. Available at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2">http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2</a>

#### South Coast Air Quality Management District (SCAQMD) (cont.)

2010 Greenhouse Gas CEQA Significance Threshold Stakeholder Working Group Meeting #15 (slide presentation). Available at:

<a href="http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2">http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2</a>

7-2

- 2008a Final Report, Multiple Air Toxics Exposure Study in the South Coast Air Basin, MATES III. September.
- 2008b Multiple Air Toxics Exposure Study III Model Estimated Carcinogenic Risk. Available at: http://www2.aqmd.gov/webappl/matesiii/
- 2008c Draft Guidance Document Interim CEQA GHG Significance Thresholds.
- 2003 Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. August. Available at: <a href="http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis-handbook/mobile-sour
- 1993 CEQA Air Quality Handbook (as amended).

#### Southern California Edison (SCE)

2012 Falcon Ridge Substation Project Environmental Impact Report. January.

United States Department of Transportation, Federal Highway Administration

2008 Roadway Construction Noise Model. Available at: http://www.fhwa.dot.gov/environment/noise/construction\_noise/rcnm/

United States Fish and Wildlife Service (USFWS)

- 2008 5-Year Review Delhi Sands Flower-loving Fly. March.
- 1997 Final Recovery Plan for the Delhi Sands Flower-Loving Fly. September.

#### **Urban Crossroads**

- 2014a Etiwanda Pipeline North Relining Project Diesel Particulate Health Risk Assessment. October 30.
- 2014b Etiwanda Pipeline North Relining Project Traffic Impact Analysis. October 22.

#### WESTEC Services, Inc. (WESTEC)

1988 Etiwanda Pipeline and Power Plant Draft Supplemental Environmental Impact Report. March 1988.

**Proposed Outlets, Manholes, and Rollout Stations** 

0 300 Feet

ETIWANDA PIPELINE NORTH RELINING PROJECT

**Vegetation and Sensitive Resources/Impacts** 

ETIWANDA PIPELINE NORTH RELINING PROJECT



# DRAFT ENVIRONMENTAL IMPACT REPORT AS MODIFIED

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List of Acronyms and Abbreviations

#### LIST OF ACRONYMS AND ABBREVIATIONS

AB Assembly Bill a.m./AM morning

Caltrans California Department of Transportation

CARB California Air Resources Board CCR California Code of Regulations

CDFW California Department of Fish and Wildlife CEQA California Environmental Quality Act

CH<sub>4</sub> methane

CMP Congestion Management Program
CNRA California Natural Resource Agency

CO carbon monoxide CO<sub>2</sub> carbon dioxide

CO<sub>2</sub>e carbon dioxide equivalent CRA Colorado River Aqueduct

dBA decibel(s) with A-weighting
DWR Department of Water Resources

EIR Environmental Impact Report

GHG greenhouse gas

HELIX Environmental Planning, Inc.

HFCs hydrofluorocarbons

hp horsepower

I-15 Interstate 15

 $L_{EQ}$  average sound level LOS level of service

MBTA Migratory Bird Treaty Act

Metropolitan Water District of Southern California

MMT million metric tons

MS4 Municipal Separate Storm Sewer Systems

MT metric tons

 $egin{array}{lll} N_2O & & \mbox{nitrous oxide} \\ NO_2 & & \mbox{nitrogen dioxide} \\ NO_X & & \mbox{oxides of nitrogen} \\ NOP & & \mbox{Notice of Preparation} \\ \end{array}$ 

NPDES National Pollutant Discharge Elimination System

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List of Acronyms and Abbreviations

 $O_3$  ozone

OSHA Occupational Safety and Health Administration

PCE passenger car equivalent

PFCs perfluorocarbons

p.m./PM evening

 $PM_{2.5}$  fine particulate matter with a diameter of 2.5 microns or less  $PM_{10}$  respirable particulate matter with a diameter of 10 microns or less

ppm parts per million
PRC Public Resources Code

Project Etiwanda Pipeline North Relining Project

P-UC Public Utility Corridor

SANBAG San Bernardino Associated Governments SCAQMD South Coast Air Quality Management District

SCE Southern California Edison

 $SF_6$  sulfur hexafluoride  $SO_2$  sulfur dioxide  $SO_X$  oxides of sulfur

SP-E Etiwanda Specific Plan

SR State Route

SWP State Water Project

TACs toxic air contaminants

USEPA U.S. Environmental Protection Agency

USFWS U.S. Fish and Wildlife Service

USGS U.S. Geological Survey

VdB vibration decibels

VOC volatile organic compound

μg/m<sup>3</sup> micrograms per cubic meter

### **SUMMARY**

#### **SUMMARY**

This chapter provides a summary of this Environmental Impact Report (EIR) for implementation of the Metropolitan Water District of Southern California's (Metropolitan's) Etiwanda Pipeline North Relining Project (herein referred to as "proposed Project" or "Project"). This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code [PRC] Section 21000 et seq.) and the Guidelines for Implementation of CEQA (State CEQA Guidelines) published by the Public Resources Agency of the State of California (California Code of Regulations [CCR], Title 14, Section 15000 et seq.).

This chapter highlights the major areas of importance in the environmental analysis for the proposed Project as required by State CEQA Guidelines Section 15123. It provides a brief description of the Project objectives, the proposed Project, and alternatives to the proposed Project. In addition, this chapter includes a table summarizing: (1) the direct impacts that would occur from implementation of the proposed Project; (2) the level of impact significance before mitigation; (3) the recommended mitigation measures that would avoid or reduce significant environmental impacts; and (4) the level of impact significance after mitigation measures are implemented.

#### S.1 PROJECT LOCATION

The proposed Project involves relining of Metropolitan's Etiwanda Pipeline North. The portion of the pipeline to be relined includes approximately 4.4 miles of pipeline right-of-way in the city of Fontana, beginning at Metropolitan's Rialto Pipeline and ending at East Avenue, and approximately 0.4 mile of pipeline right-of-way in the city of Rancho Cucamonga, continuing from East Avenue and ending just north of Foothill Boulevard. The pipeline parallels Interstate 15 (I-15), approximately 0.4 mile east of I-15 and crosses under State Route (SR) 210. The alignment traverses in a northeast to southwest direction, with the northernmost portion of the alignment located approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the city of Fontana. The southern terminus of the Project area is just north of Foothill Boulevard, approximately 0.2 mile west of East Street in the city of Rancho Cucamonga.

#### S.2 PROJECT DESCRIPTION

#### **Project Objectives**

The proposed Project would remove the existing mortar lining that has become separated from the inside of Etiwanda Pipeline North and install a new lining to prevent further corrosion. The primary objectives of the Project are as follows:

- Enable Metropolitan to continue conveyance of water from the Rialto Pipeline to the Upper Feeder as needed to supply customers;
- Enable Metropolitan to continue electricity generation through water conveyance to the Etiwanda Hydroelectric Plant;

- Provide a safe, feasible and cost-effective relining method; and
- Minimize Project-related nuisances such as traffic disruption, noise, air quality, dust, and odor to the extent feasible.

#### **Proposed Project**

To prevent further corrosion of the steel pipe in the approximately five-mile-long segment of Etiwanda Pipeline North, the Project proposes to remove the existing interior mortar lining, much of which has eroded and delaminated, and recoat the pipe with a new lining.

Except for excavation and staging, Project activities would mostly occur below-ground. Access to the pipe for relining activities would be accomplished via rollouts (where a 20-foot segment of pipe would be removed), existing manholes, existing buried outlets (similar to manholes but without surface structures), and proposed new buried outlets. While the remainder of the right-of-way and staging areas may be used for access and material storage, no other disturbance of the existing ground is anticipated. Surface disturbance could occur in the remainder of the right-of-way from materials staging and grubbing of vegetation. Project activities would not occur within storm drainage courses, public roadways, or public rights-of-way.

Primary activities would include the following: site preparation; preparation of access points into the pipeline; pipeline shutdown and removal of water; surface preparation of the interior of the pipe surfaces (including removal of the existing lining); application of the new liner; and closing access points and site completion. Following the completion of pipeline relining, the Project would not require operations or maintenance personnel beyond those already required for the existing pipeline.

The proposed Project activities are expected to begin in 2015 and would occur during pipeline shutdown periods, the number and duration of which would be determined by water demands and available supplies. Up to three phases would be required, each lasting approximately one year with each shutdown period lasting approximately six to nine months. Although the Project work schedule would vary throughout the duration of Project activities, during the pipeline shutdown period, work could be performed up to 24 hours per day and seven days per week.

Metropolitan's mission includes incorporation of environmental responsibility into its projects and operation of its facilities. Environmental commitments are proposed as part of the Project to reflect and incorporate Metropolitan's best practices to avoid, minimize, or offset potential environmental effects from its projects. The Project, with these environmental commitments incorporated, was then evaluated for potentially significant impacts and the need for mitigation measures. Implementation of these commitments as part of the Project would reduce potential impacts relative to air pollutant emissions, biological resources, and noise.

#### S.3 SCOPE OF ENVIRONMENTAL ANALYSIS

This EIR contains a discussion of the potential significant environmental effects resulting from implementation of the proposed Project, including information related to existing site conditions, analyses of the type and magnitude of individual and cumulative environmental impacts, and feasible mitigation measures that could reduce or avoid environmental impacts. For analysis purposes, certain assumptions were made in the types, quantities, and uses of equipment and

workers. These assumptions reflect the best level of judgment and information available about the design of the Project, but they also allow necessary flexibility for adjustments during final design and performance of the work. Refinements in the Project may result in minor variations in specific types, numbers, and uses of equipment and workers; however, the assumptions used in the analyses are considered the worst-case Project scenarios for air emissions, noise, and traffic. Actual emissions, noise, and traffic levels could be lower than shown in the analysis conclusions.

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In accordance with the State CEQA Guidelines, Metropolitan circulated a Notice of Preparation (NOP) and Initial Study for this Draft EIR in August 2014 to responsible agencies and other interested parties, to solicit comments on the scope of the Draft EIR. The 30-day public review period ended on September 17, 2014. The Initial Study, NOP and comment letters received on the NOP are included in **Appendix A** of this document. Based on the results of the Initial Study/NOP, this EIR analyzes the potential environmental effects of the proposed Project for the following issue areas:

- 1. Air Quality
- 2. Biological Resources
- 3. Greenhouse Gas Emissions
- 4. Land Use and Planning
- 5. Noise
- 6. Transportation and Traffic

Issue areas that were determined by the Initial Study to have less than significant impacts from the proposed Project were not further analyzed in this EIR. These environmental issue areas are as follows:

- 1. Aesthetics
- 2. Agriculture and Forestry Resources
- 3. Cultural Resources
- 4. Geology and Soils
- 5. Hazards and Hazardous Materials
- 6. Hydrology and Water Quality

- 7. Mineral Resources
- 8. Population and Housing
- 9. Public Services
- 10. Recreation
- 11. Utilities and Service Systems

#### S.4 AREAS OF CONTROVERSY/ISSUES TO BE RESOLVED

Section 15123 of the State CEQA Guidelines requires the identification of any areas of controversy known to the lead agency, including issues raised by other agencies and the public. While no areas of controversy were identified for the Project in the NOP comment letters, it is anticipated that temporary noise levels during Project activities would be controversial. The anticipated noise levels, as well as measures that would limit impacts to adjacent residences, are detailed in **Section 3.5**, *Noise*, of this EIR. As discussed in that section, Metropolitan would work closely with the representatives from the Cities of Fontana and Rancho Cucamonga to reach resolution regarding acceptable noise levels.

#### S.5 SUMMARY OF PROJECT ALTERNATIVES

Alternatives are analyzed in **Chapter 6.0**, **Project Alternatives**, of this Draft EIR. A number of alternatives were identified and subjected to screening analysis, as part of the proposed Project design process. The objective of the alternatives analysis is to consider a reasonable range of potentially feasible alternatives to foster informed decision-making and public participation. All of the alternatives for the Project were rejected as infeasible and would not meet the basic Project objectives. The proposed Project, therefore, is considered to be the environmentally superior alternative.

#### S.6 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table S-1, Environmental Impacts and Mitigation Measures, provides a summary of the environmental impacts that could result from implementation of the proposed Project and feasible mitigation measures that could reduce or avoid environmental impacts. For each impact, Table S-1 identifies the significance of the impact prior to and following implementation of mitigation measures. With the exception of air quality impacts and noise impacts, all Project-specific significant impacts would be reduced to below a level of significance following implementation of the mitigation measures. The Project's generation of nighttime noise would conflict with General Plan noise policies; however, as the Project is exempt from local zoning and building ordinances through California Government Code Section 53091, the short-term policy conflict represents a noise, rather than a land use, impact. Project-related impacts combined with impacts from other projects in the cumulative project study area also would not result in significant and unmitigable cumulative impacts, with the exceptions of air quality-and noise.

## Table S-1 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue                                      | Impact  | Significance<br>Before | Mitigation Measure(s)  | Significance<br>After |
|--|---|------------------------|--|-----------------------|
| 3.1 Air Quality                            |   | Mitigation             |  | Mitigation            |
| Conflict with Applicable Air Quality Plans | The proposed Project would not exceed the assumptions in the Air Quality Management Plan; however, Project emissions would exceed regional criteria pollutant thresholds established by the South Coast Air Quality Management District (SCAQMD). | Significant            | AIR-1: All off-road diesel-powered construction equipment greater than 50 horsepower (hp) will meet Tier 4 emission standards. All construction equipment will be outfitted with California Air Resources Board-certified best available control technology devices. Any emissions-control device used by the contractor will achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by California Air Resources Board regulations. A copy of each unit's certified tier specification, best available control technology documentation, and California Air Resources Board or South Coast Air Quality Management District operating permit will be provided at the time of mobilization of each applicable unit of equipment.  AIR-2: Diesel haul trucks (e.g., material delivery trucks and debris export) will be 2010 model year or newer.  AIR-3: Electricity from power poles will be used instead of temporary diesel or gasoline-powered generators and air compressors to reduce the associated emissions, where power poles are within 100 feet of equipment sites and feasible connections are available. | Significant           |
| Conformance to Air<br>Quality Standards    | Project emissions would exceed regional criteria pollutant thresholds established by the SCAQMD for emissions of volatile organic   | Significant            | Mitigation measures <b>AIR-1</b> through <b>AIR-3</b> will be implemented to reduce potential impacts associated with Project activities.  | Significant           |

## Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

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| Issue   | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation         |
|---|---|--------------------------------------|---|---|
| 3.1 Air Quality (cont   | .)  |                                      |   |   |
|   | compounds (VOCs), nitrogen oxides (NO <sub>X</sub> ), and particulate matter that is 2.5 microns or smaller (PM <sub>2.5</sub> ). Project-related emissions would also exceed SCAQMD's localized criteria pollutant thresholds for emissions of NO <sub>X</sub> , particulate matter that is 10 microns or smaller (PM <sub>10</sub> ), and PM <sub>2.5</sub> . |                                      |   |   |
| Cumulatively Considerable Net Increase in Criteria Pollutants | The Project would result in regional and localized exceedances, as discussed above, which would be potentially cumulatively considerable.   | Significant                          | Mitigation measures <b>AIR-1</b> through <b>AIR-3</b> will be implemented to reduce potential impacts associated with Project activities. | Significant                                 |
| Expose Sensitive<br>Receptors to<br>Pollutants                | Project-related local emissions of criteria pollutants and toxic air contaminants would result in potentially significant health risks to nearby residences, schools, and off-site workers.   | Significant                          | Mitigation measures <b>AIR-1</b> through <b>AIR-3</b> will be implemented to reduce potential impacts associated with Project activities. | Significant<br>(local<br>emissions<br>only) |
| Create Objectionable<br>Odors                                 | Project-related odors associated with equipment operations would be temporary and would not be objectionable to a substantial number of people.   | Less than significant                | No mitigation is required.  | Less than significant                       |

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Summary

## Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue  | Impact   | Significance<br>Before<br>Mitigation | Mitigation Measure(s)                                  | Significance<br>After<br>Mitigation |
|--|--|--------------------------------------|--|-------------------------------------|
| 3.2 Biological Resor   |  |                                      |  |                                     |
| Adversely Affect Candidate, Sensitive, or Special Status Species  Adversely Affect | The Project would result in minor, temporary loss of foraging and movement areas for the San Diego jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse; as well as potential direct impacts to the San Diego pocket mouse and Los Angeles pocket mouse from ground-disturbing activities. Potential impacts to nesting birds would be less than significant through Metropolitan's standard environmental practices and compliance with the Migratory Bird Treaty Act (MBTA). | Less than significant  Less than     | No mitigation is required.  No mitigation is required. | Less than significant  Less than    |
| Sensitive Natural<br>Communities   | impact isolated habitat fragments of disturbed Riversidean upland sage scrub and disturbed Riversidean alluvial fan sage scrub-within the existing right-ofway.  | significant                          |  | significant                         |
| Conflict with Local Policies or Ordinances Protecting Biological Resources         | The Project would not conflict with local policies or ordinances protecting biological resources.  | Less than significant                | No mitigation is required.                             | Less than significant               |

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### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

| Issue                                  | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)  | Significance<br>After<br>Mitigation |
|--|---|--------------------------------------|--|-------------------------------------|
| 3.3 Greenhouse Gas                     | Emissions   |                                      |  |                                     |
| Generate GHG<br>Emissions that may     | The Project would not generate GHG emissions that would result  | Less than<br>Significant             | No mitigation is required.                                       | Less than<br>Significant            |
| Result in a                            | in a significant impact on the                                  | Significant                          |  |                                     |
| Significant Impact Conflict with Plans | environment.  The Project would not conflict                    | Less than                            | No mitigation is required.                                       | Less than                           |
| for Reducing GHG Emissions             | with applicable plans, policies, or regulations adopted for the | significant                          | No mingation is required.  | significant                         |
| Limssions                              | purpose of reducing GHG emissions.                              |                                      |  |                                     |
| 3.4 Land Use and Pla                   |   | I.                                   | I  |                                     |
| Conflict with                          | The Project would temporarily                                   | Less than                            | The short-term policy conflict represents a noise, rather than a | Less than                           |
| applicable land use                    | conflict with noise standards in                                | Significant                          | land use, impact, due to Metropolitan's exemption from local     | Significant                         |
| plan, policy, or                       | the General Plans of cities of                                  |                                      | zoning and building ordinances (which is fully discussed in      |                                     |
| regulation.                            | Fontana and Rancho Cucamonga. <sup>1</sup>                      |                                      | Section 3.5). No mitigation is required.                         |                                     |

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<sup>&</sup>lt;sup>1</sup> California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances, including local general plans. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Nonetheless, Metropolitan intends to voluntarily work with the local communities to reduce impacts due to conflicts with the local plans.

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|  | Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES   |                                      |   |                                     |  |
|--|---|--------------------------------------|---|-------------------------------------|--|
| Issue  | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation |  |
| 3.5 Noise  |   | •                                    |   |                                     |  |
| Generate Noise<br>Levels in Excess of<br>Standards | The Project would include 24-hour construction and result in noise levels exceeding the maximum allowable noise levels at adjacent residences during both daytime and nighttime hours. <sup>2</sup> | Significant                          | NOI-1: Noise Control Plan  A noise control plan will be developed in coordination with the City of Rancho Cucamonga and the City of Fontana, and will have the concurrence of the cities prior to beginning work in the Project area. The noise control plan will include but not necessarily be limited to mitigation measures NOI-2 through NOI-6, to the extent feasible to protect the interests of the public and to allow for Project completion in light of critical work schedules, necessary work methods, and the physical constraints of Metropolitan's right-of-way and available work areas.  NOI-2: Noise Monitoring  NOI-2.a – Noise monitoring will be performed to measure noise levels during work in the vicinity of sensitive receptors and to measure the effectiveness of noise control measures. | Significant                         |  |

<sup>&</sup>lt;sup>2</sup> California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances, including local noise ordinances in the local zoning or building codes. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Nonetheless, Metropolitan intends to voluntarily work with the local communities to reduce impacts due to conflicts with the local noise ordinances.

|                   | Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES |                                      |   |                                     |
|-------------------|---|--------------------------------------|---|-------------------------------------|
| Issue             | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)   | Significance<br>After<br>Mitigation |
| 3.5 Noise (cont.) |   |                                      |   |                                     |
|                   |   |                                      | <ul> <li>NOI-2.b – Where measured noise levels at the property line of residences are shown to exceed daytime noise levels of 75 dBA L<sub>EQ</sub>, or nighttime noise levels of 65 dBA L<sub>EQ</sub>, new noise control measures or improvements to noise control measures already in place will be implemented in an effort to achieve those daytime and nighttime thresholds, or lower, to the extent feasible; noise monitoring will be performed to record the achieved level of noise reduction.</li> <li>NOI-3: General Noise Control for All Project Activities</li> <li>NOI-3.a – Trucks and equipment equipped with back-up alarms will have the back-up alarms disengaged to the extent allowed by the Occupational Safety and Health Administration (OSHA); safety will be provided by lights and flagmen and safety lighting will be directed away from residences.</li> <li>NOI-3.b – Areas where workers gather (e.g., break areas, shift-change areas, meeting areas) will be located a minimum of 100 feet away from any residence if feasible. Worker gathering areas that must be located within 100 feet of residences will be equipped with minimum eight-foot high noise control barriers between the gathering area and residences; entrances will not face residences.</li> </ul> |                                     |

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#### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES Significance Significance Before **Mitigation Measure(s)** After **Issue Impact** Mitigation Mitigation 3.5 Noise (cont.) **NOI-3.c** – Parking areas will be located a minimum of 150 feet from sensitive receptors. Parking areas that are within 500 feet of sensitive receptors will be posted to prohibit workers from gathering during nighttime hours, and prohibiting radios and music at any time. **NOI-3.d** – Equipment will be maintained to a minimum standard that includes engine noise baffles and mufflers that meet or exceed the original manufacturer's requirements. NOI-3.e – Equipment that has noise control doors will be operated only with the doors fully closed. **NOI-3.f** – Equipment delivery trucks will be allowed only during daytime hours, and back-up alarms will be disengaged to the extent allowed by OSHA. **NOI-3.g** – Fuel deliveries will occur during daytime hours and at a minimum of 500 feet from residences, to the extent feasible. Fueling stations that must be located within 500 feet of residences will have minimum eight-foot high noise control barriers, and fuel trucks that are required during nighttime hours will maintain a minimum distance of 100 feet from residences. **NOI-3.h** – Noise control barriers and enclosures, where used in accordance with NOI-12.b, will be fully in place prior to work at that location.

|                   | Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES |                                      |  |                                     |
|-------------------|---|--------------------------------------|--|-------------------------------------|
| Issue             | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)  | Significance<br>After<br>Mitigation |
| 3.5 Noise (cont.) |   |                                      |  |                                     |
|                   |   |                                      | <ul> <li>NOI-3.i – Noise control barriers and enclosures, where used in accordance with NOI-12.b, will be implemented using the most appropriate material, configuration, and location to achieve the maximum feasible noise reduction.</li> <li>NOI-4: Noise Control During Site Preparation, Excavation, and Site Closure Activities</li> <li>Site preparation, excavation, and site closure activities will be allowed only during daytime hours.</li> <li>NOI-5: Noise Control During Mortar Lining Removal, Pipeline Dewatering, and New Pipeline Liner Application Activities</li> <li>Increased noise levels from these activities primarily result from pressurized air venting or leaking from equipment. The following measures would reduce the noise that results from this potential occurrence.</li> <li>NOI-5.a – No air line, air relief valve, air switch, air control, or any other equipment component will be allowed to vent pressurized air directly to the atmosphere. All air vent lines will go through an air silencing system that reduces air vent noise to 75 dBA LEQ (1-second) or less at a distance of five feet.</li> </ul> |                                     |

|                   | Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES |                                      |  |                                     |
|-------------------|---|--------------------------------------|--|-------------------------------------|
| Issue             | Impact  | Significance<br>Before<br>Mitigation | Mitigation Measure(s)  | Significance<br>After<br>Mitigation |
| 3.5 Noise (cont.) |   |                                      |  |                                     |
|                   |   |                                      | • NOI-5.b – When air leaks are detected in a piece of equipment, the air source will be turned off, the air line will be depressurized, and the leak will be repaired prior to resuming use of the equipment.  |                                     |
|                   |   |                                      | NOI-6: Noise Control at Rollout and Ventilation Locations  |                                     |
|                   |   |                                      | • NOI-6.a – The use of mobile equipment during nighttime hours will be limited to the following types – (a) skid-steer or rubber-tracked excavator; (b) tiremounted, medium-sized mobile crane; (c) two-axle delivery truck; (d) water truck; (e) pick-up truck.   |                                     |
|                   |   |                                      | • NOI-6.b – All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencing systems will be placed on the east side of the pipeline or east of rollout and ventilation locations, whichever distance and/or location will achieve maximum feasible noise reduction at nearby residences.  |                                     |
|                   |   |                                      | • NOI-6.c – All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencer systems will be used behind noise control barriers or within noise control enclosures as necessary to prevent noise at sensitive receptors from exceeding 75 dBA L <sub>EQ</sub> to the extent feasible. Enclosure entrances will face away from residences. Equipment entrances will be for daytime use only; worker entrances will be for daytime and nighttime use but will be kept fully closed when not in use. |                                     |

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*Summary* 

#### Table S-1 (cont.) ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES **Significance Significance Impact** Before **Mitigation Measure(s)** After **Issue** Mitigation Mitigation 3.5 Noise (cont.) During Project-related activities, Mitigation measures NOI-1 through NOI-6 will be Significant **Increase Temporary** Significant implemented to reduce potential impacts associated with the proposed Project would result Ambient Noise in a temporary increase in ambient Project activities to the extent feasible. Levels noise levels at nearby residences. The proposed Project would cause No mitigation is required. Result in Excessive Less than Less than Ground-borne some annoyance to nearby significant significant residences due to ground-borne Vibration or Noise vibration or noise levels: however. Levels the Project would not result in excessive ground-borne vibration or noise levels such that structural damage would occur. Additionally, the Project is not near vibration-sensitive uses. 3.6 Transportation and Traffic The Project would contribute Significant **TR-1:** No more than 50 vehicle trips will utilize the Conflict with a Less than more than 50 peak hour trips to an intersection of Heritage Circle at Baseline Avenue during Circulation System significant intersection currently operating at morning peak hours, between 7:00 a.m. and 9:00 a.m. This Plan, Ordinance, or unacceptable LOS. The Project may be accomplished through a combination of shift Policy scheduling, carpool incentives, and/or verification of employee would not result in conflicts with other applicable plans, ordinances, and truck routes. or policies establishing measures of effectiveness for the performance of the circulation system. Conflict with a Temporary trips associated with Less than No mitigation is required. Less than the Project would not result in a Congestion significant significant conflict with the applicable Management Congestion Management Program. Program

# Chapter 1.0

### **INTRODUCTION**

#### 1.0 INTRODUCTION

This Environmental Impact Report (EIR) was prepared by the Metropolitan Water District of Southern California (Metropolitan) for the proposed Etiwanda Pipeline North Relining Project (proposed Project). The Project involves repair of approximately five miles of the Etiwanda Pipeline North, consisting of removal of damaged concrete mortar lining inside the pipeline followed by application of a new polyurethane coating. This EIR was prepared to evaluate the potential impacts of the Project on the environment and on adjacent communities in the cities of Fontana and Rancho Cucamonga.

#### 1.1 PURPOSE OF THE EIR

This EIR assesses the potential environmental effects of the Etiwanda Pipeline North Relining Project. This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 (Public Resources Code [PRC] Section 21000 et seq.) and the Guidelines for Implementation of CEQA (State CEQA Guidelines) published by the Public Resources Agency of the state of California (California Code of Regulations [CCR], Title 14, Section 15000 et seq.). Metropolitan is the Lead Agency under CEQA (PRC Section 21067, as amended), is responsible for the preparation of the EIR, and will use this document to objectively review and assess the proposed Project prior to approval or disapproval.

This EIR is intended to: (1) inform decision makers and the public about the potentially significant environmental effects of the proposed activities; (2) identify the ways that significant environmental effects can be avoided or reduced; and (3) prevent significant, avoidable damage to the environment by requiring changes in the proposed Project through the use of alternatives or mitigation measures, to the extent that Metropolitan determines the changes to be feasible (CEQA Guidelines Section 15002; PRC Section 21002.1).

#### 1.2 SCOPE OF THE EIR

Metropolitan prepared an Initial Study for the proposed Project (**Appendix A**). The Initial Study indicated that the Project would result in less than significant impacts to the following environmental issue areas:

- 1. Aesthetics
- 2. Agriculture and Forestry Resources
- 3. Cultural Resources
- 4. Geology and Soils
- 5. Hazards and Hazardous Materials
- 6. Hydrology and Water Quality

- 7. Mineral Resources
- 8. Population and Housing
- 9. Public Services
- 10. Recreation
- 11. Utilities and Service Systems

Therefore, these issue areas do not require additional analysis. The Initial Study, however, indicated that significant impacts may occur with respect to the following environmental issue areas:

- 1. Air Quality
- 2. Biological Resources
- 3. Greenhouse Gas Emissions

- 4. Land Use and Planning
- 5. Noise
- 6. Transportation and Traffic

Accordingly, Metropolitan determined that an EIR was necessary to address these potentially significant issues. These issues are discussed in detail in this EIR (**Chapter 3.0**, **Environmental Impact Analysis**).

On August 15, 2014, Metropolitan circulated a Notice of Preparation (NOP) to responsible agencies and other interested parties. The Initial Study, NOP and comment letters received on the NOP are included in **Appendix A** of this document. The topics identified in the comment letters received in response to the NOP, and the manner in which such comments are addressed, are summarized below.

• Concerns regarding Project-related trips and recommendations for trip reductions:

Project-generated trips, their impact on the existing circulation system, and measures necessary to reduce the single significant impact are detailed in **Section 3.6**, *Transportation and Traffic*.

• Work performed in Flood Control District right-of-way would require a permit and/or other on-site or off-site improvements:

Only below-ground work within the existing pipeline would occur within Flood Control District right-of-way. There would be no change to existing drainage patterns in these areas, and no permit would be required.

• Discussion of drainage and development in a floodplain:

The Initial Study discussed drainage and activities within a floodplain in accordance with Appendix G of the State CEQA Guidelines. Because no potentially significant impacts were identified, no discussion in this EIR is required.

 Assessment of adverse impacts on historical/archaeological resources and implementation of appropriate mitigation related to such resources, in addition to coordination with the tribes on the Native American contacts list provided by the Native American Heritage Commission:

As described in the Initial Study, a record search and survey of the Project area were conducted, which identified no potentially significant resources in the Project area. In addition, no concerns were raised by representatives of the tribes on the Native American contacts list provided by the Native American Heritage Commission. Potential impacts to cultural resources were determined to be less than significant, and no discussion in the EIR is required.

• Concerns regarding impacts to sensitive biological resources, including impacts to burrowing owls, wetlands and riparian habitats, take of listed species, and avoidance and protection of rare natural communities:

Biological resources within the Project area, potential impacts, and Metropolitan's standard measures to minimize potential impacts to such resources are detailed in **Section 3.2**, *Biological Resources*.

• Recommendations regarding the air quality analysis:

Existing air quality conditions, anticipated Project emissions, and measures to reduce potential impacts related to air quality are detailed in **Section 3.1**, *Air Quality*.

• Identification of potential permit requirements associated with work within the California Department of Transportation (Caltrans) right-of-way:

Metropolitan would obtain the necessary Caltrans Encroachment Permit prior to initiation of Project activities, as identified in **Section 2.8**, *Other Required Project Approvals*.

#### 1.3 FORMAT OF THE EIR

This EIR is organized as follows:

*Executive Summary* – The Executive Summary includes a brief project description, summary of environmental impacts and proposed mitigation measures that would reduce or avoid impacts determined to be significant, alternatives considered, areas of controversy known to the Lead Agency, and any issues to be resolved including the choice among alternatives or how to mitigate significant impacts (CEQA Guidelines Section 15123).

**Chapter 1.0,** *Introduction* – This chapter describes the scope and purpose of the EIR, provides a brief summary of the CEQA process, and establishes the document format.

**Chapter 2.0,** *Project Description* – This chapter provides a description of Metropolitan, Etiwanda Pipeline North, and the proposed Project, including the goals and objectives of the Project and proposed Project features. In addition, the intended and required uses of the EIR and a discussion of discretionary actions required for Project implementation are included.

Chapter 3.0, Environmental Impact Analysis – This chapter constitutes the main body of the EIR and includes the detailed impact analysis for each environmental issue. The topics analyzed in this chapter include: air quality, biological resources, greenhouse gas emissions, land use and planning, noise, and transportation and traffic. Under each topic, Chapter 3.0 includes a discussion of methods of analysis, existing conditions, the thresholds identified for the determination of significant impacts, and an evaluation of the impacts associated with implementation of the Project. Where the impact analysis demonstrates the potential for the Project to have a significant adverse impact on the environment, mitigation measures are provided which would minimize the significant effects. The EIR indicates if the proposed mitigation measures would reduce impacts to less than significant levels.

**Chapter 4.0,** *Cumulative Impact Analysis* – This chapter addresses the cumulative impacts due to implementation of the proposed Project in combination with other past, present, and reasonably foreseeable or probable future projects in the area.

**Chapter 5.0,** *Mandatory CEQA Topics* – This chapter discusses additional topics required by CEQA, including unavoidable adverse impacts, growth inducement, and irreversible environmental changes.

**Chapter 6.0,** *Alternatives to the Proposed Project* – This chapter provides a description of alternatives to the proposed Project and an evaluation of their potential to reduce or avoid the proposed Project's significant impacts.

Chapter 7.0, References – This chapter includes a listing of applicable reference materials.

**Chapter 8.0,** *List of Preparers* – This chapter includes a list of individuals involved in the preparation of the EIR, including Lead Agency staff and consultants.

## Chapter 2.0

## PROJECT DESCRIPTION

#### 2.0 PROJECT DESCRIPTION

This chapter describes Metropolitan, the Etiwanda Pipeline North, and the proposed Project for the public, reviewing agencies, and decision makers. In conjunction with the description of the proposed Project activities, this chapter includes the purpose, goals, and objectives of the Project; a description of the Project's location; an overview of the existing setting and adjacent land uses; a description of the Project's characteristics; and a summary of other approvals that may be required for Project implementation.

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#### 2.1 ABOUT METROPOLITAN

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

The Metropolitan Water District of Southern California (Metropolitan) was formed in 1928 under an enabling act of the California legislature to construct and operate the 242-mile Colorado River Aqueduct (CRA), to bring water from the Colorado River to southern California. Metropolitan is comprised of 26 cities and water districts (member agencies) and provides drinking water to nearly 19 million people in southern California. Metropolitan's service area includes 5,200 square miles of Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura counties.

Metropolitan owns and operates the CRA, which extends from Lake Havasu on the California-Arizona border, to Metropolitan's Lake Mathews Reservoir in western Riverside County. To augment their supply of water, in 1960, Metropolitan and 30 other public agencies signed a long-term contract to enable construction of the 444-mile California Aqueduct, to bring State Water Project (SWP) water from the San Francisco Bay Area to southern California. The California Aqueduct is controlled by the Department of Water Resources (DWR) and provides water to Metropolitan and others under contract. The California Aqueduct extends from northern California's Sacramento-San Joaquin Delta to southern California reservoirs including Lake Silverwood, Lake Perris, and Lake Castaic.

Metropolitan's water sources also include local supplies from groundwater storage agreements and water transfer arrangements with other water suppliers and users. Supplies from the Colorado River, northern California, and local sources may vary substantially on the basis of availability and environmental factors. In total, Metropolitan moves more than 1.5 billion gallons of water per day through its system. Metropolitan's headquarters are in Los Angeles, and numerous field offices are maintained throughout the service area to operate and maintain the system. The primary components of Metropolitan's conveyance, treatment, and distribution system are summarized below.

- CRA 242 miles, includes pumping plants, siphons, tunnels, canals, and pipelines
- Water treatment plants five water treatment plants, including the Joseph E. Jensen plant (Granada Hills), Robert A. Skinner plant (north of Temecula), F.E. Weymouth plant (La Verne), Robert B. Diemer plant (Yorba Linda), and the Henry J. Mills plant (Riverside)

- Chapter 2.0 Project Description
- Reservoirs 10 water storage reservoirs, including Diamond Valley Lake (near Hemet), Etiwanda (Riverside), Lake Mathews (Riverside), Lake Skinner (north of Temecula), Copper Basin and Gene Wash (desert region), Live Oak Reservoir (La Verne), Garvey Reservoir (Monterey Park), Palos Verdes Reservoir (Rolling Hills), and Orange County Reservoir (Brea)

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- Distribution pipelines to member agencies 819 miles of pipeline extending throughout the service area
- Hydroelectric plants 16 hydroelectric plants at various locations throughout the service area

#### 2.2 ETIWANDA PIPELINE NORTH

The Etiwanda Pipeline was built by Metropolitan in 1993. The pipeline is 6.3 miles in length and 12 feet in diameter. Its construction is welded-steel pipe with an approximately 3/4-inch cement mortar lining for corrosion protection inside the pipe. The pipeline is within a Metropolitan-owned right-of-way ranging in width from approximately 50 to 100 feet, with original excavation for installation of the pipe approximately 70 feet wide. The Etiwanda Pipeline extends from Metropolitan's Rialto Pipeline in Fontana to Metropolitan's Upper Feeder pipeline in Rancho Cucamonga. Access to the pipeline is via a series of 24-inch manholes along the length of the alignment. Approximately 4.4 miles of the 6.3-mile pipeline are in the city of Fontana and 1.9 miles are in the city of Rancho Cucamonga, in San Bernardino County.

The 5.5-mile northern portion of the pipeline, Etiwanda Pipeline North, extends from the Rialto Pipeline (pipeline station 0+00) at Knox Avenue east of Lytle Creek Road, to the Etiwanda Hydroelectric Plant (pipeline station 286+05) at Etiwanda Avenue south of Foothill Boulevard. The Etiwanda Pipeline North serves as a "penstock" to convey high-pressure, untreated water from the East Branch pipeline of the SWP to the hydroelectric plant at sufficient pressure to generate power. **Figure 2-1**, *Representative Photographs – Existing Facilities*, shows existing facilities related to and along Etiwanda Pipeline North.

The approximately 0.8-mile southern portion of the Etiwanda Pipeline extends south from the Etiwanda Power Plant to the Upper Feeder at Etiwanda Avenue, north of 6th Street, in Rancho Cucamonga. This connection allows the Upper Feeder to convey both SWP water and CRA water to Metropolitan's F.E. Weymouth Water Treatment Plant in La Verne, from which treated water supplies are distributed to customers in Los Angeles and Orange counties.

#### 2.3 PROJECT NEED

Approximately 40 percent of Metropolitan's water delivery system is over 60 years old, and modernization of facilities and of the overall system is an ongoing priority. Modernization includes capital projects such as Diamond Valley Lake and San Diego Pipeline No. 6; upgrades of existing facilities such as Oxidation Retrofit Programs at the Jensen, Skinner, Mills, Diemer and Weymouth treatment plants; and ongoing repairs and maintenance of all of Metropolitan's pipelines and associated structures. Systematic inspections of facilities are a necessary component of this modernization effort. Comprehensive inspections of pipelines and canals

occur during scheduled shutdowns of portions of the system (pipelines, canals, etc.), when water deliveries are suspended temporarily for periods ranging from hours to weeks.

During shut-downs in 2008 and 2009, inspections of the interior of the Etiwanda Pipeline North revealed that portions of the mortar lining were missing or had delaminated from the steel pipe surfaces. Extensive investigations were initiated to determine the cause of the lining erosion. The investigations concluded that the primary cause was the cycling of high-pressure water within the pipeline related to on-peak and off-peak operation of the Etiwanda Hydroelectric Plant, which resulted in substantial daily fluctuations in pressure inside the pipe. In addition, the seasonal variations in availability of SWP water supplies resulted in prolonged periods when the pipeline was not in service, which created drying and shrinkage cracks in the lining. The inflexible mortar lining was incapable of moderating or absorbing these physical stresses.

Although Etiwanda Pipeline North remains in service and its structural integrity remains sound, the loss of mortar lining over time would continue to expose the interior of the pipe to corrosion and eventually would result in leakage, and possibly failure. Relining of the pipe has been determined to be necessary to maintain the long-term integrity of, and reliability of water deliveries through, the Etiwanda Pipeline North. After extensive study and application of various coating alternatives on an approximately half-mile segment of the pipeline in 2014, a flexible polyurethane lining was determined to be the most suitable replacement for the existing mortar lining. The Etiwanda Pipeline North Relining Project (Project) is designed to remove the existing mortar lining and replace it with new polyurethane lining within an approximately five-mile length of Etiwanda Pipeline North.

#### 2.4 PROJECT OBJECTIVES

A clear statement of Project objectives allows for the analysis of reasonable alternatives to the proposed Project. The overall intent of the Project is to repair the pipe lining and prevent further corrosion of approximately five miles of Etiwanda Pipeline North. Project objectives are as follows:

- Enable Metropolitan to continue conveyance of water from the Rialto Pipeline to the Upper Feeder as needed to supply customers;
- Enable Metropolitan to continue electricity generation through water conveyance to the Etiwanda Hydroelectric Plant;
- Provide a safe, feasible and cost-effective relining method; and
- Minimize Project-related nuisances such as traffic disruption, noise, air quality, dust, and odor to the extent feasible.

#### 2.5 PROJECT LOCATION

The proposed Project includes repairs to approximately five miles of Etiwanda Pipeline North within the cities of Fontana and Rancho Cucamonga in San Bernardino County (**Figure 2-2**, *Regional Map*). The portion of the pipeline to be relined includes approximately 4.4 miles in Fontana, beginning at Metropolitan's Rialto Pipeline and ending at East Avenue, and

approximately 0.4 mile in Rancho Cucamonga, continuing from East Avenue and ending just north of Foothill Boulevard (**Figure 2-3**, *Project Vicinity Map*). The existing pipeline parallels Interstate 15 (I-15), approximately 0.4 mile east of I-15, and crosses under State Route (SR) 210. The alignment traverses in a northeast-to-southwest direction, with the northernmost portion of the alignment located approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the city of Fontana (pipeline station 0+00). The southern terminus of the Project area is just north of Foothill Boulevard, approximately 0.2 mile west of East Street in the city of Rancho Cucamonga (approximately pipeline station 254+90).

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#### 2.6 EXISTING SETTING AND LAND USES

#### 2.6.1 Existing Environmental Setting

Within the city of Fontana, the Project is located in a utility corridor that includes Southern California Edison (SCE) transmission towers immediately east of the existing pipeline right-of-way. The Project area within the city of Fontana is zoned as Public Utility Corridor (P-UC), as well as designated P-UC in the Fontana General Plan. Within the city of Rancho Cucamonga boundaries, the Project area is zoned as Etiwanda Specific Plan (SP-E). The Etiwanda Specific Plan designates the Project area as Open Space, while the Rancho Cucamonga General Plan designates it as Flood Control/Utility Corridor. The pipeline alignment also is adjacent to areas containing residential uses, agricultural uses, and vacant land.

While the majority of Project activities would occur within Metropolitan's existing pipeline right-of-way, some staging may occur within the adjacent SCE right-of-way and/or other adjacent private property. Primary activities would occur within up to 12 work locations along the pipeline identified as Contractor Work and Storage Areas. The right-of-way, together with adjacent temporary construction easements, is referred to as the Project area. The pipeline right-of-way has a variable width along the alignment, ranging from approximately 50 to 100 feet. At some work area locations, the centerline of the pipeline ranges from approximately 36 to 70 feet from the adjacent residential property boundaries.

#### 2.6.2 Adjacent Land Uses

Uses adjacent to the northernmost portion of the Project area include single-family residential on the west and vacant land on the east (refer to **Figures 3.4-1a to 3.4-1d**, *Existing Land Uses* for mapping and to **Figure 2-4**, *Representative Photographs – Existing Setting*, for examples). Approximately 0.2 mile north of Summit Avenue in Fontana, the Project area is adjacent to Fontana Park, which contains a community center, aquatics center, play areas, and Fontana North Skate Park. South of Summit Avenue, the Project area is adjacent to single-family residential uses, Rosena Park, vacant land, and agricultural uses, and also passes in proximity to Summit High School. Further south, the Project area is then adjacent, on the east and on the west, to vacant land for approximately 1.6 miles. A portion of the Project area is adjacent to single-family residential for approximately 1.2 miles prior to crossing the Fontana/Rancho Cucamonga city limits at East Avenue.

Within the city of Rancho Cucamonga, adjacent land uses include single-family residential, Garcia Park, and vacant land, with multi-family uses in proximity to Foothill Boulevard.

#### 2.7 PROJECT CHARACTERISTICS

To prevent further corrosion of the steel pipe in the approximately five-mile-long segment of Etiwanda Pipeline North, the Project proposes to remove the existing interior mortar lining, much of which has delaminated from the pipe, and recoat the pipe with a new lining.

Except for excavation and staging, Project activities mostly would occur below-ground. Access to the pipe for relining activities would be accomplished via rollouts (where a 20-foot segment of pipe would be removed), existing manholes, existing buried outlets (similar to manholes but without surface structures), and proposed new buried outlets (**Figures 2-5a-5j**, *Proposed Outlets*, *Manholes*, *and Rollout Stations*). The assumed excavation areas for these access points are as follows:

- Rollouts 70 feet by 70 feet
- Existing manholes 10 feet by 10 feet
- Existing buried outlets 20 feet by 30 feet
- Proposed new buried outlets 30 feet by 40 feet

While the remainder of the right-of-way and staging areas may be used for access and material storage, no other disturbance of the existing ground is anticipated. Surface disturbance could occur in the remainder of the right-of-way from materials staging and grubbing of vegetation. Project activities would not occur within storm drainage courses, public roadways, or public rights-of-way.

#### 2.7.1 **Project Activities**

The proposed Project involves removing the existing mortar lining inside Etiwanda Pipeline North and recoating the pipe with a new liner. Primary activities would include the following: site preparation; preparation of access points into the pipeline; pipeline shutdown and dewatering; surface preparation of the interior surfaces of the pipe (including removal of the existing lining); application of the new liner; and closing access points and site completion (refer also to **Figure 2-6**, *Representative Photographs – Project Activities*). Following the completion of pipeline relining, the Project would not require operations or maintenance personnel beyond those already required for the existing pipeline.

#### **Site Preparation**

The Project would begin with site preparation activities at each of the access points along the pipeline prior to shutdown of the pipeline. Weed abatement and grading of access roads, if needed, would occur at each of the access points and at the designated laydown and staging locations. Aggregate may be placed on the access roads and work areas as needed to create an all-weather driving surface, and water trucks or soil binders may be used for dust suppression. Each of these areas may be temporarily fenced for safety and security purposes, particularly at the excavation areas. Materials and equipment needed for construction would be staged either at Contractor Work and Storage Areas or near any of the pipeline access points.

#### **Preparation of Access Points**

Access points would allow entry into the pipeline for personnel, materials and equipment. Four types of access points would be used: existing manholes, existing buried outlets, rollout sections of pipe, and new outlets. If excavation is required at these locations, it could be completed prior to, during, or following the shutdown of the pipeline. All excavation pits could be open for the length of Project activities. The excavated material would be stored either at Contractor Work and Storage Areas along the pipeline or near any of the excavation sites.

#### **Pipeline Shutdown and Dewatering**

To allow the entrance of workers inside the pipeline, Etiwanda Pipeline North would be taken out of service (i.e., shut down), and the water inside the pipeline would be removed (dewatered). The majority of the water would be discharged by gravity flow into the Upper Feeder or discharged into the Etiwanda Reservoir at the Etiwanda Hydroelectric Plant site. Water still remaining within the low points of the pipeline sections could be pumped to the next downstream low point or could be pumped out through manhole locations along the pipeline by the contractor. The water may be discharged to the Etiwanda Reservoir and/or to existing storm drains. Applicable permits would be obtained by the contractor. Dewatering is estimated to take approximately two to three days.

#### **Surface Preparation of the Pipeline**

Following the pipeline shutdown and dewatering, the existing cement mortar lining would be detached from the walls of the pipeline using hand-held power tools, manual equipment, and/or other mechanical equipment. Once detached, the cement mortar lining would be removed either with hand tools or with small, motorized equipment and a movable conveyor belt through the pipeline access points. After removal of the existing mortar lining, the interior of the pipeline would be blasted with abrasives for suitable adherence of the new liner. Hand-held blast nozzles and semi-automated abrasive blasting mechanical equipment may be used for this process. Additional repair of the steel pipe may be required after abrasive blasting reveals corrosion needing more than a new coating.

Environmental control of the pipeline interior during and after this process is critical to keep the inside surface of the pipe clean and dry prior to application of the new lining. Improper surface condition that could result from dust or humidity would reduce the service life of the lining. Environmental controls would involve blowers, fans, and dehumidification equipment. Ventilation equipment and dehumidification equipment would be placed at one end of each pipe section being worked on to blow the required air inside the pipeline, and dust collection equipment would be placed at the other end to collect blown dust and debris.

#### **Application of New Liner**

Following completion of pipeline surface preparation, the new liner would be applied. The new liner is expected to be a two-component, paint-type polyurethane product that would coat and protect the pipeline's steel surfaces. The coating equipment for the new liner would consist of mixing tanks, pumps, hoses, and nozzles. Hand-operated or mechanized spraying equipment would be used during the coating application. Once the application process begins, coating must

occur continuously to avoid joints, which would be more prone to future failure, in the new liner. Low humidity also is important for polyurethane application and curing. Dehumidification equipment and dust collection equipment would continue to be used during this stage.

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#### **Closing Access Points and Site Completion**

After the new lining has been fully applied and inspected, the pipeline would be cleaned and then all access points would be sealed, and the pipeline would be ready to be placed back into service. Each of the excavated pits for the rollouts and new and previously existing buried outlets would have shoring removed, and be backfilled and compacted. The backfill required at these locations could be completed either during or after the shutdown of the pipeline. Clean-up and recontouring of disturbed areas would be performed at each of the pipeline access points.

#### 2.7.2 **Project Schedule and Phasing**

#### **Project Phasing**

The proposed Project activities are expected to begin in 2015 and would occur during pipeline shutdown periods, the number and duration of which would be determined by water demands and available supplies. Up to three shutdown periods, each approximately six to nine months long, over a period of up to three years, could be used to complete the approximately five-mile-long Project.

In addition to an approximately six- to nine-month shutdown window, four to five months prior to the shutdown would be used for site preparation, and one to two months after the shutdown would be used for site completion work. An overall construction period during each repair phase would be approximately one year.

Initial work on an approximately 0.4-mile segment of the pipeline was completed in 2014 as part of a pilot phase (Phase 1). Repair work for the proposed Project would be completed as Phase 2 and Phase 3. Phases 2 and 3 are currently anticipated to include two sub-phases (Sub-phases 2A, 2B, 3A, and 3B), as illustrated on **Figure 2-7**, *Proposed Project Phasing*. An optional phase (Phase 4) would only be included if work included as part of Phases 2 and 3 is not completed within the proposed Project schedule. The first pipeline shutdown is assumed to include work on Sub-phases 2A and 3A, and the second shutdown is assumed to occur as part of Sub-phases 2B and 3B.

Each Project phase is expected to be divided into two contracts (two for Phase 2 and two for Phase 3) that would be underway simultaneously in order to minimize the shutdown period and complete the Project as quickly as possible. Work within Sub-phases 2A and 3A could be concurrent and would commence in 2015. Sub-phases 2B and 3B are estimated to begin in 2016. Phase 4, if included, would begin in 2017.

#### **Project Schedule**

The Project work schedule would vary throughout the duration of Project activities. Twelve-hour shifts are proposed for site preparation and site completion. During the pipeline shutdown period, work could be performed up to 24 hours per day and seven days per week; this

schedule is critical to accommodate time-sensitive work sequencing and to allow completion of work within the pipeline shutdown period. Excavation, access location closure, off-hauling of materials, and site completion would occur only between normal daytime hours (6:00 a.m. and 6:00 p.m.). Various other types of proposed activities could potentially occur during either daytime or nighttime hours.

#### 2.7.3 Personnel and Equipment

The numbers of workers and equipment required would vary throughout the Project activities described above. The assumptions used for the impact analysis were estimated in consideration of the proposed Project tasks and based on the pilot phase work of relining Etiwanda Pipeline North, as well as Metropolitan's extensive experience with other similar pipeline projects. Project implementation is dependent on contractor requirements and allowable shut-down periods based on water supplies. Accordingly, many of the assumptions used for personnel and equipment represent worst-case scenarios in the analysis of potential impacts. The types, quantities, and use of equipment and personnel might vary somewhat to allow flexibility in implementation, but impacts and conclusions (for noise, emissions, traffic) are considered to represent worst-case intensity of activity.

The Project is assumed to require 320 workers per day per phase (including two concurrent subphases), based on two work shifts during the most active periods of the Project (160 workers per shift).

**Table 2-1,** *Equipment Per Project Sub-phase*, lists the number of pieces of equipment that are assumed for the purposes of this analysis to be operating per day at the same repair section (either rollout or vent location) per Project sub-phase. Refer to **Figure 2-8,** *Representative Photographs – Representative Equipment*, for images of some of the typical equipment expected to be used during Project activities. In this worst-case analysis, all equipment (except excavation equipment, vibratory soil compactor, wheel asphalt paver, concrete truck, and 100-ton crane) is assumed to be operating concurrently during a given day.

| Table 2-1<br>EQUIPMENT PER PROJECT SUB-PHASE                           |   |  |  |  |
|--|---|--|--|--|
| Equipment  | Number of Equipment<br>Operating Per Day<br>Per Sub-phase |  |  |  |
| Air compressor   | 6   |  |  |  |
| Vacuum   | 2   |  |  |  |
| Dust collector   | 2   |  |  |  |
| Dehumidifier   | 2   |  |  |  |
| Blower   | 2   |  |  |  |
| Generator  | 6   |  |  |  |
| Abrasive blasting equipment (blast pots, hoses, cooling/dehumidifiers) | 6   |  |  |  |
| Abrasive recycle equipment   | 1   |  |  |  |
| Air-powered coating sprayers   | 3   |  |  |  |

| Table 2-1 (cont.) EQUIPMENT PER PROJECT SUB-PHASE       |   |  |  |  |
|---|---|--|--|--|
| Equipment   | Number of Equipment<br>Operating Per Day<br>Per Sub-phase |  |  |  |
| Pneumatic and electric tools for chipping and scraping  | 4   |  |  |  |
| Concrete saw  | 1   |  |  |  |
| Concrete truck  | 0.5*  |  |  |  |
| Excavator   | 1   |  |  |  |
| Dump truck  | 2   |  |  |  |
| Large crane (100-ton) for removing and placing rollouts | 1   |  |  |  |
| Smaller cranes for material and equipment               | 6   |  |  |  |
| Loader  | 6   |  |  |  |
| Forklift  | 6   |  |  |  |
| Water truck   | 2   |  |  |  |
| Semi-trailer truck with flat bed                        | 3   |  |  |  |
| Vibratory soil compactor                                | 1   |  |  |  |
| Wheel asphalt paver                                     | 1   |  |  |  |
| Pickup truck  | 12  |  |  |  |

<sup>\*</sup> Concrete trucks would be needed for a half-day or less.

Source: Metropolitan 2014.

#### 2.7.4 Hauling and Access Routes

Project equipment and debris hauling would utilize the pipeline right-of-way to get to adjacent surface streets, then continue to a main arterial route and then to I-15 for disposal. Average hauling distance is anticipated to be approximately 20 miles.

The total number of Project vehicles in use is likely to vary during the course of each phase. Once mobilization for each sub-phase is complete, approximately two daily truck trips would be required for Site Preparation and Pipeline Access phases and eight daily truck trips would be required for Pipeline Lining phases. While some variation may occur in actual numbers, types, or frequency of use of vehicles during the work, anticipated truck usage during mobilization in preparation for each phase includes the following:

- Four dump trucks (2 trips/day each for a total of 8 trips/day)
- Six semi-trucks with trailers (2 trips/day each for a total of 12 trips/day)
- Four water trucks (8 trips/day each for a total of 32 trips/day)
- Twenty-four pick-up trucks (4 trips/day each for a total of 96 trips/day)

#### 2.7.5 Environmental Commitments

Environmental commitments are included in the Project to reflect and incorporate Metropolitan's best practices that avoid, minimize, or offset potential environmental effects from its projects. These best practices are relatively standardized and/or compulsory; they represent sound and proven methods to reduce the potential effects of projects and operations of facilities.

Implementation of these measures as part of the Project, in advance of impact findings and determinations, is in good faith to improve the quality and integrity of the Project, streamline the environmental analysis, and demonstrate environmental responsibility. Environmental commitments incorporated into the proposed Project include the following:

- Project activities would adhere to South Coast Air Quality Management District Rule 403, which includes a variety of measures intended to reduce fugitive dust emissions. In light of extreme drought conditions, Metropolitan would consider alternative feasible methods of dust control that minimize the use of water.
- If activities are proposed to occur during the general bird nesting season of February 1 through September 15, Metropolitan would retain a qualified biologist to ensure that nesting birds, including burrowing owls, are protected in compliance with the Migratory Bird Treaty Act and California Fish and Game Code (refer to **Section 3.2.3** for details).
- Work areas would be kept clean of attractive nuisances (e.g., trash and food) to wildlife, and the management of any wildlife that may occur within or adjacent to work areas would be in consultation with a qualified biologist.
- The use of any nighttime safety or security lighting would be directed away from homes and oncoming vehicles.

### 2.8 OTHER REQUIRED PROJECT APPROVALS

California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Nonetheless, Project implementation is anticipated to require traffic control plans and waivers from local noise ordinances from the cities of Fontana and Rancho Cucamonga. These cities may have discretionary authority over some aspects of the Project and may use this EIR when considering the Project or issuing permits.

Other permits or approvals that could be required include:

- Caltrans Encroachment Permit;
- California Air Resources Board and/or South Coast Air Quality Management District certification of abrasive blast media and construction equipment;
- California Occupational Health and Safety Administration Tunnel Safety Order compliance; and
- Conformance with applicable State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) and/or Municipal Separate Storm Sewer Systems (MS4) requirements.



Manhole



Manhole



Rialto Pipeline Turnout



Pipeline Access Point



Section of Pipeline

Representative Photographs – Existing Facilities

ETIWANDA PIPELINE NORTH RELINING PROJECT

Figure 2-1

**Regional Map** 

ETIWANDA PIPELINE NORTH RELINING PROJECT



Figure 2-2

Foothill Boulevard

Etiwanda Iydroelectric Plant



ETIWANDA PIPELINE NORTH RELINING PROJECT

0 3,500 Feet

Figure 2-3



SCE Transmission Line and Flood Control Channel



Garcia Park



SCE Transmission Line and Open Land



Residential Development



SCE Transmission Line and Vineyard



Residential Development and Open Land

## Representative Photographs – Existing Setting ETIWANDA PIPELINE NORTH RELINING PROJECT

ETIWANDA PIPELINE NORTH RELINING PROJECT Figure 2-4

**Proposed Outlets, Manholes, and Rollout Stations** 



Shoring at Access Locations



Mortar Lining Removal



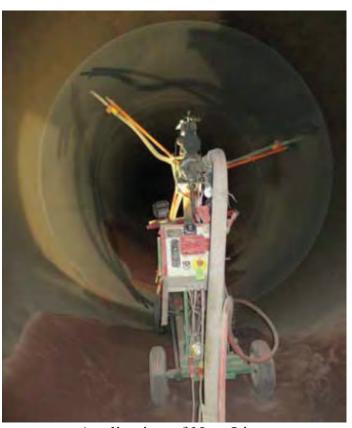
Welding Pipeline Outlet



Debris Removal



Off-hauling of Debris



Application of New Liner

## Representative Photographs – Project Activities ETIWANDA PIPELINE NORTH RELINING PROJECT

Figure 2-6



ETIWANDA PIPELINE NORTH RELINING PROJECT

0 3,500 Feet

Figure 2-7



Air Compressors and Dehumidifiers



Bag Filters



Loader and Excavator



Blower



Crane and Generator

# Representative Photographs – Representative Equipment ETIWANDA PIPELINE NORTH RELINING PROJECT

Figure 2-8

### Chapter 3.0

### **ENVIRONMENTAL IMPACT ANALYSIS**

#### 3.1 AIR QUALITY

This section is based on the information and analysis presented in the proposed Project's Air Quality Technical Report, dated December 2014 (HELIX Environmental Planning, Inc. [HELIX] 2014a). The technical report is included in its entirety as **Appendix B** of this EIR.

The methods for assessing air quality impacts included estimating emissions that would be generated by construction equipment during the proposed Project, including diesel particulate matter as part of a health risk assessment, and comparing estimated emission levels with applicable thresholds. The California Air Resources Board's (CARB's) off-road emissions inventory database (OFFROAD2011) and EMFAC2011 models were used to estimate the emissions from heavy construction equipment and on-road vehicles, respectively. The U.S. Environmental Protection Agency's (USEPA's) AERMOD model was used to analyze potential health effects from Project activities, in accordance with the guidelines in the South Coast Air Quality Management District's (SCAQMD's) *Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*. Analysis of air quality impacts also reflects topics of interest (including health risk assessment) brought forth in SCAQMD's NOP comment letter, dated August 27, 2014. This air quality impact assessment was prepared by HELIX and the health risk assessment was prepared by Urban Crossroads.

Although there would likely be minor variations in the numbers/types/use of equipment and workers compared to the assumptions incorporated into the emissions calculations, these assumptions generally provide for an overall worst-case analysis. This approach was used in order to allow flexibility in final design and implementation, and actual conditions might be less. Refer to **Appendix B** for complete listings of the assumptions used in the analysis and model outputs.

#### 3.1.1 Existing Conditions

#### **Air Pollutants of Concern**

#### Criteria Pollutants

Air quality is defined by ambient air concentrations of seven "criteria air pollutants," which are a group of common air pollutants identified by the USEPA to be of concern with respect to the health and welfare of the general public. The criteria air pollutants relevant to the proposed Project include nitrogen dioxide ( $NO_2$ ), ozone ( $O_3$ ), particulate matter (including particulates 10 microns or smaller [ $PM_{10}$ ] and particulates 2.5 microns or smaller [ $PM_{2.5}$ ]), carbon monoxide (CO), and sulfur dioxide ( $SO_2$ ). A description of each criteria air pollutant, including source types and health effects, is provided in the Air Quality Technical Report (**Appendix B**). Project-related equipment operations, vehicle trips, and grading would result in emissions of these pollutants.

#### **Toxic Air Contaminants**

Toxic air contaminants (TACs) refer to a diverse group of air pollutants that can affect human health; however, they are not subject to an adopted ambient air quality standard. With regard to the proposed Project, the primary toxic air contaminant of concern is diesel particulate matter. The exhaust from diesel engines includes hundreds of different gaseous and particulate components,

many of which are toxic. Accordingly, diesel particulate matter can be used as a surrogate measure of exposure for the mixture of chemicals that make up diesel exhaust as a whole.

#### **Existing Air Quality**

#### **Attainment Designations**

Based on monitored air pollutant concentrations, the USEPA and CARB designate an area's status in attaining the federal and state standards, respectively (discussed below). **Table 3.1-1**, *Attainment Status of Criteria Pollutants in the South Coast Air Basin*, summarizes the basin's current attainment status. When an area has been reclassified from a nonattainment area to an attainment area for a federal standard, the status is identified as "maintenance," and there must be a plan and measures that will keep the region in attainment for the following 10 years. As shown in **Table 3.1-1**, the air basin is a federal nonattainment area for ozone and PM<sub>2.5</sub>, and a state nonattainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. For pollutants for which the SCAB is in nonattainment, the SCAQMD is responsible for preparing plans that demonstrate how the SCAB will attain these standards. Impacts at the project level are determined based on a project's conformance with these plans.

| Table 3.1-1 ATTAINMENT STATUS OF CRITERIA POLLUTANTS IN THE SOUTH COAST AIR BASIN |   |                       |  |  |  |  |  |
|---|---|-----------------------|--|--|--|--|--|
| Pollutant   | Pollutant State Federal                               |                       |  |  |  |  |  |
| Ozone (1 hour)  | Nonattainment   | No standard           |  |  |  |  |  |
| Ozone (8 hour)  | Nonattainment   | Extreme Nonattainment |  |  |  |  |  |
| $PM_{10}$   | PM <sub>10</sub> Nonattainment Attainment/Maintenance |                       |  |  |  |  |  |
| PM <sub>2.5</sub>   | PM <sub>2.5</sub> Nonattainment Nonattainment         |                       |  |  |  |  |  |
| CO Attainment Attainment/Maintenance  |   |                       |  |  |  |  |  |
| $NO_2$  | NO <sub>2</sub> Attainment Attainment/Maintenance     |                       |  |  |  |  |  |
| SO <sub>2</sub> Attainment Attainment   |   |                       |  |  |  |  |  |

Sources: CARB 2013c; USEPA 2013a, 2013b.

#### **Toxic Air Contaminants**

The SCAQMD has conducted a monitoring and evaluation study which focuses on the carcinogenic risk from exposure to toxic air contaminants in the South Coast Air Basin. This carcinogenic risk is expressed in terms of the expected number of additional cancers in a population of 1 million individuals that are exposed to toxic air contaminants over a 70-year lifetime, with this risk scalable for individual project analyses based on the actual duration of exposure. The SCAQMD-modeled carcinogenic risk for the area in which the Project is located ranges from approximately 804 to 942 per 1 million individuals exposed, which is less than the overall South Coast Air Basin average of about 1,200 per 1 million individuals exposed (SCAQMD 2008b). The study attributed about 94 percent of the carcinogenic risk to emissions associated with mobile sources, and about 6 percent of the risk to toxic air contaminants emitted from stationary sources (e.g., dry cleaners and chrome plating operations). The results of the study indicate that diesel exhaust is the major contributor to

carcinogenic risk due to toxic air contaminants, accounting on average for about 84 percent of the total risk (SCAQMD 2008a).

#### **Regulatory Framework**

Federal and state ambient air quality standards have been set to protect the most sensitive persons from illness or discomfort. Residential areas, schools, playgrounds, child care centers, athletic facilities, hospitals, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes are especially likely to include persons sensitive to air pollutants. The standards and regulations most relevant to the proposed Project are summarized below, with additional detail provided in the Air Quality Technical Report.

#### Federal

Pursuant to the Clean Air Act of 1970 and its 1977 and 1990 amendments, the USEPA is responsible for setting and enforcing the National Ambient Air Quality Standards for criteria pollutants. As part of its enforcement responsibilities, the USEPA requires each state with federal nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain and maintain the federal standards. As detailed above in **Table 3.1-1**, the Project area is a federal nonattainment area for ozone and PM<sub>2.5</sub> and must therefore comply with measures identified in the State Implementation Plan.

#### State

The CARB, a part of the California Environmental Protection Agency, is responsible for the coordination and administration of both federal and state air pollution control programs in California. In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards, compiles emission inventories, develops suggested control measures, and oversees local programs.

The applicable air districts for regions that do not attain the state standards are required by the CARB to prepare plans for attaining the standards which are then integrated into the State Implementation Plan.

#### Regional

South Coast Air Quality Management District

The SCAQMD regulates air quality in the South Coast Air Basin, which includes the non-desert portion of San Bernardino County. As a regional agency, the SCAQMD works directly with the Southern California Association of Governments, county transportation commissions, and local governments, as well as cooperates actively with applicable federal and state government agencies. The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emissions sources, and enforces such measures through educational programs or fines, when necessary. Rules, regulations, and plans developed by the SCAQMD

that are relevant to the Project are summarized below and described in detail in the Air Quality Technical Report.

- The SCAQMD is responsible for preparing air quality management plans that address the attainment and maintenance of state ambient air quality standards. The latest air quality management plan was adopted by SCAQMD in 2012 and approved by the CARB in 2013. As detailed above in **Table 3.1-1**, the Project area is a state nonattainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. SCAQMD adopts rules and regulations to implement portions of the Air Quality Management Plan. Several of these rules may apply to construction or operation of the proposed Project, with the most notable of these rules being Rules 402 and 403.
- SCAQMD's Rule 402, Nuisance, requires that air contaminants or other materials not be released in quantities such that they cause nuisance or annoyance to a considerable number of people. This rule would apply to potential odors generated by the Project.
- SCAQMD's Rule 403, Fugitive Dust, aims to reduce the amount of particulate matter introduced into the ambient air from man-made fugitive dust sources by requiring measures to prevent, reduce, or mitigate fugitive dust emissions. This rule would apply to the Project's excavation, grading, and other ground-disturbing activities.

#### 3.1.2 <u>Significance Thresholds</u>

Based on Appendix G of the State CEQA Guidelines, a significant impact would occur if the proposed Project would do any of the following, identified below as Thresholds A through E:

- Threshold A: Conflict with or obstruct implementation of the applicable air quality plan;
- Threshold B: Violate any air quality standard or contribute substantially to an existing or projected air quality violation;
- Threshold C: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors);
- Threshold D: Expose sensitive receptors to substantial pollutant concentrations; or
- Threshold E: Create objectionable odors affecting a substantial number of people.

Appendix G of the State CEQA Guidelines states that the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the above determinations. As such, SCAQMD has established significance thresholds intended to more specifically define CEQA Thresholds A through E. To assess conformance to the Air Quality Management Plan (SCAQMD 1993) under Threshold A, SCAQMD thresholds consider whether the Project would (A1) result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality

standards; and (A2) exceed the assumptions in the Air Quality Management Plan. **Table 3.1-2**, *SCAQMD Air Quality Thresholds*, presents the SCAQMD's current significance thresholds relative to CEQA Thresholds B through E (i.e., for daily regional emissions for short-term construction projects [applicable to Project activities], daily local emissions, and maximum incremental carcinogenic risk and hazard indices for toxic air contaminants). While a regional impact analysis is based on attaining or maintaining regional emissions standards, a local impact analysis compares the on-site emissions of a pollutant to a health-based standard.

As indicated in the first column of **Table 3.1-2**, the SCAQMD's thresholds are used to determine impacts relative to applicable CEQA thresholds (Thresholds A through E). Some CEQA thresholds require multiple SCAQMD thresholds to determine impacts (e.g., both regional emission thresholds [B1] and local emission thresholds [B2] are considered to determine significance with respect to CEQA Threshold B). Therefore, a significant impact would occur if the proposed Project would exceed the SCAQMD's established daily emission rates, risk values, or concentrations.

| Table 3.1-2<br>SCAQMD AIR QUALITY THRESHOLDS                         |   |   |  |  |  |  |
|--|---|---|--|--|--|--|
| Threshold Pollutant Daily Regional Emissions Thresholds (pounds/day) |   |   |  |  |  |  |
|  | VOC   | 75  |  |  |  |  |
|  | $NO_X$  | 100   |  |  |  |  |
| A1/B1/C1   | CO  | 550   |  |  |  |  |
| AI/DI/CI   | $PM_{10}$   | 150   |  |  |  |  |
|  | PM <sub>2.5</sub>   | 55  |  |  |  |  |
|  | $SO_X$  | 150   |  |  |  |  |
|  | Daily Local Emissions Thresholds (pounds/day)               |   |  |  |  |  |
|  | $NO_X$  | 118   |  |  |  |  |
| B2/C2/D1   | PO/CO/D1 CO 863   |   |  |  |  |  |
| D2/C2/D1   | $PM_{10}$   | 5   |  |  |  |  |
|  | PM <sub>2.5</sub> 4   |   |  |  |  |  |
| Other Thresholds   |   |   |  |  |  |  |
| D2   | Maximum Incremental Carcinogenic Risk ≥ 10 in 1 million     |   |  |  |  |  |
| D3   | TACs Chronic & Acute Hazard Index ≥ 1.0 (project increment) |   |  |  |  |  |
| E1   | Odor  | Project creates an odor nuisance pursuant to Rule 402 |  |  |  |  |

Notes: VOC: volatile organic compound; NO<sub>X</sub>: nitrogen oxides; CO: carbon monoxide; PM<sub>10</sub>: respirable particulate matter with a diameter of 10 microns or less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less; SO<sub>X</sub>: sulfur oxides; TACs: toxic air contaminants; NO<sub>2</sub>: nitrogen dioxide; ppm: parts per million; µg/m<sup>3</sup>: micrograms per cubic meter.

Source: SCAQMD 2011.

#### 3.1.3 <u>Impact Analysis</u>

#### **Consistency with Air Quality Plans (Threshold A)**

The proposed Project would not involve a change in General Plan designation or zoning and, therefore, would not exceed the assumptions in the Air Quality Management Plan

(Threshold A2). However, as described below (*Conformance to Air Quality Standards*), Project-related emissions would exceed thresholds that SCAQMD has established for the purposes of maintaining regional air quality. Therefore, the Project could result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, and/or delay timely attainment of air quality standards (Threshold A1); impacts would be potentially significant and would require mitigation, as described in **Section 3.1.4**.

#### **Conformance to Air Quality Standards (Threshold B)**

Project activities would result in temporary emissions through use of heavy equipment in the Project area as well as vehicle trips to the Project area from commuting construction workers and from delivery/haul trucks. The Project also would generate fugitive dust during grading activities.

#### **Daily Regional Emissions**

Project activities are assumed to occur concurrently for Sub-phases 2A and 3A, and for Sub-phases 2B and 3B. In order to assess the maximum daily regional emissions as a result of the proposed Project, emissions from concurrent sub-phases are summed. Though each sub-phase was assumed to use the same equipment, emissions would decrease in later years as turnover in the fleet mix inventory phases out older, more polluting equipment in favor of newer, cleaner-burning models. Therefore, maximum daily regional emissions would occur when Sub-phase 2A activities overlap with Sub-phase 3A activities. **Table 3.1-3**, *Maximum Daily Regional Emissions*, compares the anticipated maximum daily regional emissions to the SCAQMD thresholds for daily regional emissions (Threshold B1).

| Table 3.1-3 MAXIMUM DAILY REGIONAL EMISSIONS (pounds/day)   |  |  |  |  |  |  |  |
|---|--|--|--|--|--|--|--|
| Maximum Daily Emissions VOC CO NO <sub>X</sub> SO <sub>X</sub> PM <sub>10</sub> PM <sub>2.5</sub> |  |  |  |  |  |  |  |
| Sub-phases 2A and 3A         275         1,200         2,547         4         100         98     |  |  |  |  |  |  |  |
| SCAQMD Regional Thresholds (Table 3.1.2 Threshold B1) 75 550 100 150 150 55                       |  |  |  |  |  |  |  |
| Exceed Threshold? Yes Yes Yes No No Yes   |  |  |  |  |  |  |  |

Notes: VOC: volatile organic compound;  $NO_X$ : nitrogen oxides; CO: carbon monoxide;  $SO_X$ : sulfur oxides;  $PM_{10}$ : respirable particulate matter with a diameter of 10 microns or less;  $PM_{2.5}$ : fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District.

Source: HELIX 2014a.

As shown in **Table 3.1-3**, maximum daily regional emissions would exceed the SCAQMD thresholds for VOC, CO,  $NO_X$ , and  $PM_{2.5}$ . As such, impacts related to maximum daily regional emissions would be potentially significant (Threshold B1), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

#### **Daily Local Emissions**

Although activities are assumed to occur concurrently for Sub-phases 2A and 3A, and for Sub-phases 2B and 3B, activities in each sub-phase would occur far enough apart such that they would not share sensitive receptors. Local emissions are therefore not summed the same way regional emissions are. **Table 3.1-4**, *Maximum Daily Local Emissions*, compares the anticipated maximum daily local emissions to the SCAQMD daily local emission thresholds (Threshold B2). These maximum emissions would occur with Sub-phases 2A and 3A. Emissions of these two sub-phases would be identical.

| Table 3.1-4 MAXIMUM DAILY LOCAL EMISSIONS (pounds/day) |     |        |           |                   |  |
|--|-----|--------|-----------|-------------------|--|
| Maximum Local Emissions                                | CO  | $NO_X$ | $PM_{10}$ | PM <sub>2.5</sub> |  |
| Waximum Local Emissions                                | 556 | 1,267  | 49        | 49                |  |
| SCAQMD Local Thresholds<br>(Table 3.1.2 Threshold B2)  | 863 | 118    | 5         | 4                 |  |
| Exceed Threshold?                                      | No  | Yes    | Yes       | Yes               |  |

Notes:  $NO_X$ : nitrogen oxides; CO: carbon monoxide;  $PM_{10}$ : respirable particulate matter with a diameter of 10 microns or

less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less.

Source: HELIX 2014a.

As shown in **Table 3.1-4**, maximum daily local emissions would exceed the SCAQMD thresholds for  $NO_X$ ,  $PM_{10}$ , and  $PM_{2.5}$ . As such, impacts related to maximum daily local emissions would be potentially significant (Threshold B2), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

#### Cumulatively Considerable Net Increase of Criteria Pollutants (Threshold C)

The region is a federal and/or state nonattainment area for  $PM_{10}$ ,  $PM_{2.5}$ , and ozone. The Project would contribute  $PM_{10}$ ,  $PM_{2.5}$ , and VOC and  $NO_X$  (which form ozone when subjected to chemical reactions in the presence of sunlight) to the area during short-term Project activities. Notwithstanding the short-term, temporary nature of the Project,  $PM_{2.5}$ , VOC, and  $NO_X$  emissions would exceed the SCAQMD significance thresholds for maximum daily regional emissions, as shown in **Table 3.1-3**. Therefore, the net increase to the region of Project-related criteria pollutants would be potentially cumulatively considerable, and the impact would be potentially significant (Threshold C1). Reduction measures would be required, as described in **Section 3.1.4**, to mitigate this impact.

For local impacts, cumulative particulate impacts are considered when projects may be within a few hundred yards of each other. Activities associated with the SCE Falcon Ridge Substation Project could occur immediately adjacent to the proposed Project, generally during the same timeframe. As shown in **Table 3.1-4**, the Project's maximum daily local emissions would exceed the SCAQMD significance thresholds for NO<sub>X</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Therefore, the net increase locally of Project-related criteria pollutants would be potentially cumulatively

considerable, and the impact would be potentially significant (Threshold C2). Measures would be required, as described in **Section 3.1.4**, to mitigate this impact.

#### **Sensitive Receptors (Threshold D)**

Impacts to sensitive receptors (including workers, residences, and schools) have the potential to result from exposure of those individuals to criteria pollutant emissions and exposure to toxic air contaminants. With respect to criteria pollutants emitted locally during Project activities, as described above and shown in **Table 3.1-4**, maximum daily local emissions would exceed the SCAQMD significance thresholds. As such, sensitive receptors near Project activities may be exposed to significant concentrations of criteria pollutants (Threshold D1).

Project activities also would result in temporary toxic air contaminant emissions in the form of diesel particulate matter from off-road and on-road equipment and from worker and haul/delivery vehicles. The SCAQMD suggests that projects with diesel powered mobile sources quantify potential carcinogenic risks from the diesel particulate emissions. Therefore, impacts associated with emissions of diesel particulate matter were analyzed in accordance with the guidelines in the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. Health risks associated with exposure to toxic air contaminants are described in terms of the carcinogenic risk and a Hazard Index for exposure to a chemical at a given concentration. Carcinogenic risks are estimated as the incremental probability that an individual would develop cancer over his/her lifetime as a direct result of exposure to potential carcinogens. The estimated risk is expressed as a probability (e.g., 10 in 1 million). A risk level of one in one million implies a likelihood that up to one person out of one million equally exposed people would contract cancer if exposed to a specific concentration for a specific amount of time during that person's assumed lifetime (70 years). This would be in addition to those cancer cases that would normally occur in an unexposed population of one million people.

The "Hazard Index" expresses the potential for chemicals to result in non-cancer-related health impacts. These effects are evaluated by comparing a given exposure concentration to the Reference Exposure Level, which is the concentration at which no adverse health effects are seen. The Hazard Index represents a ratio of the exposure concentration to the Reference Exposure Level. If an exposure level is equal to the safe exposure level (Reference Exposure Level), then the ratio, referred to as the Hazard Index, would equal 1.0. Hazard Indices are expressed using decimal notation (e.g., 0.001). A calculated Hazard Index exposure of less than 1.0 would likely not result in adverse non-cancer-related health effects over an individual's lifetime.

The analysis of Project impacts reflects that increased exposure would occur over a three-year period, and considers the distance between Project activities and the applicable sensitive receptors. The residential receptor with the greatest potential exposure to Project diesel particulate matter source emissions is located approximately 20 feet from the western boundary of the Project area. The maximum incremental carcinogenic risk attributable to Project diesel particulate matter source emissions based on the input parameters is estimated at 78.79 in 1 million and non-carcinogenic risks were estimated to have a Hazard Index of 3.46. The worker receptor with the greatest potential exposure to Project diesel particulate matter source emissions

is located approximately 125 feet from the western boundary of the Project area. Based on the input parameters, the maximum incremental carcinogenic risk is estimated to be 10.42 in 1 million with a non-carcinogenic risk Hazard Index of 1.33. The school receptor with the greatest potential exposure to Project diesel particulate matter source emissions is located approximately 320 feet from the western boundary of the Project area. Based on the input parameters, the maximum incremental carcinogenic risk is estimated to be 13.88 in 1 million with a non-carcinogenic risk Hazard Index of 0.62.

The total carcinogenic risk over the lifetime of the Project would exceed SCAQMD thresholds for off-site workers, residences, and schools. As such, impacts related to carcinogenic risks would be potentially significant (Threshold D2), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

While the Project's Hazard Index for schools would be below the SCAQMD threshold, the Hazard Index would exceed the SCAQMD threshold for residences and off-site workers. Therefore, impacts related to chronic non-carcinogenic hazards would be potentially significant (Threshold D3), and measures would be required, as described in **Section 3.1.4**, to mitigate these impacts.

#### **Objectionable Odors (Threshold E)**

While objectionable odors rarely cause any physical harm, they can be unpleasant, leading to distress among sensitive receptors and sometimes generating citizen complaints to local governments and air districts.

Project equipment and activities would generate odors primarily from diesel exhaust emissions associated with equipment operating on the site. There may be situations where odors would be noticeable by nearby residents, but these odors would not be unfamiliar nor necessarily objectionable. The odors would be temporary and would dissipate rapidly from the source with an increase in distance. Therefore, the impacts would be short-term and would not be objectionable to a substantial number of people; the impact would be less than significant (Threshold E1).

#### 3.1.4 <u>Mitigation Measures</u>

The following mitigation measures have been identified to reduce air quality impacts associated with the proposed Project.

AIR-1 All off-road diesel-powered construction equipment greater than 50 horsepower (hp) will meet Tier 4 emission standards. All construction equipment will be outfitted with CARB-certified best available control technology devices. Any emissions-control device used by the contractor will achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, best available control technology documentation, CARB or SCAQMD operating permit will be provided at the time of mobilization of each applicable unit of equipment.

- AIR-2 Diesel haul trucks (e.g., material delivery trucks and debris export) will be 2010 model year or newer.
- AIR-3 Electricity from power poles will be used instead of temporary diesel or gasoline-powered generators and air compressors to reduce the associated emissions, where power poles are within 100 feet of equipment sites and feasible connections are available.

#### 3.1.5 Conclusions

As demonstrated in **Table 3.1-5**, *Maximum Daily Regional Emissions with Mitigation*, and **Table 3.1-6**, *Maximum Daily Local Emissions with Mitigation*, implementation of mitigation measures AIR-1 and AIR-2 would reduce emissions of VOC, NO<sub>X</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Mitigation measure AIR-3 is to be implemented as feasible and would further reduce Project-related emissions; however, because the extent of this measure's feasibility is unknown at this time, reductions were not quantified. Although mitigation measures AIR-1 and AIR-2 would reduce emissions, regional emissions of VOC, CO, and NO<sub>X</sub> as well as local emissions of PM<sub>2.5</sub> would still exceed their respective SCAQMD thresholds of significance. Project-related impacts associated with air quality Thresholds A through D would, therefore, be significant and unavoidable. Although Project emissions would be below Thresholds D2 and D3 as further described below, impacts to Threshold D as a whole are considered significant because Threshold D1 would be exceeded.

| Table 3.1-5 MAXIMUM DAILY REGIONAL EMISSIONS WITH MITIGATION (pounds/day)                         |  |  |  |  |  |  |  |
|---|--|--|--|--|--|--|--|
| Maximum Daily Emissions VOC CO NO <sub>X</sub> SO <sub>X</sub> PM <sub>10</sub> PM <sub>2.5</sub> |  |  |  |  |  |  |  |
| Sub-phases 2A and 3A         162         1,200         175         4         10         9         |  |  |  |  |  |  |  |
| SCAQMD Thresholds         75         550         100         150         150         55           |  |  |  |  |  |  |  |
| Exceed Threshold? Yes Yes Yes No No No  |  |  |  |  |  |  |  |

Notes: VOC: volatile organic compound; NO<sub>X</sub>: nitrogen oxides; CO: carbon monoxide; SO<sub>X</sub>: sulfur oxides; PM<sub>10</sub>: respirable particulate matter with a diameter of 10 microns or less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less; SCAQMD: South Coast Air Quality Management District.

Source: HELIX 2014a.

| Table 3.1-6 MAXIMUM DAILY LOCAL EMISSIONS WITH MITIGATION (pounds/day) |                                     |     |    |            |  |  |
|--|-------------------------------------|-----|----|------------|--|--|
| Maximum Local Emissions CO NO <sub>X</sub> PM <sub>10</sub>            |                                     |     |    | $PM_{2.5}$ |  |  |
| Widamium Local Emissions   | 556                                 | 83  | 4  | 4          |  |  |
| SCAQMD Thresholds  | 863                                 | 118 | .5 | 4          |  |  |
| (Table 3.1.2 Thresholds B2, C2, D1)                                    | (Table 3.1.2 Thresholds B2, C2, D1) |     |    |            |  |  |
| Exceed Threshold?  | No                                  | No  | No | Yes        |  |  |

Notes: NO<sub>X</sub>: nitrogen oxides; CO: carbon monoxide; PM<sub>10</sub>: respirable particulate matter with a diameter of 10 microns or

less; PM<sub>2.5</sub>: fine particulate matter with a diameter of 2.5 microns or less.

Source: HELIX 2014a.

Implementation of mitigation measures AIR-1 and AIR-2 would reduce emissions of diesel particulate matter. Mitigation measure AIR-1 would reduce on-site diesel particulate matter by over 90 percent and mitigation measure AIR-2 would reduce off-site diesel particulate matter by up to 10 percent. With incorporation of mitigation measures AIR-1 and AIR-2, carcinogenic risk for sensitive receptors (residential, workers and schools) would remain below the threshold of 10 in 1 million for carcinogenic risk and below the Hazard Index threshold of 1.0 for the non-carcinogenic risk (Table 3.1-2). Based on the input parameters, the greatest potential residential exposure is estimated to be reduced to 8.48 in 1 million, and non-carcinogenic risk is estimated to have a Hazard Index of 0.37. The greatest potential worker receptor exposure is estimated to have a mitigated carcinogenic risk of 1.11 in 1 million and a non-carcinogenic risk Hazard Index of 0.14. The greatest potential school receptor exposure is estimated to have a mitigated carcinogenic risk of 1.49 in 1 million and a non-carcinogenic risk Hazard Index of 0.07.

Accordingly, with implementation of the noted measures, the total carcinogenic risk over the lifetime of the Project would not exceed SCAQMD standards to residences, workers, or schools (Threshold D2). Similarly, implementation of the noted mitigation measures would reduce the chronic non-carcinogenic risk Hazard Index for the Project to levels below the SCAQMD thresholds (Threshold D3). Project-related impacts to sensitive receptors associated with air quality Thresholds D2 and D3 would therefore be rendered less than significant; however, as discussed above, impacts related to Threshold D1 would still be considered significant and unavoidable due to local emissions. As a result, total impacts related to Threshold D would be considered significant.

For Threshold E, as discussed in **Section 3.1.3**, Project-related impacts from objectionable odors would be less than significant, and no mitigation is required.

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#### 3.2 BIOLOGICAL RESOURCES

This section is based on the information and analysis presented in the proposed Project's Biological Resources Letter Report, dated October 24, 2014 (HELIX 2014b). The report is included as **Appendix C** of this EIR.

Prior to conducting field surveys, a thorough review was performed of relevant maps, databases, and literature pertaining to biological resources known to occur within southwestern San Bernardino County. The Biological Resources Letter Report is based on vegetation mapping; general biological surveys; habitat assessments for burrowing owl and Delhi Sands flower-loving fly; a focused presence/absence trapping survey for small mammals including San Bernardino kangaroo rat, San Diego pocket mouse, San Diego desert woodrat, and Los Angeles pocket mouse; and an assessment of wetland and aquatic resources potentially under state or federal jurisdiction. General biological surveys and habitat assessments were conducted by HELIX in October 2013 and March 2014, and the small mammal trapping survey was conducted by ENVIRA in April 2014. The study area for biological resources encompasses the Project area and adjacent lands that might be indirectly affected by Project activities. Potential impacts were evaluated based on the observed and potential biological resources in the Project area and the locations of proposed work areas.

#### 3.2.1 Existing Conditions

#### **Vegetation Communities**

The entire study area contains evidence of disturbance, including disturbance from excavation for the Etiwanda Pipeline in 1993, regular vegetation maintenance in the pipeline right-of-way, on-going disturbance by agricultural activities, and permanent disturbance by development. The Project area consists almost entirely of disturbed land, with small patches of native vegetation that are heavily invaded by non-native species (**Figures 3.2-1a to 3.2-1j** *Vegetation and Sensitive Resources/Impacts*).

Six vegetation community or land use types were mapped within the study area: Riversidean upland sage scrub, Riversidean alluvial fan sage scrub, streambed, non-native vegetation, disturbed land, and developed land (**Table 3.2-1**, *Vegetation Communities and Habitat Types in the Study Area*).

#### Riversidean Upland Sage Scrub - Disturbed

Riversidean upland sage scrub is the driest expression of coastal sage scrub, found on steep slopes, severely drained soils, and very dry sites. It is considered to be a sensitive natural community in accordance with Section 15380 of the State CEQA Guidelines. Within the study area, this community is characterized as disturbed because it includes relatively high numbers of non-native species, fewer native species than in typical undisturbed examples of the community, and evidence of physical disturbance to plants and soils from human activities. This community occurs in the middle of the Project area in two patches, near Cherry Avenue and Victoria Street. These patches are low in habitat quality due to disturbance, small patch size, and isolation from habitat blocks in the local and regional area.

| Table 3.2-1 VEGETATION COMMUNITIES AND HABITAT TYPES IN THE STUDY AREA |       |  |  |  |
|--|-------|--|--|--|
| Vegetation Community   | Acres |  |  |  |
| Riversidean Upland Sage Scrub – Disturbed                              | 5.0   |  |  |  |
| Riversidean Alluvial Fan Sage Scrub – Disturbed                        | 0.2   |  |  |  |
| Streambed  | 0.3   |  |  |  |
| Non-native Vegetation  | 0.7   |  |  |  |
| Disturbed Land   | 59.9  |  |  |  |
| Developed  | 6.4   |  |  |  |
| TOTAL  | 72.5  |  |  |  |

#### Riversidean Alluvial Fan Sage Scrub – Disturbed

This community is similar to Riversidean upland sage scrub, but it occurs on terraces of seasonal streams and alluvial fans and includes some riparian species. It is considered to be a sensitive natural community. Within the study area, this community is disturbed from human activity and includes a variety of non-native species. A small patch of this community occurs in the Project area south of Victoria Street. This patch is considered low in habitat quality for the same reasons described for Riversidean upland sage scrub.

#### Streambed

A streambed is the sandy, gravelly, or rocky bed of a waterway that is mostly or completely unvegetated on a permanent basis. Non-native grasses and early-colonizing herbaceous species might be present seasonally, but rarely exceed 10 percent cover. Fluctuating water levels prevent the establishment of woody species. One patch of streambed occurs in the Project area, north of Baseline Avenue, where the Project area crosses an unnamed flood control channel.

#### Non-native Vegetation

Non-native vegetation is composed of non-native and/or landscape species that form patches that exclude native species. Non-native vegetation in the Project area consists of planted landscaping along the embankment and ramps for the interchange between SR 210 and I-15.

#### Disturbed Land

Disturbed land is highly disturbed ground that still retains a soil surface. Vegetation, if any, consists almost exclusively of upland species that are non-native and weedy, and therefore able to colonize after human disturbance. The vast majority of the Project area is disturbed land, with a variety of non-native grasses and herbs and some colonized native species. One patch of disturbed land adjacent to the streambed has small individuals of native species typically associated with sage scrub, but regular disturbance (discing/mowing) maintains this habitat as disturbed.

#### **Developed Land**

Developed land is land that has been built upon or physically altered to the point that it no longer naturally supports vegetation or retains a soil surface. Developed land in the Project area includes paved roads and a park.

#### **Plant Species**

No special-status plant species were observed during the October 2013 and March 2014 general biological surveys. A search of relevant databases did not result in any point records for special-status plant species in or immediately adjacent to the Project area, and no special-status plant species have better than low potential to occur within the study area due to lack of suitable habitat, inappropriate soil conditions, inappropriate elevations, existing disturbances, and the prevalence of non-native plant species. A complete list of plants observed in the study area is provided in Attachment A of the Biological Resources Letter Report.

#### **Animal Species**

No rare, threatened, or endangered species was observed or otherwise detected within the study area. Animal species observed in the study area, or detected audibly or by sign, include common species such as side-blotch lizard, house finch, European starling, northern mockingbird, Anna's hummingbird, common raven, desert cottontail, California ground squirrel, coyote, and black-tailed jackrabbit. In addition, a single raptor species, a red-tailed hawk, was observed soaring over the study area. The study area is predominantly disturbed and does not provide high-quality, native habitat for animal species, and overall animal activity during the general biological surveys was low relative to the results of surveys in other locations. A complete list of animals detected in the study area is provided in Attachment A of the Biological Resources Letter Report.

To develop a preliminary list of special-status animal species with potential to occur, previous observation records within the four U.S. Geological Survey (USGS) quadrangle maps adjacent to the study area were reviewed. A total of 25 special-status animal species were identified through this review and analyzed for their potential to occur within the study area. Of those 25 species, three were observed during Project surveys. An additional four species that have potential to occur and that would be subject to special consideration if present in the study area are discussed in greater detail below.

#### Special-Status Animal Species Present in the Project Area

Three special-status animal species were observed in the study area during the general biological surveys and during protocol-level trapping for small mammals: San Diego pocket mouse, Los Angeles pocket mouse, and San Diego black-tailed jackrabbit. Each of these species is statelisted as a Species of Special Concern, which carries no formal legal status; however, CEQA requires full analysis of potential Project impacts to such species. The status of these species in the Project area is discussed below. Trapping locations were determined on the basis of potentially suitable habitat within the study area and access authorization by property owners.

#### San Diego Pocket Mouse

The habitat quality for San Diego pocket mouse was generally considered to be low. A total of seven San Diego pocket mice were trapped at three locations in the Project area during trapping surveys in April 2014. Trapping locations with positive results were as follows: (1) north of Baseline Avenue and east of Del Norte Street, on the south side of the unnamed channel; (2) north of Baseline Avenue and east of Del Norte Street, on the north side of the unnamed channel; and (3) north of Vienna Lane, east of Campania Way and west of Knox Avenue (**Figure 3.2-1d and 3.2-1i**).

#### Los Angeles Pocket Mouse

The habitat quality for San Diego pocket mouse was generally considered to be low. A total of six Los Angeles pocket mice were trapped at three locations in the Project area during trapping surveys in April 2014. Trapping locations with positive results were as follows: (1) northeast of Del Norte Street, on the north side of the unnamed channel; (2) north of North Frontage Road and immediately west of San Sevaine Road; and (3) northwest of Reagan Drive, south of Summit Avenue and east of River Rock Drive (**Figures 3.2-1d, 3.2-1f, and 3.2-1h**).

#### San Diego Black-tailed Jackrabbit

An individual black-tailed jackrabbit was observed in the Project area south of Victoria Street during the general biological survey. This individual was determined to be the San Diego black-tailed jackrabbit subspecies based on distinguishing characteristics observed during the survey, the location of the study area within the subspecies' range, and previous recordation of the subspecies in the study area.

#### Special-Status Animal Species with Potential to Occur in the Project Area

Four special-status animal species either have historical records or designated habitat within the study area, or are widespread and known to occur in the region but were not observed during biological surveys of the Project area: San Bernardino kangaroo rat, Delhi Sands flower-loving fly, coast horned lizard, and burrowing owl. The potential for these species to occur in the Project area is discussed below.

#### San Bernardino Kangaroo Rat

The San Bernardino kangaroo rat is listed by U.S. Fish and Wildlife Service (USFWS) as endangered, indicating that it is considered to be in danger of extinction throughout all or a significant portion of its range; the portion of the study area north of Summit Avenue has been designated by USFWS as critical habitat for this species. San Bernardino kangaroo rat is identified as a Species of Special Concern by the California Department of Fish and Wildlife (CDFW). The San Bernardino kangaroo rat is found on alluvial fans where soils are loose, sandy, or gravelly, and vegetative cover is below 25 percent. It requires alluvial sage scrub habitat, and is found mostly in early- and intermediate-stage alluvial sage scrub on lower stream channel terraces; less frequently, the species is found in mature alluvial sage scrub on higher terraces. Areas where herbaceous and/or annual grass cover is high are not suitable for the

San Bernardino kangaroo rat, as roots impede burrowing and there is insufficient bare soil surface for foraging.

As previously described, a total of 0.2 acre of Riversidean alluvial fan sage scrub occurs in the Project area and it is highly disturbed by non-native species. It is located along what appears to be an abandoned agricultural drain that likely has not experienced in many years the fluvial processes associated with soils and vegetation favored by the San Bernardino kangaroo rat. No other suitable habitat occurs in the Project area. No San Bernardino kangaroo rats were trapped during the focused presence/absence survey in April 2014, and the Project area is presumed to be unoccupied by this species.

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#### Delhi Sands Flower-loving Fly

The Delhi Sands flower-loving fly is listed as endangered by USFWS. The Delhi Sands flower-loving fly requires fine, sandy soils, preferring those in the Delhi soil series that occur as stabilized dunes, and preferring relatively undisturbed habitat with 10 to 20 percent vegetative cover. Typical Delhi Sands flower-loving fly habitat includes vegetative cover of less than 50 percent.

The biological survey of the Project area included an assessment of potentially suitable habitat for the Delhi Sands flower-loving fly. The southern portion of the study area, from Foothill Boulevard to 0.5-mile north of Baseline Avenue, is within an observation record for Delhi Sands flower-loving fly; this area also is within the limits of the Ontario Recovery Unit of the USFWS Delhi Sands Flower-loving Fly Recovery Plan and 5-Year Review (USFWS 1997, 2008). The study area north of Baseline Avenue is outside the known range of the Delhi Sands flower-loving fly, and Delhi series soils do not occur anywhere in the study area. The Delhi Sands flower-loving fly is not expected to occur within the Project area or elsewhere within the study area due to a lack of Delhi series soils, the high level of soil disturbance from discing and other maintenance activities, prevalence of non-native grasses, unsuitable vegetative cover, and low frequency of indicator plant species.

#### Coast Horned Lizard

The coast horned lizard is listed as a Species of Special Concern by CDFW. Preferred habitats of coast horned lizard include coastal sage scrub, chaparral, grasslands, forest, woodland, and riparian areas, with open areas for basking and abundant native ants and other insect prey.

There are two historical records of the coast horned lizard in the study area, but the species is considered to have low potential to occur in the Project area or elsewhere within the study area due to disturbance by agriculture and maintenance activities, overall lack of suitable surface soils and cover, and presumed low abundance of suitable prey.

#### Burrowing Owl

The burrowing owl is listed by CDFW as a Species of Special Concern and is covered by special management protocols that have been recommended as a guideline for management of the species (CDFW 2012). The burrowing owl is a ground-nesting raptor that utilizes abandoned squirrel burrows as nesting habitat. The burrowing owl is also known to use debris piles, pipes,

culverts, and rock piles for burrows. The preferred habitat is flat to gently rolling terrain with less than 30 percent shrub cover.

A habitat assessment and directed search for the burrowing owl were conducted in the study area with negative results. Burrows with potential to support the burrowing owl were observed in the study area but outside of the Project area, and no sign of current or previous occupation by burrowing owls (i.e., feathers, pellets, whitewash, decoration) was observed. Based on disturbed conditions and lack of suitable burrows, the burrowing owl is not expected in the Project area and has a low potential to occur in agricultural and undeveloped lands within the study area outside the Project area.

#### **Regulatory Framework**

Activities affecting the biological resources determined to exist or have the potential to exist within the study area are subject to the federal, state, and local regulations discussed below. The standards and regulations most relevant to the proposed Project are summarized below, with additional detail provided in the Project's Biological Resources Letter Report (**Appendix C**).

#### Federal

#### Federal Endangered Species Act

The Federal Endangered Species Act provides a process for the listing of plant and animal species as threatened or endangered, and extends legal protection to those listed species. No species listed under the Endangered Species Act were observed in the Project area, and the potential to occur is considered low; therefore, no permits would be required for incidental take of listed species, and no consultation with USFWS would be required.

#### Migratory Bird Treaty Act

All migratory bird species that are native to the United States or its territories are protected under the federal Migratory Bird Treaty Act (MBTA) as amended under the Migratory Bird Treaty Reform Act of 2004. In common practice, compliance with the MBTA is satisfied by appropriate measures to avoid and minimize direct impacts and indirect noise impacts to active bird nests.

No bird nests were observed in the study area during surveys. Nevertheless, birds may still nest in the low-quality, disturbed habitat that occurs in the Project area. Given this possibility, Metropolitan applies standard practices for all of its projects and operations to avoid adverse impacts to nesting birds, including burrowing owls and other raptors. These practices would be applied to the proposed Project.

#### State

#### California Endangered Species Act

Similar to the federal Endangered Species Act, the California Endangered Species Act, along with the Native Plant Protection Act, authorizes CDFW to designate, protect, and regulate the

taking of special-status species in California. No species listed under the California Endangered Species Act was observed in the study area or has high potential to occur; therefore, the California Endangered Species Act is not applicable to the Project.

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#### California Fish and Game Code

The California Fish and Game Code regulates the taking or possession of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as wetlands and waters of the state. It includes the California Endangered Species Act (Sections 2050-2115), Native Plant Protection Act (Sections 1900 *et seq.*), and Streambed Alteration Agreement regulations (Sections 1600-1616). The code also includes protection of birds (Sections 3500 *et seq.*) and the California Native Plant Protection Act of 1977 (Sections 1900-1913).

Pursuant to California Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the code or any associated regulation. Raptors (birds of prey) and owls and their active nests are protected by California Fish and Game Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW. In common practice, CDFW places timing restrictions on clearing of potential nesting habitat (e.g., vegetation), as well as restrictions on disturbances allowed near active raptor nests.

The presence in the study area of three mammalian Species of Special Concern creates the potential for significant Project impacts to species covered by the California Fish and Game Code. As previously noted, Metropolitan's standard practices for projects and facilities include measures to avoid impacts to nesting birds and raptors, including the burrowing owl. These potential impacts are analyzed in detail below. The remaining portions of the code are not expected to apply to the Project.

#### California Environmental Quality Act (CEQA)

Although threatened and endangered species are protected by specific federal and state laws, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain criteria. CEQA Guidelines Section 15380(d) allows a public agency to undertake a review to determine if a significant effect would occur on species that have not yet been listed by either the USFWS or CDFW (i.e., species of concern).

Potential Project impacts to special-status species known to occur in the Project area (i.e., Los Angeles pocket mouse, San Diego pocket mouse, and black-tailed jackrabbit), and to special-status species with potential to occur (i.e., San Bernardino kangaroo rat, Delhi sands flower-loving fly, coast horned lizard, and burrowing owl), must be analyzed for significance under CEQA thresholds.

#### Local

The adopted General Plans of the cities of Rancho Cucamonga and Fontana include several policies relevant to the protection of biological resources. Although California Government

Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances, these policies provide a point of reference regarding resource protection priorities of those jurisdictions. The portion of the proposed Project in Rancho Cucamonga does not include biological resources that are addressed by the environmental protection policies of the General Plan.

Relevant policies of the City of Fontana General Plan include the following:

- Goal 1.2, Policy 2: Require mitigation for removal of any natural habitat, including restoration of degraded habitat of the same type, creation of new or extension of existing habitat of the same type, financial contribution to a habitat conservation fund administered by federal, state or local government agency, or by a non-profit conservancy.
- Goal 1.2, Policy 3: Apply local CEQA procedures to identify impacts to rare, threatened and endangered species.

#### 3.2.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would do any of the following, identified below as Thresholds A through C:

- Threshold A: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS;
- Threshold B: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS; or
- Threshold C: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

#### 3.2.3 Impact Analysis

#### Candidate, Sensitive, and Special-status Species (Threshold A)

As described in **Section 3.2.1**, no sensitive plants were observed during the general biological survey, and none of the sensitive plant species identified through database searches has a better than low potential to occur within the Project area. Therefore, no significant impacts to sensitive plant species are expected.

Three sensitive mammal species were observed within portions of the Project area: San Diego black-tailed jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse. A single individual of San Diego black-tailed jackrabbit was observed in the study area. This is a large, mobile species that is active during the day and assumed to be easily capable of escaping harm

by Project activities. Project impacts to San Diego jackrabbit are restricted to minor, temporary loss of foraging and movement areas, and would be less than significant.

San Diego pocket mouse and Los Angeles pocket mouse are small, nocturnal rodents that spend the day in underground burrows and forage above-ground at night. Both were trapped in very low numbers during small mammal trapping surveys. Pocket mice are not expected to easily escape harm by Project ground-disturbing activities, given their small size and nocturnal habits, and the Project has potential for direct impact to individuals of these species. Overall activity was low during the small mammal trapping survey (captures in less than seven percent of traps), and small mammal population sizes in the study area are considered low (ENVIRA 2014). Both species were represented by fewer than 10 individuals in the trapping survey results, suggesting that the Project area supports less than one percent of the lowest estimated statewide population of San Diego pocket mouse, and little more than one percent of the lowest estimated statewide population of Los Angeles pocket mouse.

Given the low number and density of both San Diego pocket mouse and Los Angeles pocket mouse in the Project area, and the small portion of the Project area that would be directly impacted by Project activities (**Figures 3.2-1a to 3.2-1j**), the potential for direct impact to either species is low and potential impacts would not jeopardize the survival of either species. Potential Project impacts to these two species would be restricted to minor, temporary loss of foraging and movement habitat, and low-likelihood direct impacts to fewer than 10 individuals from ground-disturbing activities. These impacts would be less than significant.

The study area contains vegetation and structures that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and California Fish and Game Code. The proposed Project could result in the removal or trimming of vegetation, and elevated noise levels during the general bird nesting season (March 1 through September 15) and, therefore, could result in impacts to nesting birds. Direct impacts could occur as a result of removal of vegetation supporting an active nest, and noise impacts could affect raptors nesting in nearby SCE electrical transmission towers or in adjacent agricultural lands. As previously noted, Metropolitan employs standard practices, for all projects and facilities, to protect nesting birds from adverse impacts and to ensure compliance with the MBTA and Fish and Game Code.

As a general practice, for any Metropolitan projects or operations activities that would occur during the general bird nesting season of February 1 through September 15, Metropolitan would retain a qualified biologist to perform a pre-activity survey of potential nesting habitat to confirm the absence of active nests. The pre-activity survey would be performed no more than seven days prior to the start of work in each area. If the biologist determines that no active nests are present, work is allowed to proceed. If the qualified biologist determines that an active nest is present, an adequate avoidance buffer is established to ensure that no adverse impacts would occur until the young have fledged the nest and the nest is confirmed no longer to be active. The avoidance buffer distance that Metropolitan generally applies is up to 300 feet for songbirds or non-raptors and up to 500 feet for raptors, depending on the species, site conditions, and nature of the work. Where suitable buffers are not feasible, modified work schedules and/or methods may be applied. Additionally, where potential nesting vegetation is present in the vicinity of work areas, Metropolitan's qualified biologist is consulted to maintain such vegetation outside the nesting season to minimize the potential for nesting activity near work areas where indirect impacts might

occur. Application of these standard practices to the Project would ensure that impacts to species protected under the MBTA and Fish and Game Code would be less than significant.

The Project area does not contain suitable burrows for burrowing owl, and burrowing owl is not expected to occur in the Project area. Surrounding undeveloped lands outside the Project area but within the study area have low potential for burrowing owl based on disturbance and agricultural activities. No direct impacts to burrowing owl are expected, and the potential for indirect impacts outside the Project area is considered to be low. The low likelihood of burrowing owl presence in the areas surrounding the Project, and the implementation of avoidance and minimization measures should any be detected during pre-activity nesting bird surveys, would ensure that the Project's impacts to burrowing owl would be less than significant.

In summary, the potential Project impacts to sensitive species (Threshold A) would be less than significant.

# **Sensitive Natural Communities (Threshold B)**

Two sensitive natural communities were mapped within the Project area: Riversidean alluvial fan sage scrub and Riversidean upland sage scrub. Potential Project impacts to sensitive natural communities are depicted in **Figures 3.2-1a to 3.2-1j**, and summarized in **Table 3.2-2**, *Sensitive Vegetation Community Impacts*.

| Table 3.2-2 SENSITIVE VEGETATION COMMUNITY IMPACTS* |          |               |  |
|---|----------|---------------|--|
| Vegetation Community                                | Existing | Impact        |  |
| Riversidean Upland Sage Scrub – Disturbed           | 5.0      | 2.6           |  |
| Riversidean Alluvial Fan Sage Scrub – Disturbed     | 0.2      | 0. <u>0</u> 1 |  |
| TOTAL   | 5.2      | 2. <u>6</u> 7 |  |

\*Areas are in acres

Note: Impacts reported in this table reflect vegetation within proposed Contractor Work and Storage Areas and excavation areas. Impacts to upUp to an additional 2.4 acres of Riversidean upland sage scrub and up to 0.08 acre of Riversidean alluvial fan sage scrub may be subject to temporary disturbance.

The Project would temporarily impact 2.6 acres of disturbed Riversidean upland sage scrub and 0.1 acre of disturbed Riversidean alluvial fan sage scrub in the proposed Contractor Work and Storage Areas and excavation areas. According to biological surveys conducted for the original Etiwanda Pipeline North installation in 1988, Riversidean upland sage scrub in the proposed pipeline alignment was disturbed (WESTEC 1988), which indicates that this habitat has been of low quality since before the original pipeline installation. The Riversidean alluvial fan sage scrub and disturbed Riversidean upland sage scrub in the Project area represents vegetation that has re-grown since excavation for installation of Etiwanda Pipeline North in 1993, and that has continued to be disturbed by on-going maintenance activities in the right-of-way. Thisese communityies are remains highly disturbed, low in quality, and provides limited biological function and value. Neither has a high potential to support any sensitive species. The San Bernardino kangaroo rat was determined to be absent from these communities. The Riversidean alluvial fan sage scrub is not associated with any functioning riparian habitat and is of low

quality. The Riversidean upland sage scrub is highly disturbed comprised of a sparse arrangement of California buckwheat and deerweed shrubs with non-native red brome, oats, and filaree., low in quality, and It also is isolated from core habitat blocks in the local and regional area. Both California buckwheat and deerweed are resilient disturbance-followers, which are expected to again successfully colonize the temporary impact areas. Temporary impacts to thisese communityies (Threshold B) would be less than significant.

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Sensitive native vegetation outside the areas proposed for direct disturbance but within the Project area (totaling up to an additional 2.4 acres of Riversidean upland sage scrub-and up to 0.08 acre of Riversidean alluvial fan sage scrub) may be subject to disturbance by vehicle access and equipment storage as necessary for Project activities, or by routine vegetation maintenance. Because no permanent removal of habitat would be necessary to accommodate temporary access and storage in these areas, vegetation in these communities is expected to recover after Project completion. These areas are isolated habitat fragments in disturbed condition and the potential temporary impact (Threshold B) would be less than significant.

# Local Policies, Ordinances, and Adopted Plans (Threshold C)

As described in **Section 3.2.1**, the adopted General Plan for the City of Fontana includes policies relevant to the protection of biological resources. These policies include identification of impacts to sensitive species and mitigation for removal of natural habitat. As noted above, California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. These policies provide a point of reference regarding resource protection priorities of those jurisdictions and are evaluated for purposes of full disclosure of potential Project impacts on the environment. Potential impacts to sensitive species are addressed above, and appropriate protective measures would be provided in accordance with Metropolitan's standard practices for the protection of nesting birds. Also as addressed above, the Project would result in temporary impacts to Riversidean upland sage scrub and Riversidean alluvial fan sage scrub. Thisese communityies isare, however, disturbed, low in quality, and provides limited biological function and value. They It represents vegetation that has re-grown in similar quality to the disturbed vegetation that existed prior to-since excavation for installation of Etiwanda Pipeline North in 1993., and <u>vVegetation in thisese</u> communityies is expected to recover after Project completion to a community that is functionally equivalent to the limited, disturbed community that currently exists. Impacts would be less than significant and do not require mitigation. Based on these considerations, the Project would not conflict with local policies or ordinances protecting biological resources (Threshold C).

#### 3.2.4 <u>Mitigation Measures</u>

Impacts related to Thresholds A, B, and C would be less than significant; no mitigation is required.

# 3.2.5 Conclusions

Impacts to special-status animal species and sensitive communities would be less than significant given the relatively low sensitivity of resources present, small numbers of individuals likely to be affected, and Metropolitan's standard practices for the protection of nesting birds, including burrowing owls and other raptors. No impacts would occur related to consistency with local policies, ordinances, or plans.

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Section 3.2
Biological Resources

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**Vegetation and Sensitive Resources/Impacts** 



**Vegetation and Sensitive Resources/Impacts** 



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**Vegetation and Sensitive Resources/Impacts** 

#### 3.3 GREENHOUSE GAS EMISSIONS

This section is based on the information and analysis presented in the proposed Project's Greenhouse Gas Emissions Technical Report, dated December 2014 (HELIX 2014c). The technical report is included in its entirety as **Appendix E** of this EIR.

HELIX assessed potential greenhouse gas (GHG) impacts by estimating emissions that would be generated by construction equipment, off-road vehicles, and on-road vehicles during the proposed Project and comparing the emission levels with applicable thresholds. These emissions were estimated using the Project-specific information previously described in **Section 2.7.3**, **Personnel and Equipment**. CARB's off-road emissions inventory database (OFFROAD2011) and EMFAC2011 models were used to estimate the emissions from heavy construction equipment and on-road vehicles, respectively. Complete listings of the assumptions used in the analysis and model outputs are provided in **Appendix D**. Although there would likely be minor variations in the numbers/types/use of equipment and workers compared to the assumptions incorporated into the emissions calculations, these assumptions generally provide for an overall worst-case analysis. This approach was used in order to allow flexibility in final design and implementation; actual GHG emissions may be less.

#### 3.3.1 Existing Conditions

#### **Climate Change and Greenhouse Gases**

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns, over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Historical records show that global temperature changes have occurred naturally in the past, such as during previous ice ages and warming periods. Changes in global climate patterns have recently been attributed to global warming, which is an average increase in the temperature of the atmosphere near the Earth's surface.

Global temperatures are moderated by naturally occurring atmospheric gases. These gases are commonly referred to as GHGs because they function like a greenhouse by letting light in but preventing heat from escaping, thus warming the Earth's atmosphere. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. GHGs, as defined under California Assembly Bill 32 (AB 32), include carbon dioxide ( $CO_2$ ), methane ( $CH_4$ ), nitrous oxide ( $N_2O$ ), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride ( $SF_6$ ). The global warming potential of each GHG is multiplied by the potency and lifespan in the atmosphere of that gas to produce  $CO_2$  equivalents ( $CO_2e$ ).

#### **Existing Greenhouse Gas Emissions**

In 2012, total GHG emissions in California were estimated at 459 million metric tons (MMT) CO<sub>2</sub>e (CARB 2014). According to the San Bernardino County GHG Inventory (San Bernardino Associated Governments [SANBAG] 2013), San Bernardino County emitted 17.5 MMT CO<sub>2</sub>e in 2008. This inventory indicated that the largest contributors of GHG emissions in San Bernardino

County were the light- and medium-duty vehicles and heavy-duty vehicles categories, which comprised 35 percent (6 MMT CO<sub>2</sub>e) of the total amount. By 2020, in the absence of any reduction measures, SANBAG estimates regional GHG emissions would be 20 MMT CO<sub>2</sub>e (SANBAG 2013).

#### **Regulatory Framework**

Regulatory agencies, such as the USEPA, CARB, etc., have adopted a variety of regulations in an attempt to address the potential effects of GHGs on global climate. The regulations most relevant to the proposed Project are summarized below, with additional detail provided in the Project's Greenhouse Gas Emissions Technical Report (**Appendix D**).

#### Federal

The U.S. Supreme Court ruled in *Massachusetts v. U.S. Environmental Protection Agency* that  $CO_2$  is an air pollutant, as defined under the federal Clean Air Act, and that the USEPA has the authority to regulate emissions of GHGs. Following the court decision, the USEPA announced that GHGs threaten the public health and welfare of the American people.

# **State**

The California Global Warming Solutions Act of 2006 (AB 32) required CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. CARB was directed to reduce GHG emissions to 1990 levels by 2020. AB 32 required CARB to adopt a scoping plan that includes various measures, rules, and regulations in an open public process to achieve the GHG reductions.

#### South Coast Air Quality Management District

In 2008, the SCAQMD proposed a tiered threshold approach for analyzing GHG emissions: Tier 1 determines if a project qualifies for an applicable CEQA exemption; Tier 2 determines consistency with GHG reduction plans; and Tier 3 proposes a numerical screening value as a threshold. In 2010, the SCAQMD suggested a Tier 3 screening threshold of 3,000 metric tons (MT) CO<sub>2</sub>e per year for all land use types. This screening threshold is used only for guidance, as it has not been formally approved by the SCAQMD board as of September 2014.

#### 3.3.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines, a significant impact would occur if the proposed Project would result in the following, identified below as Thresholds A and B:

- Threshold A: Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Threshold B: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

For Threshold A, there are no established federal, state, or local quantitative thresholds applicable to the Project to determine the quantity of GHG emissions that may have a significant effect on the environment. CARB, the SCAQMD, and various cities and agencies have proposed, or adopted on an interim basis, thresholds of significance that require the implementation of GHG emission reduction measures. For the proposed Project, the most appropriate screening threshold for determining GHG emissions is the SCAQMD proposed Tier 3 screening threshold (SCAQMD 2010); therefore, a significant impact would occur if the proposed Project would exceed the SCAQMD proposed Tier 3 screening threshold of 3,000 MT CO2e per year.

# 3.3.3 <u>Impact Analysis</u>

The magnitude of global GHG emissions is extremely large when compared to the emissions of an individual project, such as the Project's infrastructure work; therefore, it is accepted by GHG policymakers that an individual project would be unlikely to result in the magnitude of GHG emissions necessary to directly impact climate change. The California Natural Resource Agency (CNRA), which is charged with the adoption of CEQA guidelines for GHGs, stated, "Due to the global nature of GHG emissions and their potential effects, GHG emissions will typically be addressed in a cumulative impacts analysis" (CNRA 2009). Thus, the GHG impact analysis represents a cumulative GHG impact analysis for Project-related GHG emissions.

#### **Direct and Indirect Emissions of Greenhouse Gases (Threshold A)**

Project activities would result in GHG emissions through the use of heavy equipment in the Project area, as well as from vehicle trips to and from the Project area by commuting workers and delivery/haul trucks. As shown in **Table 3.3-1**, *Estimated GHG Emissions*, based on emission estimates using the OFFROAD2011 and EMFAC2011 models, total GHG emissions associated with relining activities are estimated at 82,588 MT CO<sub>2</sub>e.

| Table 3.3-1<br>ESTIMATED GHG EMISSIONS |                                     |  |
|--|-------------------------------------|--|
| Sub-phase                              | Emissions<br>(MT CO <sub>2</sub> e) |  |
| 2A                                     | 16,529                              |  |
| 2B                                     | 16,520                              |  |
| 3A                                     | 16,529                              |  |
| 3B                                     | 16,520                              |  |
| 4A                                     | 16,490                              |  |
| TOTAL <sup>1</sup>                     | 82,588                              |  |
| Amortized Emissions <sup>2</sup>       | 2,753                               |  |

The total presented is the sum of the unrounded values.

Source: HELIX 2014c.

It should be noted that mitigation measures AIR-1 (construction equipment would use emission-control technology), AIR-2 (contractor would use 2010 and newer diesel haul trucks),

<sup>&</sup>lt;sup>2</sup> Emissions are amortized over 30 years in accordance with SCAQMD guidance.

and AIR-3 (use of power pole electricity where feasible) would have the effect of reducing GHG emissions from the Project. AIR-1 and AIR-2 reductions were incorporated in the estimates above. Although the implementation of AIR-3 would likely lead to the biggest reduction in Project GHG emissions of the three mitigation measures, it was not included in the model as the extent to which this measure would be feasible to implement has yet to be determined.

SCAQMD, in its *Draft Guidance Document – Interim CEQA GHG Significance Thresholds*, recommends that construction emissions be amortized over a 30-year project lifetime (SCAQMD 2008c). The proposed Project, therefore, as shown in **Table 3.3-1**, would contribute 2,753 MT CO<sub>2</sub>e emissions per year on an amortized basis.

The amount of amortized Project emissions is less than the significance threshold of 3,000 MT CO<sub>2</sub>e per year. Therefore, the Project GHG emissions would not be cumulatively considerable, and the impacts under Threshold A would be less than significant.

# **Consistency with Plans for Reducing Greenhouse Gas Emissions (Threshold B)**

As previously discussed, the increase in GHG emissions would be less than SCAQMD's significance threshold being applied to this analysis. Therefore, implementation of the proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. No impact under Threshold B would occur.

# 3.3.4 <u>Mitigation Measures</u>

Impacts related to Thresholds A and B would be less than significant; no mitigation is required.

# 3.3.5 Conclusions

The assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. As discussed above, the impact of the Project's GHG emissions on climate change would not be cumulatively significant, as the Project does not exceed the SCAQMD screening threshold or conflict with an applicable GHG plan, policy, or regulation.

#### 3.4 LAND USE AND PLANNING

The focus of the following analysis is on the consistency of the proposed Project with the General Plans and zoning designations for the cities of Fontana and Rancho Cucamonga. In addition, the analysis considers the relationship of the proposed Project with surrounding land uses.

Land use impacts were assessed by generating existing land use maps and designated land use maps for the Project area and nearby properties; reviewing the General Plans of the cities of Rancho Cucamonga and Fontana for policies that might be applicable to a pipeline relining project within an existing pipeline right-of-way; assessing the potential for the Project to conflict with existing or planned land uses in or adjacent to the Project area; and comparing the proposed Project to the relevant General Plan policies of the cities of Rancho Cucamonga and Fontana. The existing land use and designated land use mapping was obtained from SANBAG; the review of General Plans and assessment of potential land use impacts was conducted by HELIX.

It should be noted that California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. Despite this exemption from local land use planning jurisdiction, for purposes of full disclosure of potential Project impacts on the environment, this EIR evaluates Project compatibility with relevant General Plan policies of the cities of Rancho Cucamonga and Fontana.

# 3.4.1 Existing Conditions

# **Environmental Setting**

The Project area includes approximately 4.4 miles of pipeline right-of-way in Fontana and 0.4 mile of pipeline right-of-way in Rancho Cucamonga. The Etiwanda Pipeline North right-of-way is within a designated public utility corridor, which contains both the pipeline and an adjacent SCE transmission line.

**Figures 3.4-1a to 3.4-1d,** *Existing Land Uses*, illustrate existing land uses as mapped by SANBAG. Beginning in the southern end of the Project area in the city of Rancho Cucamonga, the Project area is adjacent to electrical power facilities, vacant land, flood control channels, and a park. The Project area then continues northeast in the city of Fontana, where it is adjacent to electrical power facilities, high-density single-family homes, low-rise apartments, religious facilities, retail centers, pre-schools and day care centers, local and regional parks, irrigated cropland, orchards and vineyards, and vacant land.

# **Regulatory Framework**

#### General Plans

The General Plans of the Cities of Fontana and Rancho Cucamonga contain land use designations, as well as goals and policies adopted for the purpose of avoiding or mitigating an environmental effect. Land use designations as compiled by SANBAG are illustrated on **Figures 3.4-2a to 3.4-2d**, *Designated Land Uses*. The applicable land use designations are

addressed below, with the applicable goals and policies summarized in **Table 3.4-1**, *Project Consistency with General Plan Policies* (see below).

# City of Fontana

The City of Fontana General Plan includes land use development policies and land use maps to guide future development in the city. The pipeline right-of-way is designated as Public Utility Corridor (P-UC); this designation is used to indicate locations in Fontana that contain easements for public utilities.

Land use designations near the Project area in Fontana include residential, other retail/service, open-non development, parks, schools, general commercial, urban mixed, and transportation (refer to **Figures 3.4-2b to 3.4-2d**).

# City of Rancho Cucamonga

In the City of Rancho Cucamonga General Plan, the pipeline right-of-way is designated as Flood Control/Utility Corridor. According to the General Plan, this land use designation includes lands primarily used for flood control purposes and to support public utilities.

The land uses designated near the Project area in Rancho Cucamonga include parks, office, general commercial, and residential (refer to **Figure 3.4-2a**).

# Zoning

The Zoning and Development Codes of the cities of Fontana and Rancho Cucamonga contain the regulatory framework that specifies allowable uses. The pipeline right-of-way is zoned as Public Utility Corridor by the City of Fontana. The right-of-way is zoned under the Etiwanda Specific Plan by the City of Rancho Cucamonga; that specific plan lists the area as a Utility Corridor.

# 3.4.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would do the following, identified below as Threshold A:

• Threshold A: Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

# 3.4.3 <u>Impact Analysis</u>

#### **Consistency with Zoning**

As stated above, the Project area is zoned as Public Utility Corridor by the City of Fontana and as a Utility Corridor by the City of Rancho Cucamonga. The Project would repair an existing pipeline within the existing utility corridor. Temporary use of adjacent properties for contractor

staging areas would not affect the long-term use of those properties. Project activities would not interfere with existing or future zoning. Therefore, the Project would not result in conflicts with zoning ordinances (Threshold A).

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#### **Consistency with General Plans**

#### City of Fontana

The Project would take place within a land use designation appropriate for Etiwanda Pipeline North – Public Utility Corridor. This land use designation accommodates long-term operation and maintenance of the pipeline, which was originally built in 1993. The Project would involve only temporary activities and would restore the Project area to its pre-existing condition after Project activities have been completed. The Project would be consistent with the environmental goals, policies, and actions of the City of Fontana General Plan, except for one action (Goal 3, Action 18) under the Noise Element, as demonstrated in **Table 3.4-1**.

Project activities would exceed the hours of construction activity operation allowed in the City of Fontana Municipal Code (as discussed in **Section 3.5**, *Noise*), and while mitigation measures would lessen the impacts from these exceedances, the noise impacts would still be potentially significant and unmitigable. The short-term policy conflict represents a noise, rather than a land use, impact, and is fully discussed in Section 3.5. Land use impacts would be less than significant (Threshold A).

# City of Rancho Cucamonga

The Project would take place within a land use designation appropriate for Etiwanda Pipeline North – Flood Control/Utility Corridor. This land use designation accommodates long-term operation and maintenance of the pipeline, which was originally built in 1993. The Project would involve only temporary activities and would restore the Project area to its preexisting condition after Project activities have been completed. The Project would be consistent with the environmental goals, objectives, and guidelines of the City of Rancho Cucamonga General Plan, except for one policy (Policy PS-13.4) under the Public Health and Safety Element regarding noise, as shown in **Table 3.4-1**. Project activities would exceed City of Rancho Cucamonga Municipal Code and General Plan standards with regard to acceptable noise levels near residences. While mitigation measures would lessen the impacts from these exceedances, the noise impacts still would be potentially significant and unmitigable. The short-term policy conflict represents a noise, rather than a land use, impact, and is fully discussed in Section 3.5. Land use impacts would be less than significant (Threshold A).

# 3.4.4 <u>Mitigation Measures</u>

Impacts related to Threshold A would be less than significant; no mitigation is required.

# 3.4.5 Conclusions

Project activities temporarily would increase noise to nearby noise-sensitive land uses. The mitigation measures specified in **Section 3.5.4** would decrease the noise impacts to the extent feasible; however, the resulting noise levels are expected to exceed noise significance thresholds

even with mitigation at some locations of the Project area, during some periods of Project activity. Although the Project would be inconsistent with noise policies in the General Plans of the cities of Fontana and Rancho Cucamonga, California Government Code Section 53091 exempts Metropolitan, and therefore the Project, from local zoning and building ordinances (as discussed at the beginning of this section). The short-term policy conflict represents a noise, rather than a land use, impact, and is fully discussed in Section 3.5. Impacts to land use and planning would be less than significant.

| Table 3.4-1  |  |             |  |
|--|--|-------------|--|
| PROJECT CO   | NSISTENCY WITH GENERAL PLAN POLICIES   |             |  |
|  |  |             |  |
| Policy   | Discussion   | Consistent? |  |
| City of Fontana General Plan                             |  |             |  |
| City of Fontana General Plan - Land Use Element          |  |             |  |
| Goal 2, Policy 2: Regionally beneficial land uses        | The Project area is located within a land use and zoning designation of              | Yes         |  |
| such as transportation corridors, flood control          | P-UC. Repairing Etiwanda Pipeline North would assist in                              |             |  |
| systems, utility corridors, and recreational corridors   | Metropolitan's ability to continue to provide water to customers within              |             |  |
| shall be sensitively integrated into our community.      | its southern California service area. Project activities would be                    |             |  |
|  | temporary; after completion of the Project, the Project area would be                |             |  |
|  | returned to its existing condition.  |             |  |
| Goal 2, Policy 3: Multiple uses within utility           | The proposed Project is located within a utility corridor that is mostly             | Yes         |  |
| easements shall emphasize open spaces but may            | vacant above-ground. Project activities would be temporary; upon                     |             |  |
| accommodate more intensive uses to safely augment        | completion, the Project area would be returned to its existing condition.            |             |  |
| adjacent uses.   | Metropolitan generally maintains exclusive use of its facility rights-of-            |             |  |
|  | way; however, the Project would not preclude the Project area from                   |             |  |
|  | being used for multiple purposes.  |             |  |
| City of Fontana General Plan - Public Facilities, Se     |  |             |  |
| Goal 9, Policy 2: The installation of utilities shall be | The Project would consist of repair of an existing pipeline within                   | Yes         |  |
| coordinated so that disruption of public rights-of-      | Metropolitan's existing right-of-way. The Project would not result in                |             |  |
| way and private property is kept to a minimum.           | disruptions to roadways or other public rights-of-way. Metropolitan                  |             |  |
|  | would obtain temporary construction easements from private properties                |             |  |
|  | that would be used as staging areas, and they would be returned to their             |             |  |
|  | current status following completion of Project activities.                           |             |  |
| City of Fontana General Plan - Open Space and Con        |  |             |  |
| Goal 1.2, Policy 2: Require mitigation for removal       | As discussed in <b>Section 3.2</b> , <i>Biological Resources</i> , the Project would | Yes         |  |
| of any natural habitat, including restoration of         | temporarily impact 2.6 acres of disturbed Riversidean upland sage scrub              |             |  |
| degraded habitat of the same type, creation of new       | and 0.1 acre of disturbed Riversidean alluvial fan sage scrub in the                 |             |  |
| or extension of existing habitat of the same type,       | proposed staging areas and excavation areas. Thisese communityies are                |             |  |
| financial contribution to a habitat conservation fund    | <u>is</u> highly disturbed and provides limited biological function and value.       |             |  |
| administered by federal, state or local government       | Impacts would be temporary and are considered less than significant;                 |             |  |
| agency, or by a non-profit conservancy.                  | therefore, no mitigation is required for sensitive habitat.                          |             |  |

| Table 3.4-1 (cont.) PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES |  |             |
|--|--|-------------|
|  |  |             |
| Policy   | Discussion   | Consistent? |
| City of Fontana General Plan (cont.)                               |  |             |
| City of Fontana General Plan - Open Space and Co.                  | nservation Element (cont.)   |             |
| Goal 1.2, Policy 3: Apply local CEQA procedures to                 | As discussed in <b>Section 3.2</b> , no rare, threatened, or endangered species    | Yes         |
| identify impacts to rare, threatened and endangered                | were observed in the Project area and the potential for them to occur is           |             |
| species.   | considered low. Impacts would be less significant; therefore, no                   |             |
|  | mitigation is required for these species.  |             |
| Goal 2.1, Policy 1: Link multi-use utility corridors to            | Project activities are temporary, and upon completion, the area would be           | Yes         |
| other elements of the local and regional parks and                 | restored to its existing condition. Metropolitan generally maintains               |             |
| trails systems wherever feasible.                                  | exclusive use of its facility rights-of-way; however, the Project would            |             |
|  | not preclude the use of the utility corridor for multi-use linkages                |             |
|  | between parks and trails.  |             |
| City of Fontana General Plan – Noise Element                       |  |             |
| Goal 3, Action 5: Construction shall be performed as               | As discussed in <b>Section 3.5</b> , <i>Noise</i> , the Project would generate     | Yes         |
| quietly as feasible when performed in proximity to                 | substantial noise levels at adjacent residences at some locations in the           |             |
| residential or other noise sensitive land uses.                    | Project area during daytime and nighttime hours. Project mitigation                |             |
|  | measures specified in <b>Section 3.5.4</b> would lessen the impact to the          |             |
|  | extent feasible.   |             |
| Goal 3, Action 18: Ensure that construction activities             | The Fontana Municipal Code establishes allowable daytime construction              | No          |
| are regulated to established hours of operation                    | hours. Project activities are anticipated to occur up to 24 hours per day.         |             |
| included in the noise ordinance.                                   |  |             |
| Goal 3, Action 20: Require that all construction                   | As discussed in <b>Section 3.5</b> , the Project would result in substantial noise | Yes         |
| equipment utilizes noise reduction features                        | levels and a number of noise control measures are identified in                    |             |
| (e.g., mufflers and engine shrouds) that are no less               | <b>Section 3.5.4</b> . Control measures would include noise reduction features     |             |
| effective than those originally installed by the                   | on equipment that will be maintained to a minimum standard, which                  |             |
| manufacturer.  | includes engine noise baffles and mufflers that meet or exceed the                 |             |
|  | original manufacturer's requirements (NOI-3.e).                                    |             |

| Table 3.4-1 (cont.) PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES   |   |     |
|--|---|-----|
|  |   |     |
| City of Fontana General Plan (cont.)   |   |     |
| City of Fontana General Plan - Air Quality Elemen  | t   |     |
| Goal 4, Policy 1: Particulate emissions from roads, parking lots, construction sites, and agricultural lands shall be kept at the minimum feasible level.  | As discussed in <b>Section 3.1</b> , <i>Air Quality</i> , Project activities would exceed the SCAQMD maximum daily regional emission threshold for PM <sub>2.5</sub> , and the SCAQMD maximum daily local emission thresholds for both PM <sub>10</sub> and PM <sub>2.5</sub> . The mitigation measures specified in <b>Section 3.1.4</b> would reduce these emissions to a minimum feasible level.   | Yes |
| Goal 4, Policy 2: Emissions from building materials and construction methods that generate excessive pollutants shall be kept at the minimum feasible level.   | As discussed in <b>Section 3.1</b> , Project activities would exceed the SCAQMD maximum daily regional emission threshold for VOC, CO, and NO <sub>X</sub> , and the SCAQMD maximum daily local emission threshold for NO <sub>X</sub> . Project activities also would result in temporary toxic air contaminant emissions from diesel particulate matter from off-road and on-road equipment and vehicles. The mitigation measures specified in <b>Section 3.1.4</b> would reduce these emissions to a minimum feasible level. | Yes |
| Goal 4, Action 1: Incorporate the provisions of SCAQMD Rule 403 (Dust Control) into City land use administration rules and procedures.   | The Project's environmental commitments, discussed under <b>Section 2.6.5</b> , include adhering to SCAQMD Rule 403 to reduce fugitive dust emissions. Because the Project would comply with SCAQMD Rule 403 and emissions of regulated particulate matter (PM <sub>10</sub> and PM <sub>2.5</sub> ) would be reduced to below SCAQMD maximum emission thresholds, the Project would not generate significant amounts of dust.  | Yes |
| Goal 4, Action 2: Establish grading and building permitting procedures so that all construction involving demolition or earth movement reduces fugitive dust emissions through the appropriate techniques (e.g., wetting). | Refer to previous response.   | Yes |

| Table 3.4-1 (cont.)                                   |   |             |  |
|---|---|-------------|--|
| PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES        |   |             |  |
|   |   |             |  |
| Policy  | Discussion  | Consistent? |  |
| City of Rancho Cucamonga General Plan                 |   |             |  |
| City of Rancho Cucamonga General Plan - Commun        | ity Mobility Element  |             |  |
| Policy CM 6.3: Maintain consistency with the          | The Project would cumulatively contribute pollutants to the regional and      | Yes         |  |
| SCAQMD air quality mandates, SANBAG's                 | local area per SCAQMD thresholds. The mitigation measures specified           |             |  |
| Congestion Management and Nexus Programs, and         | in <b>Section 3.1.4</b> would reduce emissions to below the applicable        |             |  |
| SCAG's Regional Mobility Plan requirements.           | threshold, achieving consistency with applicable SCAQMD air quality           |             |  |
|   | plans and other applicable mandates. Potential impacts related to             |             |  |
|   | congestion would be temporary and would be reduced to less than               |             |  |
|   | significant levels through the incorporation of specified mitigation. The     |             |  |
|   | Project would not affect regional mobility.                                   |             |  |
| City of Rancho Cucamonga General Plan – Public H      | City of Rancho Cucamonga General Plan – Public Health and Safety Element      |             |  |
| Policy PS-10.4: Require projects that generate        | Refer to response for Goal 4, Policy 1 of the City of Fontana General Plan    | Yes         |  |
| potentially significant levels of air pollutants to   | – Air Quality Element.  |             |  |
| incorporate the best available air quality mitigation |   |             |  |
| into the project design, as appropriate.              |   |             |  |
| Policy PS-13.4: Require that acceptable noise levels  | The Project would create temporary noise in excess of 65 decibels with        | No          |  |
| are maintained near residences, schools, health care  | A-weighting (dBA) at nearby residential uses. As discussed in                 |             |  |
| facilities, religious institutions, and other noise   | <b>Section 3.5</b> , the Project would generate substantial noise levels at   |             |  |
| sensitive uses in accordance with the Development     | sensitive receptors at some locations in the Project area during daytime      |             |  |
| Code and noise standards contained in the General     | and nighttime hours. Project mitigation measures specified in                 |             |  |
| Plan.   | <b>Section 3.5.4</b> would lessen the impact to the extent feasible. However, |             |  |
|   | the resulting noise levels are expected to exceed the thresholds even with    |             |  |
|   | mitigation during some periods of Project activity. Noise impacts would       |             |  |
|   | be significant and unmitigable and the Project would be in conflict with      |             |  |
|   | this policy.  |             |  |

| Table 3.4-1 (cont.) PROJECT CONSISTENCY WITH GENERAL PLAN POLICIES   |   |             |
|--|---|-------------|
| Policy   | Discussion  | Consistent? |
| City of Rancho Cucamonga General Plan (cont.)  |   |             |
| City of Rancho Cucamonga General Plan - Public H   | ealth and Safety Element (cont.)  |             |
| Policy PS-13.5: Limit the hours of operation at noise generating sources that are adjacent to noise-sensitive uses, wherever practical.  | Project activities are anticipated to occur up to 24 hours per day adjacent to noise-sensitive uses at some locations in the Project area. Because of the coating techniques that would be employed to install the new pipe liner, 24-hour operations of some equipment are required. The mitigation measures contained in <b>Section 3.5.4</b> would reduce associated impacts to the extent feasible. | Yes         |
| Policy PS-13.6: Implement appropriate standard construction noise controls for all construction projects.  | The Project would employ standard noise control measures, such as mufflers. In addition, a number of specialty measures as described in <b>Section 3.5.4</b> would be employed to further reduce noise levels to the extent feasible.   | Yes         |
| Policy PS-13.7: Require all exterior noise sources (construction operations, air compressors, pumps, fans, and leaf blowers) to use available noise suppression devices and techniques to bring exterior noise levels down to acceptable levels. | Refer to the above response.  | Yes         |

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Section 3.4
Land Use and Planning

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**Existing Land Uses** 

0 700 Feet

0 700

**Existing Land Uses** 

# **Existing Land Uses**

Data Source: Land Use (SANBAG, 2012)

# **Existing Land Uses**

700 Feet

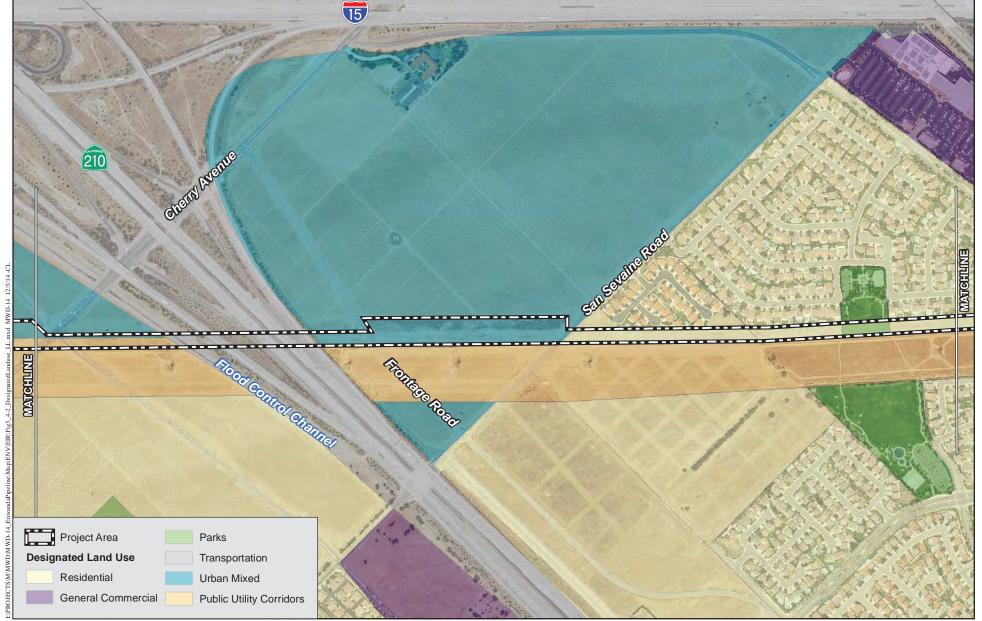


**Designated Land Uses** 





**Designated Land Uses** 



Data Source: General Plan (SANBAG, 2013)

**Designated Land Uses** 

0 700 Feet

Data Source: General Plan (SANBAG, 2013)

**Designated Land Uses** 



#### 3.5 NOISE

This section is based on the information and analysis presented in the proposed Project's Acoustical Site Assessment, dated November 4, 2014 (HELIX 2014d). The technical report is included in its entirety as **Appendix E** of this EIR.

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The methods HELIX used for assessing noise impacts included taking baseline noise measurements in and near the Project area; measuring noise generated by construction equipment during the pilot phase (Phase 1); estimating noise levels that would be generated by construction equipment during the proposed Project; and comparing estimated noise levels with applicable thresholds, including those adopted by the cities of Rancho Cucamonga and Fontana. As noted in **Chapter 2**, *Project Description*, the proposed Project would use several different types of equipment to install the new liner. Some of the equipment, such as excavators, loaders, and dump trucks, are standard equipment that has been incorporated into the Federal Highway Administration Roadway Construction Noise Model (U.S. Department of Transportation 2008); however, other equipment, such as those associated with the mortar lining debris removal and abrasive blasting, are highly specialized.

To provide a basis for estimating noise from specialized equipment, noise levels were measured for individual pieces of representative equipment that were used during similar work on the pilot phase (Phase 1) on the pipeline segment south of the Project. Noise levels were then calculated both for a standardized distance of 50 feet and, where applicable, at the closest noise sensitive receptor (the closest noise sensitive receptors would be located approximately 20 to 30 feet away from Project noise sources, depending on the type of activity being undertaken and equipment being used).

Although there would likely be minor variations in the numbers/types/use of equipment and workers compared to the assumptions incorporated into the noise calculations, the assumptions used generally provide for an overall worst-case analysis. This approach was used in order to allow flexibility in final design and implementation, and actual conditions might be less.

#### 3.5.1 Existing Conditions

#### **Noise Fundamentals**

Sound can be described as vibrations that travel through the air and can be heard when they reach a person's ear. Noise is defined as loud, unexpected, or annoying sound. Sound becomes unwanted when it interferes with normal activities, causes actual physical harm, or has adverse effects on health.

All noise-level or sound-level values presented in this section are expressed in terms of decibels with A-weighting (dBA) to approximate the hearing sensitivity of humans. **Table 3.5-1**, *Typical A-Weighted Noise Levels*, compares common activities and their noise levels (dBA). Under the decibel scale, a doubling of sound energy corresponds to an increase of 3 dBA.

Time-averaged noise levels are expressed as " $L_{EQ}$ ."  $L_{EQ}$  represents the average of the noise levels occurring over a specified period. Unless a different time period is specified,  $L_{EQ}$  implies a period of one hour.

## **Existing Noise Environment**

Final EIR

Ambient noise measurements were conducted at a series of locations along the Project alignment on May 15, 2014, for a duration of 20 minutes at each location. The survey was conducted to determine the typical daytime ambient noise levels in the Project area and to note information about the locations of noise-sensitive land uses (see Noise-sensitive Receptors below for more discussion) and noise sources (non-transportation) at those locations.

The measurement locations are shown on **Figure 3.5-1**, *Ambient Noise Measurements*, and ambient noise level measurements are provided in **Table 3.5-2**, *Ambient Noise Measurements*. As shown on **Figure 3.5-1** and **Table 3.5-2**, average daytime exterior noise levels ranged from approximately 38 dBA northwest of Knox Avenue (site 9) to 50 dBA near the Etiwanda Hydroelectric Plant (site 1).

| Table 3.5-1 TYPICAL A-WEIGHTED NOISE LEVELS |                   |   |  |  |  |  |  |
|---|-------------------|---|--|--|--|--|--|
| Common Outdoor Activities                   | Noise Level (dBA) | Common Indoor Activities                    |  |  |  |  |  |
|   | —110 —            | Rock band                                   |  |  |  |  |  |
| Jet fly-over at 1,000 feet                  |                   |   |  |  |  |  |  |
|   | — 100 —           |   |  |  |  |  |  |
| Gas lawn mower at 3 feet                    |                   |   |  |  |  |  |  |
|   | <b>— 90 —</b>     |   |  |  |  |  |  |
| Diesel truck at 50 feet at 50 mph           |                   | Food blender at 3 feet                      |  |  |  |  |  |
|   | <b>— 80 —</b>     | Garbage disposal at 3 feet                  |  |  |  |  |  |
| Noisy urban area, daytime                   |                   |   |  |  |  |  |  |
| Gas lawn mower, 100 feet                    | <b>— 70 —</b>     | Vacuum cleaner at 10 feet                   |  |  |  |  |  |
| Commercial area                             |                   | Normal speech at 3 feet                     |  |  |  |  |  |
| Heavy traffic at 300 feet                   | <b>— 60 —</b>     |   |  |  |  |  |  |
|   |                   | Large business office                       |  |  |  |  |  |
| Quiet urban daytime                         | <b>— 50 —</b>     | Dishwasher next room                        |  |  |  |  |  |
| Quiet urban nighttime                       | <b>—40</b> —      | Theater, large conference room (background) |  |  |  |  |  |
| Quiet suburban nighttime                    |                   |   |  |  |  |  |  |
|   | <b>— 30 —</b>     | Library                                     |  |  |  |  |  |
| Quiet rural nighttime                       |                   | Bedroom at night, concert hall (background) |  |  |  |  |  |
|   | <b>— 20 —</b>     |   |  |  |  |  |  |
|   |                   | Broadcast/recording studio                  |  |  |  |  |  |
|   | —10—              |   |  |  |  |  |  |
| Lowest threshold of human hearing           | 0                 | Lowest threshold of human hearing           |  |  |  |  |  |

Source: Caltrans 2009

| Table 3.5-2 AMBIENT NOISE MEASUREMENTS |   |           |          |  |  |  |  |
|--|---|-----------|----------|--|--|--|--|
| Site #                                 | Location Description  | Time      | $L_{EQ}$ |  |  |  |  |
| 1                                      | North of East Foothills Boulevard, east of Rancho Cucamonga water pump near Garcia Park | 1:30 p.m. | 50.0 dBA |  |  |  |  |
| 2                                      | East of East Avenue, edge of parking lot  | 1:55 p.m. | 40.6 dBA |  |  |  |  |
| 3                                      | East of West Liberty Parkway, northeast end of parking lot                              | 2:23 p.m. | 43.8 dBA |  |  |  |  |
| 4                                      | Southwest of South Heritage Circle  | 2:56 p.m. | 41.3 dBA |  |  |  |  |
| 5                                      | Northeast of Del Norte Street near Pacific Electric Bike Path                           | 3:20 p.m. | 43.5 dBA |  |  |  |  |
| 6                                      | Southwest of Cherry Avenue and South Highland Avenue in old field area                  | 3:55 p.m. | 44.5 dBA |  |  |  |  |
| 7                                      | Northeast of San Sevaine Road (Lyster Avenue and Vine Avenue)                           | 4:22 p.m. | 42.8 dBA |  |  |  |  |
| 8                                      | Northeast of Lyle Creek Road at northeast corner of a small park                        | 4:45 p.m. | 41.2 dBA |  |  |  |  |
| 9                                      | Northwest of Knox Avenue next to fenced area  | 5:05 p.m. | 38.4 dBA |  |  |  |  |

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Note: Some pump noise was audible at Site #1.

#### **Noise-sensitive Receptors**

A noise-sensitive land use is one in which users would be adversely affected by high levels of noise. Individual uses, such as residences, churches, schools, parks, and hospitals, are considered to be noise-sensitive receptors. Noise-sensitive receptors along or in proximity to the Project area include single-family residences, Summit High School, Rosena Park, and Fontana Park in Fontana, and single- and multi-family residences and Garcia Park in Rancho Cucamonga.

### **Regulatory Framework**

The relevant portions of the municipal codes of the cities of Fontana and Rancho Cucamonga are summarized below, and **Table 3.5-3**, *Exterior Noise Limits Within Residential Districts*, lists allowable exterior noise limits established by each City. It should be noted that California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances (but not from noise ordinances that are outside of the zoning and building ordinances). Despite this exemption from local planning ordinances, for purposes of full disclosure of potential Project impacts on the environment, this assessment of potential noise impacts evaluates Project compatibility with noise-related General Plan policies of the cities of Rancho Cucamonga and Fontana.

| Table 3.5-3 EXTERIOR NOISE LIMITS WITHIN RESIDENTIAL DISTRICTS |                         |  |  |  |  |  |
|--|-------------------------|--|--|--|--|--|
| City   | Time                    | Maximum Allowable Noise<br>Level (dBA) |  |  |  |  |
| Fontana  | 7:00 a.m. to 10:00 p.m. | 65                                     |  |  |  |  |
| rontana  | 10:00 p.m. to 7:00 a.m. | 65                                     |  |  |  |  |
| Danaha Cuaamanga   | 7:00 a.m. to 10:00 p.m. | 65*                                    |  |  |  |  |
| Rancho Cucamonga   | 10:00 p.m. to 7:00 a.m. | 60*                                    |  |  |  |  |

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Sources: City of Fontana Municipal Code Section 30-182.A, Rancho Cucamonga Municipal Code Section 17.66.050-1

## City of Fontana Municipal Code

The City of Fontana Municipal Code prohibits unnecessary, excessive, and annoying noises throughout the city. Performance standards for noise levels within residential districts are specified under the Municipal Code's Zoning and Development section (see **Table 3.5-3**). Specifically, it establishes a maximum allowable noise level of 65 dBA at any time of day.

Regarding vibrations, the municipal code states that no person shall create or cause to be created any activity which causes a vibration that can be felt beyond the property line of any residentially zoned property with or without the aid of an instrument.

The Municipal Code also applies to construction and repair noise. Acts that create loud, excessive, impulsive, or intrusive sound or noise that annoys or disturbs people at a distance of 50 feet or more from the edge of the property, structure, or units in which the source is located are prohibited. Although the following activities are generally prohibited, the building inspector may issue a permit granting an exemption:

- Construction activities (e.g., demolition, excavating, structural repair) occurring on weekdays outside of 7:00 a.m. to 6:00 p.m., and on Saturdays outside of 8:00 a.m. to 5:00 p.m.
- Transportation of rails, pillars or similar materials along streets and other public places that causes loud, excessive, impulsive, or intrusive noise
- Operation between the hours of 6:00 p.m. and 7:00 a.m. of any construction equipment which causes loud, excessive, impulsive or intrusive noise (e.g., pile driver, pneumatic hammer)
- Operation of any noise-creating blower, power fan, or engine other than from 7:00 a.m. and 6:00 p.m. on a weekday and 8:00 a.m. and 5:00 p.m. on a Saturday, unless the noise is equipped with a muffler device sufficient to deaden such noise

<sup>\*</sup> These exterior noise limits may be exceeded for a cumulative period of not more than 15 minutes in one hour; by 5dBA for not more than a cumulative period of 10 minutes in one hour; and by 14 dBA (but not 15 dBA or more) for a cumulative period of not more than 5 minutes in one hour.

## City of Rancho Cucamonga Municipal Code

The noise standards contained in the City of Rancho Cucamonga Municipal Code establish a maximum allowable noise level at the adjacent residential property line (exterior) of 65 dBA between 7:00 a.m. and 10:00 p.m., and 60 dBA between 10:00 p.m. and 7:00 a.m. (see **Table 3.5-3**). The ordinance allows incremental increases of the exterior noise limit as follows: for a cumulative period of not more than 15 minutes in one hour; by 5 dBA for not more than a cumulative period of 10 minutes in one hour; and by 14 dBA (but not 15 dBA or more) for a cumulative period of not more than 5 minutes in one hour.

Noise sources associated with various construction activities are excluded from the noise level limits provided the following conditions apply:

- 1. When adjacent to residence, school, church, or similar land use, the noise generating activity must not take place between 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a national holiday, and provided noise levels created do not exceed the standard of 65 dBA when measured at the adjacent property line.
- 2. When adjacent to a commercial or industrial use, the noise generating activity does not take place between 10:00 p.m. and 6:00 a.m. on weekdays, including Saturday and Sunday, and provided noise levels created do not exceed the standard of 70 dBA when measured at the adjacent property line.

The code also regulates vibration sources; however, vibration from temporary construction/demolition is exempt.

## 3.5.2 Significance Thresholds

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would result in the following, identified below as Thresholds A through C:

- Threshold A: Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Threshold B: A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; or
- Threshold C: Exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels.

With regard to Threshold B, as described in **Section 3.5.3**, the city of Fontana, which encompasses most of the proposed Project area, provides for Noise Ordinance exemptions for construction activities and does not specify associated construction noise thresholds. Many southern California jurisdictions that set a noise level threshold for construction activities consider exceedance of 75 dBA  $L_{EQ}$  for a one-hour average noise level between 7:00 a.m. and 7:00 p.m. to reflect a

substantial temporary increase in ambient noise levels. This standard is consistent with findings that the community noise environment is normally unacceptable for residential sites that are exposed to noise where the average sound level exceeds 75 dBA (U.S. Department of Housing and Urban Development 1991). Therefore, this 75-dBA threshold is applied for assessing the potential significance of Project daytime noise levels as it relates to substantial temporary or periodic increases in ambient noise levels (Threshold B).

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More stringent standards are typically applied to nighttime work. The City of Fontana has established a general exterior noise standard of 65 dBA; the City of Rancho Cucamonga uses a general exterior noise standard of 60 dBA from 10:00 p.m. to 7:00 a.m., and 65 dBA from 7:00 a.m. to 7:00 p.m. For the purposes of establishing a uniform significance threshold for assessing whether the Project would cause a substantial temporary or periodic increase in nighttime ambient noise levels, construction noise would be considered to result in a substantial temporary increase in ambient noise levels if the one-hour average noise level exceeds 65 dBA L<sub>EQ</sub> between 7:00 p.m. and 7:00 a.m. at the boundary of any residential or noise-sensitive land use property line.

Note that the 75 dBA daytime threshold and 65 dBA nighttime threshold were specifically developed for purposes of assessing whether the proposed Project addressed in this EIR would cause a substantial temporary or periodic increase in ambient noise levels (Threshold B); the 75-dBA daytime threshold and 65-dBA nighttime threshold do not reflect adopted city ordinances or regulations within the Project area.

#### 3.5.3 Impact Analysis

#### **Exceedance of Noise Standards (Threshold A)**

As detailed in **Section 3.5.1** and shown on **Table 3.5-2**, the cities have established maximum allowable noise levels of 60 to 65 dBA, depending on the jurisdiction and the time of day. In addition, work is typically allowed only during daytime hours Monday through Saturday, although the City of Fontana's Municipal Code includes a provision that allows the building inspector to issue a permit granting an exemption from these restrictions. Project activities would include operation of some heavy equipment up to 24 hours per day and 7 days per week. In addition to exceeding the construction hours specified in the Municipal Codes, these activities would result in noise levels exceeding the maximum allowable noise levels at adjacent residences during both daytime and nighttime hours, as described below (Threshold B).

Metropolitan intends to coordinate with each of the cities to establish allowable work schedules and noise levels to allow deviation from the Municipal Code provisions for daytime and nighttime noise. These work schedules and noise levels will be agreed upon both to protect the public welfare and to accommodate necessary Project activities. Nonetheless, the Project activity hours and associated noise levels would result in the exposure of adjacent residents to noise levels in excess of established Municipal Code standards (Threshold A), and a significant impact would result.

### **Temporary Increase in Ambient Noise (Threshold B)**

The Project would generate temporarily elevated noise levels that may disrupt nearby noise-sensitive receptors. The magnitude of the impact would depend on the type of work being

performed, the equipment used to perform or support that work, the duration of each work activity, the distance between the noise source and sensitive receptors, and any intervening structures or topography that would serve to lessen noise.

The following analysis is divided into Project activities that would utilize both standard equipment (such as trucks, cranes, excavation equipment, and generators) and specialized equipment that is uniquely required for this Project (such as abrasive blasting equipment and ventilation equipment). **Table 3.5-4**, *Summary of Equipment Noise Levels*, summarizes the projected noise levels associated with various Project activities.

| SUM                          | Table<br>IMARY OF EQUIP | 3.5-4<br>MENT NOISE LEVE              | ELS                              |  |
|------------------------------|-------------------------|---------------------------------------|----------------------------------|--|
|                              | Closest Point to        | Sensitive Receptors                   | Distance to Reduce               |  |
| Equipment Type               | Distance<br>(feet)      | Noise Level<br>(dBA L <sub>EO</sub> ) | Noise to <75 dBA $L_{EQ}$ (feet) |  |
| Standard Equipment           | 20                      | 89                                    | 100                              |  |
| <b>Rollout Locations</b>     |                         |                                       |                                  |  |
| Abrasive Blasting            |                         | 85                                    | 210                              |  |
| Debris Removal               | 30                      | 73                                    | 90                               |  |
| Pipeline Coating             |                         | 78                                    | 90                               |  |
| <b>Ventilation Locations</b> |                         |                                       |                                  |  |
| Abrasive Blasting            |                         | 90                                    | 210                              |  |
| Debris Removal               | 30                      | 79                                    | 190                              |  |
| Pipeline Coating             |                         | 88                                    | 190                              |  |

Note: The nearest noise-sensitive receptors would be approximately 10 feet further from rollout and ventilation locations than from the standard noise equipment because standard equipment, including excavation equipment, would operate closer to the residences located to the west and northwest of the pipeline right-of-way.

## Standard Equipment Noise Levels

The following Project activities would primarily use standard equipment: site preparation in the Contractor Work and Storage areas and other potential access and work areas; excavation of pipe segments for rollouts, buried outlets, and ventilation access points; final sealing of the pipeline after relining has been completed; and backfilling excavated areas as part of site closure. As noted in **Section 2.6.2**, excavation activities would occur only during daytime hours.

Based on estimated distances of the equipment to the nearest sensitive receptors, the combined hourly average noise level from Project activities at the nearest residence is calculated to be approximately 89 dBA  $L_{EQ}$ , at a distance of 20 feet. These estimated noise levels are substantially higher than existing ambient noise levels noted in **Section 3.5.1**, which range from approximately 38 dBA  $L_{EQ}$  (northwest of Knox Avenue) to 50 dBA  $L_{EQ}$  (near the Etiwanda Hydroelectric Plant). Impacts would exceed the daytime threshold of 75 dBA  $L_{EQ}$  and be potentially significant (Threshold B).

The same equipment in operation at 100 feet or greater from any noise-sensitive land use would result in noise levels less than 75 dBA  $L_{EQ}$ , based on a standard attenuation rate of 6 dBA per doubling of distance from stationary noise sources. The reduction could be more or less than 6 dBA depending on intervening structures and topography, but at a distance of 100 feet or greater from Project activities, the standard construction equipment is expected to be able to operate during normal daytime hours (that is, at noise levels less than 75 dBA  $L_{EQ}$ ) without a significant adverse noise impact (Threshold B).

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## Specialty Equipment Noise Levels

The use of specialty equipment would occur primarily during the following Project activities: removal of the existing mortar lining and associated debris; abrasive blasting of the steel interior surfaces of the pipe; and application of the new polyurethane pipeline lining material. These activities would occur sequentially, and some of the equipment would be used for more than one activity. The analysis below describes estimated noise levels that would occur at rollout locations and ventilation locations, where specialty equipment primarily would be used.

#### Rollout Locations

A detailed equipment list with associated noise levels is available in the Acoustical Site Assessment, Table 10, Construction Activity Equipment Usage at Rollout Location. The activity that would require the most units of equipment to be operating simultaneously would be the abrasive blasting operation. Under worst-case conditions, the noise level during abrasive blasting at a distance of 30 feet from the nearest noise-sensitive land use (generally, this would occur where residences are immediately west or northwest of the pipeline right-of-way), is calculated to be 84.9 dBA L<sub>EQ</sub>. (Note that the nearest noise-sensitive receptors would be approximately 10 feet further from rollout locations than from the standard noise equipment discussed above because standard equipment, including excavation equipment, would operate closer to the residences located to the west and northwest of the pipeline right-of-way.) Noise levels during the mortar lining debris removal and pipeline coating activities would be lower (approximately 73 and 78 dBA L<sub>EO</sub>, respectively). Nevertheless, the noise level for any of the three activities – mortar lining debris removal, abrasive blasting, application of new pipeline coating – would be potentially significant at rollout locations as the noise levels for each of these activities would exceed the daytime noise threshold of 75 dBA L<sub>EO</sub> and nighttime threshold of 65 dBA L<sub>EO</sub>, at a distance of 30 feet (Threshold B).

Proximity to sensitive receptors is critical in the final analysis of the potential significance of Project noise levels. If the equipment used for the mortar lining debris removal and pipeline coating application is positioned at a distance of 90 feet or more from the nearest noise-sensitive land use, the resulting noise level may be reduced to 75 dBA  $L_{EQ}$  or lower. Accordingly, mortar lining debris removal and pipeline coating equipment placed at least 90 feet from residences would not be likely to result in a significant impact during daytime hours. Noise from mortar lining debris removal and pipeline coating equipment would still exceed the nighttime noise threshold of 65 dBA at this distance, and the impact would be considered significant (Threshold B). At rollout locations, abrasive blasting equipment (including blast-pot, blast-pot blow-off, air-filters, etc.) would need to be placed at least 210 feet from the nearest residences for noise levels to be reduced to 75 dBA  $L_{EQ}$  or lower; even at this distance, abrasive blasting

noise would exceed the 65 dBA L<sub>EQ</sub> nighttime significance threshold (Threshold B). Additionally, it may not be feasible to locate the mortar lining debris and pipeline coating equipment at least 90 feet and the abrasive blasting equipment at least 210 feet from the nearest residences.

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#### Ventilation Locations

A detailed equipment list with associated noise levels is available in the Acoustical Site Assessment, Table 11, *Construction Activity Equipment Usage at Ventilation Locations*. Abrasive blasting activities would require the most units of equipment at ventilation locations. Under worst-case conditions, the noise level during this activity at the anticipated distance of 30 feet from the equipment to the nearest noise-sensitive land use would be approximately 90 dBA L<sub>EQ</sub>. Noise levels during the mortar lining debris removal and pipeline coating activities would be lower (approximately 79 and 88 dBA L<sub>EQ</sub>, respectively). Nevertheless, similar to the rollout locations, the noise level for any of the three activities – mortar lining debris removal, abrasive blasting, application of pipeline coating – would be potentially significant at ventilation locations as the noise levels would exceed the daytime noise threshold of 75 dBA L<sub>EQ</sub> and nighttime threshold of 65 dBA L<sub>EQ</sub> (Threshold B).

If the equipment used for the mortar lining debris removal and pipeline coating operations is positioned at a distance of 190 feet or more from the nearest noise-sensitive land use, the resulting noise level may be reduced to 75 dBA or lower. Accordingly, mortar lining debris removal and pipeline coating equipment placed at least 190 feet from residences is not likely to result in a significant impact during daytime hours. Noise from mortar lining debris removal and pipeline coating equipment would still exceed the nighttime noise threshold of 65 dBA at this distance, and the impact would be considered significant (Threshold B). At ventilation locations, abrasive blasting equipment would need to be placed at least 210 feet from the nearest residences for noise levels to be reduced to 75 dBA  $L_{EQ}$  or lower; even at this distance, abrasive blasting noise would exceed the 65 dBA  $L_{EQ}$  nighttime significance threshold (Threshold B). Additionally, it may not be feasible to locate the mortar lining debris and pipeline coating equipment at least 190 feet and the abrasive blasting equipment at least 210 feet from the nearest residences.

## **Excessive Ground-borne Vibration (Threshold C)**

Annoyance is the primary impact associated with excessive ground-borne vibration from this type of project. Project activities would not involve high-impact activities such as pile-driving and blasting. Vibration-causing activities primarily would consist of the excavation of access locations at rollouts and ventilation points, using equipment such as excavators and loaders. The Project area was previously excavated and backfilled during the original pipeline installation; therefore, blasting would not be required, and the ground is generally expected to yield easily to excavation at the rollouts and outlets.

The strongest source of potential vibration from the Project would be the use of a vibratory roller during final Project closure. The typical vibration level for this type of equipment at a distance of 25 feet is 94 vibration decibels (VdB). At a distance of 20 feet, the projected vibration level would be approximately 97 VdB. At this level, the vibratory roller would cause some annoyance

to nearby residences, but this level would not cause structural damage. The Project is not near vibration-sensitive uses (such as sensitive laboratory equipment or fragile historic structures). Furthermore, the vibratory roller is mobile and would not be a steady source of vibration at any one location for a long duration. As a result, impacts would be less than significant (Threshold C).

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## 3.5.4 <u>Mitigation Measures</u>

Noise control measures will be implemented for all work within 500 feet of sensitive receptors to reduce daytime and nighttime noise levels to the extent feasible. Measures may include, but will not necessarily be limited to, the following. In all cases, "daytime hours" refers to 6:00 a.m. to 6:00 p.m., and "nighttime hours" refers to 6:00 p.m. to 6:00 a.m. As noted in NOI-1, all measures are subject to feasibility of design and to coordination with the City of Rancho Cucamonga and the City of Fontana.

## NOI-1 Noise Control Plan

A noise control plan will be developed in coordination with the City of Rancho Cucamonga and the City of Fontana, and will have the concurrence of the cities prior to beginning work in the Project area. The noise control plan will include but not necessarily be limited to mitigation measures NOI-2 through NOI-6, to the extent feasible to protect the interests of the public and to allow for Project completion in light of critical work schedules, necessary work methods, and the physical constraints of Metropolitan's right-of-way and available work areas.

## **NOI-2** Noise Monitoring

- NOI-2.a Noise monitoring will be performed to measure noise levels during work in the vicinity of sensitive receptors and to measure the effectiveness of noise control measures.
- NOI-2.b Where measured noise levels at the property line of residences are shown to exceed daytime noise levels of 75 dBA L<sub>EQ</sub>, or nighttime noise levels of 65 dBA L<sub>EQ</sub>, new noise control measures or improvements to noise control measures already in place will be implemented in an effort to achieve those daytime and nighttime thresholds, or lower, to the extent feasible; noise monitoring will be performed to record the achieved level of noise reduction.

## NOI-3 General Noise Control for All Project Activities

- NOI-3.a Trucks and equipment equipped with back-up alarms will have the back-up alarms disengaged to the extent allowed by the Occupational Safety and Health Administration (OSHA); safety will be provided by lights and flagmen, and safety lighting will be directed away from residences.
- NOI-3.b Areas where workers gather (e.g., break areas, shift-change areas, meeting areas) will be located a minimum of 100 feet away from any residence if feasible. Worker gathering areas that must be located within 100 feet of

residences will be equipped with minimum eight-foot high noise control barriers between the gathering area and residences; entrances will not face residences.

- **NOI-3.c** Parking areas will be located a minimum of 150 feet from sensitive receptors. Parking areas that are within 500 feet of sensitive receptors will be posted to prohibit workers from gathering during nighttime hours, and prohibiting radios and music at any time.
- **NOI-3.d** Equipment will be maintained to a minimum standard that includes engine noise baffles and mufflers that meet or exceed the original manufacturer's requirements.
- **NOI-3.e** Equipment that has noise control doors will be operated only with the doors fully closed.
- **NOI-3.f** Equipment delivery trucks will be allowed only during daytime hours, and back-up alarms will be disengaged to the extent allowed by OSHA.
- **NOI-3.g** Fuel deliveries will occur during daytime hours and at a minimum of 500 feet from residences, to the extent feasible. Fueling stations that must be located within 500 feet of residences will have minimum eight-foot high noise control barriers, and fuel trucks that are required during nighttime hours will maintain a minimum distance of 100 feet from residences.
- **NOI-3.h** Noise control barriers and enclosures, where used in accordance with NOI-1<del>2.b</del>, will be fully in place prior to work at that location.
- **NOI-3.i** Noise control barriers and enclosures, where used in accordance with NOI-<u>12.b</u>, will be implemented using the most appropriate material, configuration, and location to achieve the maximum feasible noise reduction.

## NOI-4 Noise Control During Site Preparation, Excavation, and Site Closure Activities

Site preparation, excavation, and site closure activities will be allowed only during daytime hours.

## NOI-5 Noise Control During Mortar Lining Removal, Pipeline Dewatering, and New Pipeline Liner Application Activities

Increased noise levels from these activities primarily result from pressurized air venting or leaking from equipment. The following measures would reduce the noise that results from this potential occurrence.

• **NOI-5.a** – No air line, air relief valve, air switch, air control, or any other equipment component will be allowed to vent pressurized air directly to the atmosphere. All air vent lines will go through an air silencing system that reduces air vent noise to 75 dBA L<sub>EO</sub> (1-second) or less at a distance of five feet.

• **NOI-5.b** – When air leaks are detected in a piece of equipment, the air source will be turned off, the air line will be depressurized, and the leak will be repaired prior to resuming use of the equipment.

## NOI-6 Noise Control at Rollout and Ventilation Locations

- **NOI-6.a** The use of mobile equipment during nighttime hours will be limited to the following types (a) skid-steer or rubber-tracked excavator; (b) tire-mounted, medium-sized mobile crane; (c) two-axle delivery truck; (d) water truck; (e) pick-up truck.
- NOI-6.b All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencing systems will be placed on the east side of the pipeline or east of rollout and ventilation locations, whichever distance and/or location will achieve maximum feasible noise reduction at nearby residences.
- NOI-6.c All generators, air compressors, ventilation equipment, vacuum pumps, and air-vent silencer systems will be used behind noise control barriers or within noise control enclosures as necessary to prevent noise at sensitive receptors from exceeding 75 dBA L<sub>EQ</sub> to the extent feasible. Enclosure entrances will face away from residences. Equipment entrances will be for daytime use only; worker entrances will be for daytime and nighttime use but will be kept fully closed when not in use.

## 3.5.5 Conclusions

Project activities would temporarily increase noise at noise-sensitive land uses in the Project area. The mitigation measures specified above would decrease the noise impacts to the extent feasible. However, the resulting noise levels even with mitigation are expected to exceed significance Thresholds A and B at some locations during some periods of Project activity. Resulting impacts would, therefore, be significant and unmitigable.



## **Ambient Noise Measurements**

ETIWANDA PIPELINE NORTH RELINING PROJECT

0 3,000 Feet

Figure 3.5-1

#### 3.6 TRANSPORTATION AND TRAFFIC

This section is based on the information and analysis presented in the Etiwanda Pipeline North Relining Project Traffic Impact Analysis dated October 22, 2014 (Urban Crossroads 2014b). The Traffic Impact Analysis is included in its entirety as **Appendix F** of this EIR.

Potential impacts to traffic and circulation from Project-related activities were assessed by Urban Crossroads. The study compared the anticipated traffic from the Project to the traffic capacity and operating conditions of the local street system. Intersection traffic counts during peak travel periods were conducted as part of the Traffic Impact Analysis in August 2013 and August 2014 to determine existing operating conditions.

To determine whether the proposed Project would cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system in the traffic study area, the traffic report analyzed trip generation associated with the proposed Project. As discussed in **Chapter 2**, *Project Description*, the numbers of workers and vehicles required would vary throughout Project-related activities. The trip volumes used for the traffic impact analysis were estimated in consideration of the proposed Project activities and were based on the pilot phase (Phase 1) relining activities to the south of the Project, as well as Metropolitan's extensive experience with other, similar pipeline projects. Project design and implementation are dependent on contractor requirements and allowable shut-down periods based on water supplies. Accordingly, many of the assumptions used for personnel and vehicles represent worst-case scenarios in the analysis of potential impacts. The types, quantities, and use of equipment and personnel might vary somewhat to allow flexibility in implementation, but impacts and conclusions are considered to represent worst-case intensity of activity.

The projected trip generation at each intersection was then added to the projected future intersection volumes to determine Levels of Service (LOS) and evaluate the Project's effect on the operation of intersections relative to local agency and Congestion Management Program criteria.

### 3.6.1 **Existing Conditions**

#### **Traffic Fundamentals**

LOS is the term used to denote the different operating conditions that occur on a given roadway segment or intersection under various traffic volumes. LOS is a qualitative measure used to describe a quantitative analysis, taking into account factors such as the geometry of roadways and intersections, the phasing of signal lights, vehicle speed, travel delay, freedom to maneuver on roadways and through intersections, and safety. LOS provides an index to the operational qualities of a roadway segment or an intersection. LOS designations range from A through F, with LOS A representing the best operating conditions and LOS F representing the worst operating conditions. LOS designation is calculated differently for signalized and unsignalized intersections due to different traffic patterns of vehicles moving through the intersections.

For signalized intersections, LOS criteria are stated in terms of average control delay per vehicle for a 15-minute analysis period. Control delay includes the initial delay of decelerating when

approaching the intersection, the delay of being stopped at the intersection, the time to move up in the vehicle queue, and the delay of accelerating through the intersection.

For unsignalized intersections, LOS criteria are stated in terms of weighted-average control delay per vehicle for a 15-minute analysis period. For all-way stop-controlled intersections, LOS is calculated for the intersection as a whole. For intersections where vehicular movement is controlled by stop signs in two directions (e.g., at side streets), LOS is calculated for the intersection as a whole, as well as for each movement that is subject to a stop sign and for the left turn movement from the major street. For a single-lane approach to the intersection, LOS is calculated as the average of all movements in that lane.

Each jurisdiction has adopted standards (which can also vary by intersection, as described below) of what LOS is considered acceptable. Although the Project is exempt from local zoning and building ordinances pursuant to California Government Code Section 53091, traffic conditions with the Project are compared to these adopted local government standards for the purposes of full disclosure of potential impacts.

### **Existing Street Network**

The traffic study area includes the key roadways and intersections in the vicinity of the proposed Project which are anticipated to carry Project-related traffic. The existing roadways and intersections within the traffic study area are illustrated in **Figure 3.6-1**, *Traffic Study Area*, and are described in detail in Chapter 3 of the Traffic Impact Analysis (**Appendix F**). Roadway segments range from two-lane undivided residential roadways to six-lane roadways with raised medians.

#### **Truck Routes**

The cities of Fontana and Rancho Cucamonga designate truck routes in Section 17.428 and Section 10.56 of their municipal codes, respectively. Designated truck routes within the traffic study area include Foothill Boulevard, Baseline Avenue, Etiwanda Avenue (south of Foothill Boulevard), and Cherry Avenue (south of Citrus Avenue).

### **Existing Traffic Volumes and Levels of Service**

Peak travel periods occur on weekdays from 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. **Table 3.6-1,** *Actual Intersection Operations under Existing (2014) Conditions*, lists the peakperiod delay and LOS of intersections in the traffic study area based on actual traffic counts. As shown, all of the intersections are currently operating at an LOS during the peak hours that is considered acceptable by the applicable local jurisdiction, with the following exceptions:

- Heritage Circle at Baseline Avenue
- Heritage Circle at Liberty Parkway

| <b>Table 3.6-1</b>  |
|---|
| ACTUAL INTERSECTION OPERATIONS UNDER EXISTING (2014) CONDITIONS |

|                                      |                                 | Delay (s           | econds)2           | Accomtoble                              | LC                 | $\mathrm{OS}^4$    |
|--------------------------------------|---------------------------------|--------------------|--------------------|---|--------------------|--------------------|
| Intersection                         | Traffic<br>Control <sup>1</sup> | AM<br>Peak<br>Hour | PM<br>Peak<br>Hour | Acceptable<br>LOS<br>Level <sup>3</sup> | AM<br>Peak<br>Hour | PM<br>Peak<br>Hour |
| Etiwanda Avenue / Foothill Boulevard | S                               | 33.3               | 34.5               | E                                       | C                  | C                  |
| East Avenue / Foothill Boulevard     | S                               | 21.5               | 13.7               | D                                       | С                  | В                  |
| East Avenue / Miller Avenue          | U                               | 17.9               | 15.1               | D                                       | С                  | С                  |
| Heritage Circle / Baseline Avenue    | S                               | 43.6               | 23.8               | С                                       | D                  | С                  |
| Heritage Circle / Liberty Parkway    | U                               | 34.6               | 9.0                | C                                       | D                  | A                  |
| E. Heritage Circle / Baseline Avenue | S                               | 27.0               | 18.3               | С                                       | С                  | В                  |
| Cherry Avenue / Highland Avenue      | U                               | 35.6               | 37.8               | Е                                       | $E^5$              | $E^5$              |
| San Sevaine Road / Frontage Road     | U                               | 9.7                | 8.9                | С                                       | A                  | A                  |
| Beech Avenue / Frontage Road         | S                               | 14.0               | 15.2               | С                                       | В                  | В                  |
| Beech Avenue / Summit Avenue         | S                               | 21.9               | 25.4               | С                                       | С                  | С                  |
| Lytle Creek Road / Summit Avenue     | S                               | 15.6               | 12.5               | С                                       | В                  | В                  |

 $<sup>^{1}</sup>$  U = unsignalized (with all-way stop); S = signalized.

Source: Urban Crossroads 2014b.

## **Regulatory Framework**

### San Bernardino County Congestion Management Program

SANBAG, which serves as the County Congestion Management Agency, adopted a Congestion Management Program for the County and associated cities (including the cities of Fontana and Rancho Cucamonga) in 1992, with the Congestion Management Program updated through 2011 and a current update pending. The County Congestion Management Program is intended to maintain or enhance the performance of the multimodal transportation system, and minimize travel delays. It defines a network of state highways and arterials, associated LOS standards (acceptable LOS for Congestion Management Program intersections is LOS E or better) and procedures, and a process for mitigation of impacts to the transportation network for new development. The traffic study area includes two intersections subject to the standards in the Congestion Management Program.

#### City of Fontana General Plan

The approximately 4.4-mile portion of the Project east of East Avenue is within the city of Fontana. The City of Fontana General Plan Circulation Element identifies LOS C or better as the adopted standard. At intersections where LOS C improvements are not considered to be feasible, LOS D is typically considered the worst acceptable level in urbanized areas of the city. At intersections that already have unacceptable LOS, the City of Fontana also considers the

<sup>&</sup>lt;sup>2</sup> Average seconds of delay during the peak hour.

<sup>&</sup>lt;sup>3</sup> Acceptable LOS levels for each intersection are based on local agency criteria; refer to Table 3.6-2.

<sup>&</sup>lt;sup>4</sup> Bold and shaded LOS values indicate an unacceptable LOS per local jurisdiction guidelines; refer to corresponding intersection LOS standards in Table 3.6-2.

<sup>&</sup>lt;sup>5</sup> LOS E is acceptable at this intersection per Fontana/CMP standards.

addition of 50 or more peak hour trips to be a significant impact to that intersection. Circulation goals and policies that are applicable to the proposed Project are as follows:

Goal CE-1: A balanced transportation system for Fontana is provided that meets the mobility needs of current and future residents and ensures the safe and efficient movements of vehicles, people and goods throughout the City.

• Policy CE-1.12: All streets and intersections designed after the adoption of the General Plan will be planned to function at LOS C or better, wherever possible. Improvements to existing streets will be designed to LOS C standards whenever feasible.

Goal CE-3: A circulation system is provided that reduces conflicts between commercial trucking, private/public transportation and land uses.

- Policy CE-3.1: Provide designated truck routes for use by commercial trucking that minimize impacts on local traffic and neighborhoods.
- Policy CE-3.2: Provide appropriately designed roadways for the designated truck routes including designated truck routes for large STAA trucks that can safely accommodate truck travel [an "STAA truck" is a large truck allowed to operate on National Network routes pursuant to the Surface Transportation Assistance Act of 1982].
- Policy CE-3.4: Encourage the development of adequate on-site loading areas to minimize interference of truck loading activities with efficient traffic circulation on adjacent roadways.

## City of Rancho Cucamonga General Plan

The approximately 0.4-mile portion of the Project west of East Avenue and north of Foothill Boulevard is within the city of Rancho Cucamonga. The City of Rancho Cucamonga General Plan Community Mobility Element identifies LOS D or better as the adopted standard. Community Mobility goals and policies that are applicable to the proposed Project are as follows:

Goal CM-4: Maximize the operational efficiency of the street system.

- Policy CM-4.1: Continue to implement traffic management and traffic signal operation measures along the arterial roadway to minimize delay and congestion for all modes, without adversely impacting transit, bicycles, and pedestrians.
- Policy CM-4.2: Continue to design and operate arterials and intersections for the safe operation of all modes of transportation, including transit, bicyclists, and pedestrians.

Goal CM-7: Maintain an efficient and safe network of goods and freight movement that supports the needs of the business community.

• Policy CM-7.1: Continue to maintain a truck circulation system that defines truck routes, directs the movement of trucks safely along major roadways, and minimizes truck travel on local and collector streets.

## 3.6.2 <u>Significance Thresholds</u>

Based on Appendix G of the State CEQA Guidelines and thresholds identified in the Initial Study/NOP prepared for the proposed Project, a significant impact would occur if the proposed Project would do the following, identified below as Thresholds A and B:

- Threshold A: Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths; or
- Threshold B: Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards, established by the county congestion management agency for designated roads or highways.

As noted in the Regulatory Framework, each of the applicable surrounding jurisdictions has its own traffic standards. The standards of the applicable local jurisdictions are used to assist in determining significance associated with the significance thresholds above. Some CEQA thresholds require multiple thresholds to determine impacts (e.g., both intersection LOS operations [A1] and number of Project trips contributed [A2] are considered to determine significance with respect to CEQA Threshold A). Threshold A1/B1 also applies to the determination of significance under CEQA Threshold B. As such, a significant impact would occur if the proposed Project would:

- Threshold A1/B1: Cause the addition of project-generated trips resulting in the peak hour LOS of the study intersection to change from acceptable operation to deficient operation (refer to **Table 3.6-2**, *Acceptable LOS Levels for the Traffic Study Intersections*, which outlines the LOS levels considered acceptable for each intersection by the applicable local jurisdiction); or
- Threshold A2: Contribute 50 or more peak hour trips to an intersection that is currently operating at unacceptable LOS.

| Table 3.6-2 ACCEPTABLE LOS LEVELS FOR THE TRAFFIC STUDY INTERSECTIONS |                 |                                     |  |  |  |  |  |
|---|-----------------|-------------------------------------|--|--|--|--|--|
| Intersection  | LOS<br>Criteria | Jurisdiction                        |  |  |  |  |  |
| Etiwanda Avenue / Foothill Boulevard                                  | Е               | Rancho Cucamonga / CMP <sup>1</sup> |  |  |  |  |  |
| East Avenue / Foothill Boulevard                                      | D               | Rancho Cucamonga / Fontana          |  |  |  |  |  |
| East Avenue / Miller Avenue   | D               | Rancho Cucamonga / Fontana          |  |  |  |  |  |
| Heritage Circle / Baseline Avenue                                     | С               | Fontana                             |  |  |  |  |  |
| Heritage Circle / Liberty Parkway                                     | С               | Fontana                             |  |  |  |  |  |
| E. Heritage Circle / Baseline Avenue                                  | С               | Fontana                             |  |  |  |  |  |
| Cherry Avenue / Highland Avenue                                       | Е               | Fontana / CMP                       |  |  |  |  |  |
| San Sevaine Road / Frontage Road                                      | С               | Fontana                             |  |  |  |  |  |
| Beech Avenue / Frontage Road  | С               | Fontana                             |  |  |  |  |  |
| Beech Avenue / Summit Avenue  | С               | Fontana                             |  |  |  |  |  |
| Lytle Creek Road / Summit Avenue                                      | С               | Fontana                             |  |  |  |  |  |

<sup>1</sup> CMP = Congestion Management Program.

Source: Urban Crossroads 2014b.

## 3.6.3 <u>Impact Analysis</u>

## **Circulation System Performance (Threshold A)**

## **Trip Generation**

The Project is assumed to require 320 workers per day, based on two work shifts during the most active periods of the Project (160 workers per shift). The number of trucks assumed to access the site per day includes 8 dump trucks, 12 semi-trucks with trailers, 4 water trucks, and 48 half-ton pick-up trucks.

Because large trucks affect traffic flow more than passenger vehicles, rather than counting trucks as single vehicles, truck trips are converted to a "passenger car equivalent" (PCE).

As shown in **Table 3.6-3**, *Project Trip Generation*, with the assumptions above, the Project would generate a total of approximately 1,000 trips per day (using PCE for trucks) with approximately 96 a.m. peak hour trips (7:00 to 9:00 a.m.) and 90 p.m. peak hour trips (4:00 to 6:00 p.m.). Peak hours represent the daily time periods with the highest traffic volumes and provide a conservative evaluation of Project trips in relation to intersection/roadway capacity.

| Table 3.6-3 PROJECT TRIP GENERATION    |              |      |         |           |      |         |         |       |
|--|--------------|------|---------|-----------|------|---------|---------|-------|
| m · m                                  | 0 414        | AM ] | Peak Ho | our Trips | PM P | eak Hou | r Trips | D "   |
| Trip Type                              | Quantity     | In   | Out     | Total     | In   | Out     | Total   | Daily |
| Dump Truck                             | 8            | 1    | 1       | 2         | 1    | 1       | 2       | 16    |
| Dump Truck PCE <sup>1</sup> (2.0)      |              | 2    | 2       | 4         | 2    | 2       | 4       | 32    |
| Semi-Truck with Trailer                | 12           | 1    | 1       | 2         | 1    | 1       | 2       | 24    |
| Semi-Truck with Trailer PC             | $E^{1}(3.0)$ | 3    | 3       | 6         | 3    | 3       | 6       | 72    |
| Water Truck                            | 4            | 2    | 1       | 3         | 2    | 1       | 3       | 32    |
| Water Truck PCE <sup>1</sup> (2.0)     |              | 4    | 2       | 6         | 4    | 2       | 6       | 64    |
| ½ Ton Pick-Up Truck                    | 48           | 8    | 8       | 16        | 8    | 8       | 16      | 192   |
| 1/2 Ton Pick-Up Truck PCE <sup>1</sup> | (1.0)        | 8    | 8       | 16        | 8    | 8       | 16      | 192   |
| Subtotal Truck Trips                   |              | 12   | 11      | 23        | 12   | 11      | 23      | 264   |
| Subtotal Truck Trips (PCE)             |              | 17   | 15      | 32        | 17   | 15      | 32      | 360   |
| Employees <sup>2</sup>                 | 320          | 46   | 18      | 64        | 26   | 32      | 58      | 640   |
| PROJECT TOT.                           | AL TRIPS     | 63   | 33      | 96        | 43   | 47      | 90      | 1,000 |

Notes:

## **Trip Distribution**

Because access routes have not been specified for the Project, the potential interaction between Project activities and surrounding regional access routes was considered in identifying the routes where Project traffic would be anticipated to travel. The trip distribution pattern is heavily influenced by the geographical location of Project activities, the location of surrounding uses, and the proximity to the regional freeway system. I-15 and SR 210 are anticipated to provide the primary regional access for truck and employee trips to the Project area. Existing dirt roads at or near individual work locations would be utilized for access within the Project area.

#### Other Changes in Traffic Volumes

As growth occurs in a region, the number of vehicle trips tends to increase over time. To account for the anticipated increase in the number of vehicles unrelated to the Project on area roadways, future traffic volumes have been calculated based on the interpolation of growth between 2014 and 2035 from other traffic studies near the Project traffic study area. The annual growth rate was then used to calculate peak hour volumes for each intersection in the traffic study area for the duration of the Project (2015 to approximately 2017).

### **Traffic Volumes With Project**

Although all Project phases are estimated to generate the same number of trips, the actual destination of traffic would vary throughout the various Project activities, depending on the specific location of work at a given time. The traffic study area was divided into three separate work locations for the purposes of traffic impact analysis, with the greatest potential overlap being six trips. **Table 3.6-4**, *Traffic Volumes With Project*, assumes growth that would be

Passenger car equivalent (PCE) factors: dump trucks and water trucks = 2.0; semi-truck = 3.0; 1/2 ton pick-up truck = 1.0

Daily quantities assume two auto trips per employee (one inbound / one outbound). Source: Urban Crossroads 2014b.

expected to occur regardless of the Project, as well as Project-related trips. Based on the anticipated number of trips, the table illustrates the projected traffic conditions for each intersection within the traffic study area, identifies those intersections that would operate at unacceptable LOS during peak hours, and identifies the number of associated Project trips. As shown, the only intersections anticipated to operate at unacceptable peak hour LOS with Project activities are the two intersections that were previously identified as operating at unacceptable LOS under existing conditions:

- Heritage Circle at Baseline Avenue LOS D in the a.m. peak hour
- Heritage Circle at Liberty Parkway LOS E in the a.m. peak hour

With regard to Threshold A1, the Project would not change the LOS of intersections in the traffic study area from acceptable LOS to unacceptable LOS. The intersection of Heritage Circle with Liberty Parkway would deteriorate from LOS D under existing conditions to LOS E in the future with ambient growth and Project-generated traffic. As this intersection is already operating at unacceptable levels, however, this is not considered a significant impact pursuant to Threshold A1.

| Table 3.6-4 TRAFFIC VOLUMES WITH PROJECT |  |      |           |    |    |  |    |  |
|--|--|------|-----------|----|----|--|----|--|
| Intersection                             | Delay (seconds) <sup>1</sup>                     |      | $LOS^2$   |    |    | Project-generated<br>Traffic Volume <sup>3</sup> |    |  |
|  | AM   | PM   | Criterion | AM | PM | AM   | PM |  |
| Etiwanda Avenue / Foothill Boulevard     | 38.8   | 41.6 | Е         | D  | D  | 78   | 73 |  |
| East Avenue / Foothill Boulevard         | Sast Avenue / Foothill Boulevard 25.3 14.5 D C B |      | 76        | 65 |    |  |    |  |
| East Avenue / Miller Avenue              | ast Avenue / Miller Avenue 20.9 17.1 D C C       |      | 6         | 6  |    |  |    |  |
| Heritage Circle / Baseline Avenue        | 49.9   | 25.1 | С         | D  | С  | 72   | 67 |  |
| Heritage Circle / Liberty Parkway        | 40.8   | 9.3  | С         | E  | A  | 22   | 15 |  |
| E. Heritage Circle / Baseline Avenue     | 29.1   | 19.3 | С         | С  | В  | 42   | 43 |  |
| Cherry Avenue / Highland Avenue          | 40.3   | 49.9 | Е         | Е  | Е  | 24   | 22 |  |
| San Sevaine Road / Frontage Road         | 10.4   | 9.2  | С         | В  | A  | 13   | 11 |  |
| Beech Avenue / Frontage Road             | Beech Avenue / Frontage Road 14.6 16.6 C B B     |      | В         | 15 | 13 |  |    |  |
| Beech Avenue / Summit Avenue             | 23.0 29.6 C C C                                  |      | 57        | 54 |    |  |    |  |
| Lytle Creek Road / Summit Avenue         | 15.9   | 13.1 | С         | В  | В  | 36   | 35 |  |

#### Notes:

Average seconds of delay during the peak hour.

Source: Urban Crossroads 2014b.

With regard to Threshold A2, the Project would contribute 72 vehicle trips (PCE) during a.m. peak hours at one deficient intersection, Heritage Circle at Baseline Avenue. This impact is considered significant based on the City of Fontana's significance criterion of 50 or more Project-related peak hour vehicle trips at intersections currently operating at unacceptable LOS. No other deficient intersections would experience 50 or more Project-related peak hour vehicle

<sup>&</sup>lt;sup>2</sup> Bold and shaded LOS values indicate an unacceptable LOS per local jurisdiction guidelines; refer to corresponding intersection LOS standards in Table 3.6-2.

Bold and shaded Project traffic volumes indicate significant impact related to contribution of 50 or more peak hour trips to an intersection currently operating at unacceptable LOS.

trips. Project-related vehicle trips would cease once Project activities are completed and impacts would be temporary; therefore, only temporary modifications to Project-related traffic would be required, as discussed in Section 3.6.4, to mitigate this impact.

## **Congestion Management Program Conformance (Threshold B)**

With regard to Threshold B, the temporary increase in traffic due to Project-related vehicle trips would not change the LOS of traffic study area intersections within the Congestion Management Program from acceptable LOS to unacceptable LOS. Additionally, because Project-related traffic would be temporary, the Project would not conflict with other provisions of the Congestion Management Program. Therefore, the temporary increase in vehicle trips due to the proposed Project would result in a less than significant impact and no mitigation is required.

### 3.6.4 Mitigation Measures

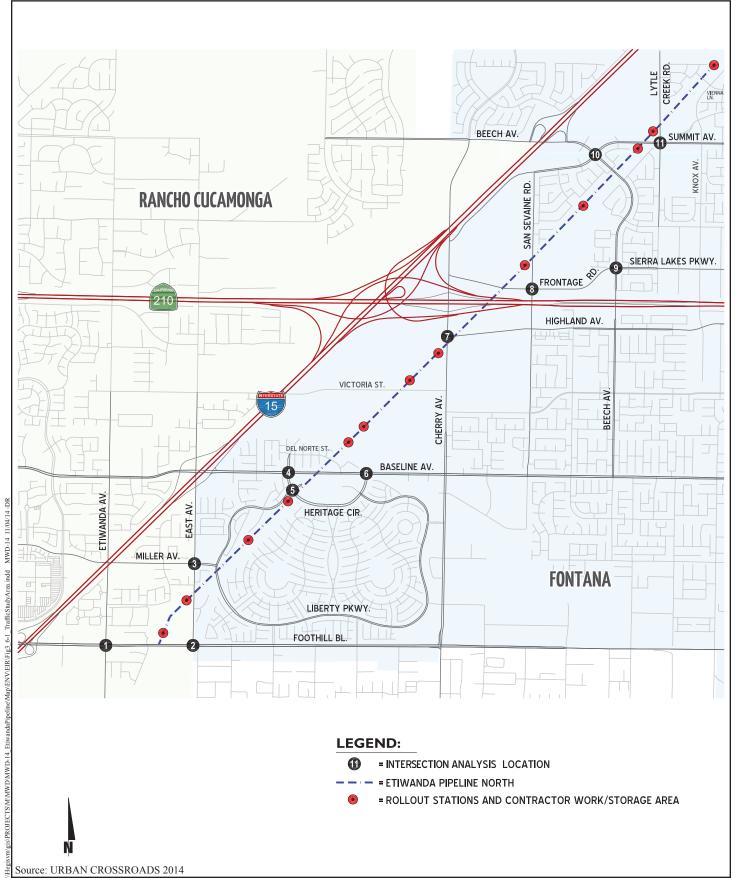
The following mitigation measure has been identified to reduce transportation and traffic impacts associated with the proposed Project.

TR-1 No more than 50 vehicle trips related to Project activities will utilize the intersection of Heritage Circle at Baseline Avenue during morning peak hours, between 7:00 a.m. and 9:00 a.m. This may be accomplished through a combination of shift scheduling, carpool incentives, and/or verification of employee and truck routes.

## 3.6.5 <u>Conclusions</u>

The proposed Project would contribute more than 50 peak hour trips to one intersection operating at a deficient LOS under existing conditions: Heritage Circle at Baseline Avenue. This impact would be reduced to less than significant levels through implementation of the mitigation measure addressed above. Based on the anticipated Project traffic distribution in relation to roadway capacity, routing the required proportion of traffic to alternate intersections would not result in significant impacts at other locations.

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## Traffic Study Area

ETIWANDA PIPELINE NORTH RELINING PROJECT

Figure 3.6-1

## Chapter 4.0

## **CUMULATIVE IMPACT ANALYSIS**

### 4.0 CUMULATIVE IMPACT ANALYSIS

#### 4.1 INTRODUCTION

The State CEQA Guidelines define cumulative impacts as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (State CEQA Guidelines Section 15355). According to State CEQA Guidelines Section 15130, an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively significant. A cumulative impact analysis must include either: (1) a list of past, present, and reasonably anticipated future projects; or (2) a summary of projections contained in adopted plans designed to evaluate regional or area-wide conditions.

A cumulative impact analysis considers the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor, but collectively substantial, impacts taking place over a period of time. The cumulative impact analysis presented in this chapter addresses all of the resource issues evaluated in this EIR, which were included in the EIR because they were determined in the Initial Study to have the potential for adverse impacts as a result of the Project.

#### 4.2 CUMULATIVE IMPACT ANALYSIS METHODS

To determine resources with the potential for cumulative impacts, this analysis evaluated impacts of the Project when combined with impacts from past, current, and reasonably anticipated future projects. A list of cumulative projects located within two miles of the Project was compiled with the cooperation of the cities of Fontana and Rancho Cucamonga, as well as from information contained in the EIR for SCE's adjacent Falcon Ridge Substation Project. The locations of these projects are illustrated on **Figure 4-1**, *Cumulative Projects*, and their key characteristics are presented in **Table 4-1**, *Cumulative Projects*.

| Table 4-1<br>CUMULATIVE PROJECTS |   |                              |                             |   |                  |  |  |  |
|----------------------------------|---|------------------------------|-----------------------------|---|------------------|--|--|--|
| Map<br>No.                       | Project No.                                       | Name                         | Location                    | Description                               | Status           |  |  |  |
| City of Fontana                  |   |                              |                             |   |                  |  |  |  |
| 1                                | MCN 12-47<br>ASP 12-031<br>TPM 12-09<br>VAR 12-02 | Farmer Boys<br>Retail Center | 14505 Foothill<br>Boulevard | Retail center of approximately 21,800 sf  | Pending approval |  |  |  |
| 2                                | CUP 14-003<br>CUP 14-004<br>MCN 14-010            | Buscados<br>Restaurant       | 14765 Foothill<br>Boulevard | New restaurant; New CUP for entertainment | Pending approval |  |  |  |

| Table 4-1 (cont.) CUMULATIVE PROJECTS |  |  |                                |   |                          |  |  |  |
|---------------------------------------|--|--|--------------------------------|---|--------------------------|--|--|--|
| Map<br>No.                            | Project No.  | Name                                       | Location                       | Description   | Status                   |  |  |  |
| City of                               | f Fontana (cont.)  |  |                                |   |                          |  |  |  |
| 3                                     | MCN 13-029<br>TTM 13-04<br>GPA 13-003<br>ZCA 13-005<br>TTM 18881                             | N/A  | 15205 Center<br>Avenue         | Subdivide 19.4 acres into 105 single-family lots  | Approved<br>October 2014 |  |  |  |
| 4                                     | CUP 14-032<br>MCN 14-078<br>PAM 14-0128  | N/A  | 15544 Joliet<br>Court          | Large family day care   | Pending approval         |  |  |  |
| 5                                     | DRP 13-03<br>MCN 13-033<br>PAM 13-090  | Citrus Height                              | 15581 Brewer<br>Lane           | Construct 12 homes  | Pending approval         |  |  |  |
| 6                                     | DRP 13-014<br>DRP 13-015<br>MCN 13-071<br>TTM 18244<br>TTM 18245                             | N/A  | 15902 Baseline<br>Avenue       | 85 single-family detached<br>units in TTM#18244 and<br>120 attached multi-family<br>units in 20 buildings in<br>TTM#18245                     | Approved<br>March 2014   |  |  |  |
| 7                                     | MCN 12-55<br>ASP 12-037<br>CUP 12-032<br>LLA 12-006<br>TPM 13-0010<br>GPA 14-07<br>ZCA 14-08 | N/A  | 16019 Summit<br>Avenue         | Construction of two reservoirs, new booster building, and water storage   | Pending approval         |  |  |  |
| 8                                     | MCN 14-082<br>ZCA 14-013<br>GPA 14-010<br>TPM 14-015<br>MUP 14-09                            | N/A  | 16177 Baseline<br>Avenue       | Construction of two<br>Fontana Water Co. water<br>reservoirs  | Pending approval         |  |  |  |
| 9                                     | DRP 14-018<br>MCN 14-049<br>TPM 14-011   | Kia<br>Dealership                          | 16273 Highland<br>Avenue       | Construction of a new 25,433 sf car dealership  | Pending approval         |  |  |  |
| 10                                    | MCN 14-70<br>ASP 14-032<br>PAM 14-0100   | Sierra Lakes<br>Professional<br>Park Pad B | 16391 Sierra<br>Lakes Parkway  | 6,005 sf retail shops building  | Pending approval         |  |  |  |
| 11                                    | MCN 14-69<br>ASP 14-031<br>PAM 14-099  | Sierra Lakes<br>Marketplace<br>Pad G       | 16595 Sierra<br>Lakes Parkway  | 6,178 sf retail shops<br>building with drive thru<br>lane   | Pending approval         |  |  |  |
| 12                                    | DRP 12-017<br>MCN 12-050<br>SPA 12-02<br>CUP 12-027  | N/A  | 16733 South<br>Highland Avenue | Proposed amendment to<br>current specific plan to<br>allow construction of<br>Wal-Mart store,<br>restaurant, retail space,<br>and gas station | Pending<br>approval      |  |  |  |

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| Table 4-1 (cont.) CUMULATIVE PROJECTS |   |      |                         |   |                          |  |  |
|---------------------------------------|---|------|-------------------------|---|--------------------------|--|--|
| Map<br>No.                            | Project No.   | Name | Location                | Description   | Status                   |  |  |
| City of                               | f Fontana (cont.)   |      |                         |   |                          |  |  |
| 13                                    | DRP 12-02<br>PLN 11-052<br>TTM 11-004<br>TTM 18825  | N/A  | 5655 Citrus<br>Avenue   | Proposed subdivision of<br>154 single-family<br>detached residences for<br>Tract #18825 | Approved<br>July 2012    |  |  |
| 14                                    | GPA 14-009<br>MCN 14-062<br>TTM 14-007<br>ZCA 14-010<br>PAM 13-0150   | N/A  | 5924 Citrus<br>Avenue   | Proposed subdivision of 105 residential lots  | Pending approval         |  |  |
| 15                                    | CUP 12-019<br>DRP 12-012<br>MCN 12-0031<br>GPA 14-004<br>GPA 14-005<br>ZCA 14-005<br>ZCA 14-006<br>CUP 14-019<br>DRP 14-013<br>PAM 14-040 | N/A  | 5975 Sierra<br>Avenue   | New church and<br>8 buildings on 40 acres   | Pending<br>approval      |  |  |
| 16                                    | MCN 14-028<br>TTM 14-002<br>PAM 14-017  | N/A  | 6207 Knox<br>Avenue     | 5 lot subdivision   | Pending approval         |  |  |
| 17                                    | MCN 13-023<br>TPM 13-004<br>PAM 13-0016   | N/A  | 6908 Oleander<br>Avenue | TPM to subdivide one existing one parcel into four residential parcels                  | Approved<br>April 2014   |  |  |
| 18                                    | DRP 13-005<br>DRP 13-006<br>MCN 13-044<br>TTM 13-006<br>PAM 13-074  | N/A  | 7041 Citrus<br>Avenue   | Subdivision of one 5-acre parcel into 18 lots and construct 18 single-family residences | Approved<br>October 2013 |  |  |
| 19                                    | CUP 13-20<br>DRP 13-11<br>SPA 13-03<br>MCN 12-063   | N/A  | 7625 East<br>Avenue     | Construction of 3,000-seat sanctuary and parking structure for Water of Life            | Approved<br>January 2014 |  |  |
| 20                                    | DRP 12-010<br>MCN 12-023<br>DRP 13-0017<br>TT 17885<br>TT 18676-1<br>TT 18676   | N/A  | 7816 Lime<br>Avenue     | Construct 332 single-family homes   | Approved<br>March 2014   |  |  |
| 21                                    | MCN 12-29<br>ASP 12-0021<br>TPM 12-007  | DMV  | 8026 Hemlock<br>Avenue  | Proposed construction of<br>two new buildings of<br>22,189 sf and 2,500 sf              | Approved<br>October 2012 |  |  |

| Table 4-1 (cont.) CUMULATIVE PROJECTS |                         |   |  |  |   |  |  |
|---------------------------------------|-------------------------|---|--|--|---|--|--|
| Map<br>No.                            | Project No.             | Name  | Location   | Description  | Status  |  |  |
| City of                               | City of Fontana (cont.) |   |  |  |   |  |  |
| 22                                    | MUP 14-06<br>MCN 13-070 | N/A   | 8143 Banana<br>Avenue  | Construction of a 8,931 sf fire station on 1.83 acres  | Approved<br>July 2014   |  |  |
| 23                                    | N/A                     | Fontana Auto<br>Center                      | Along the south side of SR 210 between Sierra Avenue and Citrus Avenue   | A multi-acre development<br>area zoned specifically for<br>automotive sales,<br>accommodating up to<br>12 dealerships  | Three dealerships have completed construction; one dealership is in the development process with anticipated completion in Spring of 2015 |  |  |
| 24                                    | N/A                     | Shady Trails                                | Near the<br>southwest corner<br>of Casa Grande<br>Drive and Citrus<br>Avenue   | 174 single-family homes on 37.5 gross acres, which will include various amenities such as a recreation room, a pool, spa, tot lot, large sun deck, a basketball half court, and an open lawn area          | Approved<br>October 19,<br>2010   |  |  |
| 25                                    | N/A                     | I-15 / Duncan<br>Canyon Road<br>Interchange | At the I-15 /<br>Duncan Canyon<br>Road Interchange   | The existing two-lane overpass will be widened to a six-lane interchange and will include on and off ramps connecting to I-15  | Construction<br>began in 2012<br>and is not<br>complete   |  |  |
| 26                                    | SPL 04-006              | Arboretum<br>Specific Plan                  | Approximately 0.5 mile north of Summit Avenue, west of Sierra Avenue, east of Citrus Avenue, and south of Duncan Canyon Road | A master-planned community on 531.3 acres to contain the following: maximum of 3,526 residential units, a public arboretum, a public park, private parks, three elementary schools, and an activity center | Approved September 23, 2009; construction has not begun   |  |  |

| Table 4-1 (cont.) CUMULATIVE PROJECTS |  |   |   |   |  |  |  |
|---------------------------------------|--|---|---|---|--|--|--|
| Map<br>No.                            | Project No.  | Name  | Location  | Description   | Status   |  |  |
| City of                               | City of Fontana (cont.)                              |   |   |   |  |  |  |
| 27                                    | SPL 07-001<br>DRP 07-010<br>TTM 07-009<br>PLN 07-008 | Citrus<br>Heights<br>North<br>Specific Plan     | Bordered on the south by Summit Avenue, on the east by Citrus Avenue, and on the west by Lytle Creek Road   | Approximately 212 acres with a maximum of 1,154 residential dwelling units, a community sport center, an area for private recreation use, and a commercial site   | Approved August 14, 2004; approximately 350 single- family residential units have been built, and approximately 114 attached condominium units have been completed |  |  |
| 28                                    | SPL 10-001<br>AGR 10-003                             | Summit at<br>Rosena<br>Specific Plan            | Southeast of I-15 within the northwest quadrant of the interception of Summit Avenue and Sierra Avenue  | Approximately 179.8 acres to include 856 dwelling units, a mixed-use activity center featuring both attached dwellings and neighborhood retail and service uses, an elementary school, and open space areas providing both passive and active recreational uses | Approved by<br>the City<br>Council on<br>March 22,<br>2006; no<br>development<br>has occurred  |  |  |
| 29                                    | AMD 06-010<br>ZCH 06-007<br>TT 06-010<br>PLN 06-008  | Ventana at<br>Duncan<br>Canyon<br>Specific Plan | Bounded by I-15<br>on the north and<br>west, Citrus<br>Avenue on the<br>east, and the SCE<br>power line<br>transmission<br>corridor on the<br>south | Mixed-use community<br>with a maximum of<br>842 residential units, retail<br>commercial space, office /<br>business park space,<br>restaurant space, and hotel<br>space   | Approved by<br>City Council<br>on April 10,<br>2007; no<br>development<br>has occurred   |  |  |

| Table 4-1 (cont.) CUMULATIVE PROJECTS |  |                                       |  |  |  |  |  |  |
|---------------------------------------|--|---------------------------------------|--|--|--|--|--|--|
| Map<br>No.                            | Project No.  | Name                                  | Location   | Description  | Status   |  |  |  |
| City of                               | City of Rancho Cucamonga                             |                                       |  |  |  |  |  |  |
| 30                                    | AMD 09-001<br>PLN 09-006<br>ZCH 09-001<br>SPL 09-001 | West Gate<br>Specific Plan            | North of Baseline<br>Avenue, south<br>and west of Lytle<br>Creek Road with<br>the major portion<br>west of San<br>Sevaine Road<br>and Highland<br>Avenue                   | Approximately 964 acres to include a maximum of 5,554 residential units, commercial retail, business park/public facilities, public parks, private parks, and two schools  | Currently being processed for a total revision of the permitted land uses; no development has occurred |  |  |  |
| 31                                    | DRC 2013-<br>00642                                   | N/A                                   | APN: 1100-201-<br>05   | Proposed parking above the Metropolitan easement   | Idle since 2013  |  |  |  |
| Southe                                | ern California Ed                                    | ison                                  |  |  |  |  |  |  |
| 32                                    | CPUC<br>10-12-017                                    | Falcon Ridge<br>Substation<br>Project | South of Casa<br>Grande Avenue,<br>east of Sierra<br>Avenue, north of<br>Summit Avenue,<br>and adjacent to<br>SCE's existing<br>transmission<br>right-of-way in<br>Fontana | 66/12 kilovolt unattended, automated, 56 megavoltampere low-profile substation with two sub-transmission source lines and new telecommunications infrastructure work (overhead and underground) to connect the proposed substation to nearby substations | Approved<br>May 2014;<br>Expected<br>Completion<br>2017  |  |  |  |

Sources: City of Fontana 2014a and 2014b; City of Rancho Cucamonga 2014; SCE 2012

Acronyms/abbreviations:

A = ApplicationDRP = Design Review Permit SPA = Specific Plan Amendment AGR = Development Agreement GPA = General Plan Amendment SPL = Specific Plan AMD = Municipal Code Amendment LLA = Lot Line Adjustment TT = Tentative TractAPN = Assessor Parcel Number MCN = Master Case Number TTM = Tentative Tract Map TPM = Tentative Parcel Map ASP = Site Permit MUP = Municipal Use Permit CPUC = California Public Utilities N/A = not applicableVAR = VariancePAM = Pre-Application Meeting ZCA = Zone Change Amendment Commission CUP = Conditional Use Permit PLN = Planning Review ZCH = Zone Change DRC = Design Review Committee sf = square feet

#### 4.3 CUMULATIVE IMPACT ANALYSIS

### 4.3.1 Air Quality

The proposed Project, in conjunction with other projects in the area, would have the potential to produce a cumulative increase in criteria pollutant emissions. The regional and local daily emissions thresholds established by SCAQMD have been developed specifically to address cumulative impacts to air quality. Even with implementation of the mitigation measures presented in **Section 3.1.4**, the Project would exceed the SCAQMD thresholds for regional

emissions of VOC, CO, and NO<sub>X</sub>. Therefore, the Project would contribute significantly to the cumulative impact to regional emissions.

With respect to local impacts, cumulative particulate impacts are considered when projects may be within a few hundred yards of each other. As identified in **Table 4-1** and **Figure 4-1**, several projects have been identified within this proximity to the Project, including a water reservoir and booster station, church and associated parking, three private development projects, and the Falcon Ridge Substation Project. The Falcon Ridge Substation Project is anticipated to be under construction concurrently with the Etiwanda Pipeline North Relining Project. The construction schedule for the other projects is unknown and, although it is unlikely that they would all be under construction at the same time as the proposed Project, they are conservatively assumed to overlap for the purposes of this analysis. As shown in **Table 3.1-6**, implementation of the mitigation measures AIR-1 and AIR-2 would reduce local emissions of CO, NO<sub>X</sub>, and PM<sub>10</sub> to below the SCAQMD thresholds. Because these thresholds have been developed for the specific purpose of addressing cumulative impacts, the Project would not contribute significantly to cumulative impacts regarding local emissions of CO, NO<sub>X</sub>, and PM<sub>10</sub>. Even with implementation of mitigation measures, the proposed Project would result in local emissions of PM<sub>2.5</sub> that exceed the SCAQMD significance thresholds. Therefore, the Project would contribute significantly to the cumulative local emissions impact.

In summary, the Project would contribute significantly to cumulative impacts to regional and local air pollutant emissions.

## 4.3.2 Biological Resources

Portions of the cumulative project area support, or previously supported, habitat types such as Riversidean sage scrub and Riversidean alluvial fan sage scrub, which may provide habitat for species such as San Bernardino kangaroo rat, San Diego pocket mouse, and Los Angeles pocket mouse. The extensive development that has occurred in the region has resulted in a loss of substantial amounts of these habitats and associated species, which has resulted in them being considered sensitive by the applicable resource agencies. The cumulative regional loss of sensitive vegetation communities and associated sensitive species would be considered significant.

The proposed Project would also result in the removal of Riversidean sage scrub-and Riversidean alluvial fan sage scrub. However, thisese communityies occurs only in small patches that are highly disturbed, discontinuous, and provide limited biological function and value. This community was comprised of low quality vegetation prior to the original installation of the Etiwanda Pipeline and has since been disturbed by ongoing maintenance activities in the right-of-way. Because the native species currently present in this community are disturbance followers, vegetation in this community is expected to recover after Project completion to a community that is functionally equivalent to the limited, disturbed community that currently exists. As a result, the minor, temporary Project-related impacts to thisese communityies would not contribute significantly to cumulative vegetation impacts.

The San Bernardino kangaroo rat was determined to be absent from the Project area. As discussed in Section 3.2, Project-related impacts to the three sensitive species identified within

the Project area (San Diego black-tailed jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse) would include less than significant impacts from temporary loss of patchy, low-quality foraging and movement areas, as well as possible direct impacts to the San Diego pocket mouse and Los Angeles pocket mouse from ground-disturbing activities. Survey results, however, suggest that the Project area supports less than one percent of the lowest estimated statewide population of San Diego pocket mouse, and a little more than one percent of the lowest estimated statewide population of Los Angeles pocket mouse.

Although only minimal, disturbed, low-quality patches of native vegetation occur in the Project area, the study area contains vegetation and structures that may provide nesting opportunities for common birds, including raptors. These birds are protected under the MBTA and California Fish and Game Code, and the potential for adverse impacts to nesting birds would be <u>avoided or</u> minimized through Metropolitan's standard practices for the protection of nesting birds. Therefore, the Project would not contribute significantly to cumulative impacts to sensitive species.

In summary, the Project would not contribute significantly to cumulative impacts to biological resources.

#### 4.3.3 Greenhouse Gas Emissions

The assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. Therefore, the discussion in **Section 3.3** of this EIR addresses cumulative GHG impacts and determines that the impact of the Project's GHG emissions on climate change would not be cumulatively considerable, as the Project would not exceed the SCAQMD screening threshold or conflict with an applicable GHG plan, policy, or regulation. The Project would not contribute significantly to cumulative greenhouse gas emission impacts.

## 4.3.4 Land Use and Planning

The proposed Project consists of repairing an existing facility and would not result in an alteration of present or planned zoning or land use designations. California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage and transmission system. The Project would conflict with noise policies in the General Plans of the cities of Fontana and Rancho Cucamonga. This conflict represents a noise, rather than land use, impact, and is addressed in **Section 4.3.5**. Therefore, the Project would not contribute significantly to cumulative impacts to land use and planning.

## 4.3.5 **Noise**

#### **Temporary Increases in Ambient Noise**

Noise impacts are highly localized due to the decreasing effect that distance has upon noise levels. Construction of the SCE Falcon Ridge Substation Project may occur at the same time as the proposed Project. As part of the substation project, a sub-transmission source line segment would be installed adjacent to the Project. The new line would be built east of the existing line

in the area north of SR 210 and west of the existing line south of SR 210. The distances to the nearest noise-sensitive land uses range from 75 to 135 feet in the southeast direction, and 370 to 430 feet in the northwest direction. The individual and combined noise levels are shown in **Table 4-2**, *Cumulative Noise Impacts to Noise-sensitive Land Uses*. Noise levels for the proposed Project assume implementation of the mitigation measures specified in **Section 3.5.4**.

| Table 4-2<br>CUMULATIVE NOISE IMPACTS TO NOISE-SENSITIVE LAND USES   |                       |   |   |                 |  |  |
|--|-----------------------|---|---|-----------------|--|--|
| Project  |                       | ls for Work<br>R 210 (L <sub>EQ</sub> ) | Noise Levels for Work<br>South of SR 210 (L <sub>EQ</sub> ) |                 |  |  |
| , and the second | Southeast             | Northwest                               | Southeast   | Northwest       |  |  |
| Etiwanda North Pipeline Project  |                       |   |   |                 |  |  |
| Rollout Location   | 48.1dBA               | 63.8 dBA                                | 48.1 dBA  | 63.8 dBA        |  |  |
| Ventilation Location   | 44.2 dBA              | 51.0 dBA                                | 44.2 dBA  | 51.0 dBA        |  |  |
| Falcon Ridge Substation Project  |                       |   |   |                 |  |  |
| Proposed Line  | 76.1 <sup>1</sup> dBA | 66.5 dBA                                | 70.3 dBA  | 67.0 dBA        |  |  |
| Combined Noise Levels for Both Projects  | <b>76.1</b> dBA       | <b>68.4</b> dBA                         | <b>70.3</b> dBA   | <b>68.8</b> dBA |  |  |

<sup>&</sup>lt;sup>1</sup>Noted as a significant impact with mitigation requirements in SCE EIR (SCE 2012).

As shown, combined noise levels would exceed the daytime noise threshold of 75 dBA  $L_{EQ}$ , at the location southeast of SR 210, and cumulative noise levels from both projects would be significant. However, the Falcon Ridge Substation Project is the predominant noise source; the proposed Project's contribution to the combined noise levels would be less than 3 dBA because noise resulting from the Project would have to be at least equal in volume to increase the noise level by 3 dBA. The Project's contribution of less than 3 dBA to the cumulative noise impact would not be cumulatively considerable. Further, mitigation within the SCE Falcon Ridge Substation Project EIR requires the implementation of noise reduction measures, and actual noise levels would be lower as a result. In summary, the Project would not contribute significantly to cumulative noise impacts.

#### **Generation of Ground-borne Vibration**

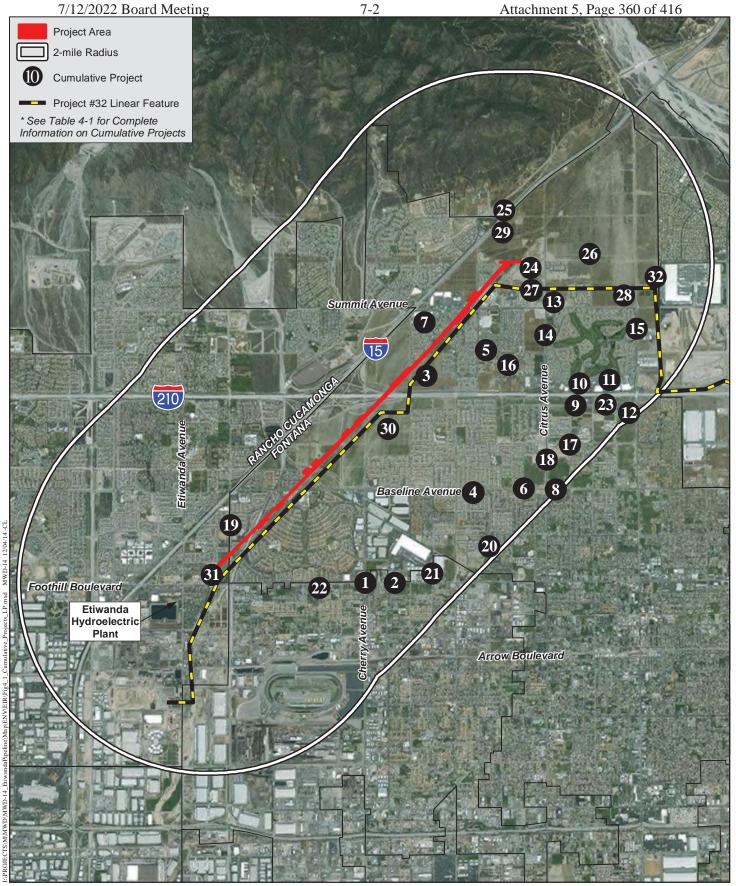
Ground-borne vibration is also a localized phenomenon that is progressively reduced as the distance from the source increases. The area of cumulative impact that would be considered for the vibration cumulative impact analysis would be only those projects within the immediate vicinity of the proposed Project.

The closest project that may be constructed at the same time as the proposed Project is the SCE Falcon Ridge Substation Project. At the estimated distances to the nearest sensitive land use from the proposed Project (75 to 135 feet in the southeast direction, and 370 to 430 feet in the northwest direction) and the substation project (125 to 380 feet in the southeast direction, and 175 to 330 feet in the northwest direction), impacts from the most likely source of vibration, a

vibratory roller, would be less than significant for either project. As a result, cumulative vibration impacts would be less than significant. The Project would not contribute significantly to cumulative ground-borne vibration impacts.

### **4.3.6** Transportation and Traffic

The proposed Project would result in increased traffic during Project activities. The analysis in **Section 3.6** takes into account projected growth in the Project area. With implementation of mitigation measure TR-1, the Project would not result in a cumulatively considerable traffic impact to intersections or roadway segments within the Project traffic study area. Additionally, as shown in **Table 3.6-4**, projected traffic volumes would not result in a cumulative impact to study area intersections. Therefore, the Project would not result in increases in traffic that would combine with other projects to result in a cumulative impact. In summary, the Project would not contribute significantly to cumulative transportation and traffic impacts.



**Cumulative Projects** 

ETIWANDA PIPELINE NORTH RELINING PROJECT

0 5,600 Feet

Figure 4-1

## Chapter 5.0

# OTHER CEQA CONSIDERATIONS

### 5.0 OTHER CEQA CONSIDERATIONS

In addition to the topics analyzed elsewhere in this EIR, Section 15126 of the State CEQA Guidelines requires analysis of the following topics addressed in this chapter: growth-inducing impacts; significant environmental effects that cannot be avoided upon implementation of the proposed Project; and significant irreversible environmental effects associated with implementation of the proposed Project.

#### 5.1 GROWTH INDUCEMENT

In accordance with Section 15126(d) of the State CEQA Guidelines, an EIR must include an analysis of the growth-inducing impact of the proposed Project. The growth inducement analysis must address: (1) the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment; and (2) the potential for a project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. This second issue involves the potential for a project to induce growth by the expansion or extension of existing services, utilities, or infrastructure. The State CEQA Guidelines further state that "[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment" (Section 15126.2[d]).

The proposed Project would consist of repair of an existing pipeline. During the Project, demand for various construction trade skills and labor would increase. It is anticipated that this demand would be met by the local labor force and would not require importation of a substantial number of workers that could cause an increased demand for temporary or permanent housing in this area. The Project would not change the pipeline capacity or service area, or otherwise include or require new infrastructure or utilities or roadway extensions. In addition, repair of the existing pipeline would not remove any barriers to growth. Therefore, growth inducement would not result from the proposed Project.

#### 5.2 UNAVOIDABLE ADVERSE IMPACTS

Section 15126.2(b) of the State CEQA Guidelines requires the identification of significant impacts that would not be avoided, even with the implementation of feasible mitigation measures. The final determination of significance of impacts and of the feasibility of mitigation measures would be made by Metropolitan's Board of Directors as part of its certification of this EIR. Sections 3.1 through 3.6 of this EIR provide an evaluation of the potentially significant environmental effects and corresponding mitigation measures associated with implementation of the proposed Project. According to this evaluation, the Project would result in significant impacts relative to temporarily increased noise levels at nearby noise-sensitive land uses as well as regional and local air pollutant emissions. Although measures have been proposed to reduce these impacts, the resulting levels are nonetheless expected to be significant. It is anticipated that additional measures to further reduce associated noise levels and air pollutant emissions would not be feasible, and no feasible alternatives to the proposed Project would avoid these significant impacts. Therefore, air quality and noise impacts are considered significant and unavoidable.

#### 5.3 IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the State CEQA Guidelines requires an evaluation of significant irreversible environmental changes which would be involved should a proposed project be implemented. Section 15126.2(c) of the State CEQA Guidelines describes significant irreversible environmental changes that would be caused by a proposed project as follows:

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Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project.

The proposed Project would entail the commitment of energy and non-renewable resources, such as energy derived from fossil fuels, construction materials (e.g., abrasives, mortar), and labor. Use of these resources would have an incremental effect on the regional consumption of these commodities. As the Project involves repair of an existing pipeline, it would not directly or indirectly change uses within or adjacent to the Project area. Furthermore, no environmental accidents or hazards are anticipated to occur as a result of Project implementation, as disclosed in the Initial Study/Notice of Preparation prepared for the Project (refer to **Appendix A**). Therefore, the impact from irreversible environmental changes from the proposed Project would not be significant.

# Chapter 6.0

# ALTERNATIVES TO THE PROPOSED PROJECT

#### 6.0 ALTERNATIVES TO THE PROPOSED PROJECT

#### 6.1 INTRODUCTION

During consideration of a project that could have a significant effect on the environment, CEQA requires that alternatives that could avoid or lessen the project's significant effect(s) be considered. This chapter presents potential alternatives to the Project and evaluates them as required by CEQA. The State CEQA Guidelines also require EIRs to identify the Environmentally Superior Alternative from among the alternatives (including the proposed Project). The environmentally superior alternative is identified in **Section 6.5**.

#### 6.2 SUMMARY OF PROJECT OBJECTIVES AND SIGNIFICANT IMPACTS

#### **6.2.1** Project Objectives

In developing the alternatives to be addressed in this section, consideration was given to their feasibility to implement and their ability to meet the basic objectives of the Project. The Project involves removing the existing mortar lining, much of which has become separated from the inside of Etiwanda Pipeline North, and applying a new, flexible, polyurethane liner to prevent corrosion inside the pipe. Project objectives were identified in **Chapter 2**, **Project Description**, of this EIR as follows:

- Enable Metropolitan to continue conveyance of water from the Rialto Pipeline to the Upper Feeder as needed to supply customers;
- Enable Metropolitan to continue electricity generation through water conveyance to the Etiwanda Hydroelectric Plant;
- Provide a safe, feasible and cost-effective relining method; and
- Minimize Project-related nuisances such as traffic disruption, noise, air quality, dust, and odor to the extent feasible.

#### **6.2.2** Significant Environmental Impacts

Based on analysis in **Chapter 3**, *Environmental Impact Analysis*, the Project would have significant impacts with regard to the following issues: air quality, noise, and transportation and traffic. Noise impacts also would result in a conflict with City of Fontana General Plan Noise Element Goal 3, Action 18 and City of Rancho Cucamonga General Plan Policy PS-13.4. Project-related environmental impacts to transportation and traffic would be mitigated to less than significant levels; environmental impacts related to air quality and noise would be mitigated to the extent feasible, but are likely to remain significant even with mitigation.

#### 6.3 ALTERNATIVES CONSIDERED BUT REJECTED

As described below, alternatives considered but rejected include location (**Section 6.3.1**) and design alternatives (**Section 6.3.2**) as well as the No Project Alternative (**Section 6.4**). All of the potential alternatives that were considered for the Project have been rejected. Section 15126.6(a)

of the State CEQA Guidelines states that an EIR shall describe "a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project," as well as provide an evaluation of "the comparative merits of the alternatives." Under Section 15126.6(a), an EIR does not need to consider alternatives that are not feasible, nor need it address every conceivable alternative to the project. The range of alternatives "is governed by the 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." The focus is on informed decision-making and public participation rather than providing a set of alternatives simply to satisfy format.

#### **6.3.1** Alternative Location

Potential alternative pipeline locations are substantially constrained by the need to connect the Rialto Pipeline to the Etiwanda Hydroelectric Plant and Upper Feeder, as well as the width of Metropolitan's existing right-of-way. In consideration of these constraints, this alternative would construct a new, smaller (10 feet in diameter) pipeline parallel to the existing Etiwanda Pipeline North. Minimal disruptions of service would occur during installation of a new pipeline. Similar to the proposed Project, the smaller pipe would be lined with a flexible lining for corrosion resistance and would be tolerant of the wide fluctuations in water flows and pressures inside the pipe.

This alterative would result in substantially more ground disturbance than would be required for the proposed Project. This would result in greater potential impacts to biological resources due to ground disturbance and vegetation removal throughout the Project area, and potentially in additional areas outside of the work locations that are identified for the proposed Project. Extensive heavy equipment operations and ground disturbance likely would increase emissions of air pollutants, including criteria pollutants, fugitive dust, and GHGs. Potential impacts to the transportation system would be increased by the number of workers and the number of trucks that would be required to remove excess soil, and potentially by trenching across area roadways. While this alternative likely would avoid or minimize the need for nighttime construction noise, excavation would result in high levels of daytime noise at more adjacent residences for a potentially longer period of time.

Other potential environmental impacts that were addressed in the Initial Study as not being potentially significant would require re-evaluation under this alternative. Open-trench excavation along the approximately five-mile length of Etiwanda Pipeline North likely would result in potentially significant impacts to hydrology, impacts to natural and man-made drainages that are able to be avoided under the proposed Project, and impacts to cultural and paleontological resources if excavation were to occur in previously undisturbed soils.

This alternative would have the highest initial costs for construction, given the likely need to acquire additional right-of-way either for temporary construction easements or for long-term operation and maintenance of the new pipeline. Considering the remaining integrity of the existing pipeline, the considerably greater or broader level of potential environmental impacts and disturbance to nearby communities, and the substantially higher cost of new pipeline construction, this alternative was eliminated from further consideration due to not meeting the

Project objectives of providing a feasible and cost-effective relining method, and minimizing disturbance to the environment and nearby communities.

#### **6.3.2** Design Alternatives

Seven liner repair/replacement alternatives and one pressure control facility coupled with a liner repair alternative were considered during initial Project design. Based on review of physical properties, advantages, and disadvantage of each of these alternatives, Metropolitan rejected each as not being feasible. Each alternative is briefly described below.

#### **Liner Repair/Replacement Alternatives**

Work activities for each of the liner repair/replacement alternatives would be generally similar to the proposed Project, as described in **Section 2.7.1**, *Project Activities*. They would include site preparation; preparation of access points into the pipeline; pipeline shutdown and removal of water; surface preparation of the interior of the pipe; application of the new liner; and closing access points and site completion. Although the specific equipment types and processes would vary, the resulting level of environmental impact would be similar to the proposed Project.

#### **Cement Mortar Liners**

Standard and Fabric-Reinforced Cement Mortar Liners

These mortar liner alternatives would replace the existing cement mortar liner of Etiwanda Pipeline North with a new cement mortar liner, of standard, non-reinforced, or fiber-reinforced construction. Mortar lining is relatively inexpensive, is widely used, and has demonstrated corrosion protection in water pipelines under most operating conditions. The limitations of mortar lining under the operating conditions of Etiwanda Pipeline North have been demonstrated by the deterioration of the existing mortar lining. Mortar lining must be kept in continuous moist conditions or irreversible cracks can develop. These alternatives likely would result in the need for repeated future repairs, involving more frequent disturbance of nearby communities, more frequent interruptions of water supplies through Etiwanda Pipeline North while repairs are made, and diminished reliability of Etiwanda Pipeline North both for generation of power and for water deliveries to the Upper Feeder.

This alternative was rejected from further consideration due to not meeting any of the four Project objectives of providing a feasible and cost-effective relining method, minimizing environmental and community disturbance, enabling continued use of Etiwanda Pipeline North for generation of power, and enabling continued use of Etiwanda Pipeline North for water conveyance.

#### Mesh-Reinforced Cement Mortar Liner

This alternative would replace the existing cement mortar liner of Etiwanda Pipeline North with mesh-reinforced cement mortar lining. Mesh reinforcement provides improvements in the strain capacity, toughness, impact resistance, and crack control over standard and fabric-reinforced mortar liners; however, this liner is usually reserved for short pipeline sections where equipment access is not required. In addition, mesh-reinforced mortar liner has not been tested in a pipeline

with highly variable pressures and may be expected to perform similar to other mortar liners under extreme operating conditions. The application process for mesh-reinforced mortar also is more labor intensive than other mortar linings. For these reasons, mesh-reinforced mortar liner was rejected from further consideration due to not meeting any of the four Project objectives.

#### Flexible Coating System Alternatives

#### Epoxy Liner

Use of epoxy liner would be similar to the proposed use of polyurethane, in that epoxy would provide flexible corrosion resistance able to withstand the operating conditions of Etiwanda Pipeline North. This alternative would have no clear advantages over the proposed Project, and disadvantages would include a more extensive application process requiring a longer duration of work and higher costs. While epoxy provides more flexibility than cement mortar, epoxy is less flexible than polyurethane, has less adherence strength, and has greater potential for blistering, leading to a higher potential for future damage than polyurethane. This alternative was rejected from further consideration due to not meeting the project objective of minimizing disturbance to the environment and nearby communities, and not meeting to as high a degree as the proposed Project the objectives of continued use of Etiwanda Pipeline North for power generation and water conveyance.

#### Slip-Liner Alternatives

Slip-liner alternatives would consist of installing a new, smaller pipeline within the existing Etiwanda Pipeline North. Pipe construction would be steel, pre-stressed concrete cylinder, or fiberglass-reinforced polymer mortar. For each type, the pipe segments would be pushed or pulled into the existing pipeline and extra space between the slip liner and the existing pipeline would be grouted with cement. The new liner would provide corrosion resistance and be able to withstand high pressures, and would not require removal of the existing mortar liner in Etiwanda Pipeline North or on-site application of a new interior liner.

The most expensive of the liner alternatives, slip-lining is typically used in situations where the original pipe has lost, or is at risk of losing, substantial strength due to physical damage; this is not the case with Etiwanda Pipeline North, where corrosion and potential leakage are the most likely results of the deteriorating existing mortar. Slip-lining was rejected from further consideration due to not meeting the objective of providing a feasible or cost-effective relining method.

#### **Pressure-Control Facility Alternative**

This alternative would repair/replace the cement mortar lining within Etiwanda Pipeline North, and construct a new pressure-control facility to regulate water pressure within the pipeline. Construction of the new pressure-control facility would occur at the northern end of Etiwanda Pipeline North near the connection to the Rialto Pipeline. The facility would be located on land currently owned by Metropolitan; however, additional property might need to be acquired in order to provide sufficient space and adequate access for operation and maintenance of the facility.

The pressure control facility would allow the pipeline to operate continuously at a relatively uniform pressure, which would prevent stress cracking of the new liner by relieving stresses from large fluctuations in pressure and flows. This alternative would involve relining the pipe, as with the proposed Project, but also would include the additional cost of construction, operation, and maintenance of the new pressure-control facility. In addition, the uniform, lower pressure would adversely affect the ability to continue to use Etiwanda Pipeline North for the generation of power. This alternative was rejected from further consideration due to not meeting the project objective of enabling continued use of Etiwanda Pipeline North for power generation.

#### 6.4 NO PROJECT ALTERNATIVE

#### **6.4.1** No Project Alternative Description

Pursuant to Section 15126.6(e)(3)(B) of the State CEQA Guidelines, the No Project Alternative reflects the "circumstances under which the Project does not proceed." The No Project Alternative assumes that Etiwanda Pipeline North would not be repaired, and that no major pipeline work would occur in the Project area. Existing maintenance activities would continue. No coordination with the City of Fontana, City of Rancho Cucamonga, or other agencies would be required. Impacts associated with this alternative, compared to the proposed Project, are described below.

#### 6.4.2 Comparison of the Impacts of the No Project Alternative to the Proposed Project

Because the No Project Alternative would not involve any physical improvements, it would avoid significant impacts that would occur from the proposed Project related to air quality, noise, and transportation and traffic. This alternative would not, however, meet any of the four Project objectives and could potentially result in significant interruptions to regional water deliveries/supplies, loss of power generation, and temporary flooding if corrosion of the pipeline results in substantial future leaking or failure. A break in the pipeline would result in temporary impacts during emergency repairs, which would result in impacts similar to the proposed Project. Potential flooding could result in property damage to nearby structures, as well as more impacts to biological resources within the Project area.

# 6.5 SUMMARY OF ALTERNATIVES ANALYSIS AND IDENTIFICATION OF THE ENVIRONMENTALLY SUPERIOR ALTERNATIVE

If an alternative is considered clearly superior to the proposed Project relative to identified environmental impacts, Section 15126.6 of the State CEQA Guidelines requires that alternative be identified as the environmentally superior alternative. By statute, if the environmentally superior alternative is the No Project Alternative, an EIR must also identify an environmentally superior alternative among the other alternatives.

Based on the alternatives discussion provided in this chapter, several alternatives to the proposed Project were analyzed; however, each of these alternatives was rejected as being infeasible and not meeting the basic Project objectives. The No Project Alternative would avoid significant environmental impacts from the Project in the interim, but likely would result in similar impacts, or potentially more or greater impacts, in the event that unanticipated damage were to occur and emergency repairs were required.

The proposed Project would repair and prevent corrosion of Etiwanda Pipeline North, enable the continued conveyance of water as needed to supply customers and to generate power, provide a feasible and cost-effective relining method, and minimize Project-related nuisances to the extent feasible. The proposed Project, therefore, is considered to be the environmentally superior alternative.

Chapter 7.0

**REFERENCES** 

#### 7.0 REFERENCES

California Air Resources Board (CARB)

2014 California Greenhouse Gas Inventory for 2000-2012. May. Available at: http://www.arb.ca.gov/cc/inventory/pubs/reports/ghg\_inventory\_00-12\_report.pdf

California Department of Fish and Wildlife (CDFW)

2012 Staff Report on Burrowing Owl Mitigation. March 7.

Clarke, O.F., D. Svehla, G. Ballmer, A. Montalvo

2007 Flora of the Santa Ana River and Environs. 495 pp.

California Natural Resources Agency (CNRA)

2009 Final Statement of Reasons for Regulatory Action, Amendments to the State CEQA Guidelines Addressing Analysis and Mitigation of Greenhouse Gas Emissions Pursuant to SB97. December. Available at: http://resources.ca.gov/ceqa/docs/Final\_Statement\_of\_Reasons.pdf

#### Chew, RM and BB Butterworth

1964 Ecology of rodents in Indian Cove (Mojave Desert), Joshua Tree National Monument, California. Journal of Mammalogy 45: 203-225.

#### **ENVIRA**

2014 Presence/Absence Trapping Studies For The San Bernardino Kangaroo Rat and Los Angeles Pocket Mouse - Etiwanda Pipeline North Repair, San Bernardino County, California. May 21.

Fontana, City of

- 2014a City Projects by Type and Department. Available at: http://www.fontana.org/index.aspx?NID=2020
- 2014b Email communication with Salvador N. Quintanilla, MPA, Assistant Planner, Planning Division. November 3.
- 2003 City of Fontana General Plan. October 21. Available at: https://www.fontana.org/index.aspx?NID=813

HELIX Environmental Planning, Inc. (HELIX)

2014a Etiwanda Pipeline North Relining Project, Air Quality Technical Report.

December.

#### HELIX Environmental Planning, Inc. (HELIX) (cont.)

- 2014b Biological Resources Letter Report for the Etiwanda Pipeline North Relining Project. October.
- 2014c Greenhouse Gas Emissions Technical Report for the Etiwanda Pipeline North Relining Project. December.
- 2014d Acoustical Site Assessment for the Etiwanda Pipeline North Relining Project.

#### Jones, T.

1993 The social systems of Heteromyid rodents. *In*: Biology of the Heteromyidae, HH
Genoways and JH Brown, *eds*. American Society of Mammalogists Special
Publications No. 10.

#### Lightner, J.

2006 San Diego County Native Plants. 2<sup>nd</sup> Edition. 320 pp.

#### Rancho Cucamonga, City of

- 2014 Email Communication with Tabe Van der Zwaag, Associate Planner, Development Review. October 29.
- 2010 Rancho Cucamonga General Plan. May 19. Available at: http://www.cityofrc.us/cityhall/planning/genplan.asp

#### San Bernardino Associated Governments (SANBAG)

2013 San Bernardino County Regional 2008 Community Greenhouse Gas Inventories and 2020 Forecasts. Available at:
<a href="http://www.sanbag.ca.gov/planning2/greenhousegas/FinalSBCRegionalGHGReductionAppA.pdf">http://www.sanbag.ca.gov/planning2/greenhousegas/FinalSBCRegionalGHGReductionAppA.pdf</a>

#### San Diego State University (SDSU)

2002 Coastal Sage Scrub Response to Disturbance. A Literature Review and
 Annotated Bibliography. Prepared for California Department of Fish and Game.

 February 28. 87 pp. Available at:
 https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=26433

#### South Coast Air Quality Management District (SCAQMD)

2011 SCAQMD Air Quality Significance Thresholds. Available at: <a href="http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2">http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf?sfvrsn=2</a>

#### South Coast Air Quality Management District (SCAQMD) (cont.)

- 2010 Greenhouse Gas CEQA Significance Threshold Stakeholder Working Group Meeting #15 (slide presentation). Available at:

  <a href="http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2">http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/year-2008-2009/ghg-meeting-15/ghg-meeting-15-main-presentation.pdf?sfvrsn=2</a>
- 2008a Final Report, Multiple Air Toxics Exposure Study in the South Coast Air Basin, MATES III. September.
- 2008b Multiple Air Toxics Exposure Study III Model Estimated Carcinogenic Risk. Available at: http://www2.aqmd.gov/webappl/matesiii/
- 2008c Draft Guidance Document Interim CEQA GHG Significance Thresholds.
- 2003 Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis. August. Available at: <a href="http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis">http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis</a>
- 1993 CEQA Air Quality Handbook (as amended).

#### Southern California Edison (SCE)

2012 Falcon Ridge Substation Project Environmental Impact Report. January.

United States Department of Transportation, Federal Highway Administration

2008 Roadway Construction Noise Model. Available at: http://www.fhwa.dot.gov/environment/noise/construction\_noise/rcnm/

United States Fish and Wildlife Service (USFWS)

- 2008 5-Year Review Delhi Sands Flower-loving Fly. March.
- 1997 Final Recovery Plan for the Delhi Sands Flower-Loving Fly. September.

#### **Urban Crossroads**

- 2014a Etiwanda Pipeline North Relining Project Diesel Particulate Health Risk Assessment. October 30.
- 2014b Etiwanda Pipeline North Relining Project Traffic Impact Analysis. October 22.

#### WESTEC Services, Inc. (WESTEC)

1988 Etiwanda Pipeline and Power Plant Draft Supplemental Environmental Impact Report. March 1988.

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# Chapter 8.0

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#### 8.0 LIST OF PREPARERS

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### California Environmental Quality Act: Notice of Determination

The Metropolitan Water District of Southern California Office of Planning and Research From: P.O. Box 54153 1400 Tenth Street, Room 212 Los Angeles, CA 90054-0153 Sacramento, CA 95814 Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code. Etiwanda Pipeline North Relining Project, SCH#2014081047 Project Title: Area Code/Telephone/Extension Lead Agency/Applicant Contact Person State Clearinghouse Number (213) 217-7173 The Metropolitan Water District 2014081047 of Southern California Wendy Picht Project Location (include county): The Metropolitan Water District of Southern California (Metropolitan) Etiwanda Pipeline North, which traverses in a northeast to southwest direction, with the northernmost portion of the alignment located approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the city of Fontana. The southern terminus of the Project area is just north of Foothill Boulevard, approximately 0.2 mile west of East Street in the city of Rancho Cucamonga. The Project is located within San Bernardino County (see attached map). Project Description: Metropolitan has prepared an Environmental Impact Report (EIR) for the relining of the Etiwanda Pipeline North in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The project, as described in the EIR, would remove the existing interior mortar lining, much of which has delaminated from the pipe, and recoat the pipe with a new lining to prevent further corrosion. Metropolitan, acting as the Lead Agency/Applicant under CEQA, certified an Environmental Impact Report for the "Etiwanda Pipeline North Relining Project" on June 09, 2015. This is to advise that The Metropolitan Water District of Southern California as the Lead Agency under CEQA has reviewed and considered the above-described project and has adopted the following determinations regarding the above-described project: 1. The project [ will will not] have a significant effect on the environment. 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. 3. Mitigation measures [ were not ] made a condition of the approval of the project. 4. A Statement of Overriding Considerations (SOC) [ was was not ] adopted for this project. 5. A Mitigation Monitoring Report or Monitoring Plan (MMRP) [\sum was not] adopted for this project 6. Findings [Neere were not] made pursuant to the provisions of CEQA. The certified Environmental Impact Report, responses to comments, SOC, MMRP, Findings, and related CEQA documentation are on file at Metropolitan's headquarters at 700 North Alameda Street, Los Angeles, CA 90012. Interim Manager, June 10, 2015 Environmental Planning Team Date Title Deborah Drezner Signature Date received for filing at County or OPR:

(EPT No. 1472)

# ETIWANDA PIPELINE NORTH RELINING PROJECT

Addendum No. 3 to the Final Environmental Impact Report

The Metropolitan Water District of Southern California 700 North Alameda Street Los Angeles, CA 90012

> State Clearinghouse No. 2014081047 Report No. 1472

> > March 2022

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#### 1.0 BACKGROUND INFORMATION

In June 2015, the Metropolitan Water District of Southern California (Metropolitan) certified the Final Environmental Impact Report (FEIR) for the Etiwanda Pipeline North Relining Project (Project). Subsequent to certification of the FEIR and approval of the Project in June 2015, revisions to the Project have occurred. The revisions include modifications to the locations, sizes, and/or configurations of several work areas as well as contractor work and storage areas, in addition to refinements to the Project construction schedule. Changes associated with Phase 2 were addressed in Addendum No. 1, dated January 2016. Addendum No. 2, dated June 2019, was prepared to address previously proposed changes associated with Phase 3; however, the activities described in that Addendum were never implemented because Phase 3 construction was delayed. Refer to *Project Description* below for more detailed information regarding the currently proposed revisions in the Phase 3 portion of the Project, as well as additional work within the area originally addressed as Phase 1.

California Environmental Quality Act (CEQA) Guidelines Section 15164 requires either the Lead Agency or a responsible agency to prepare an Addendum to a certified Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent environmental document have occurred (refer to discussion below regarding conditions described in Section 15162). Section 15164(b) provides that an Addendum "may be prepared if only minor technical changes or additions are necessary."

The purpose of this Addendum is to document that no new significant impacts, nor a substantial increase in the severity of impacts, would result from the Project as described in the FEIR and this Addendum.

#### 1.1 CEQA REQUIREMENTS

An Addendum to an EIR is appropriate under CEQA Guidelines Sections 15162 and 15164 for projects where there are no substantial changes to the project, or in circumstances surrounding the project, and where the project would not have new significant impacts or substantially more severe impacts than those disclosed in the previously certified EIR. Sections 15162 and 15164 of the CEQA Guidelines state that an Addendum to a previously certified EIR can be prepared for a project if the criteria and conditions summarized below are satisfied:

- **No Substantial Project Changes**. There are no substantial changes proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- No Substantial Change in Circumstances. No substantial changes have occurred with
  respect to the circumstances under which the project is undertaken which will require
  major revisions of the previous EIR due to the involvement of new significant
  environmental effects or a substantial increase in the severity of previously identified
  significant effects.

• No New Information of Substantial Importance. There is no new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, which shows any of the following: the project will have one or more significant effects not discussed in the previous EIR; significant effects previously examined will be substantially more severe than shown in the previous EIR; mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

An Addendum need not be circulated for public review but can be included in or attached to the certified EIR. The decision-making body shall consider the Addendum with the certified EIR prior to making a decision on the project.

None of the conditions identified in CEQA Guidelines Section 15162(a) would occur because:

- a) The revisions to the Project evaluated in the FEIR, as described in this Addendum, are minor in nature and would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The revisions include modifications to the locations, sizes, and/or configurations of several Project activity and contractor work and storage areas, as well as refinements to the Project construction schedule. These revisions to the Project would not result in any new significant environmental impacts or substantial increase in the severity of previously identified significant impacts (Table 1, *Summary of Impacts Associated with Etiwanda Pipeline North Relining Project*; refer to the Environmental Analysis section for details regarding the impacts associated with the Project revisions).
- b) Circumstances and existing conditions surrounding the Project have not materially changed from those described in the FEIR certified in June 2015. Existing conditions on and surrounding the Project site generally remain as described in the FEIR. Some additional disturbance (e.g., construction of a parking lot on private property, unrelated to the Project or other Metropolitan activities) has occurred within the study area, which would decrease, rather than increase, potential impacts associated with the Project. Additional residential development has also occurred at the northern end of the study area, at a similar or greater distance from project activities as the previously existing residences. Therefore, changes that have occurred would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- c) There is no new information of substantial importance. There is no information available that indicates that the Project would result in significant effects that were not addressed in the previous EIR or a substantial increase in the severity of previously identified significant effects; or that mitigation measures or alternatives are available and feasible that would substantially reduce one or more significant effects on the environment.

Table 1
SUMMARY OF IMPACTS ASSOCIATED WITH PROJECT REVISIONS TO THE ETIWANDA PIPELINE NORTH RELINING PROJECT

| Impact                                     | Final Environmental Impact<br>Report (FEIR)   | Addendum   | New Significant<br>or Substantial<br>Increase in<br>Severity? | Justification   |
|--|---|--|---|---|
| Air Quality                                |   |  |   |   |
| Conflict with Applicable Air Quality Plans | The Project will not exceed the assumptions in the Air Quality Management Plan; however, Project emissions will exceed regional criteria pollutant thresholds established by the South Coast Air Quality Management District (SCAQMD). These impacts will be reduced by mitigation measures AIR-1 through AIR-3, but will remain significant.   | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce air pollutant emissions. | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |
| Conformance to Air<br>Quality Standards    | Project emissions will exceed regional criteria pollutant thresholds established by the SCAQMD for emissions of volatile organic compounds (VOCs), nitrogen oxides (NO <sub>X</sub> ), and particulate matter that is 2.5 microns or smaller (PM <sub>2.5</sub> ). Project-related emissions will also exceed SCAQMD's localized criteria pollutant thresholds for emissions of NO <sub>X</sub> , particulate matter that is 10 microns or smaller (PM <sub>10</sub> ), and PM <sub>2.5</sub> . These impacts will be reduced by mitigation measures <b>AIR-1</b> through <b>AIR-3</b> , but will remain significant. | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce air pollutant emissions. | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |

| Impact  | Final Environmental Impact<br>Report (FEIR)  | Addendum   | New Significant<br>or Substantial<br>Increase in<br>Severity? | Justification   |
|---|--|--|---|---|
| Air Quality (cont.)   |  |  |   |   |
| Cumulatively Considerable<br>Net Increase in Criteria<br>Pollutants | The Project will result in regional and localized exceedances, as discussed above, which will be potentially cumulatively considerable. These impacts will be reduced by mitigation measures AIR-1 through AIR-3, but will remain significant.   | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce air pollutant emissions.           | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |
| Expose Sensitive Receptors to Pollutants                            | Project-related local emissions of criteria pollutants and toxic air contaminants will result in potentially significant health risks to nearby residents, schools, and off-site workers. These impacts will be reduced by mitigation measures AIR-1 through AIR-3, but local emissions will remain significant. | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use. These revisions would incrementally reduce air pollutant emissions. | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |
| Create Objectionable Odors  | Project-related odors associated with equipment operations will be temporary and will not be objectionable to a substantial number of people. Impacts will be less than significant.   | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use. These revisions would incrementally reduce associated odors.        | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |

| Impact  | Final Environmental Impact<br>Report (FEIR)  | Addendum   | New Significant<br>or Substantial<br>Increase in<br>Severity? | Justification   |
|---|--|--|---|---|
| Biological Resources Adversely Affect Candidate, Sensitive, or Special Status Species | The Project will result in minor, temporary loss of foraging and movement areas for the San Diego jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse, as well as potential direct impacts to the San Diego pocket mouse and Los Angeles pocket mouse from ground-disturbing activities. These impacts, as well as potential impacts to nesting birds, will be less than significant. | While a portion of the alignment is now considered occupied by burrowing owl, potential impacts to burrowing owl would be avoided through Metropolitan's standard avoidance and minimization measures. The proposed Project revisions would not place Project activities closer to any other known sensitive status species or occupied habitat. | No  | There is no change in the impact as identified in the FEIR.                           |
| Adversely Affect Sensitive<br>Natural Communities                                     | The Project will temporarily impact isolated habitat fragments of disturbed Riversidean upland sage scrub within the existing right-of-way. These impacts will be less than significant.   | The proposed Project revisions would reduce impacts to sensitive vegetation communities; these impacts would be less than significant.   | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |
| Conflict with Local Policies<br>or Ordinances Protecting<br>Biological Resources      | The Project will not conflict with local policies or ordinances protecting biological resources.   | The proposed Project revisions would not result in potential conflicts with local policies or ordinances protecting biological resources.  | No  | There is no change in the impact as identified in the FEIR.                           |

| Impact   | Final Environmental Impact<br>Report (FEIR)   | Addendum  | New Significant<br>or Substantial<br>Increase in<br>Severity? | Justification   |
|--|---|---|---|---|
| Greenhouse Gas Emissions   |   |   |   |   |
| Generate GHG Emissions<br>that may Result in a<br>Significant Impact | The Project will not generate GHG emissions that will result in a significant impact on the environment.                                | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce GHG emissions.                                    | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |
| Conflict with Plans for<br>Reducing GHG Emissions                    | The Project will not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions.        | The proposed Project revisions would not result in potential conflicts with applicable GHG reduction measures.  | No  | There is no change in the impact as identified in the FEIR.                           |
| Land Use and Planning  |   |   |   |   |
| Conflict with applicable land use plan, policy, or regulation.       | The Project will temporarily conflict with noise standards in the General Plans of cities of Fontana and Rancho Cucamonga. <sup>1</sup> | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce noise generation and associated land use impacts. | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |

<sup>&</sup>lt;sup>1</sup> California Government Code Section 53091 exempts Metropolitan, as a regional public water purveyor and utility, from local zoning and building ordinances, including local general plans. This exemption applies to the Etiwanda Pipeline North as a water transmission pipeline and a direct component of Metropolitan's treatment, storage, and transmission system. Nonetheless, Metropolitan intends to voluntarily work with the local communities to reduce impacts due to conflicts with the local plans.

| Impact   | Final Environmental Impact<br>Report (FEIR)   | Addendum  | New Significant<br>or Substantial<br>Increase in<br>Severity? | Justification   |
|--|---|---|---|---|
| Noise  |   |   |   |   |
| Generate Noise Levels in Excess of Standards                     | The Project will include 24-hour construction and result in noise levels exceeding the maximum allowable noise levels at adjacent residences during both daytime and nighttime hours. These impacts will be reduced by mitigation measures <b>NOI-1</b> through <b>NOI-6</b> but will remain significant.   | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce noise generation.                 | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |
| Increase Temporary Ambient Noise Levels                          | During Project-related activities, the Project will result in a temporary increase in ambient noise levels at nearby residences. These impacts will be reduced by mitigation measures <b>NOI-1</b> through <b>NOI-6</b> but will remain significant.  | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce noise generation.                 | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |
| Result in Excessive<br>Ground-borne Vibration or<br>Noise Levels | The Project will cause some annoyance to nearby residences due to ground-borne vibration or noise levels; however, the Project will not result in excessive ground-borne vibration or noise levels such that structural damage will occur. Additionally, the Project is not near vibration-sensitive uses. Impacts will be less than significant. | The proposed Project revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce vibration and ground-borne noise. | No  | Impacts are incrementally reduced as compared to the Project as analyzed in the FEIR. |

| Impact  | Final Environmental Impact<br>Report (FEIR)   | Addendum   | New Significant<br>or Substantial<br>Increase in<br>Severity? | Justification   |
|---|---|--|---|---|
| Transportation and Traffic  |   |  |   |   |
| Conflict with a Circulation<br>System Plan, Ordinance, or<br>Policy | The Project will contribute more than 50 peak hour trips to an intersection currently operating at unacceptable level of service (LOS). The Project will not result in conflicts with other applicable plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system. Impacts will be reduced to less than significant levels by mitigation measure <b>TR-1</b> . | The proposed Project revisions would not alter the amount of traffic generated, locations at which access would be taken from the public street system, or traffic distribution. | No  | There is no change in the impact as identified in the FEIR. |
| Conflict with a Congestion<br>Management Program                    | Temporary trips associated with the Project will not result in a conflict with the applicable Congestion  | The proposed Project revisions would not result in potential conflicts with the  | No  | There is no change in the impact as identified in the FEIR. |
|   | Management Program.   | applicable Congestion Management Program.  |   |   |

#### 2.0 PROJECT DESCRIPTION

This section describes the Project location of the work identified in the FEIR, the Project as analyzed in the FEIR, and revisions to the Project description since certification of the FEIR.

#### 2.1 PROJECT LOCATION

The Project, as described in the FEIR, consisted of relining approximately 4.4 miles of Etiwanda Pipeline North in the city of Fontana, beginning at Metropolitan's Rialto Pipeline and ending at East Avenue, and approximately 0.4 mile of pipeline in the city of Rancho Cucamonga, continuing from East Avenue and ending just north of Foothill Boulevard (Figures 1 and 2). The pipeline parallels Interstate 15 (I-15), approximately 0.4 mile east of I-15, and crosses under State Route (SR) 210. The alignment traverses in a northeast to southwest direction, with the northernmost portion of the alignment located approximately 0.3 mile east of Lytle Creek Road and approximately 0.5 mile north of Summit Avenue in the city of Fontana. The southern terminus of the Project area was just north of Foothill Boulevard, approximately 0.2 mile west of East Street in the city of Rancho Cucamonga. The revised project area extends southwest to the Etiwanda Hydroelectric Plant Control Facility.

#### 2.2 PROJECT DESCRIPTION AS DESCRIBED IN CERTIFIED FEIR

To prevent further corrosion of the steel pipe in the approximately 5-mile segment of Etiwanda Pipeline North, the Project will remove the existing interior mortar lining, much of which has eroded and delaminated, and recoat the pipe with a new lining.

Except for excavation and staging, Project activities will mostly occur below-ground. Access to the pipe for relining activities will be accomplished via rollouts (where a 20-foot segment of pipe will be removed), existing manholes, existing buried outlets (similar to manholes but without surface structures), and new buried outlets. The assumed excavation areas for these access points are as follows:

- Rollouts 70 feet by 70 feet
- Existing manholes 10 feet by 10 feet
- Existing buried outlets 20 feet by 30 feet
- New buried outlets 30 feet by 40 feet

While the remainder of the right-of-way and staging areas may be used for access and material storage, no subsurface disturbance of the existing ground is anticipated. Surface disturbance could occur in the remainder of the right-of-way from materials staging and grubbing of vegetation. Project activities will not occur within storm drainage courses, public roadways, or public rights-of-way.

Primary activities will include the following: site preparation; preparation of access points into the pipeline; pipeline shutdown and removal of water; surface preparation of the interior of the pipe surfaces (including removal of the existing lining); application of the new liner; and closing access points and site completion. Following the completion of pipeline relining, the Project will

not require operations or maintenance personnel beyond those already required for the existing pipeline.

The Project activities were expected to begin in 2015 and occur during pipeline shutdown periods. The number and duration of these shutdown periods are determined by water demands and available supplies. Up to three phases are required, each lasting approximately one year with each shutdown period lasting approximately six to nine months. Although the Project work schedule will vary throughout the duration of Project activities, during the pipeline shutdown period, work could be performed up to 24 hours per day and 7 days per week. Refer to **Chapter 2** of the FEIR for additional details regarding the Project.

## 2.3 NECESSARY REVISIONS TO THE PROJECT SINCE CERTIFICATION OF THE FEIR

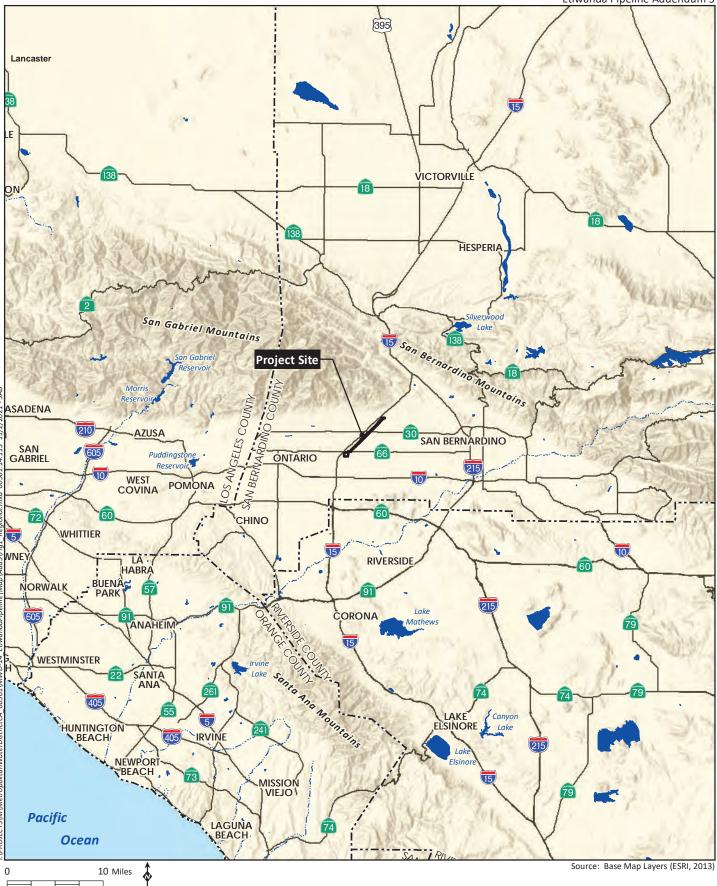
Initial work on an approximately 0.4-mile segment of the pipeline was completed in 2014 as part of a pilot phase (Phase 1), prior to preparation of the EIR. As described in the FEIR, the Project is divided into two phases, referred to as Phases 2 and 3. This Addendum addresses proposed revisions to Phase 3 of the Project, which extends from approximately Portenza Drive to Grizzly Way (Stations 1+54 to 62+88), and from Cherry Avenue to South Heritage Circle (Stations 126+08 to 192+95), as well as additional work within the original Phase 1 area, now known as Reach 5, from north of Foothill Boulevard to the Etiwanda Hydroelectric Plant Control Facility (Stations 199+46 to 283+21) (Figure 2). Additionally, a small segment of pipeline that was previously addressed in Phase 2 would be subject to minor additional damage repairs (Stations 199+46 to 216+57).

Phase 2 construction activities began in May 2016 and were completed in February 2017. Phase 3 activities are anticipated to occur between October 2022 and July 2023.

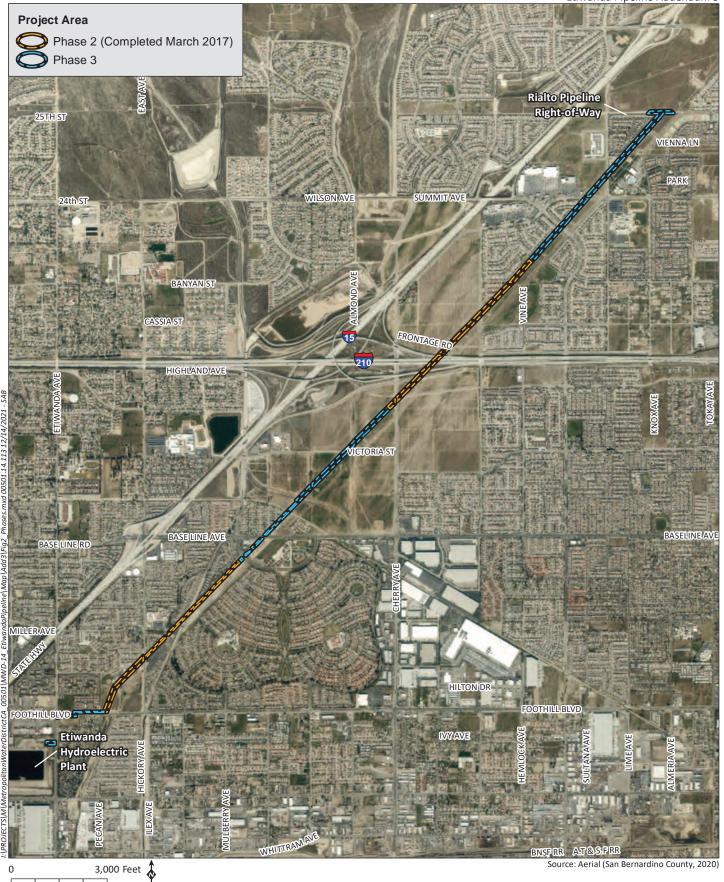
In addition to the Metropolitan right-of-way and specified Contractor Work and Storage Areas, additional Contractor Work and Storage Areas (used for materials storage, parking, and access) may occur along the length of the right-of-way, for a distance extending up to 100 feet to the southeast of the right-of-way. Existing public roadways and drainage channels would be excluded from such potential uses.

Proposed revisions to pipeline segments are as follows (the dimensions of disturbance areas are approximate):

- Approximately 1,000 feet of pipe in Reach 5 where experimental liner had previously been applied would be relined. Access to this pipeline segment would occur through two existing manholes (Stations 268+22.96 and 283+71.15) and one existing buried outlet (Station 282+46; with a 30-foot by 30-foot disturbance area) (Figure 3b).
- One previously proposed buried outlet (with a 30-foot by 40-foot disturbance area) previously proposed for access use would be removed. Instead, a rollout (where a 20-foot segment of pipe would be removed within a 70-foot by 70-foot disturbance area) would be installed southwest of Beech Avenue (Figure 3j, moved approximately 300 feet southwest, from Station 47+00.01 to Station 50+00).









- One previously proposed rollout would be removed. Instead, access through an existing service connection (with a 30-foot by 30-foot disturbance area) located northeast of the East Etiwanda Creek Flood Control Channel is proposed (Figure 3d, moved approximately 150 feet northeast, from Station 238+11 to Station 211+47).
- Previously identified rollouts would be removed and replaced with buried outlets at three locations: (1) west of Cherry Avenue (Figure 3g, Station 125+96); (2) east of Rosena Park West (Figure 3i, Station 63+00); and (3) at the northern end of the alignment (Figure 3k, Station 1+80).
- A previously identified rollout would be removed and proposed access only through an existing manhole north of Victoria Street (Figure 3f, Station 141+00.37).
- Previously identified rollouts are no longer proposed at four locations: (1) south of Heritage Circle (Figure 3e, Station 193+07); (2) northeast of Del Norte Street (Figure 3e, Station 168+00); (3) north of the Flood Control Channel (Figure 3f, Station 162+00); and (4) south of Summit Avenue (Figure 3j, Station 36+83.27).
- Excavation (previously assumed to require a 10-foot by 10-foot disturbance area) would be up to a 20-foot by 10-foot disturbance area around existing manholes.
- Previously proposed buried outlets are no longer proposed at two locations: (1) southwest of Grant Way (Figure 3d, Station 200+23); and (2) south of Vienna Lane (Figure 3k, Station 8+76).
- Existing buried outlets are no longer proposed for access at five locations: (1) south of Victoria Street (Figure 3f, Station 157+24.93; (2) south of Cherry Avenue (Figure 3g, Station 134+85.59); (3) north of Rosena Park West (Figure 3i, Station 57+14.51); (4) south of Summit Avenue (Figure 3j, Station 42); and (5) south of Fontana North Skate Park (Figure 3j, Station 25+38).
- Previously proposed manhole access is no longer proposed at two locations: (1) south of Baseline Avenue (Figure 3e, Station 185+68); and (2) at the north end of the alignment (Figure 3k, Station 1+21.67).
- The locations of three proposed buried outlets would be relocated: (1) east of Wake Court (Figure 3e, moved approximately 460 feet northeast from Station 173+60 to Station 169+00); (2) south of Victoria Street (Figure 3f, approximately 324 feet northeast from Station 155+24 to Station 152+00); and (3) north of (farther from) Fontana North Skate Park (Figure 3k, approximately 273 feet northeast from Station 19+63 to Station 16+90).
- The location of a proposed rollout west of Lytle Creek Road would be relocated approximately 160 feet southwest (Figure 3j, from Station 29+00 to Station 30+60).
- A number of previously proposed Contractor Work and Storage Areas would no longer be used (Figures 3d through 3k).

- One new permanent easement and several new temporary easements are proposed (Figures 3e, 3f, 3i, 3j, and 3k).
- Three new Contractor Work and Storage Areas within the Etiwanda Hydroelectric Plant Control Facility would be used (Figures 3a and 3b; the majority of which were analyzed in Addendum No. 1).

#### 2.4 PREVIOUSLY DISCLOSED IMPACTS

As disclosed in the FEIR, the Project will result in significant and unmitigable (to less than significant levels) impacts on air quality and noise. It also will result in significant but mitigable (to less than significant levels) impacts on traffic. Impacts associated with biological resources, land use and planning, and greenhouse gas (GHG) emissions were analyzed in detail in the FEIR and determined to have a less than significant impact, with no mitigation required. The Project design includes a number of standard construction measures to avoid or reduce potential impacts on the environment and residents in the area, in addition to the mitigation recommended in the FEIR. Aesthetics, agricultural resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, public services, recreation, and utilities and service systems were identified during the initial environmental review process (prior to the preparation of the EIR) as having no, or less-thansignificant, Project-related impacts, and thus, were not examined in detail in the EIR. Proposed Project revisions would not result in changes to those conclusions; therefore, the impact categories not examined in the FEIR also are not further examined in this Addendum. Also, because analyses of energy, tribal cultural resources, vehicle miles traveled, and wildfire were not required when the FEIR was certified, discussion of these topics is not included in this Addendum.

#### 3.0 ENVIRONMENTAL ANALYSIS

#### 3.1 AIR QUALITY

#### 3.1.1 Summary of Air Quality Impacts from FEIR

Project activities will result in temporary emissions through use of heavy equipment in the Project area as well as vehicle trips to the Project area from commuting construction workers and from delivery/haul trucks. The Project also will generate fugitive dust during grading activities. Maximum daily regional emissions will exceed the SCAQMD thresholds for volatile organic compounds (VOCs), carbon monoxide (CO), oxides of nitrogen (NO<sub>X</sub>), and particulate matter that is 2.5 microns or smaller (PM<sub>2.5</sub>). As such, impacts related to maximum daily regional emissions are potentially significant. Maximum daily local emissions will exceed the SCAQMD thresholds for NO<sub>X</sub>, particulate matter that is 10 microns or smaller (PM<sub>10</sub>), and PM<sub>2.5</sub>, resulting in potentially significant impacts related to maximum daily local emissions. Project-related exceedances of SCAQMD thresholds established for the purposes of maintaining regional air quality could result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, and/or delay timely attainment of air quality standards, resulting in a potentially significant impact related to consistency with applicable air quality plans. Similarly, Project-related pollutant emissions are potentially cumulatively considerable,





















and the impact is potentially significant. The Project also will result in potentially significant impacts due to exposure of sensitive receptors (including workers, residents, and schools) to localized criteria pollutant emissions and toxic air contaminants. Impacts related to odors are less than significant as they are short-term and will not be objectionable to a substantial number of people.

Mitigation measures AIR-1 through AIR-3 identified in the FEIR will reduce the identified significant impacts. The measures include ensuring that all off-road diesel-powered construction equipment greater than 50 horsepower (hp) will meet Tier 4 emission standards (AIR-1), using 2010 model year or newer diesel haul trucks (AIR-2), and using electricity from power poles instead of temporary diesel or gasoline-powered generators and air compressors to reduce the associated emissions, where power poles are within 100 feet of equipment sites and feasible connections are available (AIR-3). Implementation of mitigation measures AIR-1 and AIR-2 will reduce emissions of VOC, NO<sub>X</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Mitigation measure AIR-3 is to be implemented as feasible and will further reduce Project-related emissions; however, because the extent of this measure's feasibility is unknown at this time, reductions were not quantified. Although mitigation measures AIR-1 and AIR-2 will reduce emissions, regional emissions of VOC, CO, and NO<sub>X</sub> as well as local emissions of PM<sub>2.5</sub> will still exceed their respective SCAQMD thresholds of significance. Project-related impacts to air quality will, therefore, be significant and unmitigable. Refer to Sections 3.1.3 through 3.1.5 of the FEIR for more information regarding the air quality impact analysis, applicable mitigation measures, and the resulting conclusions.

#### 3.1.2 Air Quality Impacts Associated with Revised Project

The proposed Project revisions include elimination of several previously planned excavation areas as well as reduction in the amount of excavation that would be required at several other locations. These reductions would outweigh the locations at which additional excavation is proposed. Overall, the activity area would reduce the extent of heavy equipment use and fugitive dust generation, which would incrementally reduce air pollutant emissions. The revisions to the Contractor Work and Storage Areas/easements would not change the generation or dissemination of air pollutants. The emission factors associated with construction equipment and worker vehicle emissions also decrease over time as a result of additional regulations and improved technologies, incrementally reducing the emissions that would be associated with the final phase of construction. The revisions would not result in a new significant impact, nor a substantial increase in the severity of the impacts described in the FEIR. However, the reductions would not be sufficient to reduce impacts to less than significant levels. As analyzed in the FEIR, the implementation of mitigation measures AIR-1 through AIR-3 will reduce impacts, but not to less than significant levels. There are no substantial changes to the Project or changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant air quality impacts or an increase in the severity of previously identified air quality impacts.

#### 3.1.3 Air Quality Mitigation Measures

Mitigation Measures AIR-1 through AIR-3 contained in the FEIR would remain applicable with the proposed Project revisions; no revisions to Project mitigation measures are necessary.

#### 3.2 BIOLOGICAL RESOURCES

#### 3.2.1 Summary of Biological Resources Impacts from FEIR

The Project will temporarily impact 2.6 acres of disturbed Riversidean upland sage scrub in the Contractor Work and Storage Areas and excavation areas. This community is highly disturbed, low in quality, and provides limited biological function and value. Temporary impacts to this community are less than significant. Sensitive native vegetation outside the areas identified for direct disturbance but within the Project area (totaling up to an additional 2.4 acres of Riversidean upland sage scrub) may be subject to disturbance by vehicle access and equipment storage as necessary for Project activities, or by routine vegetation maintenance. Because no permanent removal of habitat is necessary to accommodate temporary access and storage in these areas, vegetation in these communities is expected to recover after Project completion to a community that is functionally equivalent to the limited, disturbed community that currently exists. These areas are isolated habitat fragments in disturbed condition and the potential temporary impact are less than significant.

No significant impacts to sensitive plant species are expected. Three sensitive mammal species were observed within portions of the Project area: San Diego black-tailed jackrabbit, San Diego pocket mouse, and Los Angeles pocket mouse. Project impacts to San Diego jackrabbit are restricted to minor, temporary loss of foraging and movement areas, and are less than significant. Given the low number and density of both San Diego pocket mouse and Los Angeles pocket mouse in the Project area, and the small portion of the Project area that is directly impacted by Project activities, the potential for direct impact to either species is low and potential impacts will not jeopardize the survival of either species. Impacts to these species are less than significant. The study area contains vegetation and structures that provide suitable nesting habitat for common birds, including raptors, protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code. The Project could result in the removal or trimming of vegetation, and elevated noise levels during the general bird nesting season (February 1 through September 15) and, therefore, could result in impacts to nesting birds. If activities are proposed to occur during the general bird nesting season of February 1 through September 15, Metropolitan will retain a qualified biologist to ensure that nesting birds, including burrowing owls, are protected in compliance with the MBTA and California Fish and Game Code. This will ensure that impacts to nesting birds will be less than significant. No direct impacts to burrowing owl are expected, and the potential for indirect impacts outside the Project area is considered to be low. The low likelihood of burrowing owl presence in the areas surrounding the Project, and the implementation of avoidance and minimization measures should any be detected during preactivity nesting bird surveys, will ensure that the Project's impacts to burrowing owl are less than significant.

As impacts to biological resources are less than significant, no mitigation was required. Refer to **Sections 3.2.3 and 3.2.5** of the FEIR for more information regarding the biological resources impact analysis and the resulting conclusions.

#### 3.2.2 Biological Impacts Associated with Revised Project

The proposed Project revisions would occur primarily in areas comprised of disturbed habitat or developed areas, along with small, isolated areas of disturbed/coastal sage scrub. These areas total 0.58 acre of poor-quality habitat. Additionally, this habitat is best characterized in accordance with updated vegetation community classification (Manual of California Vegetation [CNPS 2021b]) as California buckwheat scrub, which is not considered sensitive. Thus, impacts to this vegetation community would be less than what was previously anticipated and less than significant. While a portion of the alignment is now considered occupied by burrowing owl, implementation of Metropolitan Standard Operating Procedures for avoidance of impacts to burrowing owl will ensure that the Project's impacts to the species will remain less than significant.

The revisions would not result in a new significant impact, nor a substantial increase in the severity of the impacts described in the FEIR. As analyzed in the FEIR, impacts to biological resources will be less than significant. There are no substantial changes to the Project or changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant biological impacts or an increase in the severity of previously identified biological impacts. No significant biological impacts would occur.

#### 3.2.3 Biological Resources Mitigation Measures

As described in the FEIR, because impacts to biological resources will be less than significant, no mitigation is required.

#### 3.3 GREENHOUSE GAS EMISSIONS

#### 3.3.1 Summary of Greenhouse Gas Emissions Impacts from FEIR

Project activities will result in GHG emissions through the use of heavy equipment in the Project area, as well as from vehicle trips to and from the Project area by commuting workers and delivery/haul trucks. The amortized Project emissions are less than the identified significance threshold and, therefore, will not be cumulatively considerable. Implementation of the Project also will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. As impacts related to GHG emissions are less than significant, no mitigation was required. Refer to **Sections 3.3.3 and 3.3.5** of the FEIR for more information regarding the GHG emissions impact analysis and the resulting conclusions.

#### 3.3.2 Greenhouse Gas Emissions Impacts Associated with Revised Project

The proposed Project revisions include elimination of several previously planned excavation areas as well as reduction in the amount of excavation that would be required at several other locations. These reductions would outweigh the locations at which additional excavation is proposed. The activity area revisions would reduce the extent of excavation and associated heavy equipment use, which would incrementally reduce GHG emissions. The revisions to the Contractor Work and Storage Areas/easements would not change the generation of GHGs. The revisions would not result in a new significant impact, nor a substantial increase in the severity of the impacts described in the FEIR. The revised Project GHG emissions would still be below

the screening threshold. The proposed revisions would not alter the GHG significance conclusion of the FEIR. There are no substantial changes to the Project or changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant GHG impact or a substantial increase in the severity of previously identified significant effects. No significant GHG impacts would occur.

#### 3.3.3 Greenhouse Gas Mitigation Measures

As described in the FEIR, because impacts related to GHG emissions will be less than significant, no mitigation is required.

#### 3.4 LAND USE AND PLANNING

#### 3.4.1 Summary of Land Use and Planning Impacts from FEIR

Project activities will not interfere with existing or future zoning. The Project is consistent with the environmental goals, policies, and actions of the City of Fontana and City of Rancho Cucamonga General Plans, except with regard to noise. Project activities will exceed the hours of construction activity operation allowed in the City of Fontana Municipal Code and will exceed City of Rancho Cucamonga Municipal Code and General Plan standards with regard to acceptable noise levels near residences (as discussed under Noise, below). Although the Project is inconsistent with noise policies in the General Plans of the cities of Fontana and Rancho Cucamonga, California Government Code Section 53091 exempts Metropolitan, and therefore the Project, from local zoning and building ordinances because the Project pertains to construction of facilities for the production, generation, storage, treatment, or transmission of water by a local agency. The short-term policy conflict represents a noise, rather than a land use, impact. Impacts to land use and planning are less than significant and, therefore, no mitigation was required. Refer to Sections 3.4.3 and 3.4.5 of the FEIR for more information regarding the land use and planning impact analysis and the resulting conclusions.

#### 3.4.2 Land Use and Planning Impacts Associated with Revised Project

The proposed Project revisions include elimination of several previously planned excavation areas as well as reduction in the amount of excavation that would be required at several other locations. These reductions would outweigh the locations at which additional excavation is proposed. The work area revisions would reduce the extent of heavy equipment use and associated noise generation. The revisions to the Contractor Work and Storage Areas/easements would not change the amount of noise generated or the proximity of activities to sensitive receptors. The revisions would not result in a new significant impact, nor a substantial increase in the severity of the impacts described in the FEIR. However, the reductions would not be sufficient to reduce noise impacts to less than significant levels. As noted above, the short-term policy conflict represents a noise, rather than a land use, impact. There are no substantial changes to the Project or changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant land use impacts or an increase in the severity of previously identified land use impacts. No significant land use impacts would occur.

#### 3.4.3 Land Use and Planning Mitigation Measures

As described in the FEIR, because impacts related to land use and planning will be less than significant, no mitigation is required.

#### 3.5 NOISE

#### 3.5.1 Summary of Noise Impacts from FEIR

Project activities will include operation of heavy equipment up to 24 hours per day and 7 days per week. In addition to exceeding the construction hours specified in the Municipal Codes, these activities will result in noise levels exceeding the maximum noise level standards at adjacent residences during both daytime and nighttime hours, which may disrupt nearby noise-sensitive receptors. Metropolitan intends to coordinate with each of the cities to establish allowable work schedules and noise levels to allow deviation from the Municipal Code provisions for daytime and nighttime noise. These work schedules and noise levels will be agreed upon both to protect the public welfare and to accommodate necessary Project construction activities. Nonetheless, the Project work hours and associated noise levels will result in the exposure of adjacent residents to noise levels in excess of established Municipal Code standards, and a significant impact will result.

Mitigation measures NOI-1 through NOI-6 identified in the FEIR will reduce the identified significant impacts. The measures include developing a noise control plan in coordination with the City of Rancho Cucamonga and the City of Fontana; conducting noise monitoring during Project activities; minimizing noise generated by Project activities; limiting hours for certain activities; controlling noise associated with pressurized air venting or leaking from specialty equipment; and controlling noise through equipment location and/or use of noise control barriers. Although these mitigation measures will decrease noise impacts to the extent feasible, the resulting noise levels even with mitigation are expected to exceed significance thresholds at some locations during some periods of Project construction. Resulting impacts will, therefore, be significant and unmitigable. Refer to **Sections 3.5.3 through 3.5.5** of the FEIR for more information regarding the noise impact analysis, applicable mitigation measures, and the resulting conclusions.

#### 3.5.2 Noise Impacts Associated with Revised Project

The proposed Project revisions include elimination of several previously planned excavation areas as well as reduction in the amount of excavation that would be required at several other locations. These reductions would outweigh the locations at which additional excavation is proposed. The Project work area revisions would reduce the extent of heavy equipment use and associated noise generation. One proposed buried outlet would be moved farther from Fontana North Skate Park, which would reduce potential noise impacts to park users. The new location would be closer to homes than the previously proposed location, but would be at a distance consistent with that of other Project features and, thus would not result in an increase in noise impacts. The revisions to the Contractor Work and Storage Areas/easements would not change the amount of noise generated or the proximity of activities to sensitive receptors. The revisions would not result in a new significant impact, nor a substantial increase in the severity of the

impacts described in the FEIR. However, the reductions would not be sufficient to reduce impacts to less than significant levels. As analyzed in the FEIR, the implementation of mitigation measures NOI-1 through NOI-6 will reduce impacts, but not to less than significant levels. There are no substantial changes to the Project or changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant noise impacts or an increase in the severity of previously identified noise impacts.

#### 3.5.3 Noise Mitigation Measures

Mitigation Measures NOI-1 through NOI-6 contained in the FEIR will remain applicable with the proposed Project revisions; no revisions to Project mitigation measures are necessary.

#### 3.6 TRANSPORTATION AND TRAFFIC

#### 3.6.1 Summary of Transportation and Traffic Impacts from FEIR

The Project will generate a total of approximately 1,000 trips per day (using a "passenger car equivalent" [PCE] factor for trucks) with approximately 96 a.m. peak hour trips (7:00 to 9:00 a.m.) and 90 p.m. peak hour trips (4:00 to 6:00 p.m.). The Project will not change the LOS of intersections in the traffic study area from acceptable LOS to unacceptable LOS. The Project will, however, contribute 72 vehicle trips (PCE) during a.m. peak hours at one deficient intersection, Heritage Circle at Baseline Avenue. This impact is considered significant based on the City of Fontana's significance criterion of 50 or more Project-related peak hour vehicle trips at intersections currently operating at unacceptable LOS. Mitigation measure TR-1 in the FEIR will reduce the identified significant impact to less than significant levels. This measure specifies that no more than 50 vehicle trips related to Project activities will use the deficient intersection during the morning peak hours. Refer to **Sections 3.6.3 through 3.6.5** of the FEIR for more information regarding the transportation and traffic impact analysis, applicable mitigation measures, and the resulting conclusions.

#### 3.6.2 Transportation and Traffic Impacts Associated with Revised Project

Although several specific locations previously identified for potential pipeline entry would no longer be used, the overall amount of activity (e.g., equipment deliveries, number of workers) associated with Project activities would not change. Therefore, the amount of traffic generated would be the same as analyzed in the FEIR. The changes in locations of excavation areas would not alter the locations at which Project traffic accesses the public roadway system or associated traffic distribution. The revisions would not result in a new significant impact, nor a substantial increase in the severity of the impacts described in the FEIR. As analyzed in the FEIR, the implementation of mitigation measure TR-1, to limit vehicle trips at the deficient intersection of Heritage Circle at Baseline Avenue, will reduce impacts to less than significant levels. There are no substantial changes to the Project or changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant traffic impacts or an increase in the severity of previously identified traffic impacts.

#### 3.6.3 Transportation and Traffic Mitigation Measures

Mitigation Measure TR-1 contained in the FEIR will remain applicable with the proposed Project revisions; no revisions to Project mitigation measures are necessary.

#### 4.0 CONCLUSION

Section 15164(a) of the Guidelines states:

The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

The proposed revisions to the original Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects due to substantial project changes or a substantial change in circumstances. Furthermore, new information associated with the proposed revisions does not indicate that the Project would have one or more significant effects not discussed in the EIR; that significant effects previously examined would be substantially more severe than shown in the EIR; that mitigation measures or alternatives previously found not to be feasible would in fact be feasible; or that mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternatives. Accordingly, an Addendum was prepared as opposed to a negative declaration or a subsequent EIR. As the Lead Agency for the proposed Project revision, Metropolitan is issuing this Addendum in accordance with the Guidelines (Section 15164).

The Metropolitan Water District of Southern California

| Jennifer Harriger | 03-28-2022                              |
|-------------------|---|
| Signature         | Date                                    |
| Jennifer Harriger | Manager, Environmental Planning Section |
| Printed Name      | Title                                   |

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**Engineering & Operations Committee** 

## Etiwanda Pipeline Rehabilitation Stage 3

Item 7-2 July 12, 2022

### Etiwanda Pipeline Rehabilitation Stage 3

### **Current Action**

 Award a \$25,972,700 contract to Mladen Buntich Construction Company, Inc. for Stage 3 rehabilitation of the Etiwanda Pipeline

### Distribution System



Etiwanda Pipeline Rehabilitation Stage 3



### Background

- 144-inch diam. welded steel pipe
- 40% mortar lining fallen/delaminated
- Remains structurally sound
- Vulnerable to accelerated corrosion
- Results of technical investigations
  - Caused by fluctuating pressures due to hydro plant operations & de-watering
  - Confirmed by outside expert technical review

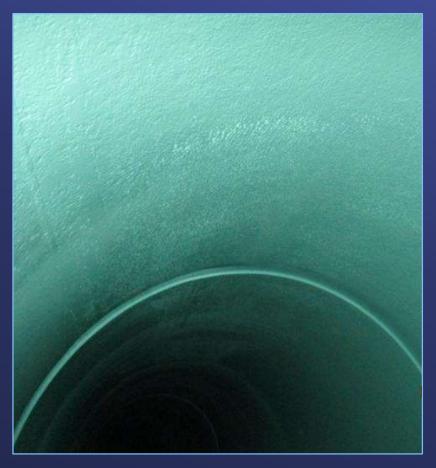


### Background

Condition **Before** Abrasive Blasting



Condition <u>After</u> Application of Coating



### Background

- Metropolitan to furnish 1,300 feet of steel liner
  - To avoid delays in starting construction
  - Minimize contract duration
- Board awarded contract for steel liner in November 2021
- Steel liner to be delivered by August 2022









Etiwanda Steel Pipe in Fabrication

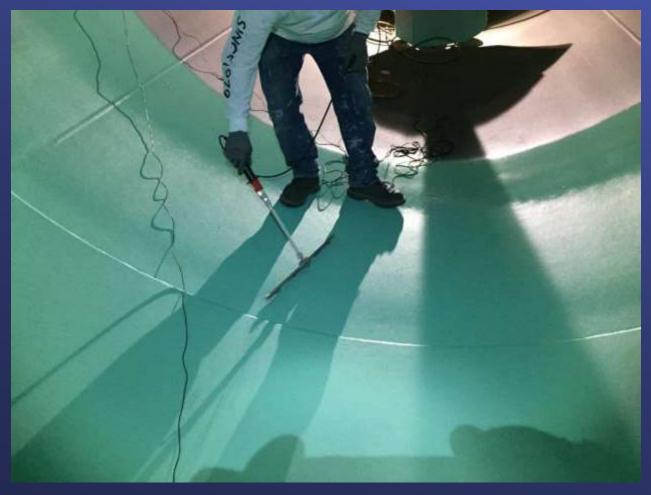
### Etiwanda Pipeline Rehabilitation Stage 3

### **Alternatives Considered**

- Two construction contracts one for each affected city (Rancho Cucamonga and Fontana)
  - Would allow management of geographically diverse projects
  - Requires successive shutdowns spread over multiple years
- Selected alternative One construction contract for the entire 2.5 miles
  - Most efficient way to get project completed
    - Reduces overall project costs: contracting, design and contract administration

### Contractor Scope

- Remove mortar lining
- Reline 2.5 miles of pipeline with polyurethane
- Install 1,300 feet of steel liner
- Install & maintain sound barriers
- Perform traffic control & surface restoration, as required



Measuring Thickness of Polyurethane Lining

### Metropolitan Scope

- Force Construction
  - Remove & replace valves
  - Furnish pipe blind flanges for installation by the contractor
  - Coordinate shutdown & dewatering of pipeline
- Field inspection & construction management
- Submittal review & technical support
- Respond to requests for information
- Environmental monitoring, project management, & contract administration



Shutdown Support



### **Sound Barriers**

Contractor equipment behind sound barriers

- Equipment needed to maintain environment within pipeline
- Equipment will operate 24/7 during in-pipeline work activities
- Residences located within 100 feet at some work site locations
- Public outreach notifying residences of work

# Bid Results Specifications No. 1857

**Bids Received** 

No. of Bidders

Lowest Responsible

Bidder

Low Bid

Range of Bids

Engineer's estimate

SBE Participation\*

June 14, 2022

4

Mladen Buntich Construction

Company, Inc.

\$25,972,700

\$26.17 M to \$29.93 M

\$30.5 M

100%

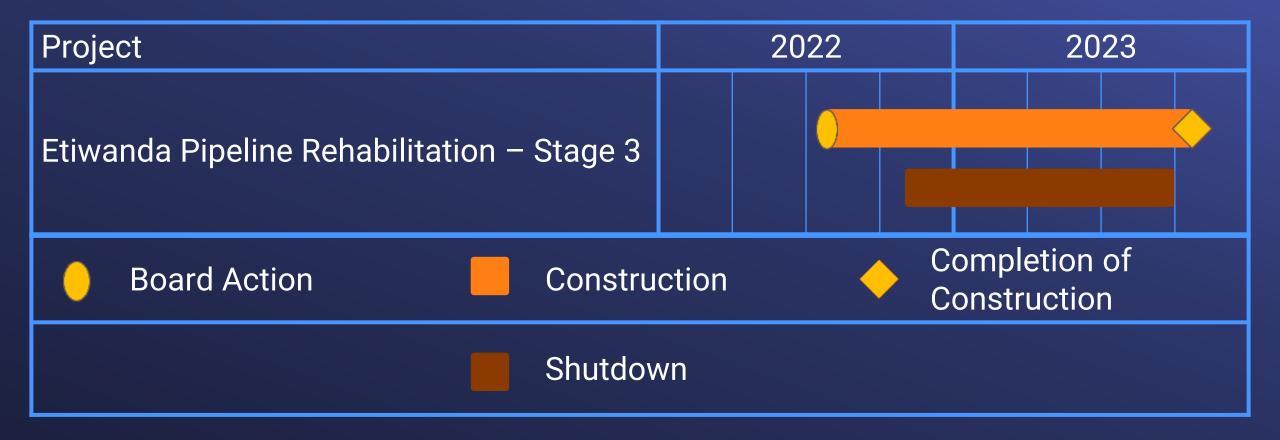
<sup>\*</sup>SBE (Small Business Enterprise) participation level set at 15%

### Allocation of Funds

### Etiwanda Pipeline Rehabilitation - Stage 3

| Contract                                       |                 |
|--|-----------------|
| Mladen Buntich Construction Company, Inc.      | \$25,972,700    |
| Metropolitan Labor                             |                 |
| Owner Costs (Program mgmt., envir. monitoring) | 571,000         |
| Submittal review, technical support & record   | 281,000         |
| drwgs.   | 201,000         |
| Construction management                        | 2,400,000       |
| Force construction                             | 577,000         |
| Materials & Incidentals                        | 200,000         |
| Remaining Budget                               | 2,998,300       |
| Tota   | al \$33,000,000 |

### Project Schedule



### **Board Options**

- Option #1
  - Adopt the CEQA determination that the proposed action has been previously addressed in the certified 2015 Final EIR, related CEQA actions and Addendum No. 3, and
  - a. Award \$25,972,700 contract to Mladen Buntich Construction Company, Inc. to replace a portion of the interior lining of the Etiwanda Pipeline.

Option #2
 Do not proceed with the project at this time.

### Staff Recommendation

• Option #1





# Board of Directors Engineering and Operations Committee

7/12/2022 Board Meeting

7-3

## **Subject**

Authorize an agreement with Jacobs Engineering Group, Inc. for a not-to-exceed amount of \$700,000 to perform final design of security upgrades at the Joseph Jensen Water Treatment Plant; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

#### **Executive Summary**

Metropolitan safeguards critical infrastructure and personnel through a multi-layered combination of physical barriers, contracted security guard services, employee awareness, and a physical security system. A comprehensive assessment has identified the need for enhancements to the existing security measures at the Joseph Jensen Water Treatment Plant (Jensen plant). The planned improvements are consistent with Metropolitan's latest security and technology standards for essential facilities. This action authorizes a professional services agreement for final design to upgrade the security features at the Jensen plant.

#### **Details**

#### **Background**

The Jensen plant was placed into service in 1972 with an initial capacity of 400 million gallons per day (mgd) and expanded to its current capacity of 750 mgd in the 1990s. Located in Granada Hills, the Jensen plant normally treats water from the West Branch of the State Water Project and delivers it to Metropolitan's Central Pool and to exclusive service areas on the west side of the distribution system.

The Jensen plant site encompasses over 150 acres bounded by Balboa Boulevard and San Fernando Road to the north-east and north-west, and the Los Angeles Department of Water and Power property line to the south. The plant site boundaries are delineated by 13,000 linear feet of chain link fence, with 24-hour per day staffed entrances at Balboa Boulevard and San Fernando Road. Approximately 5,000 linear feet of security network cable support an array of video surveillance equipment and badge readers at plant entrances and sensitive areas. These devices were installed in the 1990s with the technology and bandwidth standards of the time.

In recent years, staff has conducted comprehensive threat and physical security assessments of the Jensen plant site and identified critical locations requiring additional video surveillance, lighting, and motion detection. Following these findings, staff initiated preliminary design to upgrade the Jensen plant site security system in accordance with Metropolitan's latest security and technology standards for essential facilities. The devices that require upgrades include video surveillance, lighting and motion detection, public address systems, security network infrastructure, physical barriers, entrances, and signage. Preliminary design of the security enhancements has now been completed, and staff recommends moving forward with final design.

In accordance with the April 2022 action on the biennial budget for Fiscal Years 2022/23 and 2023/24, the General Manager will authorize staff to proceed with the action described herein, pending board authorization of the agreement described below. Based on the current Capital Investment Plan (CIP) expenditure forecast, funds for work to be performed pursuant to this action during the current biennium are available within the CIP Appropriation for Fiscal Years 2022/23 and 2023/24 (Appropriation No. 15525). This project has been reviewed in accordance with Metropolitan's CIP prioritization criteria and was approved by Metropolitan's CIP evaluation team to be included in the Treatment Plant Reliability Program.

#### Jensen Plant Site Security Upgrades – Final Design

Throughout the Jensen plant, site security will be enhanced through the installation of new features including cameras with high-resolution capability to meet the latest bandwidth requirements; new LED lighting and perimeter motion detection at critical locations; public announcement system at both plant entrances for secure outside communication; additional badge readers for improved access control; break resistance film on exterior windows at the Administration Building; and perimeter landscape improvements to screen critical facilities of the plant.

Planned final design activities will be conducted with a hybrid effort of consultant and Metropolitan staff; consultant activities are described below. Metropolitan staff will plan and coordinate final design with the facility's users; perform structural and civil design; and provide environmental support, project management, and consultant oversight.

A total of \$1,329,000 is required for this work. Allocated funds include \$700,000 for final design by Jacobs Engineering Group, Inc., as described below. Allocated funds for Metropolitan staff activities include \$210,000 for structural and civil design, and technical oversight and review of consultant's work; \$219,000 for environmental support, project management, and project controls; and \$200,000 for remaining budget.

Attachment 1 provides the allocation of the required funds.

As described above, final design will be performed by Jacobs Engineering Group and Metropolitan staff. Engineering Services' performance metric target range for final design with construction more than \$3 million is 9 to 12 percent. For this project, the performance metric goal for final design is 12 percent of the total construction cost. The estimated cost of design is \$910,000, which includes \$700,000 for Jacobs Engineering Group and \$210,000 for Metropolitan staff. The estimated cost of construction for this project is anticipated to range from \$7.5 million to \$8.5 million.

#### Engineering Services (Jacobs Engineering Group, Inc.) - New Agreement

Jacobs Engineering Group, Inc. is recommended to perform final design to upgrade the security features at the Jensen plant. Jacobs Engineering was prequalified through Request for Qualification No. 1215 and was selected based on the firm's expertise in security systems for large commercial/industrial properties including water treatment plants. Jacobs Engineering completed the preliminary design for this project under an existing agreement.

The planned final design activities will include: (1) development of final design drawings and specifications; (2) equipment procurement support; and (3) preparation of an engineer's cost estimate.

This action authorizes an agreement with Jacobs Engineering Group, Inc. for a not-to-exceed amount of \$700,000 for final design to upgrade the security features at the Jensen plant site. For this agreement, Metropolitan has established a Small Business Enterprise participation level of 25 percent. Jacobs Engineering has agreed to meet this level of participation. The planned subconsultant for this work is DRP Engineering.

#### **Alternatives Considered**

Alternatives considered for completing final design activities for the Jensen plant site security upgrades included assessing the availability and capability of in-house Metropolitan staff to conduct this work. Metropolitan's staffing strategy for utilizing consultants and in-house Metropolitan staff has been: (1) to assess current work assignments for in-house staff to determine the potential availability of staff to conduct this work; and (2) for long-term rehabilitation projects when resource needs exceed available in-house staffing or require specialized technical expertise.

In the case of this project, Metropolitan staff maintains the core competencies and technical capabilities to perform the design work for civil and structural project elements. The consultant will be relied upon to design the specialized security equipment, supporting infrastructure, and related electrical and instrumentation components. In this manner, in-house staff will continue to address a baseload of work on capital projects, while the professional services agreement will be relied upon to perform work that falls outside of the core competencies of in-house staff. This approach will allow for the efficient and timely completion of this project.

#### **Summary**

This action authorizes an agreement with Jacobs Engineering Group, Inc. for a not-to-exceed amount of \$700,000 to perform final design for security upgrades at the Jensen plant. See **Attachment 1** for the Allocation of Funds; and **Attachment 2** for the Location Map.

#### **Project Milestone**

May 2023 – Completion of final design of security upgrades at Jensen

#### **Policy**

Metropolitan Water District Administrative Code Section 5108: Appropriations

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 52778, dated April 12, 2022, the Board appropriated a total of \$600 million for projects identified in the Capital Investment Plan for Fiscal Years 2022/23 and 2023/24.

#### California Environmental Quality Act (CEQA)

#### **CEQA** determination for Option #1:

The proposed action is categorically exempt under the provisions of CEQA and the State CEQA Guidelines. The overall activity involves the funding, studying, carrying out preliminary design, and preparing and processing environmental documentation for the proposed action. These activities consist of basic data collection and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource. This may be strictly for information gathering purposes, or as part of a study leading to an action, which a public agency has not yet approved, adopted, or funded. Accordingly, the proposed action qualifies for a Class 6 Categorical Exemption (Sections 15306 of the State CEQA Guidelines).

#### **CEQA determination for Option #2:**

None

#### **Board Options**

#### Option #1

Authorize an agreement with Jacobs Engineering Group, Inc. for a not-to-exceed amount of \$700,000 to perform final design for security upgrades at the Jensen plant.

**Fiscal Impact:** \$700,000 in capital funds. Approximately \$700,000 in capital funds will be incurred in the current biennium and has been previously authorized.

**Business Analysis:** This option will bring the plant site security features up to the latest industry and Metropolitan standards.

#### Option #2

Do not proceed with an agreement at this time.

Fiscal Impact: None

**Business Analysis:** This option would forego an opportunity to enhance the Jensen plant site security and improve protection for critical infrastructure and personnel.

## **Staff Recommendation**

Option #1

6/22/2022

Date

John V. Bednarski Manager/Chief Engineer

6/28/2022 Adel Hagekhalil Date

General Manager

Attachment 1 - Allocation of Funds

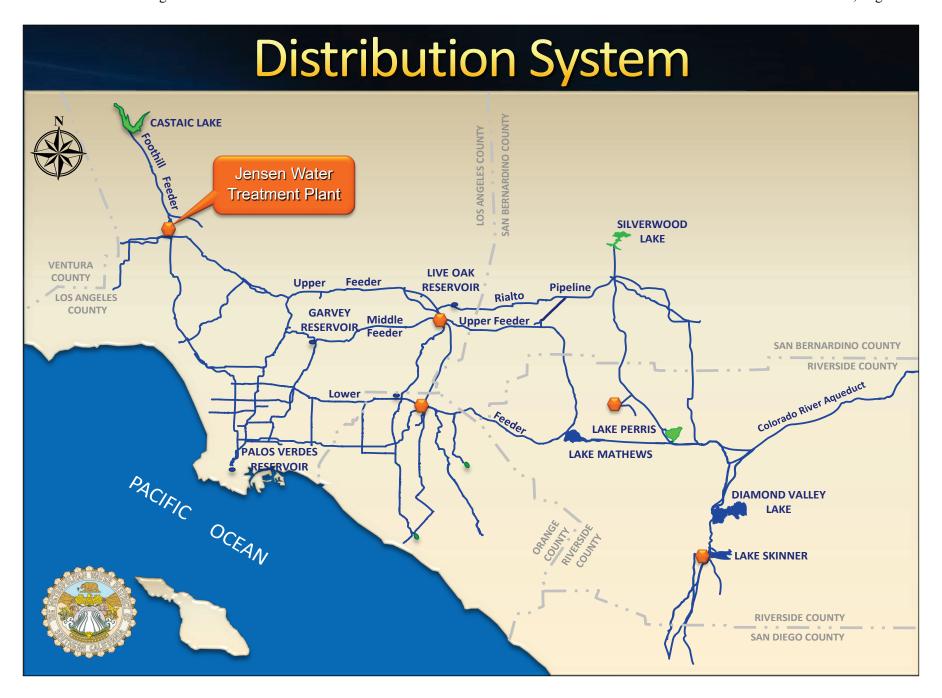
**Attachment 2 – Location Map** 

Ref# es12682474

## Allocation of Funds for Jensen Plant Site Security Upgrades

|                                   | Current Board Action <sup>1</sup> (July 2022) |           |
|-----------------------------------|---|-----------|
| Labor                             |   |           |
| Studies & Investigations          | \$  | -         |
| Final Design                      |   | 210,000   |
| Owner Costs (Program mgmt.,       |   | 219,000   |
| envir. planning)                  |   |           |
| Submittals Review & Record Drwgs. |   | -         |
| Construction Inspection & Support |   | -         |
| Metropolitan Force Construction   |   | -         |
| Materials & Supplies              |   | -         |
| Incidental Expenses               |   | -         |
| Professional/Technical Services   |   |           |
| Jacobs Engineering Group          |   | 700,000   |
| Right-of-Way                      |   | -         |
| Equipment Use                     |   | -         |
| Contracts                         |   | -         |
| Remaining Budget                  |   | 200,000   |
| Total                             | \$  | 1,329,000 |

The total amount expended to date to upgrade the Jensen plant site security system is approximately \$900,000. The total estimated cost to complete the project, including the amount allocated to date, current funds requested, and future construction cost, is approximately \$9.5 million.





## **Engineering & Operations Committee**

# Jensen Security Upgrades

Item 7-3 July 12, 2022

# **Current Action**

Jensen Security Upgrades Authorize an agreement with Jacobs
 Engineering Group, Inc., in an amount not to
 exceed \$700,000 to perform final design of
 security upgrades at the Jensen plant

# Distribution System



# Background

- 150 acres of critical treatment infrastructure
- 13,000 linear feet of chain-link fencing
- Bordered by two major streets to the north, & LADWP facilities to the south



# Background

- Security cameras & lighting require upgrades to meet latest security standards
- Security network cable installed in the 1990s & does not support bandwidth of modern surveillance equipment
- Perimeter security enhancements recommended



Jensen plant perimeter fencing

## Planned Work

- Replace & add cameras, lighting, & badge readers
- Upgrade supporting infrastructure for security network
- Perimeter enhancements including fencing, drought tolerant landscaping, & other security enhancements



Example of landscape concealment at La Verne Facilities



Outdated analog cameras at Jensen Plant

# Jensen Security Upgrades

## **Alternatives Considered**

- Conduct all final design activities with Metropolitan staff
- Selected alternative Develop final design with a hybrid effort of consultant & Metropolitan staff
  - Metropolitan staff retained for civil & structural engineering
  - Consultant retained for security expertise

# Jensen Security Upgrades

# New Agreement – Jacobs Engineering Group, Inc.

- Prequalified under RFQ No. 1215
- Scope of Work:
  - Final design drawings & specifications
  - Equipment procurement support
  - Engineer's cost estimate
- SBE participation level: 25%
- NTE amount: \$700,000

# Jensen Security Upgrades

# Metropolitan Scope

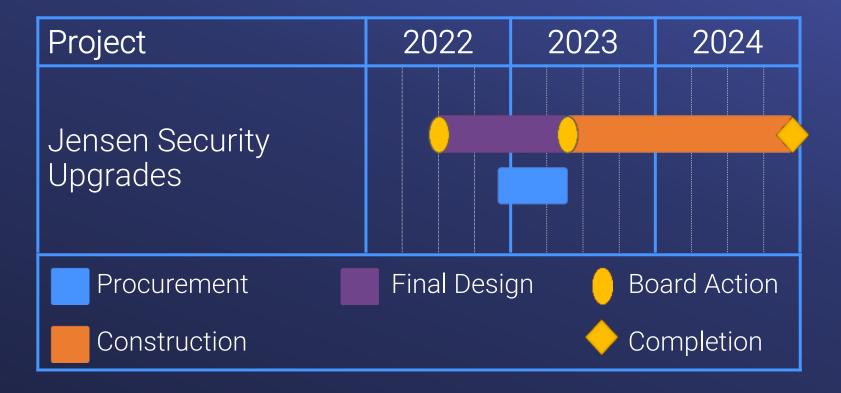
- Final design for structural & civil project elements
- Project management & design oversight
- Environmental support for CEQA

# Allocation of Funds

# Jensen Security Upgrades

| Metropolitan Labor                              |       |             |
|---|-------|-------------|
| Final design                                    |       | \$ 210,000  |
| Program mgmt., contract admin. & envir. support |       | 219,000     |
| Professional Services                           |       |             |
| Jacobs Engineering Group, Inc.                  |       | 700,000     |
| Remaining Budget                                |       | 200,000     |
|   | Total | \$1,329,000 |

# Project Schedule



# **Board Options**

Option #1

Authorize an agreement with Jacobs Engineering Group, Inc. for a not-to-exceed amount of \$700,000 to perform final design for security upgrades at the Jensen plant.

Option #2

Do not proceed with an agreement at this time.

# Staff Recommendation

• Option #1



Board of Directors
 One Water Committee

7/12/2022 Board Meeting

**Revised 7-4** 

## Subject

Review and consider the Jurupa Community Services District's approved Final Initial Study/Mitigated Negative Declarations and four Addenda and take related CEQA actions; Authorize the General Manager to enter into a Local Resources Program Agreement with Western Municipal Water District and Jurupa Community Services District for the JCSD Recycled Water Program for up to 500 AFY of recycled water for irrigation use and groundwater recharge in the JCSD service area.

#### **Executive Summary**

This letter requests authorization for Metropolitan to enter into a Local Resources Program (LRP) Agreement with Western Municipal Water District (Western) and the Jurupa Community Services District (JCSD) for the JCSD Recycled Water Program (Project). The Project would provide up to 500 acre-feet per year (AFY) of recycled water for irrigation use and groundwater recharge in the JCSD service area. The Project helps Metropolitan increase regional water supply reliability, reduce future demands for imported water supplies, and achieve its Integrated Resources Plan (IRP) goals. In addition, the Project helps Metropolitan comply with a legislative direction under Senate Bill 60 (SB 60) to expand water conservation, recycling, and groundwater storage and replenishment.

#### **Details**

#### **Background**

Metropolitan created the LRP to provide financial incentives to local projects, such as water recycling, groundwater recovery, and seawater desalination, developed by local and member agencies. Since the inception of the LRP in 1982, Metropolitan has provided financial assistance for the production of over 4.2 million acre-feet of recycled water and recovered groundwater. These programs help Metropolitan meet its legislative mandates under SB 60 to expand water conservation, recycling, and groundwater storage and replenishment measures. These projects also provide benefits to all member agencies regardless of the individual project location. Benefits include helping increase water supply reliability, reducing imported water demands, decreasing the burden on Metropolitan's infrastructure, reducing system costs, and freeing up conveyance capacity. In fiscal year 2020/21, Metropolitan incentivized member agencies to produce about 118,000 acre-feet (AF) of local supply. In October 2018, the Board approved an interim LRP target to develop additional contractual yield.

#### **Proposed Project**

To increase local supply development, staff recommends that the Board authorize the General Manager to enter into an LRP Agreement with Western and JCSD to provide financial incentives for the Project. The Project will deliver recycled water for irrigation use and groundwater recharge. The Project consists of the installation of a new pump station at the Western Riverside County Regional Wastewater Authority Treatment Plant and approximately 17,000 linear feet of transmission backbone from the pump station via River Road to Hellman Avenue. Additionally, the Project will expand a section of the existing non-potable water pipeline system by 38,000 linear feet of distribution pipeline in the northern part of the city of Eastvale along 65th Street and Scholar Way. JCSD will own and operate the Project and plans to deliver water by 2024.

The Project, described in **Attachment 1**, complies with the LRP criteria adopted by the Board on October 13, 2014. Key terms of the proposed agreement, subject to approval in form by the General Counsel, include the following:

- 1. Agreement term is 25 years for a contract yield of 500 AFY.
- 2. Pay for performance LRP financial incentives are only for advanced treatment of recycled water delivered by the Project for beneficial use.
- 3. Sliding Scale incentives up to \$475 per AF paid for up to 15 years, calculated annually based on actual project unit costs that exceed Metropolitan's prevailing water rate.
- 4. Termination for nonperformance if construction does not commence within two years of agreement execution or if recycled water deliveries are not realized within four years of agreement execution.
- 5. Reduction in Metropolitan's contract commitment if the Project falls short of production targets measured in four-year intervals throughout the agreement term.

#### **Policy**

By Minute Item 49923, dated October 14, 2014, the Board approved refinements to the Local Resources Program to encourage additional local resource production.

By Minute Item 51356, dated October 9, 2018, the Board approved an interim Local Resources Program target yield of 170,000 AFY of new water production.

#### California Environmental Quality Act (CEQA)

#### **CEQA determination for Option #1:**

Pursuant to the provisions of CEQA and the State CEQA Guidelines, JCSD, acting as Lead Agency, prepared and processed a Mitigated Negative Declaration (MND) for the proposed Project in Riverside County. The MND was adopted, and the Project was approved by the Lead Agency on October 1, 2015. The Lead Agency also approved the Project Mitigation Monitoring and Reporting Program (MMRP). Subsequently, JCSD prepared four Addenda to the Final MND to identify minor project modifications (dated November 13, 2015, April 20, 2016, June 20, 2018, and October 6, 2021).

Metropolitan, as a Responsible Agency under CEQA, is required to certify that it has reviewed and considered the information in the Final MND and Addenda and adopt the Lead Agency's findings and MMRP prior to the approval of the formal terms and conditions for the proposed agreement. The environmental documentation is included in **Attachment 2** and **Attachment 3**.

#### **CEQA** determination for Option #2:

None required

#### **Board Options**

#### Option #1

Review and consider JCSD's Initial Study/Final MND, MMRP, and four addenda and take related CEQA actions, and authorize the General Manager to enter into a Local Resources Program Agreement with Western Municipal Water District and Jurupa Community Services District for the JCSD Recycled Water Program for up to 500 AFY of recycled water for irrigation use and groundwater recharge in the JCSD service area.

**Fiscal Impact:** Metropolitan's maximum financial obligation would be up to \$3,562,500 for a project yield of 500 AF over 15 years. Staff factors these incentive payments into Metropolitan's rate projections and includes them in future budgets.

**Business Analysis:** The Project would help Metropolitan to achieve its IRP goals and meet its legislative mandates, while reducing the district's system costs.

#### Option #2

Do not authorize the execution of an agreement for the Project.

Fiscal Impact: None

Business Analysis: Metropolitan would pursue other projects, and it may take longer to meet IRP goals.

#### **Staff Recommendation**

Option #1

Brad Coffey

Manager, Water Resource Management

6/23/2022

Date

Date

6/24/2022

Adel Hagekhalil General Manager

Attachment 1 – Jurupa Community Services District Recycled Water Program – Project Description

Attachment 2 - Final IS MND MMRP Jurupa Community Services District Recycled Water

Attachment 3 – Addenda 1-4 to Final IS MND Jurupa Community Services District Recycled Water

Ref# wrm12687376

#### **ATTACHMENT 1**

#### JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER PROGRAM

#### **Project Description**

#### Overview

The Jurupa Community Services District Recycled Water Program (Project) will be owned and operated by the Jurupa Community Services District (Jurupa) to convey about 500 acre-feet per year (AFY) of recycled water to parks operated and maintained by Jurupa, local schools, a few commercial areas, and roadways medians and parkways in the cities of Eastvale and Jurupa Valley in Riverside County. The Project will use recycled water produced at the Western Riverside County Regional Wastewater Authority Treatment Plant (WRCRWA). Currently, all the effluent from the WRCRWA facility is discharged directly to the Santa Ana River. WRCRWA is not part of this agreement.

#### **Project Facilities**

The Project (as shown in Figure 1) consists of the installation of a new pump station at the WRCRWA treatment plant and approximately 17,000 linear feet of 24-inch diameter transmission backbone from the pump station via River Road to Hellman Ave. Additionally, the Project also consists of expanding a section of the existing non-potable water pipeline system by 38,000 linear feet of distribution pipeline ranging in diameter from 8 inches to 18 inches in the northern part of the city of Eastvale along 65th Street and Scholar Way.

#### **Source of Water**

Source water for the Project will be tertiary treated recycled water supplied by the Western Riverside County Regional Wastewater Authority Treatment Plant located at the southern tip of the city of Eastvale.

#### **End Users**

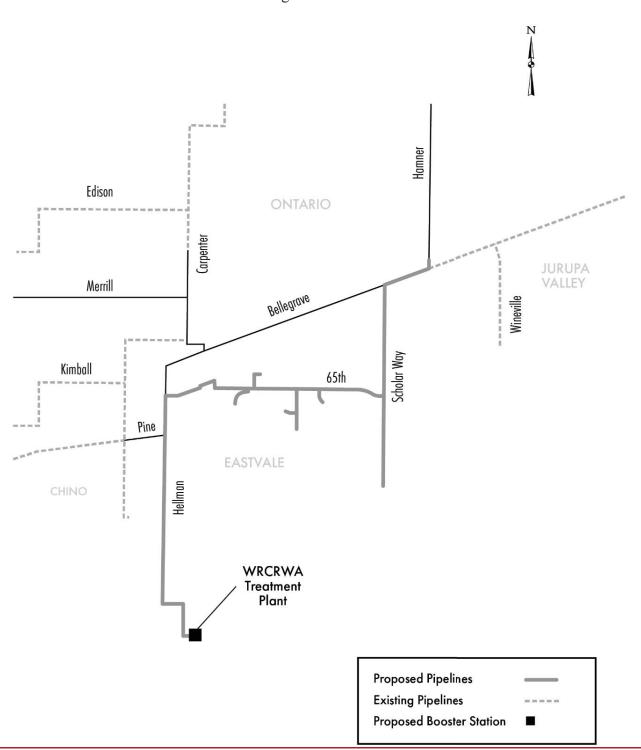
There are currently no existing recycled water users in the Jurupa service area. The Project will deliver 500 AFY of recycled water for irrigation use in parks operated and maintained by Jurupa, local schools, commercial areas, and roadway medians and parkways.

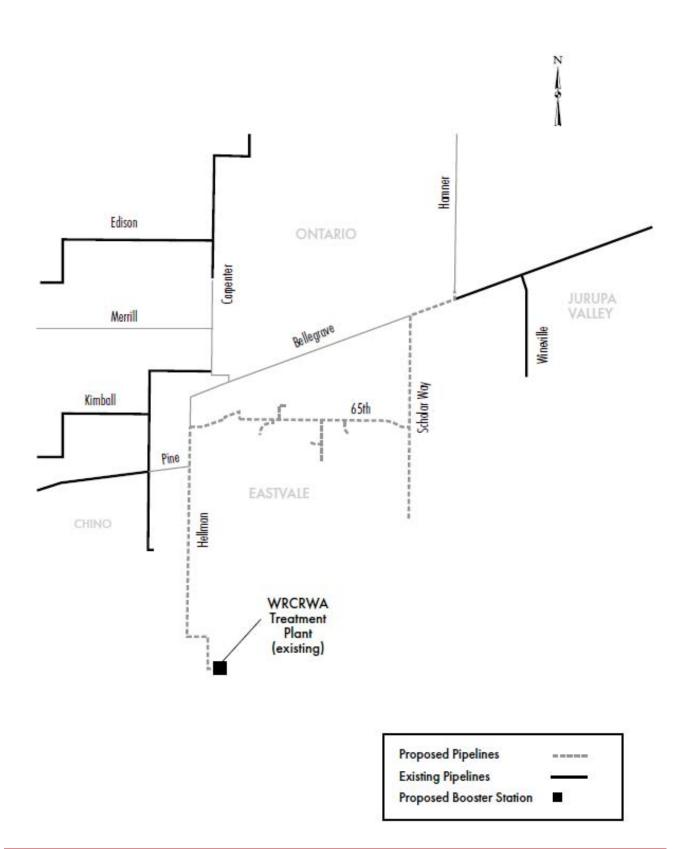
## **Points of Connection**

Project facilities begin at the proposed pump station at WRCRWA and end at the following points of connection:

- Potable water, sewer, and storm drain system
- Influent to the pump station
- WRCRWA
- Each Project End-User
- Existing recycled water systems

Figure 1





JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER PROGRAM





FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (CEQA AND CEQA-PLUS)

RESPONSES TO COMMENTS REGARDING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

MITIGATION MONITORING AND REPORTING PROGRAM

Jurupa Community Services District Recycled Water Service Expansion District Project No. C133656

## Prepared for:



September 1, 2015



Final Initial Study/Mitigated Negative Declaration Responses to Comments Regarding Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program Jurupa Community Services District Recycled Water Service Expansion District Project No. C133656

## **Table of Contents**

The CEQA documents for the Recycled Water Service Expansion, District Project No. C133656 to be considered by the Jurupa Community Services District Board of Directors consists of the following:

| Section 1 | Final Initial Study/Mitigated Negative Declaration                                 |
|-----------|--|
| Section 2 | Responses to Comments Regarding Final Initial Study/Mitigated Negative Declaration |
| Section 3 | Mitigation Monitoring and Reporting Program  |

Final Initial Study/Mitigated Negative Declaration Responses to Comments Regarding Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program Jurupa Community Services District Recycled Water Service Expansion District Project No. C133656

## Section 1

## **Final Initial Study/Mitigated Negative Declaration**

## FINAL INITIAL STUDY (CEQA AND CEQA-PLUS)

#### **FOR**

## JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER SERVICE EXPANSION DISTRICT PROJECT NO. C133656

#### Prepared for:

Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752 Contact: Robert O. Tock, P.E. Director of Engineering & Operations (951) 685-7434

#### Prepared by:

Albert A. Webb Associates 3788 McCray Street Riverside, CA 92506 Contact: Cheryl DeGano Principal Environmental Analyst (951) 686-1070

September 1, 2015

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## **ACRONYMS AND ABBREVIATIONS**

APNs Assessor's Parcel Numbers
AQMP Air Quality Management Plan

Basin South Coast Air Basin

BMPs Best Management Practices

CalEEMod California Emissions Estimator Model
Caltrans California Department of Transportation
CDFW California Department of Fish and Wildlife

CEQA California Environmental Quality Act

Chino City of Chino, California

CMP Congestion Management Program

CNDDB California Natural Diversity Data Base

CNPSEI California Native Plant Society Electronic Inventory

CNUSD Corona-Norco Unified School District

DSFLF Delhi sands flower-loving fly

DTSC California Department of Toxic Substances Control

Eastvale City of Eastvale, California
EIR Environmental Impact Report

GHG Greenhouse Gas

HCP Habitat Conservation Plan
IEUA Inland Empire Utilities Agency

IS/MND Initial Study/Mitigated Negative Declaration

JCSD Jurupa Community Services District

Jurupa Valley City of Jurupa Valley, California

JUSD Jurupa Unified School District

LST Localized significance thresholds

MBTA Migratory Bird Treaty Act
MGD Million gallons per day
MRZ Mineral Resources Zone

MSHCP Multiple Species Habitat Conservation Plan

NAHC Native American Heritage Commission

NEPSSA Narrow Endemic Plant Species Survey Area

NPDES National Pollutant Discharge Elimination System

Ontario City of Ontario, California
PQP Public/Quasi-Public Lands

PRC Public Resources Code

RCFCWCD Riverside County Flood Control and Water Conservation District

ROW Right(s)-of-way

SARWQCB Santa Ana Regional Water Quality Control Board
SBCFCD San Bernardino County Flood Control District
SCAQMD South Coast Air Quality Management District

SRA Source Receptor Area
SRF State Revolving Fund

SWPPP Storm Water Pollution Prevention Plan SWRCB State Water Resources Control Board

USFWS U.S. Fish and Wildlife Service
WMWD Western Municipal Water District

WRCRWA Western Riverside County Regional Wastewater Authority

## UNITS OF MEASUREMENT AND CHEMICAL SYMBOLS

CH<sub>4</sub> Methane

CO Carbon monoxide CO<sub>2</sub> Carbon dioxide

CO<sub>2</sub>E Carbon dioxide equivalent

dBA A-weighted decibels

kV Kilovolt

MTCO<sub>2</sub>/year Metric tons of carbon dioxide per year

N<sub>2</sub>O Nitrous oxide

NO<sub>X</sub> Oxides of nitrogen

PM-10 Particulate matter 2.5 to 10 microns in diameter PM-2.5 Particulate matter 2.5 microns or less in diameter

SO<sub>2</sub> Sulfur dioxide

VOC Volatile organic compounds

## A. INTRODUCTION AND PROJECT DESCRIPTION

#### 1. INTRODUCTION

This document has been prepared pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000 *et seq.*), the State *CEQA Guidelines* (California Code of Regulations Sections 15000 *et seq.*), the Jurupa Community Services District's (JCSD) *Local Guidelines for Implementing the California Environmental Quality Act* (2015 Revision), and is consistent with the CEQA-Plus requirements of the State Water Resources Control Board (SWRCB) State Revolving Fund (SRF) Program for Environmental Review and Federal Coordination. JCSD will serve as the lead agency for CEQA purposes. Western Municipal Water District (WMWD) and the Inland Empire Utilities Agency (IEUA) are responsible agencies.

Section 15063(c) of the State *CEQA Guidelines* lists the following purposes of an Initial Study:

- Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR [Environmental Impact Report] or a Negative Declaration;
- 2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration;
- 3. Assist in the preparation of an EIR, if one is required;
- 4. Facilitate environmental assessment early in the design of a project;
- 5. Provide documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment;
- 6. Eliminate unnecessary EIRs; and
- 7. Determine whether a previously prepared EIR could be used with the project.

According to Section 15070 (Decision to Prepare a Negative Declaration or Mitigated Negative Declaration) of Article 6 (Negative Declaration Process) of the State CEQA Guidelines:

A public agency shall prepare or have prepared a proposed negative or mitigated negative declaration for a project subject to CEQA when:

- a) The initial study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- b) The initial study identified potentially significant effects, but:
  - Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
  - 2) There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

The purpose of this Initial Study/Mitigation Negative Declaration (IS/MND) is to assess impacts resulting from the construction and operation of the recycled water distribution system described below.

Where comments received on the IS/MND during the public review period and JCSD's responses resulted in changes to the text of the IS/MND, changes are shown in the Final IS/MND text using the following conventions:

- Text added to the Final IS/MND is shown as <u>underline</u>.
- Text deleted from the Final IS/MND is shown as strikethrough.

Textual changes to the Final Is/MND do not constitute "substantial revision" as defined in Section 15073.5(b) of the State *CEQA Guidelines*, therefore, recirculation of the IS/MND is not required.

This IS/MND is organized as follows:

- A. Introduction and Project Description, which provides the context for review along with applicable citation pursuant to CEQA and the State CEQA Guidelines, discusses the purpose and need for the project, describes the project, and identifies any required permits and approvals for the project.
- B. **Environmental Setting**, which provides a discussion of the environmental setting in which the project will be implemented.
- C. **Environmental Checklist Form**, which provides an environmental impact assessment consisting of the JCSD's environmental checklist and accompanying analysis for responding to the checklist questions.

- D. CEQA-Plus, addresses the requirements of CEQA-Plus and provides project analysis per the SWRCB Clean Water SRF Program Evaluation for Environmental Review and Federal Coordination. The SWRCB acts as the "federal clearinghouse" for review of the document by federal agencies due to federal dollars being assigned to the project though the Environmental Protection Agency-funded SRF program.
- E. **References**, which includes a list of reference sources, the location of reference material used in the preparation of this IS/MND, and identifies those responsible for preparation of the IS/MND and other parties contacted during the preparation of the IS/MND.
- F. **Acronyms and Abbreviations**, which contains a list of the acronyms and abbreviations used in the IS/MND.

#### **Environmental Process**

The environmental process being undertaken as part of the proposed project began with the project's proposal and environmental research. Pursuant to Section 15073 of the State *CEQA Guidelines*, the Draft IS/MND was circulated for a 30-day period between July 29, 2015, and August 27, 2015, to the State Clearinghouse, responsible agencies, and interested parties for review and comment. Comments received from the public review period for this project and JCSD's responses to each comment are included in the Response to Comments document.

## Incorporation by Reference<sup>1</sup>

Pertinent documents relating to this IS/MND have been cited and incorporated, in accordance with Sections 15148 and 15150 of the State *CEQA Guidelines*, to eliminate the need for inclusion of large planning documents within the IS/MND. Of particular relevance are those previous studies that present information regarding descriptions of the environmental setting, future development-related growth, and cumulative impacts. The following documents are hereby identified as being incorporated by reference:

City of Eastvale General Plan, adopted June 13, 2012

Riverside County General Plan, Jurupa Area Plan, adopted October 2003, updated November 24, 2014

Riverside County General Plan, adopted October 2003, amended through December 9, 2014

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<sup>&</sup>lt;sup>1</sup> For the locations of these documents incorporated by reference, please see Section E of this document.

City of Chino General Plan 2025, adopted July 6, 2010

The Ontario Plan, adopted January 27, 2010

Final Program Environmental Impact Report, Recycled Water Program, Western Riverside County Regional Wastewater Authority, certified November 14, 2012

## 2. PURPOSE AND NEED FOR THE PROJECT

The purpose and need for the project is to convey treated effluent from the Western Riverside County Regional Wastewater Authority (WRCRWA)

Treatment Plant for conveyance to Inland Empire Utilities Agency (IEUA) facilities for groundwater or for landscape irrigation of parks, schools, and lots with reverse frontage<sup>2</sup> within the western portion of JCSD' service area. The recycled water system will use its own pipelines that are completely separate from potable/drinking water pipelines and distribution system, and will be treated to California Code of Regulations Title 22 standards. By using recycled water for irrigation, JCSD and its customers benefit by reducing the quantity of potable water used within its service area, which promotes sustainable water solutions. Similarly, the reduction in potable water demand will serve to offset energy use resulting from this Project as less potable water will need to be conveyed from JCSD's existing water supply sources.

## 3. Project Description

JCSD identified potential distribution and storage facilities to convey recycled water that has been treated to Title 22 standards to IEUA's facilities and serve landscape irrigation needs within the western portion of its service area. JCSD's service area is located in northwestern Riverside County and includes the City of Eastvale (Eastvale) and a majority of the City of Jurupa Valley (Jurupa Valley). Refer to **Figure 1 – JCSD Boundary**. The western portion of the service area that will be served by the proposed recycled water system includes Eastvale and the southwestern portion of Jurupa Valley. The recycled water will be sourced from JCSD's, WMWD's, the City of Norco's, and/or Home Gardens Sanitary District's allocation of treated effluent from the WRCRWA Treatment Plant (operated by WMWD) in Eastvale and/or the IEUA recycled water system in San Bernardino County.

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<sup>&</sup>lt;sup>2</sup> Reverse frontage refers to lots where the back side of a lot fronts a major street.

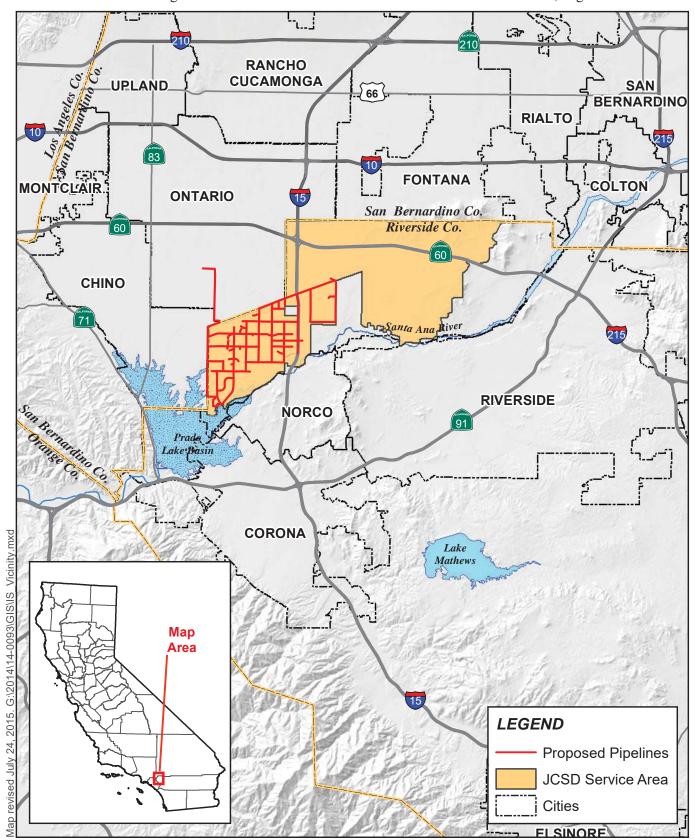


Figure 1 - Vicinity Map

JCSD Recycled Water Service Expansion





The WRCRWA Treatment Plant's (hereinafter Treatment Plant) present design capacity is 8 million gallons per day (MGD). Expansion of the Treatment Plant to a capacity of approximately 14 MGD is currently underway and the expansion is anticipated to be completed by 2017.<sup>3</sup> JCSD, as a member agency of WRCRWA, has the right to take delivery and use recycled water from the Treatment Plant in an allocation that is equal to the amount of reclaimable wastewater that JCSD delivers to the Treatment Plant less any amount consumed during the course of the Treatment Plant's operations; moreover, JCSD may also temporarily take delivery of surplus recycled water.<sup>4</sup>

The Treatment Plant currently discharges tertiary-treated water into the Santa Ana River. Part of the goals and objectives of the Treatment Plant's previously approved enhancement and expansion project is to decrease the amount of recycled water discharged to the Santa Ana River and increase the use of recycled water within economic distance of the Treatment Plant as well as to decrease the dependence on imported water supplies within the service areas of WRCRWA members. <sup>5</sup> The Recycled Water Program Environmental Impact Report (EIR) analyzed connecting to IEUA's recycled water system (WRCRWA(a), pp. ES-5, 2-5). The Recycled Water Program EIR's analysis assumed 8 MGD of treated effluent was available and a demand of up to 1,153 acre-feet per year in the western portion of JCSD's service area (WRCRWA(a), pp. ES-5, 2-5, 2-10). It should be noted, however, that 8 MGD of treated effluent available to JCSD represents a very conservative assumption for analysis purposes, and the actual quantity delivered to JCSD may also be affected by the subsequent allocation agreements between other WRCRWA member agencies or if SWRCB were to require the Treatment Plant to maintain a certain quantity of treated effluent be released into the Santa Ana River.

The Recycled Water Program EIR analyzed the environmental impacts associated with the decreased discharge of treated effluent to the Santa Ana River that will result from JCSD, WMWD, and other member agencies taking delivery of the treated effluent (WRCRWA(a), pp. ES-3). The analysis of the instream impact to the Santa Ana River was required as part of WRCRWA filing a "Wastewater Change Petition" with SWRCB's Division of Water Rights in accordance with California Water Code Section 1211 (WRCRWA(a), pp. 1-7, 6-12, 6-17–6-24). The Recycled Water Program EIR did not analyze the

<sup>&</sup>lt;sup>3</sup> Source: http://www.wmwd.com/index.aspx?NID=186, accessed July 23, 2015.

<sup>&</sup>lt;sup>4</sup> As set forth in WRCRWA's Resolution No. 97-38.

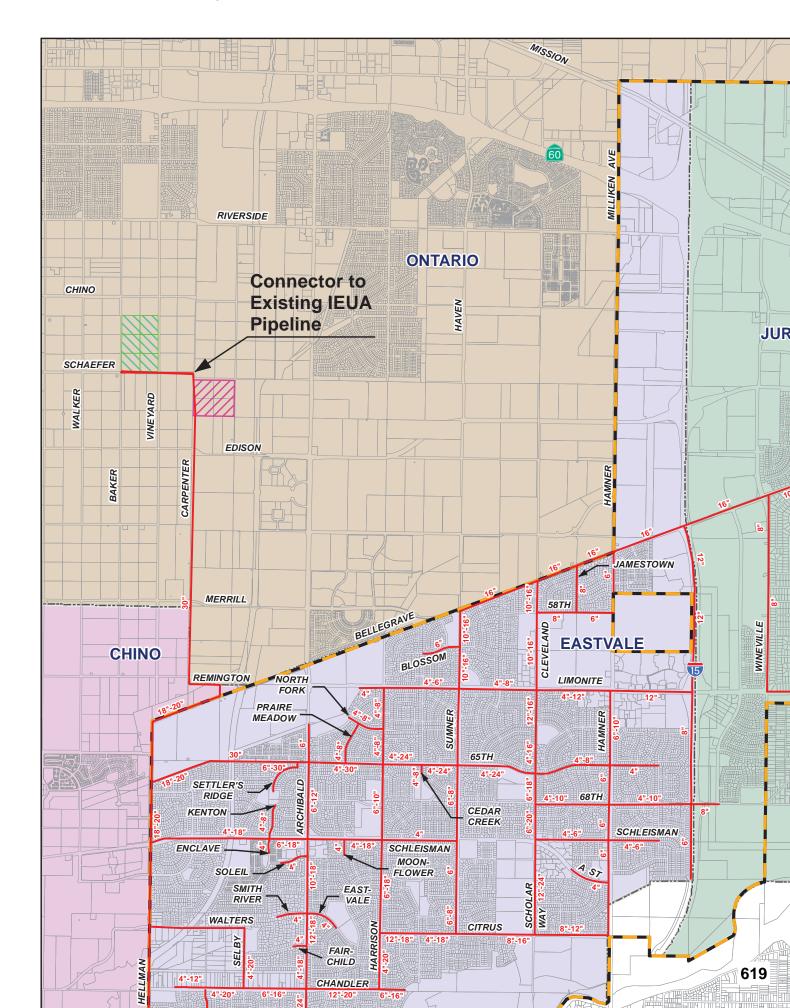
<sup>&</sup>lt;sup>5</sup> WRCRWA's Enhancement and Expansion Project was approved and its EIR certified (SCH# 2009091040) on August 24, 2010, through Resolution No. 10-116.

distribution facilities needed by its member agencies to convey the treated effluent to end users.

Since commencing operation in 1998, the Treatment Plant has generated additional flow into the Santa Ana River that has ranged from 1,461 acre-feet per year to a high of 6,374 acre-feet per year. The recycled water released into the Santa Ana River above the Prado Dam is subsequently released into the Lower Santa Ana River where it is diverted for habitat enhancement and groundwater recharge activities by the Orange County Water District. The impacts of JCSD, WMWD, the City of Norco, Home Gardens Sanitary District, and other member agencies taking delivery of recycled water, and the subsequent decrease of treated discharge to the Santa Ana River, were determined to be less than significant with implementation of mitigation measures for construction-related impacts to air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, and transportation/traffic (WRCRWA(a), pp. ES-10–ES-18).

The instream impacts from decreased discharge were determined to be less than significant, in part, due to the Treatment Plant's discharges accounting for an average of 2.3 percent of the total wastewater discharges to the Santa Ana River above Prado Dam, and the discharge reduction resulting from member agencies such as JCSD taking delivery of the treated effluent will be less than significant (WRCRWA(a), pp. ES-10–ES-18, 19-1). The Recycled Water Program EIR was certified and the Recycled Water Program was approved by WRCRWA's Board of Directors on November 14, 2012.

This Project, evaluated in this IS/MND, proposes the construction and operation of the facilities necessary for JCSD's, WMWD's, the City of Norco's and/or the Home Gardens Sanitary District's allocation of recycled water from the Treatment Plant to be conveyed to IEUA's facilities and for JCSD to take delivery of its allocation of treated effluent from the Treatment Plant for use in the western part of its service area. JCSD's use of this recycled water was analyzed as part of WRCRWA's Recycled Water Program's EIR (State Clearinghouse Number 2012031084). Facilities proposed by the Project evaluated in this IS/MND includes: recycled water pipelines, recycled water reservoirs and pump station, a clear well, and pipeline connecting the clear well with a booster station as shown on **Figure 2 – Proposed Facilities**. These proposed facilities, which are described below, are hereinafter collectively referred to as the "Project Facilities."



Construction of the Project Facilities will occur in phases over time as funding is available. There is no formal phasing plan for Project Facilities. The Facilities most likely to be constructed first are shown on **Figure 3 – Phase I of Proposed Facilities**. Phase I includes the booster station, clear well, recycled water reservoirs and pump station, and pipelines to connect to IEUA's existing recycled water system in addition to facilities to certain school and park sites in Eastvale. The locations of the all of the proposed Project Facilities in relation to school sites and parks that may be served by recycled water are shown on **Figure 4 – Proposed Facilities with School and Park Sites**.

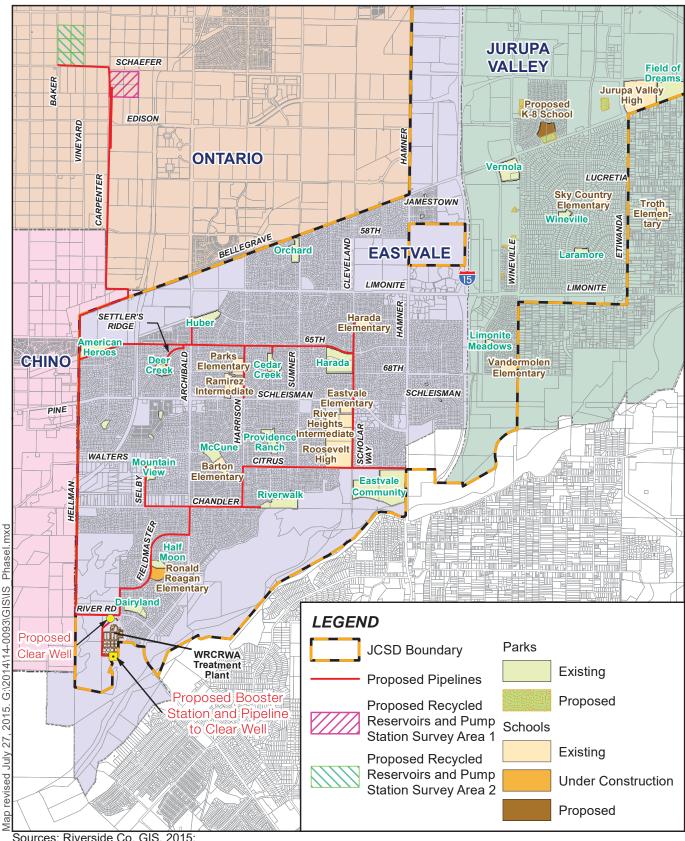
## Recycled Water Pipelines

The Project proposes a total of approximately 47 linear miles of pipelines, which will be primarily located within existing paved right-of-way (ROW) within Eastvale and Jurupa Valley. The proposed Project Facilities also include pipelines located in the cities of Chino and Ontario in San Bernardino County to connect to the existing recycled water system owned and operated by IEUA. (See **Figure 2**.)

In Chino, the proposed pipeline will be generally located within Carpenter Avenue ROW north of Eastvale's boundary to Merrill Avenue, and this proposed pipeline will continue within Carpenter Avenue ROW northward into Ontario to the intersection of Schaefer Avenue where the pipeline will connect with the proposed recycled water storage reservoir and pump station site and the existing IEUA pipeline (**Figure 2**).

Prior to construction, JCSD will obtain encroachment permits from the cities of Chino, Eastvale, Jurupa Valley, and Ontario; California Department of Transportation (Caltrans); as well as from the San Bernardino County Flood Control District (SBCFCD) as proposed pipelines will traverse the Cucamonga Creek Chanel in Eastvale, and Riverside County Flood Control and Water Conservation District (RCFCWCD) as proposed pipelines will traverse the Day Creek Channel in Jurupa Valley. While these pipelines will primarily traverse the channel within existing roadway overcrossings, the two proposed pipeline alignments that traverse the Cucamonga Creek Channel where there is no existing roadway overcrossing (west of 65<sup>th</sup> Street and bisecting Walters Street), construction of the pipelines will utilize jack and bore or horizontal directional drilling to install the pipeline underneath the channel as part of the plans and specifications for constructing those pipeline segments.

While the majority of the proposed alignments will be within paved ROW, some of the proposed alignments are located outside paved ROW. Proposed alignments outside of paved ROW include portions of Carpenter Avenue, Hall Road, and adjacent to Interstate 15.



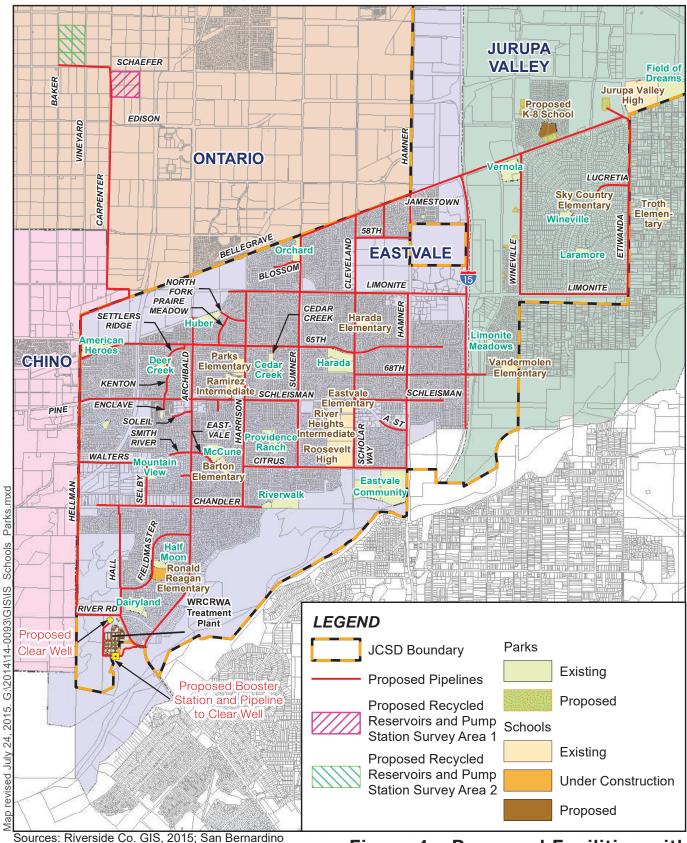
Sources: Riverside Co. GIS, 2015; San Bernardino Co. GIS, 2015.

Figure 3 - Phase I of Proposed Facilities

JCSD Recycled Water Service Expansion







Sources: Riverside Co. GIS, 2015; San Bernardino Co. GIS, 2015; Corona-Norco USD; Jurupa USD.

0 0.5 1 1.5 2 Miles

Figure 4 – Proposed Facilities with School and Park Sites

JCSD Recycled Water Service Expansion



Construction within paved roadways entails pavement cut and removal, excavation, installation or repair, backfill, compaction, re-paving, and striping. Required equipment includes asphalt or concrete-cutting saw, backhoe or excavator, trucks for moving materials, compactor, paving equipment, and steam roller. Original pre-construction surface conditions within both paved and unpaved ROW will be restored upon completion of pipeline construction, which will be required as a standard contract specification with JCSD's construction contractor.

## Recycled Water Reservoirs and Pump Station

The proposed recycled water reservoirs and pump station will be located in Ontario at one of the two Survey Areas identified on **Figure 2**. Survey Area 1 encompasses approximately 40 acres and includes the following Assessor's Parcel Numbers (APNs): 021-818-123, 021-818-124, 021-818-125, and 021-818-126. Survey Area 2 encompasses approximately 56 acres and includes the following APNs: 021-621-401, 021-621-402, 021-621-403, 021-621-406, 021-621-407, and 021-621-408. The two survey areas are much larger than the footprint needed for the Project's proposed recycled water reservoirs and pump station to provide JCSD flexibility for the final siting of the these facilities. The footprint for the recycled water reservoirs and pump station will be 520 feet by 250 feet. This footprint is sized to include an area for future facilities to treat the recycled water. However, because the specific method of treatment has not been determined, construction of the future treatment facilities is not a part of this Project.

The proposed recycled water reservoirs will be capable of storing a total of five million gallons of recycled water in two, 40 feet tall by 110 feet in diameter 2.5-million-gallon tanks. Recycled water from the Treatment Plant will be conveyed to the reservoirs. The pump station will then boost the recycled water from the reservoirs into the proposed distribution network from a hydropneumatic tank designed with the capability to pump 10,100 gallons per minute. The pump will be electric-powered and will include an emergency standby generator, which could be diesel-fueled. Further, the exterior appearance of the recycled water reservoirs and pump station will be designed to complement the future residential developments anticipated within the area and will incorporate non-reflective materials for functionality and aesthetic value, and perimeter walls utilizing a more aesthetically appealing design rather than a chain-link fence. These design considerations will be part of the plans and specifications for the construction of these facilities, which will also include the appropriate use of painting and coasting that meets regulatory standards.

#### Facilities at WRCRWA Treatment Plant

The Project proposes equipping and operating a booster station site, i.e., the shell of the booster station is being constructed by WRCRWA as part of the aforementioned Treatment Plant expansion project (WRCRWA(b), pp. 2-3, 2-5), and JCSD will install the necessary equipment to operate the booster station to convey recycled water generated at the Treatment Plant. Moreover, the Project will construct an aboveground and covered 40-foot-tall by 154-foot diameter clear well to be located within a 200-foot by 200-foot area at the Treatment Plant site as well as a pipeline to connect the booster station with the clear well. The proposed clear well will store recycled water from the Treatment Plant, prior to conveyance to the Project's proposed recycled water reservoirs and pump station in Ontario. (Refer to **Figure 2**.)

# 4. OTHER PUBLIC AGENCIES WHOSE APPROVAL MAY BE REQUIRED

- California Department of Transportation: Encroachment permits for work within Caltrans ROW for the proposed pipeline located adjacent to Interstate 15 and the portion of pipeline within 68<sup>th</sup> Avenue that will cross Interstate 15.
- City of Chino Public Works Department: Encroachment permits will be required for construction of pipelines along roadways in that city.
- City of Eastvale Public Works Department: Encroachment permits will be required for construction of pipelines along roadways in that city.
- City of Jurupa Valley Public Works Department: Encroachment permits will be required for construction of pipelines along roadways in that city.
- **City of Norco:** Agreement for the transference of recycled water to JCSD.
- **City of Ontario Engineering Department:** Encroachment permits will be required for construction of pipelines along roadways in that city.
- Home Gardens Sanitary District: Agreement for the transference of recycled water to JCSD.
- Inland Empire Utilities Agency: Approval to connect to IEUA's recycled water system and an agreement for the transference of recycled water between JCSD and IEUA will be required.
- Riverside County Flood Control & Water Conservation District:
   Encroachment permits for pipeline construction along RCFCWCD ROW

- and/or easements for the proposed pipelines that traverse the Day Creek Channel at Bellegrave Avenue and Limonite Avenue.
- San Bernardino County Flood Control District: Encroachment permits for pipeline construction within SBCFCD ROW for the proposed pipelines that traverse the Cucamonga Creek Channel in Eastvale at Hellman Avenue, Walters Street, Schleisman Road, and west of the western terminus of 65<sup>th</sup> Street.
- State Water Resources Control Board: National Pollutant Discharge Elimination System (NPDES) Construction General Permit, and State Revolving Loan Fund approval.
- **Western Municipal Water District:** Agreement for the transference of recycled water to JCSD.
- Western Riverside County Regional Wastewater Authority: Approval to construct the proposed clear well at the treatment plant site.

## B. ENVIRONMENTAL SETTING

JCSD provides water and wastewater services to approximately 28,000 services in the cities of Eastvale and Jurupa Valley. The Project proposes facilities within the cities of Chino and Ontario in San Bernardino County; however, these areas are in such close proximity to JCSD's service area that the following environmental setting discussion is applicable to these portions of those cities as well, unless otherwise noted.

## 1. AIR QUALITY

JCSD's service area, as well as the cities of Chino and Ontario, is within the South Coast Air Basin ("Basin"). The Basin is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin consists of Orange County, together with the coastal and mountain portions of Los Angeles, Riverside and San Bernardino counties. Regionally, the interaction of land (offshore) and sea (onshore) breezes control local wind patterns in the area. Daytime winds typically flow from the coast to the inland areas, while the pattern typically reverses in the evening, flowing from the inland areas to the ocean (1993 SCAQMD). Air stagnation may occur during the early evening and early morning during periods of transition between day and nighttime flows. The region also experiences periods of hot, dry winds from the desert, known as Santa Ana winds. Locally, the prevailing wind is generally from west to east.

Regional and local air quality within the Basin is affected by topography, atmospheric inversions, and dominant onshore flows. Topographic features such as the San Gabriel and San Bernardino Mountains, form natural barriers to the dispersion of air contaminants. The presence of atmospheric inversions limits the vertical dispersion of air pollutants. With an inversion, the temperature initially follows a normal pattern of decreasing temperature with increasing altitude, however, at some elevation, the trend reverses and temperature begins to increase as altitude increases. This transition to increasing temperature establishes the effective mixing height of the atmosphere and acts as a barrier to vertical dispersion of pollutants. Dominant onshore flow provides the driving mechanism for both air pollution transport and pollutant dispersion.

Air pollution generated in coastal areas is transported east to inland receptors by the onshore flow during the daytime until a natural barrier (the mountains) is confronted, limiting the horizontal dispersion of pollutants. The result is a gradual degradation of air quality from coastal areas to inland areas, which is most evident with the photochemical pollutants such as ozone. The greatest ozone problems are recorded at those SCAQMD monitoring stations, which are located

at the base of the San Gabriel and San Bernardino mountains ranging from the City of Santa Clarita, east to the City of San Bernardino.

JCSD's service area is within SCAQMD Source Receptor Area (SRA) 22 and 23, while the portion of the alignments within Chino and Ontario are within SRA 33. Data for these SRAs show that the baseline air quality conditions in the project area include occasional events of very unhealthful air. Even so, the overall frequency of smog alerts has dropped significantly in the last decade. Atmospheric concentrations of ozone and particulate matter are the two most significant air quality concerns in the project area. It is encouraging to note that ozone levels have decreased in the last few years with approximately one-fifth or less days each year experiencing a violation of the state hourly ozone standard since 1999. Locally, no first stage alert (0.20 parts per million per hour) has been called by SCAQMD in over ten years, and no second stage alert (0.35 parts per million per hour) has been called by SCAQMD in the last twenty years. (1999–2013 SCAQMD)

## 2. BIOLOGICAL RESOURCES

In general, the region in which the proposed improvements would be located is a developed area consisting of residential, commercial, industrial, and agricultural uses, with little to no remaining natural plant communities and few habitat resources for wildlife. Vacant or former agricultural parcels can provide habitat for burrowing owl (*Athene cunicularia hypugaea*); roadside drainage ditches can provide habitat for Brand's phacelia (*Phacelia stellaris*), San Diego ambrosia (*Ambrosia pumila*), San Miguel savory (*Satureja chandleri*), Southern California black walnut (*Juglans californica*), and prostrate navarretia (*Navarretia prostrata*); and dense vegetative areas near the Santa Ana River can provide habitat for the Western yellow-billed cuckoo (*Coccyzus americanus occidental*), Southwestern willow flycatcher (*Empidonax traillii extimus*), and least Bell's vireo (*Vireo bellii pusillus*).

A habitat assessment was prepared for the construction footprints of the Project Facilities. Habitat assessments are the first of a two-stage process of biological evaluation. In western Riverside County, they serve to identify the location or potential location of special biological resources addressed in the *Western Riverside County Multiple Species Habitat Conservation Plan* (MSHCP). Of particular importance to habitat assessments are the identification of wetland, riparian or vernal pool areas and riparian/riverine species and suitability for occurrence of special survey species, which includes several rare plants and a few rare animals, such as the burrowing owl. A review of soil types in the habitat

assessment also helps define the potential for occurrence of narrow endemic plants.

## 3. CULTURAL RESOURCES

#### Prehistoric Context

The area where the Project Facilities are proposed lies in an area where the traditional territories of the Serrano and Gabrielino Indians adjoined and overlapped with each other, at least during the Late Prehistoric Period (ca. 1000-1500 AD) and Protohistoric Period (ca. 1500-1700 AD). The homeland of the Gabrielinos, probably the most influential Native American group in aboriginal Southern California, was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of the Serranos was primarily the San Bernardino Mountains, but also included the slopes and lowlands on the north and south flanks of the mountain range. (CRM TECH, p. 8)

Whatever the linguistic affiliation, Native Americans in the vicinity of the Project Facilities exhibited similar social organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/base sites are marked by midden deposits, often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies often left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources. (CRM TECH, p. 8)

#### Historic Context

The San Bernardino Valley, along with the rest of Alta California, was claimed by Spain in the late 18<sup>th</sup> century, and the first European explorers traveled through the area as early as 1772, only three years after the beginning of Spanish colonization. For nearly four decades afterwards, however, the arid inland valley received little attention from the colonizers, who concentrated their efforts along the Pacific coast. No Europeans are known to have settled in the area where the Project Facilities are proposed until the late 1830s. (CRM TECH, p. 8)

In 1834, 13 years after gaining independence from Spain, Mexico began secularizing the mission system in Alta California and granting former mission landholdings to prominent citizens in the province. In the area around the Project Facilities, three large land grants were created between 1838 and 1843: Ranch Jurupa, Rancho Santa Ana del Chino, and Addition to Rancho Santa Ana del Chino. While cattle raising remained the most prevalent economic activity on these land grants, a thriving agricultural enterprise with wheat fields, vineyards, fruit orchards, a flour mill, and a soap factory were eventually established on both parts of Rancho Santa Ana del Chino. (CRM TECH, p. 9)

The American annexation of Alta California in 1848 brought increased numbers of settlers to the sparsely populated territory, which in turn accelerated the demise of the vast rancho land grants. In 1873-1875, the Riverside-San Bernardino region received a major boost in economic growth when the successful introduction of the navel orange propelled it the forefront of the booming citrus industry. Meanwhile, viticulture and wine-making also played an important role in the development and prosperity of western San Bernardino Valley. (CRM TECH, p. 9)

During the 1880s, spurred by the completion of the Southern Pacific Railroad and the competing Santa Fe Railroad, a land boom swept across much of Southern California. A large number of towns, surrounded by irrigated farmland, were laid out in the San Bernardino Valley before the boom collapsed toward the end of the decade. Among them were Ontario, founded in the early 1880s by George Chaffey, a prominent local developer who had migrated from Canada, and Chino, laid out in 1887 by Richard Gird. Gird, with his herd of 200 dairy cows, also started the Chino area's long history as the dairy center of Southern California. (CRM TECH, p. 9)

The Mira Loma area was first settled by brothers Arnold and Frederick Stalder in 1891, whose large-scale farming operation was well known in western Riverside County. In 1896, a post office named Stalder was established. During the two ensuing decades, wine grapes became the predominant agricultural land use in the area, and a winery was established by the Riverside Vineyard Company. In 1908, the post office was renamed Wineville, which in turn became Mira Loma in 1930.

For the first half of the 20<sup>th</sup> century, the area remained largely agrarian in character in contrast to the emerging regional urban centers such as Riverside and San Bernardino. Starting with the post-WWII suburban housing boom, many of the formerly rural towns in the area, including Ontario and Chino, also embarked on the path to gradual urbanization. To the south and the east, what are now Eastvale and Jurupa Valley retained their rural characteristics a few decades longer, partially due to the presence of two officially designated agricultural preserves, Chino and Mira Loma. After the agricultural preserves were abolished in the late 1990s, those areas became the latest development "hot spots" in the recent housing boom. In 2010 and 2011, Eastvale and Jurupa Valley became two of the newest incorporated cities in Riverside County, respectively. (CRM TECH, p. 9)

## Known Cultural Resources

A cultural resources study for the Project was conducted by CRM TECH (Appendix B). In order to identify any historic properties or resources, CRM TECH conducted a search of historical-archaeological resources records, pursued background research, consulted with Native American representatives, and carried out intensive field surveys for Project Facilities within unpaved areas and reconnaissance-level surveys for Project Facilities within paved areas.

According to the results and findings of the study, there are two linear sites from the historic period that cross segments of the Project Facilities. **Table 1** — **Historical Sites** summarizes these resources.

Table 1 — Historical Sites

| Site No.                 | Description and General Location   | Status of Site  |  |  |
|--------------------------|--|---|--|--|
| 33-016681 /<br>36-013627 | Southern Sierras Power Transmission "O" Line, a single circuit 115 Kilovolt (kV) transmission line built in 1929 between Seal Beach and San Bernardino. Intended as an emergency power connection between Los Angeles Gas and Electric Company and the Southern Sierras Power Company. Its most urgent deployment came in 1933, after the Long Beach earthquake destroyed a portion of the Seal Beach Power Plant. | During the survey, several power transmission lines across the Project route were found to be possibly of historical origin, including one matching the alignment recorded for Site 33-016681/36-013627. This power line consists of wooden poles carrying overhead wires across various streets containing the Project Facilities. |  |  |
| 36-025440                | Southern California Edison Company's 12-mile-long, 220kV No. 1 Transmission Line consists of 90-foot-tall T-shaped steel lattice towers (except in the easternmost 2-mile segment where the towers were replaced in 1979). This line was originally built in 1937 with some of the towers replaced in 1940, and connects Edison's Chino and Mira Loma substations.   | During the survey, the transmission line with its T-shaped steel lattice towers were observed traversing Survey Area 2 in an east-west direction, accompanied by a second line with taller towers of modern appearance.   |  |  |
| Source: CRM TECH, p. 15  |  |   |  |  |

No other potential historic properties or historical resources were encountered within or immediately surrounding the Project Facilities, and the subsurface sediments at this location were found to be relatively low in sensitivity for significant archaeological remains of prehistoric origin (CRM TECH, pp. 17-18).

#### 4. GEOLOGY AND TOPOGRAPHY

The Project area is located in the northern portion of the Peninsular Ranges province. This province is bounded on the north by the Transverse Ranges

province, to the northeast by the Colorado Desert province, and on the west by the Pacific Ocean. The Peninsular Ranges province extends southward to the southern tip of Baja California. More specifically, the Project area is located within the San Bernardino Valley portion of the Peninsular Ranges province. This structurally depressed trough is filled with sediments of Miocene through recent age. The San Bernardino Valley is one of the many tectonically-controlled valleys within the valley and ridge systems found within the Perris Block. The Perris Block is a region between the San Jacinto and Elsinore-Chino fault zones. The block is bounded on the north by the Cucamonga Fault and on the south by a vague boundary near the southern end of the Temecula Valley. This structural block is considered to have been active since the Pliocene period. The Pliocene and Pleistocene age non-marine sedimentary rocks found filling the valley areas have produced a few vertebrate fossils, as well as a few invertebrate fossil remains.

Local geologic features in the region include the Jurupa Mountains and San Bernardino Mountains to the northeast, the Chino Hills to the southwest, the San Jose Hills to the west.

Fault zones near the Project area include the Elsinore, the San Jacinto, the San Andreas, and the Sierra Madre. Major faults within these Fault Zones are capable of generating moderate to large earthquakes that could result in lateral spreading, subsidence, liquefaction, or collapse if all necessary conditions for each of these phenomena to occur were present. Smaller faults closer to the Project area include the Rialto-Colton Fault (northeast), Chino and Central Avenue Faults (west), and the Red Hill, Cucamonga (San Gabriel) and San Jose Faults north of the Project area.

JCSD's service area has a variety of topographic features associated with it, including elevations ranging from 560 feet to 2,230 feet. More than 80 percent of JCSD is comprised of land with a natural slope of less than 12 percent; the remainder is divided between the categories of 12–25 percent and above 25 percent. Soils in the JCSD area are primarily from the Hanford-Tujunga-Greenfield association; however, the northeastern portion of JCSD generally consists of soils from the Cieneba-Rock land-Fallbrook association. Both of these associations consist of soils that are very deep and well drained. Both associations are correlated with the presence of alluvial fans and flood plains, which have surface layers of sand to sandy loam. These soils tend to not have shrink/swell tendencies, but rather a high potential for erosion (USDA).

## 5. LAND USE AND ZONING

JCSD's service area includes Eastvale and the majority of Jurupa Valley. This region has historically been an agricultural area, including field crops, vineyards, equestrian areas, and dairies. In recent years, however, the area between the Santa Ana River, State Route 60, and Interstate 15 has been undergoing a transition to residential, industrial, and commercial uses as designated in the Riverside County General Plan's area plans for both Eastvale and Jurupa. More recently, Eastvale, which incorporated in October 2010, adopted their General Plan in June 2012 after having used the Riverside County General Plan as an interim policy guide document. The Eastvale General Plan reflects the city's endeavors to continue rapid urbanization throughout its jurisdiction. Jurupa Valley has yet to draft and adopt its own General Plan and has adopted the Riverside County General Plan as its interim planning document. The Project Facilities within Eastvale are predominately in areas designated for mediumdensity residential uses, and to a lesser degree, low-density residential, commercial retail, and light industrial uses. Agriculture and conservation designations are located generally along Hellman Avenue north of River Road. The Project Facilities in Jurupa Valley are predominantly in areas designated for medium- and low-density residential uses.

The areas of Chino and Ontario where portions of the Project Facilities will be located have a similar agricultural past as Eastvale and Jurupa Valley. The Chino General Plan 2025 land use designation for the property adjacent to the pipeline proposed within Carpenter Avenue is Open Space/Agriculture. The Ontario General Plan land use designations for the property adjacent to the pipeline proposed within Carpenter Avenue between Merrill Avenue and Eucalyptus Avenue are: Industrial, Business Park, and Office Commercial. The Ontario General Plan land use designations for the property adjacent to the pipeline proposed within Carpenter Avenue between Eucalyptus Avenue and Schaefer Avenue are: Mixed-Use (New Model Colony West), Medium-Density Residential, Open Space for Parkland and Non-Recreation, and Low-Density Residential. Survey Area 1 is within is designated for Low-Density Residential and Open Space for Parkland and Non-Recreation by The Avenue Specific Plan. Survey Area 2 is designated for low-density residential uses, non-recreation open space, and neighborhood commercial.

## C. ENVIRONMENTAL CHECKLIST FORM

## 1. PROJECT INFORMATION

## a. Project Title:

Recycled Water Service Expansion (District Project No. C133656)

## b. Lead Agency Name and Address:

Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

#### c. Contact Person and Phone Numbers:

Robert O. Tock, P.E. Director of Engineering & Operations (951) 685-7434

## d. Project Location:

Refer to Figures 1 and 2.

#### e. Project Sponsor's Name and Address:

Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

## f. General Plan Designation:

The proposed Project pipelines will primarily be located within roadway ROW in Eastvale and Jurupa Valley, and a proposed alignment will be located within Chino and Ontario, primarily within Carpenter Avenue. The predominant land use designations under the Eastvale General Plan adjacent to Project Facilities within that city are: medium-density residential, and to a lesser degree, light industrial, commercial retail, and low-density residential as well as agriculture and conservation along near Hellman Avenue north of River Road (see EGP, Figure LU-2). The predominant land use designation in adjacent to Project Facilities in Jurupa Valley are: low-density residential, and to a lesser degree business park, medium-density residential, commercial retail (see Jurupa Valley Land Use Map).

The portion of the alignment within Carpenter Avenue is designated by the Chino General Plan for agricultural use (see CGP, Figure LU-2).

The Ontario General Plan land use designations surrounding the portion of the proposed pipeline within Carpenter Avenue between Merrill Avenue and Eucalyptus Avenue are: industrial, business park, and office commercial uses for the segment; and between Eucalyptus Avenue and Schaefer Avenue are: mixed-use (New Model Colony West), medium-density residential, open space for parkland and non-recreation, and low-density residential Survey Area 1 is designated for low-density residential uses and open space for parkland and non-recreation per The Avenue Specific Plan (part of the New Model Colony). Survey Area 2 is designated for low-density residential uses, non-recreation open space, and neighborhood commercial. (Refer to OGP, Figure LU-01.)

## g. Description of Project:

The Project includes the construction of a recycled water pipeline distribution system, recycled water storage reservoirs, a pump station, clear well, and booster station as previously described in Section A.3, Project Description, above.

## h. Surrounding Land Uses and Setting:

JCSD's service area encompasses Eastvale and the majority of Jurupa Valley. This region has historically been an agricultural-based community. In recent years, however, the area has been undergoing a transition to more urban land uses as envisioned by and planned for in the Riverside County General Plan and maintained in the Eastvale General Plan. These plans designate a variety of land uses in the JCSD service area including commercial, retail, office, industrial, residential, and agricultural. Land uses in Chino and Ontario where Project Facilities are proposed also reflect a similar transition from agriculture to urban uses; however, the transition in these areas has not been as rapid as in Eastvale. Refer to Section B, Environmental Setting, above.

## 2. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

## 3. DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. X I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. П I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. July 28, 2015 Signature Date Robert O. Tock, P.E. Jurupa Community Services District

Director of Engineering & Operations

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Significant

Potentially with Less Than
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## 4. EVALUATION OF ENVIRONMENTAL IMPACTS

| I. Aesthetics   |  |  |
|---|--|--|
| Would the project:                                      |  |  |
| a) Have a substantial adverse effect on a scenic vista? |  |  |

(Sources: Project Description; JAP; EGP)

A scenic vista is generally defined as an area that is deemed aesthetically pleasing when viewed from a certain vantage point. Aesthetic components of a scenic vista include: (i) scenic quality, (ii) sensitivity level, and (iii) view access. On a clear day there are views of the San Gabriel Mountains (north), San Bernardino Mountains (northeast), San Jacinto Mountains (southeast), and the Santa Ana Mountains (south) from the JCSD service area. The Project area is generally located on the valley floor between these mountains with views of the local Jurupa Mountains off State Route 60. There are views of these vistas from the Project area.

## Recycled Water Pipelines

Construction activities may create a temporary aesthetic nuisance for motorists and local residences residents. Exposed surfaces, construction debris, and construction equipment may temporarily impact the aesthetic quality of the immediate area. However, it is important to note that for construction of the pipelines, the equipment is moving as construction proceeds along the pipeline alignment. These impacts will be short term and will cease upon completion of the facilities. These facilities, which will be underground, will not permanently alter views of, or from, the Project area. Additionally, once construction is complete, the surface will be restored to its original condition. Therefore, impacts with respect to scenic vistas will be less than significant.

## Recycled Water Reservoirs and Pump Station

The views within the immediate area of the Survey Areas are not considered scenic vistas. The two Survey Areas consist of generally flat terrain; however, the construction of these facilities (the most notable visual features being the two approximately 40-foot tall 110-foot diameter water storage reservoirs) are not anticipated to substantially interfere with distant views of the San Gabriel Mountains, San Bernardino Mountains, San Jacinto Mountains, or the Santa Ana Mountains. Therefore, impacts with respect to scenic vistas will be less than significant.

7-4

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

#### Facilities at WRCRWA Treatment Plant

The clear well, which will be located within the existing boundary of the WRCWRA Treatment Plant, is comparable to existing structures on site. Moreover, the shell of the booster station is already being constructed by WRCRWA and JCSD will install the equipment necessary to operate the booster station, and the pipeline connecting the booster station with the clear well will be located underground. The immediate area is not considered a scenic vista, nor will the construction of the clear well, use of the booster station site, or underground pipeline interfere with distant views of the aforementioned mountains. Therefore, impacts with respect to scenic vistas will be less than significant.

| b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? |  |  |
|---|--|--|
|   |  |  |

(Sources: Project Description; Caltrans)

## Recycled Water Pipelines

There are no designated scenic highways or scenic highway corridors within proposed pipeline alignments, nor are there specific scenic resources such as rock outcroppings or unique features. As discussed in item I.a, above, construction of the proposed pipelines will not damage any scenic resources as these are underground facilities. Therefore, impacts to scenic resources within a state scenic highway will be less than significant.

## Recycled Water Reservoirs and Pump Station

There are no designated scenic highways or scenic highway corridors within or adjacent to either Survey Area 1 or Survey Area 2, nor are there specific scenic resources such as rock outcroppings or unique features present on either Survey Area. Impacts to scenic resources within a state scenic highway will be less than significant.

#### Facilities at WRCRWA Treatment Plant

There are no designated scenic highways or scenic highway corridors within or adjacent to the Treatment Plant. There are no specific scenic resources such as rock outcroppings or unique features present at the proposed location of the clear well or in the area of the booster station or underground pipeline to connect these facilities. Impacts to scenic resources within a state scenic highway will be less than significant.

|   | Potentially<br>Significant<br>Impact | Less Than Significant with Mitigation Incorporated | Less Than<br>Significant<br>Impact | No Impact |   |
|---|--------------------------------------|--|------------------------------------|-----------|---|
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? |                                      |  | $\boxtimes$                        |           | 1 |

(Sources: Project Description; OGP; Google Earth, AMEC)

## Recycled Water Pipelines

As discussed in items I.a and I.b, above, the pipelines are underground facilities wherein the surface conditions will be restored to its original condition after construction is completed. For these reasons, impacts with respect to degrading the visual character or quality of pipeline alignments and surrounding areas are considered less than significant.

## Recycled Water Reservoirs and Pump Station

The notable visual feature of the proposed station includes the two water storage tanks, which will be approximately 40 feet tall and 110 feet in diameter. The Survey Areas are located in a "pocket area" of agricultural uses that is generally surrounded by urban uses. The Survey Areas and surrounding area are anticipated to transition to various urban land uses as set forth in The Ontario Plan and the various, approved Specific Plans that are part of the New Model Colony in southern Ontario. Survey Area 1 is within The Avenue Specific Plan. The southern portion of Survey Area 1 is currently under active agriculture (vegetables), and has been since the 1930s; the northern portion of this Survey Area contains an industrial storage yard for a boring and pipe jacking company. Survey Area 2 is in active agriculture production for alfalfa.

The exterior appearance of the building that will house the pump station will be designed to complement the future residential developments anticipated within the area. Non-reflective metal walls will provide needed functionality of the pump station and reservoirs, and will be designed to appear softer and more natural looking among the landscape. As part of the proposed recycled water reservoirs and pump station site's security, perimeter walls will utilize a more aesthetically appealing design and material rather than a chain link-type fence, to be consistent with the anticipated residential character of the area as development per The Ontario General Plan is realized in the coming years. These design considerations will be part of the plans and specifications for the construction of these facilities.

Moreover, as the anticipated development occurs within this current "pocket area" in southern Ontario from the development of the New Model Colony and build-out of The Ontario Plan, the visual appearance of the <u>recycled water reservoirs and pump</u> station will further be masked by land uses with comparable and varying heights and densities, which will also contribute to a change in the visual character and quality of the area.

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| with                     | Less Than                         |   |
| Mitigation               | Significant                       |   |
| Incorporated             | Impact                            | No Impact   |
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Nonetheless, the proposed <u>recycled water reservoirs and pump</u> station will not serve as a focal point of the existing area, nor will it constitute a substantial degradation of existing visual character or quality of the site or area. It should be noted, too, that while Survey Areas 1 and 2 encompass approximately 40 acres and 56 acres, respectively, the proposed water storage reservoirs and pump station will occupy a footprint that is 520 feet by 250 feet. Thus, because the proposed <u>recycled water reservoirs and pump</u> station will be designed in a fashion to integrate with the area's anticipated residential character, and will not otherwise constitute a visual degradation of the existing visual character and quality of the area, impacts with respect to changes in the visual character or quality of the site and surrounding area will be less than significant.

#### Facilities at WRCRWA Treatment Plant

Because the clear well will be comparable in height and appearance to facilities already existing at the Treatment Plant, the clear well will not substantially degrade the existing visual character or quality of the Treatment Plant or its surroundings. Moreover, the shell of the booster station is being constructed by WRCRWA and equipping it will not result in a new impact. The pipeline connecting these facilities will be located underground, and thus, has no potential to impact visual character or qualities. Impacts will be less than significant.

| d) Create a new source of substantial light or glare which would adversely affect |  |  |
|---|--|--|
| day or nighttime views in the area?   |  |  |

(Sources: Project Description; OMC)

## Recycled Water Pipelines

Construction and operation of the pipelines will not create a new source of light or glare because these are underground facilities that do not include security lighting. However, the use of light may become necessary in the event that emergency repairs are required, in which case the use of light will be directed downwards and away from off-site structures and land uses. Such an event is expected to be infrequent and does not constitute a substantial new source of light. Because construction and operation of the pipelines will not create a significant new source of light or glare, no impact will occur.

#### Recycled Water Reservoirs and Pump Station

The proposed reservoirs and pump station will not include any substantial daytime lighting that could affect views in the area. Nighttime lighting will be limited and directed away from adjacent properties as necessitated for security and entry needs. Lighting for these facilities will be consistent with the Ontario Municipal Code (Zoning Ordinance), which requires lighting to be directed away from adjacent properties. Additionally, the

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reservoirs and pump station building will use non-reflective materials so as to prevent glare. Therefore, although the reservoirs and pump station will include new sources of light, because the light will be directed downward and away from adjacent property impacts from light and glare are considered less than significant.

#### Facilities at WRCRWA Treatment Plant

The clear well will be located within the existing property of the WRCWRA Treatment Plant, which already includes security lighting in portions of the plant. The Treatment Plant is east of a residential neighborhood with street lights and a park with night lighting. The clear well will include lighting for security purposes; however, these lights will be directed onto the Treatment Plant site. The clear well will be coated with non-reflective materials to prevent glare. The Project does not propose lighting for the booster station, nor will the pipeline connecting these facilities result in a new source of light or glare. Because the new lighting associated with the clear well will be directed downward and away from adjacent property and non-reflective materials will be used, impacts from light and glare are considered less than significant.

| II. AGRICULTURE AND FORESTRY   | RESOURCE   | ES <sup>6</sup>  |   |  |
|--|--|--|---|--|
| In determining whether impacts to agricultule lead agencies may refer to the California A Model (1997) prepared by the California Deassessing impacts on agriculture and farmly resources, including timberland, are significant information compiled by the California Depatate's inventory of forest land, including the Forest Legacy Assessment project; and for Forest Protocols adopted by the California Would the project: | gricultural La<br>ept. of Conse<br>land. In deter<br>cant environn<br>artment of Fo<br>e Forest and<br>rest carbon m | nd Evaluation a<br>rvation as an o<br>mining whether<br>nental effects, lo<br>restry and fire<br>Range Assess<br>leasurement m | and Site Asse<br>ptional model<br>impacts to fo<br>ead agencies<br>Protection req<br>ment Project | to use in orest may refer to garding the and the |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?   |  |  |   |  |

(Sources: Project Description, FMMP)

<sup>&</sup>lt;sup>6</sup> Please note that additional discussion of the Project's impacts in regards to the federal Farmland Protection Policy Act, as part of the CEQA-Plus analysis, is contained in Section D of this IS/MND.

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

## Recycled Water Pipelines

The proposed pipelines are not located within state-designated Farmland. Additionally, construction and installation of the pipelines will be constructed within roadway ROW, and in all instances, the ground surface will be restored to its original condition. For these reasons, construction of the pipelines will not result in the conversion of Farmland and no impact in this regard will occur.

## Recycled Water Reservoirs and Pump Station

Both of the Survey Areas are located within state-designated Farmland as shown on the 2012 Farmland data map for San Bernardino County. Specifically, Survey Area 1 consists of approximately 33.7 acres of Prime Farmland (approximately 83.5 percent of the entire site), and Survey Area 2 consists of approximately 52.4 acres of Prime Farmland (approximately 93 percent of the entire site). The balance of the Survey Areas (i.e., the land not designated Prime Farmland) is designated as "other land," which is a non-Farmland designation.

The Survey Areas are larger than the actual footprint of the reservoirs and pump station, which will be approximately 520 feet by 250 feet, or approximately 3 acres to allow JCSD flexibility in the final siting of the Project Facilities. For a worst case analysis, if the Project Facilities are located entirely on Prime Farmland, the Project will convert approximately 3 acres of designated Prime Farmland to a non-agricultural use. The conversion of up to 3 acres of Prime Farmland at either of the Survey Areas is considered less than significant because continued agriculture operations at the portions of the Survey Area not used for Project Facilities will not be impaired by the construction and operation of Project Facilities. Although the reservoirs and pump station will be located in Ontario, because the Project Facilities will not provide water service to Ontario there will be no indirect impacts or pressures that would contribute to the conversion of Farmland. For these reasons, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The WRCWRA Treatment Plant is designated as "Urban and Built-Up Land" on the 2012 Farmland data map for Riverside County. Thus, implementation of the facilities at the Treatment Plant will not result in the loss of Farmland. Therefore, no impact in this regard will occur.

| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? |  |  |  |
|--|--|--|--|
|--|--|--|--|

(Sources: Project Description, EZM; OZM; CZM; JVZM; DOC WA)

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

## Recycled Water Pipelines

Pipelines will be constructed within roadway ROW adjacent to property zoned for agricultural use in Eastvale, Jurupa Valley, Chino, and Ontario. There are both active Williamson Act contracted lands and Williamson Act contracted lands for which a notice of non-renewal has been filed adjacent to certain proposed pipeline alignments including Hellman Avenue and Bellegrave Avenue within Riverside County. There are no Williamson Act contracted lands within Chino or Ontario. Because the ground surface will be restored to its original condition, construction of the pipelines will not conflict, either directly or indirectly, with existing agricultural zoning or a Williamson Act contract. Therefore, no impact in this regard will occur.

## Recycled Water Reservoirs and Pump Station

Survey Area 1 is zoned SP (Specific Plan) and Survey Area 2 is zoned AG (Specific Plan-Ag Preserve). The Ontario Municipal Code conditionally allows water systems (e.g., water wells, water storage, treatment and filtration facilities) in all of its zoning districts, including AG. Thus, the proposed station will not conflict with existing agricultural zoning in Survey Area 2. Moreover, there are no Williamson Act contracted lands in Ontario. Therefore, no impact in this regard will occur.

#### Facilities at WRCRWA Treatment Plant

The Treatment Plant is within an area zoned A-2 (Heavy Agriculture); however, the Treatment Plant is an allowable use in this zoning district. There are no Williamson Act contracted lands within the Treatment Plant site. Therefore, no impact in this regard will occur.

| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? |  |  |
|--|--|--|
| 51104(g))?   |  |  |

(Sources: Project Description, PRC; EZM; OZM; CZM; JVZM)

Forest land, as defined in Public Resources Code (PRC) section 12220(g) is land that can support 10 percent of native tree cover of any species under natural conditions and that allows for the management of one or more forest resources. Timberland, as defined in PRC section 4526, means land, other than land owned by the federal government

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

and land designated as experimental forest land, which is capable of growing a crop of trees for any commercial species, including Christmas trees.

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The location of the proposed Project Facilities and adjacent lands do not contain forest land or timberland, nor are these areas zoned for forest land, timberland, or Timberland Production. Because implementation of the proposed Project will not conflict with forest land, timberland, or Timberland Production zoning, there will be no impact in this regard.

(Sources: Project Description, PRC; EZM; OZM; CZM; JVZM)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

As discussed in response II.c), above, the proposed Project Facilities are not within or adjacent to forest land and as such will not result in the direct loss of forest land or conversion of forest land to non-forest uses. With regard to indirect impacts to the loss or conversion of forest land, because the Project will provide recycled water for existing irrigation needs in the western portion of JCSD's service area, the Project will not influence any land use changes. For these reasons, Project implementation will not result in the loss of forest land or the conversion of forest land to non-forest uses and there will be no impact in this regard.

| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest |  |  |
|---|--|--|
| use?  |  |  |

(Sources: Project Description, PRC; EZM; OZM; CZM; JVZM; DOC WA; FMMP)

#### Recycled Water Pipelines

As discussed in responses II.a) through II.d) above, construction and operation of the proposed pipelines will not directly impact designated Farmland or forest land. The proposed pipelines will also not indirectly impact Farmland or forest lands as the Project will serve existing irrigation needs in the western portion of JCSD's service area with

Less Than Significant Potentially with Less Than Significant Mitigation Significant Impact Incorporated Impact No Impact

recycled water and will not influence any land use changes. Therefore, no impact in this regard will occur.

## Recycled Water Reservoirs and Pump Station

As discussed in response II.a), above, the Survey Areas are located on designated Prime Farmland, and in the worst case will result in the direct conversion of approximately 3 acres of Prime Farmland to a non-agricultural use. With regard to conversion of Farmland to non-agricultural uses, because the Project will provide recycled water for existing irrigation needs in the western portion of JCSD's service area, the Project will not influence any land use changes. As discussed in responses III.b) and III.c), there will be no direct or indirect impacts to the conversion of forest land. For these reasons, impacts to the conversion of Farmland and forestland are less than significant.

#### Facilities at WRCRWA Treatment Plant

As discussed in responses II.a) through II.d) above, implementation of the proposed facilities at the Treatment Plant will not directly impact designated Farmland or forest land. With regard to indirect impacts to Farmland or forest lands, because the Project will provide recycled water for existing irrigation needs in the western portion of JCSD's service area, the Project will not influence any land use changes. Therefore, no impact in this regard will occur.

| III. AIR QUALITY <sup>7</sup>   |  |  |
|---|--|--|
| Where available, the significance criteria earlier pollution control district may be relied up Would the project: |  |  |
| a) Conflict with or obstruct implementation of the applicable air quality plan?                                   |  |  |

(Sources: 1993 SCAQMD, 2012 SCAQMD, Project Description, OMC)

The Air Quality Management Plan (AQMP) for the Basin sets forth a comprehensive program that will lead the Basin into compliance with all federal and state air quality standards. The AQMP control measures and related emission reduction estimates are based upon emissions projections for a future development scenario derived from land

<sup>&</sup>lt;sup>7</sup> Please note that additional discussion of the Project's impacts in regards to the federal Clean Air Act, as part of the CEQA-Plus analysis, is contained in Section D of this IS/MND.

|    |            | Less Than<br>Significant |             |           |
|----|------------|--------------------------|-------------|-----------|
| Po | otentially | with                     | Less Than   |           |
| Si | ignificant | Mitigation               | Significant |           |
|    | Impact     | Incorporated             | Impact      | No Impact |

use, population, and employment characteristics defined in consultation with local governments. Accordingly, conformance with the AQMP for development projects is determined by demonstrating compliance with local land use plans and/or population projections.

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Implementation of the proposed Project will not result in any changes to the existing land use patterns in the Project area and will, therefore, not conflict with or obstruct implementation of the AQMP. Moreover, the footprint of the recycled water reservoirs and pump station including the area for future treatment facilities, will not otherwise impact the use of the remaining portion of the Survey Area. Therefore, no impact in this regard will occur.

| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? |  |  |  |  |
|--|--|--|--|--|
|--|--|--|--|--|

(Sources: WEBB)

Air quality impacts can be described in a short-term and long-term perspective. Short-term impacts will occur during construction and consist of fugitive dust and other particulate matter, as well as exhaust emissions generated by construction-related vehicles. Long-term air quality impacts will occur once a facility is in operation. Because the Proposed Facilities are similar in nature to those previously analyzed for JCSD's Non-Potable Water Service Expansion in the Eastern Portion of the District (District Project No. 3657DP), which proposed the construction and operation of non-potable water pipelines, pump station, and re-use of a water storage tank, the air quality/greenhouse gas analysis from that project is used herein.

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The short-term construction emissions of criteria pollutants were modeled using the California Emissions Estimator Model (CalEEMod) software in the air quality analysis. The assumptions associated with construction activities reflect a worst-case scenario. Maximum daily emissions are summarized below and compared to SCAQMD's daily regional thresholds:

Potentially Significant Impact

Significant with Mitigation Incorporated

**Less Than** 

Less Than Significant Impact

No Impact

Table 2 — Estimated Daily Construction Emissions

|  | Peak Daily Emissions (pounds/day) |                 |       |                 |       |        |
|--|-----------------------------------|-----------------|-------|-----------------|-------|--------|
| Activity/Year                              | VOC                               | NO <sub>X</sub> | CO    | SO <sub>2</sub> | PM-10 | PM-2.5 |
| SCAQMD Daily<br>Construction<br>Thresholds | 75                                | 100             | 550   | 150             | 150   | 55     |
| Project Maximum                            | 4.17                              | 33.29           | 20.39 | 0.03            | 1.79  | 1.65   |
| Exceeds Threshold?                         | No                                | No              | No    | No              | No    | No     |

Notes: VOC = Volatile organic compounds;  $NO_X$  = Oxides of nitrogen; CO = Carbon monoxide;  $SO_2$  = Sulfur dioxide; PM-10 = Particulate matter 2.5 to 10 microns in diameter; PM-2.5 = Particulate matter 2.5 microns or less in diameter

The above table indicates that the maximum daily criteria pollutant emissions from construction are well below the SCAQMD daily regional thresholds. The short-term emissions also do not exceed SCAQMD's localized significance thresholds (LST) either, as shown in the following table.<sup>8</sup>

Table 3 — Localized Significance Thresholds for Daily Construction Emissions

| Pollutant                       | Peak Daily Emissions (pounds/day) |       |       |        |  |  |
|---------------------------------|-----------------------------------|-------|-------|--------|--|--|
| Pollularii                      | NO <sub>X</sub>                   | CO    | PM-10 | PM-2.5 |  |  |
| LST Threshold for 2 acres at 25 | 170                               | 1,007 | 6     | 5      |  |  |
| Meters                          |                                   | 1,001 | · ·   | ,      |  |  |
| Pipeline                        | 34.7                              | 17.6  | 2.6   | 1.8    |  |  |
| Construction                    | 04.7                              | 17.0  | 2.0   | 1.0    |  |  |
| Pipeline Paving                 | 14.0                              | 8.3   | 1.0   | 0.9    |  |  |
| Exceeds Thresholds?             | No                                | No    | No    | No     |  |  |

Notes:  $NO_X$  = Oxides of nitrogen; CO = Carbon monoxide; PM-10 = Particulate matter 2.5 to 10 microns in diameter; PM-2.5 = Particulate matter 2.5 microns or less in diameter

Therefore, the construction-related air quality impacts will be less than significant.

The only long-term impacts associated with the Project Facilities are from the occasional maintenance vehicles and the pumping equipment. Pump stations, such as that proposed by the Project, contain pumps, valves, and electrical equipment necessary to pump recycled water. All applicable equipment (internal combustion

<sup>&</sup>lt;sup>8</sup> Please note that Tables 2 and 3 show difference values because different analysis sources are used for each table; specifically, CalEEMod is used in estimating the regional emissions shown in Table 2, and LST look-up tables and sample construction scenarios are used to estimate the values in Table 3.

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |  |  |  |
|--|--------------------------------------|--|------------------------------------|-----------|--|--|--|
| engines of pump motors, etc.) is permitted through the SCAQMD; hence the operation of such equipment (long-term emissions) will be less than significant.  |                                      |  |                                    |           |  |  |  |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?  |                                      |  |                                    |           |  |  |  |
| (Sources: 2014 CARB, WEBB)  The portion of the Basin within which the Project is located is designated as a non-attainment area for ozone and particulate matter 2.5 microns or less in diameter (PM-2.5) under both state and federal standards, and particulate matter 2.5 to 10 microns in diameter (PM-10) under state standards.  |                                      |  |                                    |           |  |  |  |
| Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant As discussed in items III.a) and III.b), above, since the proposed Project does not conflict with any land use designations, construction and operation of the pipelines are in conformance with the AQMP, and the estimated short-term and long-term emissions do not exceed the SCAQMD-established thresholds of significance. The net increase in criteria pollutant emissions for which the region is non-attainment is not cumulatively considerable. Therefore, impacts are considered less than significant. |                                      |  |                                    |           |  |  |  |
| d) Expose sensitive receptors to substantial pollutant concentrations?   |                                      |  |                                    |           |  |  |  |

(Sources: 1993 SCAQMD, WEBB, Google Earth)

A sensitive receptor is a person in the population who is particularly susceptible to health effects due to exposure to an air contaminant including children, the elderly, and persons with pre-existing respiratory and/or cardiovascular illness. SCAQMD defines a "sensitive receptor" as a land use or facility such as residences, schools, child care centers, athletic facilities, playgrounds, retirement homes, and convalescent homes where these persons are typically located.

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

## Recycled Water Pipelines

Refer also to the discussion in item III.b), above. The proposed pipelines are located mainly within roadway ROW within local neighborhood streets. The closest sensitive receptors are the existing residences directly adjacent to the alignments of the pipelines. (Refer to **Figure 2**)

Short-term emissions will only be generated in the area of the pipelines' alignments during Project construction and have been found to be less than significant. Operational emissions were also found to be less than significant, as indicated above. Because construction and operation of the proposed pipelines will not expose sensitive receptors to substantial pollutant concentration, impacts are considered less than significant.

## Recycled Water Reservoirs and Pump Station

Survey Area 1 is located in proximity to an existing residence east of its eastern boundary, and Survey Area 2 is located in proximity of existing residences across Schaefer Avenue. As discussed in item III.b), short-term emissions will only be generated during construction and these emissions have been found to be less than significant. Operational emissions were also found to be less than significant (refer to item III.b). Because construction and operation of the reservoirs and pump station will not expose sensitive receptors to substantial pollutant concentrations, impacts are considered less than significant.

#### Facilities at WRCRWA Treatment Plant

The nearest sensitive receptor is existing residences located approximately 600 feet east of the clear well site. As discussed in item III.b), short-term emissions will only be generated during construction and these emissions have been found to be less than significant. Operational emissions were also found to be less than significant (refer to item III.b). Because construction and operation of the proposed facilities at the Treatment Plant will not expose sensitive receptors to substantial pollutant concentrations, impacts are considered less than significant.

(Sources: WEBB)

## Recycled Water Pipelines

Refer also to the discussion in item III.b), above. The proposed pipelines present the potential for generation of objectionable odors related to diesel emissions from construction vehicles and asphalt degassing from paving activities. Recognizing the short-term duration of construction and the quantity of estimated emissions, pipeline

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

construction will not subject a substantial number of people to objectionable odors. Potential impacts are considered less than significant.

## Recycled Water Reservoirs and Pump Station

Construction of the proposed reservoir and pump station presents the potential for generation of objectionable odors in the form of diesel exhaust in the immediate vicinity of the station site. Odors generated during construction will be short-term and will not result in a long-term odorous impact to the surrounding area. After completion of construction, only infrequent maintenance of the proposed station will be required. Recognizing the short-term duration and quantity of emissions in the Project area, the proposed station will result in less than significant impacts relating to objectionable odors.

#### Facilities at WRCRWA Treatment Plant

Construction of the proposed clear well and pipeline presents the potential for generation of objectionable odors in the form of diesel exhaust in the immediate vicinity of the clear well site. Odors generated during construction will be short-term and will not result in a long-term odorous impact to the surrounding area. After completion of construction, only infrequent maintenance of the proposed clear well will be required. Construction and operation of the clear well will not affect current Treatment Plant operations or contribute to any odors resulting from the treatment process. Moreover, the shell of the booster station is being constructed by WRCRWA, and JCSD equipping it with the necessary equipment to operate the booster station will not result in the generation of objectionable odors. Recognizing the short-term duration and quantity of emissions in the Project area, the proposed facilities at the Treatment Plant will result in less than significant impacts relating to objectionable odors.

| IV. BIOLOGICAL RESOURCES <sup>9</sup> Would the project:   |  |  |
|--|--|--|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the |  |  |

<sup>&</sup>lt;sup>9</sup> Please note that additional discussion of the Project's impacts in regards to the federal Endangered Species Act, Migratory Bird Treaty Act, Protection of Wetlands, Coastal Barriers Resources Act, and Magnuson-Stevens Fishery Conservation and Management Act, as part of the CEQA-Plus analysis, is contained in Section D of this IS/MND.

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
| California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? |                                      |  |                                    |           |

(Sources: Project Description, NRAI, AMEC)

### Recycled Water Pipelines

As part of the Project's Biological Assessment, the proposed pipeline alignments were surveyed in May 2015. Regarding the observed plant communities as part of the survey, the majority of the alignment area is dominated by landscaping and hardscape. The remaining areas are either in agriculture, dairy farming, or have been severely impacted by human activities. Those areas with some remaining native cover are dominated almost entirely by a weedy (ruderal) plant community. Plant species observed are as follows:

## **Dicot Flowering Plants**

- Sunflower family
  - Western ragweed (Ambrosia psilostachya)
  - Tocalote (Centaurea melitensis)
  - Annual sunflower (Helianthus annuus)
  - Telegraph weed (Heterotheca grandiflora)
- Borage Family
  - o Fiddleneck (Amsinckia menziesii)
- Mustard Family
  - Short-podded mustard (Hirschfeldia incana)
  - London rocket (Sisymbrium irio)
- Saltbush Family
  - Russian thistle (Salsola tragus)

## **Monocot Flowering Plants**

- Grass Family
  - Slender wild oats (Avena barbata)
  - o Ripgut brome (*Bromus diandrus*)
  - o Red brome (*Bromus madritensis*)
  - Hare barley (Hordeum murinum)
  - Mediterranean grass (Schismus barbatus)

Regarding wildlife, the species observed were limited to birds and one mammal species. Animal species observed are as follows:

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant | No Immont |
| Impact      | Incorporated             | Impact      | No Impact |

#### **Birds**

- Plovers and relatives
  - Killdeer (Charadrius vociferous)
- Kites, hawks, and eagles
  - o Northern harrier (Circus cyaneus)
  - Cooper's hawk (Accipiter cooperi)
  - Red-tailed hawk (Buteo jamaicensis)
- Caracaras and falcons
  - American kestrel (Falco sparverius)
- Pigeons and doves
  - Mourning dove (Zenaida macroura)
- Hummingbirds
  - Anna's hummingbird (Calypte anna)
- Tyrant flycatchers
  - Black phoebe (Sayornis nigricans)
  - Western kingbird (Tyrannus verticaulis)
- Crows and ravens
  - American crow (Corvus brachyrhynchos)
- Mimic thrushes
  - Northern mockingbird (Mimus polyglottos)
- Blackbirds, orioles and relatives
  - o Red-winged blackbird (*Agelaius phoeniceus*)
- Finches
  - House finch (Carpodacus neomexicanus)
- Old World sparrows
  - House sparrow (Passer domesticus)

#### **Mammals**

- Rabbits and hares
  - Audubon's cottontail (Sylvilagus audubonii)

No amphibian species were observed, and no suitable habitat for amphibian species was found. No reptile species were observed, although limited habitat for some human tolerant species, such as side-blotched lizards (*Uta stansburiana*) was observed.

None of the plant or wildlife species observed have protected status under the state or federal Endangered Species Act. None of the plant species observed are considered sensitive by the California Native Plant Society.

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

The burrowing owl is (*Athene cunicularia hypogea*) is designated by the California Department of Fish and Wildlife (CDFW) as a California Species of Special Concern. Suitable habitat for burrowing owl was observed adjacent to portions of the proposed pipeline alignments along dirt roads at the following locations:

- Along the Southern California Edison easement west of Archibald up to the boundary of the American Heroes Park;
- Along the access road in Crossroads Riverview Park southeast of the Treatment Plant;
- The agricultural fields along Hellman Avenue, Scholar Way, and Schleisman Road; and
- The route from Hellman Avenue up to Carpenter Avenue, connecting with Schaefer Avenue.

Even though no burrows were observed during the field survey for the Project's Biological Assessment, because suitable burrowing owl habitat is present, construction of Project Facilities has the potential to impact this species. To avoid potential impacts to burrowing owl, pre-construction surveys shall be conducted. If burrowing owls or signs of burrowing owls are present, then avoidance during the nesting season and passive or active relocation will be necessary. With implementation of mitigation measure **MM BIO 1**,<sup>10</sup> potential impacts to burrowing owl will be reduced to less than significant.

**MM BIO 1**: To avoid potential impacts to burrowing owl, a pre-construction survey (or surveys) shall be conducted no less than 14 days prior to initiating ground disturbance activities in the following locations:

- Along the Southern California Edison easement west of Archibald Avenue up to the boundary of the American Heroes Park;
- Along the access road in Crossroads Riverview Park southeast of the Treatment Plant;
- Agricultural fields along Hellman Avenue, Scholar Way, and Schleisman Road;

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<sup>&</sup>lt;sup>10</sup> Because suitable habitat for burrowing owl is also present in Survey Area 1, Survey Area 2, the clear well site and the pipeline to connect the clear well and booster station, those locations are included in **MM BIO 1**.

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

- The route from Hellman Avenue up to Carpenter Avenue, connecting with Schaefer Avenue;
- Along Schaefer Avenue (if the recycled water reservoirs and pump station are constructed at Survey Area 2);
- The proposed clear well site and pipeline connecting the booster station and clear well; and
- The portion of Survey Area 1 or Survey Area 2 chosen for the proposed recycled water reservoir and pump station.

If burrowing owls, or signs of burrowing owls, are observed, protocol level surveys and/or mitigation measures shall be implemented as prescribed in the California Department of Fish and Wildlife's *Staff Report on Burrowing Owl Mitigation* (March 2012). These mitigation measures may include, but are not limited to, avoidance of the nesting season and passive or active relocation. Passive relocation involves excluding the burrowing owl from burrows by means of a one-way trap door. Active relocation involves the capture and physical relocation of the owl.

The proposed pipeline alignments traverse an area identified as being underlain with Delhi sands, which is a soil type known to provide suitable habitat for the Delhi sands flower-loving fly (DSFLF). The DSFLF is listed as endangered by the U.S. Fish and Wildlife Service (USFWS), but it has not formally been designated by CDFW. Delhi sands are located along the proposed pipeline alignments at areas of Bellegrave Avenue, Carpenter Avenue, and Remington Avenue. Additionally, there are several other Delhi sands soils crossed by various alignments, but all of these areas are either under development or within adjacent cultivated areas. As determined from the field survey associated with the Project's Biological Assessment, because of the disturbed and developed conditions no suitable habitat for the DSFLF is present along or adjacent to the pipeline alignments. Therefore, no impact to DSFLF or its habitat will result from the construction of the proposed pipelines.

Therefore, for the reasons stated above, with implementation of mitigation measure **MM BIO 1**, impacts to candidate, sensitive, or special-status species will be reduced to less than significant.

#### Recycled Water Reservoirs and Pump Station

A biological constraints analysis, which included literature review and a site visit, was prepared for Survey Area 1 and Survey Area 2 in June 2015.

|             | Less Than<br>Significant |             |            |
|-------------|--------------------------|-------------|------------|
| Potentially | with                     | Less Than   |            |
| Significant | Mitigation               | Significant | No loop of |
| Impact      | Incorporated             | Impact      | No Impact  |

Based on the California Natural Diversity Data Base (CNDDB), and California Native Plant Society Electronic Inventory (CNPSEI) there are 21 special status plant and wildlife species that occur within a 5-mile radius of the Survey Areas. The closest recorded occurrences of a special-status plant or wildlife species were two burrowing owls (*Athene cunicularia*) within a half-mile of the Survey Areas. Both of these occurrences were recorded in 1921. (AMEC, pp. 1–2)

Based on the CNDDB, sensitive plant and wildlife species observed within three miles of the Survey Areas include San Bernardino aster (*Symphyotrichum defoliatum*), lucky morning glory (*Calystegia felix*), and silvery legless lizard (*Anniella pulchra pulchra*). (AMEC, p. 2)

Additional species recorded to occur within 5-miles of the Survey Areas include Robinson's pepper-grass (*Lepidium virginicum* var. *robinsonii*), Santa Ana River woollystar (*Eriastrum densifolium* ssp. *sanctorum*), smooth tarplant (*Centromadia pungens* ssp. *laevis*), Santa Ana sucker (Catostomus santaanae), coast horned lizard (*Phrynosoma blainvillei*), Swainson's hawk (*Buteo swainsoni*), least Bell's vireo (*Vireo bellii pusillus*), tricolored blackbird (*Agelaius tricolor*) pallid bat (*Antrozous pallidus*). (AMEC, p. 2)

Additional sensitive plant species recorded in the CNPSEI within the Guasti 7.5-minute quad include Catalina mariposa lily (*Calochortus catalinae*), Parry's spineflower (*Chorizanthe parryi* var. *parryi*), California sawgrass (*Cladium californicum*), paniculate tarplant (*Deinandra paniculata*), California muhly (*Muhlenbergia californica*), prostrate vernal pool navarretia (*Navarretia prostrata*), and Brand's start phacelia (*Phacelia stellaris*). (AMEC, p. 2)

The southern portion of Survey Area 1 is currently under active agricultural use for vegetable crops. There is a single transmission line that trends northeast-southwest within the southern half of Survey Area 1 that provides suitable habitat for a number of nesting bird species. The disked agricultural field extends to the western extent of this portion of the site. The northern portion of Survey Area 1 contains an industrial storage yard for a boring and pipe jacking company, which is extremely disturbed with pipe storage, pipe maintenance, as well as storage for irrigation equipment associated with the active agricultural field on-site.

Survey Area 1 contains Delhi sands. The key habitat elements required by the DSFLF include unconsolidated Delhi sands supporting California buckwheat (*Eriogonum fasciculatum*) and telegraph weed (*Heterotheca grandiflora*). These key habitat

|                         | Less Than<br>Significant |                          |           |
|-------------------------|--------------------------|--------------------------|-----------|
| Potentially Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                  | Incorporated             | Impact                   | No Impact |

requirements for the DSFLF are not present within Survey Area 1 as a result of the industrial storage facility and its compacted soils, and the agricultural activities that have been occurring since the 1930s. Thus, Project implementation is not anticipated to affect DSFLF. Survey Area 1 does not provide any suitable habitat for any sensitive plant and wildlife species identified as potentially occurring within the area.

Suitable nesting and perching habitat for nesting birds is located adjacent to Survey Area 1. The western edge of Survey Area 1 is adjacent to a windrow of eucalyptus trees (located just off-site). There is also a windrow of eucalyptus trees and tamarisk trees adjacent to the eastern boundary (also off-site). Both of these off-site windrows provide suitable habitat for nesting birds. These areas also contain a relatively unvegetated earthen berm that provides suitable perching and nesting areas. Certain birds that would use Survey Area 1 for nesting are protected under the federal Migratory Bird Treaty Act (MBTA); potential impacts to nesting birds are discussed in response IV.d), below.

Survey Area 2 is currently under active agricultural use for alfalfa. There is an existing dirt access road that surrounds the agricultural field. The edges of Survey Area 2 are considered disturbed and provide suitable habitat for burrowing owl. There are approximately 10 large ornamental trees along the boundary and a pair of transmission lines bisecting this Survey Area that provide suitable habitats for nesting birds. The active agricultural fields provide suitable nesting habitat for ground nesting birds such as western meadowlark (*Sturnella neglecta*), horned lark (*Eremophila alpestris*), and killdeer (*Charadrius vociferus*). Survey Area 2 does not contain any mapped Delhi sands soils. Except for burrowing owl, Survey Area 2 does not provide any suitable habitat for any sensitive plant and wildlife species identified as potentially occurring within the area. Because suitable burrowing owl habitat is present at Survey Area 2, implementation of **MM BIO 1** is required prior to any ground disturbance at this site. Certain birds that would use Survey Area 2 for nesting are protected under the MBTA; potential impacts to nesting birds are discussed in response IV.d), below.

For the reasons stated above, with implementation of mitigation measure **MM BIO 1**, impacts to candidate, sensitive, or special-status species at Survey Area 1 and Survey Area 2 will be reduced to less than significant.

#### Facilities at WRCRWA Treatment Plant

The clear well site has been previously disturbed and consists of weedy habitat. The pipeline alignment is also along disturbed, graded land. While no burrowing owls were observed during the field survey, the proposed clear well site and its immediate vicinity,

|                       | Less Than<br>Significant   |                       |           |
|-----------------------|----------------------------|-----------------------|-----------|
| Potentially           | with                       | Less Than             |           |
| Significant<br>Impact | Mitigation<br>Incorporated | Significant<br>Impact | No Impact |

including the pipeline alignment, is identified as providing suitable habitat for burrowing owl. Moreover, as the Project will equip the booster station site being constructed by WRCRWA, no impacts to burrowing owl will result from this activity. The clear well site and pipeline alignment to connect the booster station and clear well do not contain Delhi sands or habitat for any sensitive species except for burrowing owl. With, implementation of **MM BIO 1** potential impacts to candidate, sensitive, or special-status species at the clear well site will be reduced to less than significant.

| b) Have a substantial adverse effect on<br>any riparian habitat or other sensitive<br>natural community identified in local or<br>regional plans, policies, and regulations<br>or by the California Department of Fish<br>and Wildlife or U.S. Fish and Wildlife<br>Service? |  |  |
|--|--|--|
| Service?   |  |  |

(Sources: Project Description, NRAI, AMEC)

### Recycled Water Pipelines

There are no riparian areas within the proposed pipeline alignments or in the immediate vicinity. There is potential riverine habitat within existing concrete-sided flood control channels which include the Cucamonga Creek Channel that generally runs north-south in Eastvale and Day Creek Channel that runs north-south in Jurupa Valley. Proposed pipeline alignments will traverse the Cucamonga Creek Channel within existing paved roadway ROW at Schleisman Road and Hellman Avenue; however, the proposed pipeline alignments in the Walters Street ROW and west of the western terminus of 65<sup>th</sup> Street ROW approximately between the Cucamonga Creek Channel and Hellman Avenue via American Heroes Park will traverse Cucamonga Creek Channel by way of an underground pipeline underneath the channel. Construction of the pipeline underneath the Cucamonga Creek Channel will avoid impacts to potential riverine habitat. Additionally, the proposed pipeline alignments will traverse the Day Creek Channel within existing paved roadway ROW at Bellegrave Avenue and Limonite Avenue and will not impact potential riverine habitat at that channel. Therefore, impacts will be less than significant.

## Recycled Water Reservoirs and Pump Station

There are no existing or potential riparian habitats at either of the Survey Areas. Therefore, no impact in this regard will occur.

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

#### Facilities at WRCRWA Treatment Plant

There are no existing or potential riparian habitats at the clear well site or proposed pipeline alignment connecting the booster station and clear well. Therefore, no impact in this regard will occur.

| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, |  |  |
|--|--|--|
| or other means?  |  |  |

(Sources: Project Description, NRAI, AMEC)

## Recycled Water Pipelines

No water or evidence of ponding was observed during the survey for the Project's Biological Assessment, and no wetlands areas will be impacted by the proposed Pipelines, directly or indirectly.

There are potential jurisdictional waters within the Cucamonga Creek Channel that may qualify as wetlands. Proposed pipelines will traverse the Cucamonga Creek Channel within existing paved roadway ROW at Schleisman Road and Hellman Avenue. The proposed pipeline alignments in the Walters Street ROW and west of the western terminus of 65<sup>th</sup> Street ROW approximately between the Cucamonga Creek Channel and Hellman Avenue via American Heroes Park will traverse the Cucamonga Creek Channel by way of a pipeline underneath the channel. Constructing the pipeline underneath the Cucamonga Creek Channel at Walters Street and west of 65<sup>th</sup> Street will completely avoid disturbance of potentially jurisdiction waters within the Cucamonga Creek Channel. Therefore, impacts will be less than significant.

#### Recycled Water Reservoirs and Pump Station

There are no existing or potential wetlands at either Survey Area. Therefore, no impact in this regard will occur.

#### Facilities at WRCRWA Treatment Plant

There are no existing or potential wetlands at the clear well site or along the alignment of the proposed pipeline to connect the booster station and clear well. Therefore, no impact in this regard will occur.

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-----------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? |                                      |  |                                    |           |

(Sources: Project Description, NRAI, AMEC, OGP EIR)

## Recycled Water Pipelines

The proposed pipeline alignments are within an area where habitat has already been fragmented and divided by roads, housing, and farming. There are no native habitats remaining, and impacts to wildlife movement have already occurred. The proposed pipelines will be located underground, and thus, no additional fragmentation of habitat or wildlife movement impacts will occur. Moreover, within the ROW of the various pipeline alignments there is no nesting habitat for raptors or migratory birds. Adjacent to the pipeline alignments are a number of trees and suburban habitats that could provide suitable nesting for migratory and raptor species. However, construction of the proposed pipelines will take place in an area already experiencing high levels of human activity and noise. The additional construction noise is not expected to significantly impact nesting behavior. As the pipelines will be located underground, there will be no permanent loss of nesting or foraging habitat. Therefore, impacts will be less than significant. (NRAI, pp. 17–18)

## Recycled Water Reservoirs and Pump Station

There are no regional wildlife corridors within Ontario and the city is considered ill-suited for the purposes of wildlife movement. Flood control channels and Southern California Edison corridors could serve as local corridors for wildlife movement within Ontario and between the San Gabriel Mountains to the north and Prado Basin to the south.

There are Southern California Edison corridors that traverse both Survey Areas; however, because the reservoirs and pump station will not be constructed within these corridors, there will be no impacts with regards to a local wildlife corridor.

As discussed in response IV.a), above, Survey Area 1 and Survey Area 2 contain suitable habitat for migrating birds, including those protected under the MBTA. At Survey Area 1 there are off-site windrows of eucalyptus trees along the western and eastern boundaries as well as tamarisk trees adjacent to the eastern boundary (also off site) that provide suitable habitat for nesting birds. The Southern California Edison corridor also provides suitable habitat for nesting birds as well as a relatively unvegetated on-site earthen berm. At Survey Area 2 there are approximately 10 large,

|                         | Less Than<br>Significant |                          |           |
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| Potentially Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                  | Incorporated             | Impact                   | No Impact |

ornamental trees along the western boundary and the Southern California Edison corridor that provide suitable habitat for nesting birds as well as the agricultural field, which provides suitable habitat for birds such as western meadowlark (*Sturnella neglecta*), horned lark (*Eremophila alpestris*), and killdeer (*Charadrius vociferus*). Because suitable nesting habitat is present construction of the reservoirs and pump station may cause a direct short-term impact from vegetation removal or an indirect impact from construction noise. However, with implementation of mitigation measure **MM BIO 2**, which requires pre-construction survey and avoidance of active nests, potential impacts will be reduced to less than significant.

**MM BIO 2**: If construction activities at either Survey Area 1 or Survey Area 2 involving heavy equipment or vegetation removal are to occur between February 1 and August 31, a pre-construction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or Fish and Game Code are present in the construction zone or within a buffer of 500 feet. Pre-construction nesting/breeding surveys shall be conducted within 10 days prior to the construction activity. If no active nests are found during the survey, construction activities may proceed. If nesting birds are observed on-site, an avoidance area shall be established to ensure that construction activities will not cause a nest to fail. A minimum buffer area surrounding the nest shall be avoided by all construction activities until the nestlings have fledged the nest. The buffer zones distance shall be 300 feet for non-raptor nests, 500 feet for raptor nests, 100 feet for common songbird nests, or as determined by the biological monitor in consultation with the California Department of Fish and Wildlife. A biological monitor shall be required to monitor the progress of the nesting birds. Construction activities may encroach within the buffer area at the discretion of the biological monitor in consultation with the California Department of Fish and Wildlife. Once the nestlings have fledged the nest, construction activities may proceed within the buffer area with no further restrictions with regard to nesting birds.

#### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are located in an area where habitat has already been fragmented by urbanization and land disturbances, which has impacted the ability of the area to facilitate wildlife movement corridors. Construction of the proposed clear well and pipeline connecting the booster station and clear well will take place in an area already experiencing high levels of human activity and noise. The

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| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

additional construction noise is not expected to significantly impact nesting behavior. Moreover, equipping the shell of the booster station that is being constructed by WRCRWA with necessary equipment to operate the booster station will not impact nesting behavior. As the clear well site currently consists of weedy habitat, there will be no permanent loss of nesting or foraging habitat. Therefore, impacts will be less than significant.

| e) Conflict with any local policies or ordinances protecting biological |  | $\boxtimes$ |  |
|---|--|-------------|--|
| resources, such as a tree preservation policy or ordinance?             |  |             |  |

(Sources: Project Description, EMC, EGP, CMC, OGP EIR, OMC)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Jurupa Valley adopted Ordinance No. 2011-01 on July 1, 2011, the date of the city's incorporation, which states that Riverside County ordinances and General Plan policies and designations applicable to the area before incorporation remain in effect until they are superseded. Eastvale adopted its General Plan in June 2012 and incorporated Riverside County ordinances unless the ordinance has been superseded by another ordinance adopted by the City. As a result, the eight Riverside County policies that address key biological issues as identified in the County's Jurupa Area Plan remain applicable within Jurupa Valley. However, as the proposed pipelines in Jurupa Valley are located within existing paved ROW, construction and operation of the proposed pipelines in Jurupa Valley and Eastvale will not conflict with the Jurupa Area Plan's policies protecting key biological issues.

While Ontario does not have any municipal ordinances for the protection of trees on private property, Municipal Code Sections 10-1.25 and 10-2.05 prohibit the damaging or destruction of trees on Ontario's property including city-owned parks, median parkway, or trails except under conditions specified in the Municipal Code. Construction and operation of the proposed reservoirs and pump station will not conflict with Ontario's local policies or ordinance protecting biological resources. Therefore, no impact in this regard will occur.

The clear well site is located on vacant, disturbed land consisting of weedy habitat. The alignment of the proposed pipeline connecting the booster station and clear well is also disturbed, graded land with weedy habitat. The construction and operation of the proposed facilities at the Treatment Plant will not result in the removal of trees or otherwise conflict with a local policy or ordinance protecting biological resources.

|             | Less Than<br>Significant |             |           |
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| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

Moreover, equipping the shell of the booster station that is being constructed by WRCRWA with necessary equipment to operate the booster station will not result in a conflict with a local policy or ordinance protecting biological resources. Therefore, no impact in this regard will occur.

| f) Conflict with the provisions of an adopted Habitat Conservation Plan,                                    |  |  |
|---|--|--|
| Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? |  |  |

(Sources: Project Description, MSHCP, RCMMC, OGP EIR, AMEC, NRAI)

## Recycled Water Pipelines

JCSD's service area is located within the boundaries of the MSHCP; however, JCSD is not a Permittee. Although JCSD is not a Permittee, coverage under the MSHCP (and therefore, take authorization under the MSHCP) can be obtained by seeking "Third Party Take Authorization" through the Western Riverside County Regional Conservation Authority. As impacts to biological resources will likely be avoided through facility design, timing of construction, and adherence to mitigation measures, coverage will not likely be sought.

The MSHCP identifies a series of Criteria Cells and identifies the conservation goals for each Criteria Cell. There are two sections of proposed pipeline alignments within MSHCP Criteria Cells. The first section is within Citrus Avenue ROW, which lies partially within the northern part of Criteria Cell 786. The second section is adjacent to Interstate 15 within Caltrans ROW, which lies partially within the northern part of Criteria Cell 698. Both of these Criteria Cells are part of Subunit 1 Santa Ana River Central. Conservation goals associated with Criteria Cells 786 and 698 are focused on the southern portion of these cells near the Santa Ana River. Because the sections of the proposed pipelines are within the northern portion of Criteria Cells 786 and 698 and do not support the resources proposed for conservation within the Criteria Cells or the Subunit, implementation of the Project will not conflict with the conservation goals of the MSHCP.

JCSD will need to obtain encroachment permits from RCFCWCD (a Permittee to the MSHCP) for proposed pipeline alignments that traverse Day Creek Channel in Jurupa Valley at Bellegrave Avenue and Limonite Avenue; this section of the proposed pipelines must demonstrate compliance with MSHCP. The following discussion is intended to provide the information needed by RCFCWCD to find that any work conducted in the Day Creek Channel ROW will comply with MSHCP Section 3.2.1,

| act |     |
|-----|-----|
|     | act |

Section 6.1.2, Section 6.1.3, Section 6.1.4, Section 6.3.2, Section 7.5.3, and Appendix C to the MSHCP.

## MSHCP Section 3.2.1 (The MSHCP Plan Map)

The MSHCP Plan Map identifies the following four categories of property within the MSCHP Plan Area: Criteria Area, Public/Quasi-Public Lands (PQP), Rural Mountainous Designation, and American Indian Lands. The area where the proposed pipelines traverse the Day Creek Channel is not identified as one of these four categories. As such, the Project is compliant with Section 3.2.1 of the MSHCP.

# MSHCP Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools)

The portion of the Day Creek Channel where the proposed pipelines will traverse within Limonite Avenue and Bellegrave Avenue is improved as a trapezoidal concrete channel. This area does not contain riparian/riverine habitat or vernal pools with special survey requirements. No focused surveys or conservation are required. As such, the Project is compliant with Section 6.1.2 of the MSHCP.

## MSHCP Section 6.1.3 (Protection of Narrow Endemic Plant Species)

The portion of Day Creek Channel where the proposed pipelines traverse is within the Narrow Endemic Plant Species Survey Area (NEPSSA) 7, which includes the following target plant species: San Diego ambrosia, Brand's Phacelia, and San Miguel savory. None of the NEPSSA species are expected to occur within the Day Creek Channel site due to the channel's improvement as a trapezoidal concrete channel and the absence of suitable habitat. No focused surveys or conservation are required. As such, the Project is compliant with Section 6.1.3 of the MSHCP.

### MSHCP Section 6.1.4 (Guidelines Pertaining to Urban Wildlands Interface)

The MSHCP Urban/Wildland Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. The portion of Day Creek Channel where the proposed pipelines will traverse does not occur adjacent to sensitive habitat, including MSHCP Criteria Areas. Additionally, because construction of the pipelines will not result in long-term adverse edge effects such as drainage, toxics, lighting, noise, invasive species, barriers, or grading, no significant indirect impacts to special-status biological resources will occur. Thus, the MSHCP Urban/Wildland Interface Guidelines are not applicable. As such, the Project is compliant with Section 6.1.4 of the MSHCP.

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#### MSHCP Section 6.3.2 (Additional Survey Needs and Procedures)

The portion of the Day Creek Channel where the proposed pipelines will traverse does not occur within the Criteria Area Plant Species Survey Area or special animal species survey areas for amphibians or mammals. This portion of the Day Creek Channel is within the burrowing owl survey area. However, burrowing owl is not anticipated to occur within the Day Creek Channel site due to the channel's improvements as a trapezoidal concrete channel and the absence of suitable habitat. No additional focused surveys or conservation are required. As such, the Project is compliant with Section 6.1.4 of the MSHCP.

## MSHCP Section 7.5.3 (Construction Guidelines)

The MSHCP Construction Guidelines are intended to address construction effects in proximity to the MSHCP Conservation Area and PQP Lands. These guidelines pertain to activities such as sediment and erosion control, timing of construction activities, stream diversions, footprint of disturbance areas, exotic species removal, training of construction personnel, equipment maintenance, and disposal of waste, dirt, rubble, or trash. The portion of Day Creek Channel where the proposed pipelines will traverse is not located within or adjacent to an MSHCP Criteria Cell, and thus, this section is not applicable. As such, the Project is compliant with Section 7.5.3 of the MSHCP.

#### MSHCP Appendix C (Standard Best Management Practices)

The MSHCP Standard Best Management Practices pertain to the same types of activities as the MSHCP Construction Guidelines and will be addressed in either a pipeline facility-specific Storm Water Pollution Prevention Plan (SWPPP) or an erosion and sediment control plan required by mitigation measure **MM GEO 1**.

Therefore, as discussed above, the Project's proposed pipelines that will traverse the Day Creek Channel ROW will be compliant with the MSHCP. Impacts with regard to conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, to state habitat conservation plan will be less than significant.

#### Recycled Water Reservoirs and Pump Station

The majority of Survey Area 1 is located within the Ontario Recovery Unit for the DSFLF. The Ontario Recovery Unit covers approximately 21.7 square miles within Ontario, and is part of a recovery plan that is intended to recover and protect the DSFLF. According to the Draft Recovery Plan, there is restorable habitat for the DSFLF along the Southern California Edison ROW and along a shallow wash in southwestern Ontario; however, it should be noted that DSFLF has not been observed in Ontario.

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| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

Recorded occurrences of the DSFLF have been outside and southeast of Ontario's limits.

Projects within the Ontario Recovery Unit are required to have focused surveys for DSFLF conducted on the site and consult with the USFWS regarding mitigation of impacts if any DSFLF are found pursuant to Section 7 of the federal Endangered Species Act.

Although Survey Area 1 contains Delhi sands, the key habitat requirements for the DSFLF are not present due to the industrial storage facility and compacted soils in the northern portion, and the disturbed land from over 80 years of agricultural activities in the remaining portion of the Survey Area. It was determined focused DSFLF surveys are not required because there is no suitable habitat at Survey Area 1. Survey Area 2 does not contain Delhi sands nor is it within the Ontario Recovery Unit.

There is one approved Habitat Conservation Plan (HCP) in Ontario as well as an area of San Bernardino Kangaroo Rat Critical Habitat. The Oakmont Industrial Group HCP was established for the protection of the DSFLF on approximately 19 acres adjacent to the intersection of Greystone Drive and Sanford Avenue, which is approximately 3 miles northeast of the Survey Areas. The Survey Areas are also located approximately 6 miles southwest from the San Bernardino Kangaroo Rat Critical Habitat in Ontario. Because the Survey Areas are not within an HCP, impacts with regard to conflicts with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, to state habitat conservation plan will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are located within the boundaries of the MSHCP. Please refer to the discussion under *Recycled Water Pipelines*.

| V. CULTURAL RESOURCES <sup>11</sup>  |  |  |             |  |  |
|--|--|--|-------------|--|--|
| Would the project:   |  |  |             |  |  |
| a) Cause a substantial adverse change in<br>the significance of a historical resource<br>as defined in §15064.5? |  |  | $\boxtimes$ |  |  |

<sup>&</sup>lt;sup>11</sup> Please note that additional discussion of the Project's impacts in regards to the National Historic Preservation Act and Environmental Justice, as part of the CEQA-Plus analysis, is contained in Section D of this IS/MND.

|                       | Less Than<br>Significant   |                       |           |
|-----------------------|----------------------------|-----------------------|-----------|
| Potentially           | with                       | Less Than             |           |
| Significant<br>Impact | Mitigation<br>Incorporated | Significant<br>Impact | No Impact |
|                       |                            |                       |           |

(Sources: CRM TECH)

CEQA establishes that "a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (PRC Section 21084.1). "Substantial adverse change," according to PRC Section 5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired." Moreover, State *CEQA Guidelines* state that the term "historical resources" applies to any such resources listed in or determined to be eligible for listing in the California Register of Historical Resources, included in a local register of historical resources, or determined to be historically significant by the lead agency (Section 15064.5(a)).

#### Recycled Water Pipelines

A cultural resources assessment was undertaken for the Project, which included in part, a records search, historical background research, and field surveys conducted in May and June 2015. The records search results yielded a large number of previous cultural resources studies that involved portions of the Project Facilities or properties along the proposed pipeline route. As a result of these and other similar studies in the vicinity, one linear site from the historic period (Site 33-016681/36-013627) was previously recorded as crossing various proposed pipeline alignments. Within a 1-mile radius, records show that 60 historic-period sites have been identified. The vast majority of historic-period sites are single-family residences, along with a few refuse scatters and the Union Pacific Railroad; however, none of these sites within the 1-mile radius occur immediately adjacent to the proposed pipeline alignments except for the aforementioned Site 33-016681/36-013627. Additionally, based on historic maps, the proposed pipeline alignments appear relatively low in sensitivity for cultural resources from the historic period, especially considering their location mostly within existing road ROW.

Site 33-016681/36-013627 represents the Southern Sierras Power Transmission "O" Line, a single circuit 115kV transmission line built in 1929 between Seal Beach and San Bernardino. The "O" designation denotes an "open" line, intended as an emergency power connection between the Los Angeles Gas and Electric Company and the Southern Sierras Power Company. When recorded in 2007, it was reported that portions of the transmission line in Orange County had been removed, while some segments remained in place in Riverside and San Bernardino counties. During the survey for the Project's cultural resources assessment, several power transmission lines across the proposed pipeline alignments in Jurupa Valley and Eastvale were found to be possibly of historical origin, including one matching the alignment recorded for Site 33-016681/36-013627. This power line consists of wooden poles carrying overhead

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| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

wires across various streets containing the proposed pipelines. However, at these locations, the proposed undertaking entails only trenching for the installation of underground pipelines, which has no potential to affect the physical components, appearance, or function of Site 33-016681/36-013627 or any of the other power transmission lines across the proposed pipeline alignments. Therefore, these power lines are considered to be outside the vertical extent of the proposed pipeline alignments and construction of the pipelines will not impact the significance or integrity of Site 33-016681/36-013627 or any other historical period resource. Impacts will be less than significant.

#### Recycled Water Reservoirs and Pump Station

The records search results as part of the Project's cultural resources assessment yielded a linear site from the historic period that traverses Survey Area 2 (Site 36-025440). Site 36-025440 was recorded in 2010 as a 12-mile-long 220kV power transmission line connecting the Southern California Edison Company's Chino and Mira-Loma substations, originally built in 1937 but with some of towers replaced in 1940. According to the site record, the line consists of 90-foot-tall, T-shaped steel lattice towers except in the easternmost 2-mile segment, where the towers were replaced in 1979. The segment of Site 36-025440 that traverses Survey Area 2 traverses the survey area in an east-west direction. During the field survey, the transmission line with its T-shaped steel lattice towers were observed at that location, accompanied by a second line with taller towers of modern appearance.

When recorded in 2010, Site 36-025440 was the subject of a historic significance evaluation. It was determined at that time that the transmission line does not appear eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, and does not meet the definition of a "historic property" or a "historical resource" under Section 106 of the National Historic Preservation Act and CEQA. The Project's cultural resources assessment did not encounter new information to necessitate a reexamination of that conclusion. Thus, construction of the recycled water reservoirs and pump station will not impact historic resources. Moreover, the proposed reservoirs and pump station will not be constructed within the Southern California Edison corridors at either Survey Area 1 or Survey Area 2. Impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

No historic resources were identified at or in the immediate vicinity of the clear well site, and as such, development of the proposed facilities at the Treatment Plant will not impact historic resources. Moreover, equipping the shell of the booster station that is

|                            | Less Than<br>Significant |                          |           |
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| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

being constructed by WRCRWA with necessary equipment to operate the booster station will not impact historic resources. Therefore, impacts will be less than significant.

| b) Cause a substantial adverse change in<br>the significance of an archaeological<br>resource pursuant to §15064.5? |  |  |
|---|--|--|
| resource parsuant to 3 1000+.0:   |  |  |

(Sources: CRM TECH)

## Recycled Water Pipelines

A cultural resources assessment was undertaken for the Project. As it relates to archaeological resources, the assessment also included a geoarchaeological analysis, archaeological records search and field surveys, and Native American coordination to solicit input from local tribes and a request for a Sacred Lands File search by the Native American Heritage Commission (NAHC). Within a 1-mile radius of the Project Facilities, 14 prehistoric sites and 2 isolates were identified as well as 19 "pending sites." All of the prehistoric sites consisted of bedrock-milling features or lithic scatters, and the vast majority of them were clustered near the southwestern end of the Project area, along the northern bank of the Santa Ana River. An expanded records search for archaeological sites within a 5-mile radius was also conducted. Overall, the locations and types of prehistoric archaeological resources identified in the expanded records search were found at higher elevations above the Santa Ana River bank, and appear to support the existing prehistoric hunter-gatherer settlement-subsistence models for inland Southern California. These locations also suggest that permanent or long-term settlement was more likely to occur on elevated terraces, hills, and finger ridges near reliable sources of water, while the valley floor was mostly used for resource procurement, traveling, and opportunistic camping. Moreover, the geoarchaeological analysis determined the alignments for the proposed pipelines appear to be relatively low in potential for significant archaeological remains in subsurface deposits.

NAHC's Sacred Lands File search indicated the presence of Native American cultural resources that may be impacted by the Project, and recommended local Native American tribes by contacted. Accordingly, CRM TECH contacted all individuals identified by NAHC. As a result of this outreach, four of the contacted tribes requested Native American monitoring of ground-disturbing activities, which include the following:

- Gabrieleño Band of Mission Indians;
- Gabrieliño/Tongva Band of San Gabriel Mission Indians;

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| Impact      | Incorporated             | Impact      | No Impact |

- Gabrielino Tongva Nation; and
- Pauma Band of Luiseño Indians.

Moreover, the Gabrieleño Band of Mission Indians considers the Project area, including the proposed pipeline alignments, to be within a culturally sensitive area near village sites known to that tribe. The Gabrieliño/Tongva Band of San Gabriel Mission Indians also considered the Project area to be culturally sensitive. Both the Gabrielino/Tongva San Gabriel Band of Mission Indians and Gabrielino Tongva Nation also requested monitoring of ground-disturbing activities by an archaeologist in addition to a Native American monitor. However, as the proposed pipeline alignments are within existing ROW, the vast majority of which are improved as paved roadways or otherwise disturbed, the likelihood of impacting archaeological resources is considered low. Even so, to reduce potential impacts to archaeological resources that may be inadvertently discovered during construction and installation of the proposed pipelines, mitigation measure MM CR 1 is required. This measure requires avoidance if there is an inadvertent discovery until a significance determination can be made by a qualified archaeologist, and adherence to appropriate measures if the find is determined to be significant under CEQA.

**MM CR 1**: Should any archaeological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified archaeologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique archaeological resource, as defined in Section 15064.5 of the State *CEQA Guidelines*, avoidance or other appropriate measure shall be implemented.

Therefore, for the reasons stated above, impacts to archaeological resources will be less than significant with mitigation.

#### Recycled Water Reservoirs and Pump Station

No known prehistoric archaeological sites were identified to occur at either Survey Area 1 or Survey Area 2 by the Project's cultural resources assessment. Moreover, the geoarchaeological analysis determined the survey areas appear to be relatively low in potential for significant archaeological remains in subsurface deposits. However, as these survey areas are outside of existing disturbed and/or paved ROW, and to accommodate the particular interest of the tribes listed under *Recycled Water Pipelines*, above, archaeological monitoring of initial ground-disturbing activities associated with

|             | Less Than<br>Significant |             |           |
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| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

the construction of the recycled water reservoirs and pump station is required by mitigation measure **MM CR 2**, which also requires the archaeologist to contact the Gabrieleño Band of Mission Indians, Gabrielino/Tongva San Gabriel Band of Mission Indians, Gabrielino Tongva Nation, and Pauma Band of Luiseño Indians to invite them to provide a culturally-affiliated Native American monitor. This measure also requires avoidance of the discovery until a significance determination can be made by a qualified archaeologist and adherence to appropriate measures if the find is determined to be significant under CEQA.

MM CR 2: A qualified professional archaeologist shall be retained to monitor initial ground-disturbing activities related to construction of the recycled water reservoirs and pump station at either Survey Area 1 or Survey Area 2. The archaeologist shall contact the Gabrieleño Band of Mission Indians, Gabrielino/Tongva San Gabriel Band of Mission Indians, Gabrielino Tongva Nation, and Pauma Band of Luiseño Indians and invite them to provide a culturally-affiliated Native American monitor to be present during initial ground-disturbing activities. If any archaeological deposits are encountered, all ground-disturbing work shall be halted at the location of the discovery until a qualified archaeologist determines the significance of the resource(s). If the archaeologist determines a find to be a unique archaeological resource, as defined in Section 15064.5 of the State CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Therefore, for the reasons stated above, impacts to archaeological and tribal cultural resources will be less than significant with mitigation.

#### Facilities at WRCRWA Treatment Plant

No known prehistoric archaeological sites were identified to occur at or in the vicinity of the clear well site by the Project's cultural resources assessment. Moreover, the geoarchaeological analysis determined the clear well site and its vicinity appear to be relatively low in potential for significant archaeological remains in subsurface deposits. Given the disturbed nature of the Treatment Plant, the likelihood of the proposed facilities at the Treatment Plant impacting archaeological resources is considered low. Even so, to reduce potential impacts to archaeological resources that may be inadvertently discovered during construction of the clear well and the underground pipeline connecting the booster station and the clear well, mitigation measure **MM CR 1** is required. This measure requires avoidance if there is an inadvertent discovery until a significance determination can be made by a qualified archaeologist, and adherence to

| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|--------------------------------------|--|------------------------------------|-----------|
|                                      |  |                                    |           |

appropriate measures if the find is determined to be significant under CEQA. Therefore, impacts to archaeological resources will be less than significant with mitigation.

| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? |  |  |  |  |
|---|--|--|--|--|
|---|--|--|--|--|

(Sources: RCMMC, OGP EIR, CGP EIR)

## Recycled Water Pipelines

Paleontological resources include fossils of plant and animal remains from prehistoric eras. According to Riverside County data, the portions of Eastvale and Jurupa Valley where pipelines are proposed have a low to high potential of containing paleontological resources. According to the Ontario Plan EIR, the possibility of finding paleontological resources within Ontario is moderate to high, and according to the Chino General Plan EIR, unknown paleontological resources could be discovered or disturbed as development occurs. Construction and installation of the proposed pipelines, depending on soil conditions, may require trenching that is 4 feet wide and 8 feet deep. However, paleontological resources are not expected to be discovered during construction within ROW that have had previous pipeline installations or within previously disturbed surfaces. Additionally, due to increasing development of the Project area, and over 50 years of agricultural, equestrian, and dairy operations, the likelihood of discovering paleontological resources is considered low. In the event of accidental discovery of paleontological resources, mitigation measure **MM CR 3** will reduce impacts to less than significant by ensuring the appropriate steps are taken to safeguard the resource.

**MM CR 3**: Should any paleontological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified paleontologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique paleontological resource, as defined in Section 15064.5 of the State *CEQA Guidelines*, then a mitigation program shall be developed in accordance with the provisions of CEQA as well as the guidelines of the Society of Vertebrate Paleontology (1995), and shall include, but not be limited to, the following:

 The excavation of areas identified as likely to contain paleontological resources shall be monitored by a qualified paleontological monitor. Monitoring should be restricted to undisturbed subsurface areas of older alluvium, which may be

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

present below the surface. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. The monitor shall also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.

- Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved.
- Specimens shall be identified and curated at a repository with permanent retrievable storage to allow further research in the future.
- A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the procedures outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the appropriate lead agency, shall signify completion of the program to mitigate impacts to paleontological resources.

Therefore, for the reasons stated above, impacts to paleontological resources will be less than significant with mitigation.

## Recycled Water Reservoirs and Pump Station

As discussed above, according to the Ontario Plan EIR, the possibility of finding paleontological resources within Ontario is moderate to high. The construction of the proposed reservoirs and pump station will entail excavation to connect the proposed recycled water pipelines into the reservoir and pump station. Paleontological resources are not expected to be discovered during construction. However, in the event of accidental discovery of paleontological resources, implementation of mitigation measure **MM CR 3** will reduce impacts to less than significant by taking the appropriate steps to safeguard the resource. Therefore, impacts to paleontological resources at the Survey Areas will be less than significant with mitigation.

#### Facilities at WRCRWA Treatment Plant

The Treatment Plant is located in an area identified by Riverside County data with a high potential for paleontological resources. However, paleontological resources are not expected to be discovered during construction given the historic uses in the area. Even

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
| so, in the event of accidental discovery of mitigation measure <b>MM CR 3</b> will reduce | •                                    | •  | •                                  | •         |
| appropriate steps to safeguard the resou  | urce. Theref                         | ore, impacts t   | o paleontolo                       | ogical    |

appropriate steps to safeguard the resource. Therefore, impacts to paleontological resources will be less than significant with mitigation.

d) Disturb any human remains, including

| d) Disturb any human remains, including those interred outside of formal cemeteries? |  |  |
|--|--|--|
|  |  |  |

(Sources: Google Earth, Figure 2; HSC; PRC)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Construction of the proposed Project is not expected to disturb any human remains, including those interred outside of formal cemeteries. Due to the previously disturbed and developed condition of the Project Facilities identified on **Figure 2**, the discovery of human remains is extremely unlikely. Therefore, impacts to human remains are less than significant and mitigation is not necessary. In the unlikely event that during construction suspected human remains are uncovered, all construction in the vicinity of the remains shall cease and the contractor shall notify the County Coroner immediately pursuant to California Health & Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

| VI. GEOLOGY AND SOILS  |  |  |
|--|--|--|
| Would the project:   |  |  |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |  |  |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. |  |  |

(Sources: Project Description, RCMMC, OGP EIR, CGP EIR)

|                       | Less Than<br>Significant   |                       |           |
|-----------------------|----------------------------|-----------------------|-----------|
| Potentially           | with                       | Less Than             |           |
| Significant<br>Impact | Mitigation<br>Incorporated | Significant<br>Impact | No Impact |
| impact                | incorporated               | iiipact               | No impact |

## Recycled Water Pipelines

There are no Alquist-Priolo Earthquake Fault Zones within the boundaries of JCSD. The closest known active fault zones are: the Chino Fault and the Elsinore-Whittier fault, both located southwest of JCSD, and the San Jacinto Fault, which is located northeast of JCSD. The pipelines, which will be located underground, will be designed and constructed pursuant to the current *Jurupa Community Services District's Standards Manual* and incorporate standard seismic design criteria including criteria outlined by the American Water Works Association. Therefore, due to the distance of active fault zones, lack of faults in the Project area, incorporation of standard design measures that reduce the risk of seismic-induced failure, and the absence of manned facilities, impacts to people and structures from rupture of a known earthquake fault will be less than significant.

#### Recycled Water Reservoirs and Pump Station

The Survey Areas are not located with an Alquist-Priolo Earthquake Fault Zone, and there are no known faults within Ontario. The closest known active fault zone is the Chino Fault generally southwest of Ontario. The proposed reservoirs and pump station will be designed and constructed pursuant to the current *Jurupa Community Services District's Standards Manual* and incorporate standard seismic design criteria including criteria outlined by the American Water Works Association. Moreover, the proposed reservoirs and pump station will be unmanned facilities. Therefore, due to the distance of active fault zones, lack of faults in the Project area, incorporation of standard design measures that reduce the risk of seismic-induced failure, and the absence of manned facilities, impacts to people and structures from rupture of a known earthquake fault will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are not located with an Alquist-Priolo Earthquake Fault Zone. The closest known active fault zone is the Chino Fault generally west of the Treatment Plant site. The proposed clear well and underground pipeline will be designed and constructed pursuant to the current *Jurupa Community Services District's Standards Manual* and incorporate standard seismic design criteria including criteria outlined by the American Water Works Association and will be an unmanned facility. Moreover, the booster station is an unmanned facility. Therefore, due to the distance of active fault zones, lack of faults in the Project area, incorporation of standard design measures that reduce the risk of seismic-induced failure, and the absence of manned facilities, impacts to people and structures from rupture of a known earthquake fault will be less than significant.

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
| ii) Strong seismic ground shaking?  |                                      |  | $\square$                          |           |
| , , ,   |                                      |  |                                    |           |
| (Sources: Project Description, RCMMC, OGP   | ,                                    |  |                                    |           |
| Recycled Water Pipelines, Recycled Facilities at WRCRWA Treatment Plate Refer to the discussion in response VI. | ant                                  | ervoirs and P  | ump Statio                         | n, and    |
| iii) Seismic-related ground failure, including liquefaction?  |                                      |  | $\boxtimes$                        |           |

(Sources: Project Description, RCMMC, OGP EIR, CGP EIR)

## Recycled Water Pipelines

The pipelines will be constructed in areas identified as having a low to very high susceptibility for liquefaction; however, as discussed in response VI.a.i), above, none of the pipeline alignments are located within an Alquist-Priolo Earthquake Fault Zone. Because the pipelines are unmanned underground facilities that will incorporate standard seismic design criteria, including criteria outlined by the American Water Works Association, potential impacts to people and structures from seismic-related ground failure, including liquefaction will be less than significant.

### Recycled Water Reservoirs and Pump Station

The Survey Areas are in an area susceptible to liquefaction; however, as discussed in response VI.a.i), above, the Survey Areas are not located within an Alquist-Priolo Earthquake Fault Zone. Because the proposed reservoirs and pump station will be an unmanned facility that will incorporate standard seismic design criteria, including criteria outlined by the American Water Works Association, potential impacts to people and structures from seismic-related ground failure, including liquefaction will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are in an area with moderate to high liquefaction susceptibility; however, as discussed in response VI.a.i), above, the proposed facilities is not located within an Alquist-Priolo Earthquake Fault Zone. Because the proposed facilities at the Treatment Plant will be unmanned and incorporate standard seismic design criteria, including criteria outlined by the American Water Works Association, potential impacts to people and structures from seismic-related ground failure, including liquefaction will be less than significant.

|                 | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|-----------------|--------------------------------------|--|------------------------------------|-----------|
|                 |                                      |  |                                    |           |
| iv) Landslides? |                                      |  |                                    |           |

(Sources: Project Description; Google Earth)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Due to the low-lying relief of the Project area where the recycled water pipelines are proposed and generally flat terrain in the immediate area, landslides due to seismic shaking are considered extremely unlikely. Moreover, the pipelines will be underground. Thus, construction and operation of the proposed Project Facilities will not expose people or structures to potential landslides. Therefore, no impact in this regard will occur.

| b) Result in substantial soil erosion or the loss of topsoil? |  |  |  |  |
|---|--|--|--|--|
|---|--|--|--|--|

(Sources: Project Description, SWP)

## Recycled Water Pipelines

Proposed pipelines will be primarily located within paved ROW, and even in areas of unpaved ROW or easements where pipelines are proposed, the original surface conditions will be restored after pipeline installation. Thus, operation of the pipelines will not result in substantial soil erosion or loss of topsoil.

Pipeline construction may result in soil erosion. Construction of the proposed distribution network will be accomplished in discrete phases over time. For any phase of pipeline construction that would entail an area of disturbance greater than a mile, JCSD would obtain coverage under the NPDES General Construction Permit from the State Water Resources Control Board via the Santa Ana Regional Water Quality Control Board (SARWQCB) and prepare a SWPPP. The SWPPP, which will be implemented by the contractor, is required to identify Best Management Practices (BMPs) for erosion control, sediment control, tracking control, and wind erosion control. As a result, potential impacts associated with soil erosion from construction-related activities will be reduced to less than significant with preparation and implementation of a SWPPP (or SWPPs). For pipeline facilities constructed in segments that are less than a mile in length (which would not require a SWPPP), adherence to mitigation measure **MM GEO**1 is required. This mitigation measure requires the preparation of an erosion and sedimentation control plan that identifies BMPs to be implemented during construction.

**MM GEO 1**: Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan,

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   | No Impact |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      |           |

an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request.

With adherence to a pipeline facility-specific SWPPP, or a pipeline facility-specific erosion control plan for those pipeline segments not requiring a SWPPP, potential impacts relative to soil erosion from construction of the pipelines will be less than significant.

## Recycled Water Reservoirs and Pump Station

The Project proposes the acquisition of a site approximately 520 feet by 250 feet (approximately 3 acres) within either Survey Area 1 or Survey Area 2. Within this approximately 3 acre site, the recycled water reservoirs and pump station will be constructed within an area approximately 280 feet by 250 feet (approximately 1.6 acres). Because construction of the proposed reservoirs and pump station will entail disturbance of more than one acre preparation and implementation of a SWPPP, as discussed under *Recycled Water Pipelines* is required. As a result, the potential impacts associated with soil erosion from construction-related activities will be reduced to less than significant. Further, as the footprint of the station site is relatively minor in size, a substantial loss of topsoil will not result, nor will the proposed station's operation result in substantial erosion. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The clear well site encompasses approximately 0.9 acres, and the proposed underground pipeline to connect the booster station and clear well is less than one mile in length. As this area of disturbance is under an acre and less than a mile, respectively, a SWPPP is not required, which means mitigation measure **MM GEO 1** is applicable to construction of these facilities. The implementation of the erosion control plan required by mitigation measure **MM GEO 1** prevent substantial soil erosion during construction-related activities and reduce potential impacts to less than significant.

1

<sup>&</sup>lt;sup>12</sup> The remainder of the 3 acre site that is not used for the reservoirs or pump station (approximately 1.4 acres) will be used for future treatment facilities. Because the nature of the treatment facilities has yet to be determined, the treatment facilities are not a part of this Project.

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

(Sources: RCMMC, OGP EIR)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Regarding faults, landslides, and liquefaction, see responses VI.a.i) through VI.a.iv), above.

Lateral spreading consists of lateral movement of level or near-level ground associated with liquefaction during an earthquake, and as discussed above, the proposed pipelines are within an area identified with low to very high susceptibility for liquefaction. In areas of high and very high susceptibility for liquefaction, there is a potential for lateral spreading to occur. However, because the pipelines are unmanned underground facilities that will incorporate standard seismic design criteria, including criteria outlined by the American Water Works Association, potential impacts from potential lateral spreading will be less than significant.

Ground subsidence is typically a gradual settling or sinking of the ground surface with little or no horizontal movement, although fissures (cracks and separations) are common. The Project area is susceptible to subsidence. However, because the pipelines are unmanned underground facilities that will incorporate standard engineering design and construction protocols, potential impacts from subsidence will be less than significant.

Collapse can occur with collapsible soils become saturated, causing rapid, substantial settlement under relatively light loads. Soils prone to collapse are generally deposited by flash floods or wind. Collapsible soils in the region predominantly occur at the bases of mountains as a result of alluvial sediments deposited during rapid runoff events, and as such, the potential for collapse where pipelines are proposed is low. Because the Project Facilities will incorporate standard engineering design and construction protocols, potential impacts from collapse will be less than significant.

|   | Potentially<br>Significant<br>Impact | Less Than Significant with Mitigation Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
| d) Be located on expansive soil, as<br>defined in Table 18-1-B of the Uniform<br>Building Code (1994), creating<br>substantial risks to life or property? |                                      |  |                                    |           |

(Sources: NRAI, USDA)

## Recycled Water Pipelines

Expansive soils have a significant amount of clay particles or other minerals that have the ability to give up water (shrink) or take on water (swell). The occurrence of these soils is often associated with geologic units having marginal stability, and they can occur in hillside areas as well as low-lying alluvial basins. There are 40 soils within the Project area. Most of the soils underlie already impacted areas, such as streets and houses, or have been seriously altered by agriculture and dairy farming.

Soils in the Project area are primarily well drained as they are associated with alluvial fans and flood plains and have a surface layer of sand to sandy loam. These soils do not have shrink/swell tendencies due to the lack of clay materials. The pipelines are not expected to be located on expansive soil, and thus will not create substantial risks to life or property. Therefore, impacts will be less than significant.

## Recycled Water Reservoirs and Pump Station

Soils at Survey Area 1 consist of Delhi sands soil. Soils at Survey Area 2 consist of Hilmar loamy fine sands. Both of these soil types have a low shrink-swell potential and do not constitute expansive soil. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

Soils at the Treatment Plant site are primarily well drained as they are associated with alluvial fans and flood plains and have a surface layer of sand to sandy loam. These soils do not have shrink/swell tendencies due to the lack of clay materials. The proposed facilities at the Treatment Plant are not expected to be located on expansive soil, and thus will not create substantial risks to life or property. Therefore, impacts will be less than significant.

| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? |  |  |
|--|--|--|
|  |  |  |

(Sources: Project Description)

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Implementation of the proposed Project will not generate the need for septic tanks or alternative wastewater disposal systems; thus, there will be no impacts in this regard.

| VII. GREENHOUSE GAS EMISSION Would the project:   | NS |  |  |
|---|----|--|--|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? |    |  |  |

(Sources: WEBB)

The Proposed Facilities are similar in nature to those previously analyzed for JCSD's Non-Potable Water Service Expansion in the Eastern Portion of the District (District Project No. 3657DP), which proposed the construction and operation of non-potable water pipelines, pump station, and re-use of a water storage tank. Thus, the air quality/greenhouse gas analysis from that project is used herein.

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Construction-generated greenhouse gas (GHG) emissions were modeled using CalEEMod, the result of which indicated that an estimated maximum of 144.94 metric tons of carbon dioxide per year (MTCO<sub>2</sub>/year) will occur from construction equipment, as shown on the following table.

Table 4 – Project Construction Equipment GHG Emissions

| Activity                 | Metric Tons Per Year (MT/yr) |           |           |            |  |
|--------------------------|------------------------------|-----------|-----------|------------|--|
| Activity                 | Total CO₂                    | Total CH₄ | Total N₂O | Total CO₂E |  |
| Pipeline<br>Construction | 139.15                       | 0.01      | 0.00      | 139.45     |  |
| Pipeline Paving          | 5.47                         | 0.00      | 0.00      | 5.49       |  |
| Total                    | 144.62                       | 0.01      | 0.00      | 144.94     |  |

Notes:  $CO_2$  = Carbon dioxide;  $CH_4$  = Methane;  $N_2O$  = Nitrous oxide;  $CO_2E$  = Carbon dioxide equivalent

The construction of proposed Project Facilities does not fit into the categories provided in the draft thresholds from CARB and SCAQMD (industrial, commercial, and residential). The Project's emissions, then, have been compared to the threshold that is

|    |                                    | Less Than<br>Significant           |                                    |            |
|----|------------------------------------|------------------------------------|------------------------------------|------------|
| Si | otentially<br>ignificant<br>Impact | with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact  |
|    | impact                             | meorporatea                        | impact                             | ito impact |

most conservative, which is 1,400 MTCO<sub>2</sub>E/yr for commercial projects.<sup>13</sup> Thus, the total GHG emissions from proposed pipeline construction is well below the lowest SCAQMD recommended screening level.

As previously discussed in response III, above, the only operational emissions associated with the Project are from maintenance vehicles and the pump station. The operational GHG emissions from these maintenance vehicles will be negligible. The proposed pump station will contain pumps, valves, and electrical equipment; these emissions will not generate a substantial amount of GHG emissions that would cause a significant impact. Therefore, construction and operation of the proposed Project Facilities does not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? |  |  |  |  |
|---|--|--|--|--|
|---|--|--|--|--|

(Sources: WEBB)

There are no applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions (i.e., Climate Action Plan) for an infrastructure project such as this Project.

## Recycled Water Pipelines

Construction and operation of the proposed pipelines will not generate GHG emissions such that a significant impact on the environment will result. Refer to response VII.a), above. Further, the proposed pipelines will not obstruct implementation of any future plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Therefore, no impact will occur.

### Recycled Water Reservoirs and Pump Station

Construction and operation of the proposed reservoirs and pump station will not generate GHG emissions such that a significant impact on the environment will result. Refer to response VII.a), above. Further, these facilities will not obstruct implementation of any future plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Therefore, no impact will occur.

<sup>&</sup>lt;sup>13</sup> The other thresholds include 3,500 MTCO<sub>2</sub>E/yr for residential projects and 3,000 MTCO<sub>2</sub>E/yr for mixed-use projects.

Less Than Significant Potentially with Less Than Significant Mitigation Significant Impact Incorporated Impact No Impact

#### Facilities at WRCRWA Treatment Plant

Construction and operation of the clear well, booster station, and underground pipeline connecting these facilities will not generate GHG emissions such that a significant impact on the environment will result. Refer to response VII.a), above. Further, the proposed clear well will not obstruct implementation of any future plan, policy, or regulation adopted for the purpose of reducing GHG emissions. Therefore, no impact will occur

| WIII OCCUr.  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|
| VIII. HAZARDS AND HAZARDOUS Would the project:   |  |  |  |  |  |  |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  |  |  |  |  |  |  |
| (Source: Project Description)  Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant  Operation and maintenance of the proposed Project Facilities will not require the routine transport, use, or disposal of hazardous materials. Thus there will be no impacts in this regard. |  |  |  |  |  |  |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  |  |  |  |  |  |  |

(Sources: Project Description, HSC, CCR)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Construction of the Project Facilities will involve the transport of lubricants, and various other liquids for operation of construction equipment. These materials will be transported to the construction sites by equipment service trucks. In addition, workers will commute to the site via private vehicles and will operate construction vehicles and equipment on public streets. The United States Department of Transportation Office of Hazardous Materials Safety prescribes strict regulations for the safe transport of hazardous materials, as described in Code of Federal Regulations Title 49 and

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant |                          | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

implemented by California Code of Regulations Title 13. Materials that are hazardous to humans and animals will be present during construction including diesel fuel, gasoline, equipment fuels, concrete, lubricant oils, and adhesives.

The potential exists for direct impacts to human health and the environment from accidental spills of small amounts of hazardous materials during construction. However, a variety of federal, state, and local laws govern the transport, generation, treatment, and disposal of hazardous materials and wastes. For instance, appropriate documentation for all hazardous waste that is transported in connection with this Project's activities will be provided as required for compliance with existing hazardous materials regulations codified in California Code of Regulations Titles 8, 22, and 26, and their enabling legislation set forth in California Health & Safety Code Chapter 6.95. Further, hazardous materials are required to be stored in designated areas to prevent accidental release to the environment and disposed of according to the rules and regulations of federal and state agencies.

Hazardous materials will not be present in any significant quantity and any spill is likely to be easily contained and would be carried out in a manner that complies with existing laws and regulations. The use of these materials during construction will be conducted in accordance with all applicable federal and state laws, which includes requirements for secondary containment of hazardous materials and appropriate spill response procedures. Therefore, impacts regarding the accidental release of hazardous materials into the environment will be less than significant.

| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? |  |  |
|---|--|--|
|   |  |  |

(Sources: Project Description; CNUSD; JUSD, OGP EIR, CGP EIR)

## Recycled Water Pipelines

The proposed pipelines located within Eastvale and Jurupa Valley are within the Corona-Norco Unified School District (CNUSD) and Jurupa Unified School District (JUSD). Because schools are potential users of recycled water for irrigation, all of the schools operated by CNUSD and JUSD within the Project area are within a quarter-mile of the proposed pipeline network as shown on **Figure 4**. The proximity of proposed pipelines to these schools are shown in the following table.

**Less Than** Significant **Potentially** with Significant

Mitigation Incorporated

Less Than Significant Impact No Impact

#### Table 5 - School Sites

Impact

| Schools   | School Address   | Location of Nearest Facility  |
|---|--|---|
| CNUSD Schools                                       |  |   |
| Barton Elementary School                            | 7437 Corona Valley Ave<br>City of Eastvale   | Adjacent facility within Eastvale Pkwy  |
| Eastvale Elementary School                          | 13031 Orange St<br>City of Eastvale  | Adjacent facility within Scholar Way  |
| Harada Elementary School                            | 12884 Oakdale St<br>City of Eastvale   | Adjacent facility within Scholar Way  |
| Parks Elementary School                             | 13830 Whispering Hills Dr<br>City of Eastvale  | Adjacent facility within Harrison Ave   |
| Ramirez Intermediate School                         | 6905 Harrison Ave<br>City of Eastvale  | Adjacent facilities within Harrison Ave and Schleisman Rd   |
| River Heights Intermediate School                   | 7227 Cleveland Ave<br>City of Eastvale   | Adjacent facility within Scholar Way  |
| Ronald Reagan Elementary<br>School <sup>a</sup>     | 8300 Fieldmaster St<br>City of Eastvale  | Adjacent facility within Fieldmaster St   |
| Roosevelt High School                               | 7447 Scholar Way<br>City of Eastvale   | Adjacent facilities within Scholar Way and Citrus St  |
| VanderMolen Elementary School                       | 6744 Carnelian St<br>City of Jurupa Valley   | Facility within 68 <sup>th</sup> Street,<br>approximately 0.17 mile (898 feet)<br>west of the school  |
| JUSD Schools  |  |   |
| Jurupa Valley High School                           | 10551 Bellegrave Ave<br>City of Jurupa Valley  | Facility within Bellegrave Ave, approximately 0.05 mile (265 feet) southwest of the school            |
| Sky Country Elementary School                       | 5520 Lucretia Ave<br>City of Jurupa Valley   | Adjacent facility within Lucretia Ave   |
| Troth Street Elementary School                      | 5565 Troth St<br>City of Jurupa Valley   | Facility within Etiwanda Ave, approximately 0.25 mile (1,320 feet) west of the school                 |
| Proposed 10-acre K-8 school per Tract Map No. 31768 | Northeast of intersection of<br>Bellegrave Ave and Jurupa<br>Rd<br>City of Jurupa Valley | Facility within Bellegrave Ave,<br>approximately 0.08 mile (425 feet)<br>south of the proposed school |

Currently under construction and anticipated to be completed in 2015.

The portion of the proposed pipelines within Chino and Ontario are in an area served by three school districts: Mountain View School District, Chino Valley Unified School District, and Chaffey Joint Union High School District. However, there are no school sites within a quarter-mile of the proposed pipelines in this area.

Less Than
Significant
Potentially with Less Than
Significant Mitigation Significant
Impact Incorporated Impact No Impact

As shown in the above table and on **Figure 4**, pipelines are proposed within a quartermile of 11 existing schools, 1 school under construction, and 1 proposed school. Potentially hazardous materials will be used in accordance with all federal, state, and local laws regulating the management and use of hazardous materials. Additionally, substances such as vehicle and equipment grease, gasoline, lubricants, pipe/joint sealers, which are common at construction sites, are not considered hazardous or acutely hazardous in the amounts used at construction sites. The use of these materials, particularly during construction, will be conducted in accordance with all applicable federal and state laws, which includes requirements for secondary containment of hazardous materials and appropriate spill response procedures. Further, the proposed pipelines are sited within paved roadway ROW in the vicinity of these identified school sites, and thus, will not directly impact existing school properties. Once construction is complete, there are no hazardous or acutely hazardous materials, substances, or wastes that would be emitted or handled as part of the recycled pipelines. Therefore, impacts will be less than significant.

### Recycled Water Reservoirs and Pump Station

The Survey Areas are not within a quarter-mile of a school site. Therefore, no impact in this regard will occur.

#### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are not within a quarter-mile of a school site. Therefore, no impact in this regard will occur.

| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? |  |  |
|--|--|--|
| the environment?   |  |  |

(Sources: Project Description, Envirostor, GeoTracker, DTSC CL)

### Recycled Water Pipelines

According to the California Department of Toxic Substances Control's (DTSC) EnviroStor database, there are four sites near the proposed pipeline alignments. All four are cleanup sites, and 3 have been certified/completed to date. The active cleanup site is as follows:

Active school cleanup at Ramirez Intermediate School located at 6905
 Harrison Avenue in Eastvale. The potential contaminant of concern includes

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

methane associated with the past use of the site for agriculture-livestock. Periodic methane monitoring activities in a 3.5-acre area of the site commenced in March 2010, and periodic monitoring reports have been submitted to DTSC since then. In November 2013, two passive ventilation wells were installed in the 3.5-acre area to provide a means to dissipate elevated levels of methane. The location of the vent wells are within the footprint of the former dairy waste pond and near the existing football goal posts. Moreover, the overall trend of methane soil gas concentrations has been decreasing since July 2013.

According to the SWRCB's GeoTracker database, there are 13 sites near the proposed pipeline alignments. However, all are cleanup sites and 12 have been closed/completed. The active cleanup site is as follows:

• Leaking underground storage tank cleanup site at the former Golden Coach Moving Facility located at 14325 Chandler Street in Eastvale. The potential contaminants of concern include gasoline that may have potentially affected an aquifer used for drinking water supply, other groundwater, and soil. The leaking underground storage tank was removed in 1989. No additional assessment or remediation was conducted until 2007. Monitoring wells were installed in April 2010 and three additional wells were installed in December 2010. The site was determined eligible for closure as of June 9, 2014.

There are currently 16 sites in Riverside County and 38 sites in San Bernardino County identified on DTSC's "Cortese" list. However, none of these sites are near the proposed pipeline alignments. The nearest such site in Riverside County is the Corona Naval Weapons Station, approximately 2 miles southeast of the southernmost pipeline; and in San Bernardino County there are three sites near Ontario International Airport, approximately 3.2 miles north of the northernmost pipeline alignment.

The nearest proposed pipeline to the school cleanup site is within Schleisman Road ROW, adjacent to the school's football field where the monitoring wells are installed. The nearest proposed pipeline to the leaking underground storage tank site is within Chandler Street ROW, adjacent to the former Golden Coach Moving Facility. However, as these adjacent pipeline facilities are located off the subject properties, the construction and operation of the proposed pipelines will not materially affect the cleanup or monitoring activities as these sites and will not otherwise create a

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

significant hazard to the public or the environment related to these subject properties. Therefore, impacts will be less than significant.

## Recycled Water Reservoirs and Pump Station

There are no known hazardous sites in proximity to the Survey Areas according to the DTSC's EnviroStor and SWRCB's GeoTracker databases, or according to the current Cortese list. Therefore, no impact in this regard will occur.

#### Facilities at WRCRWA Treatment Plant

There are no known hazardous sites in proximity to the proposed facilities at the Treatment Plant site according to the DTSC's EnviroStor and SWRCB's GeoTracker databases, or according to the current Cortese list. Therefore, no impact in this regard will occur.

| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? |  |  |
|--|--|--|
|  |  |  |

(Sources: RCMMC; RCALUC, OGP EIR)

#### Recycled Water Pipelines

Chino Airport is the only airport within a two-mile vicinity of the Project Facilities. Chino Airport is operated by San Bernardino County and is located within Chino. A portion of the proposed pipeline alignments are located within the Chino Airport Influence Area, specifically within that airport's Compatibility Zones B1, C, D, and E. Zone B1 is the inner approach/departure zone, Zone C is the extended approach/departure zone, Zone D is the primary traffic patterns and runway buffer area, and Zone E is other airport environs. Zones B1, C, and D include maximum densities and intensities and prohibited uses associated with the respective zone; however, because the proposed pipeline facilities consist of constructing and installing underground pipelines, people residing or working in the vicinity of the proposed pipeline alignments will not be subject to safety hazards from operations associated with the Chino Airport. Moreover, the construction and operation of underground pipelines do not constitute a hazard to flight operations or a prohibited use in any of the airport's Compatibility Zones. Ontario International Airport is approximately 3.2 miles north of the northernmost pipeline alignment; no portion of the proposed pipelines are within that airport's influence area Therefore, impacts will be less than significant.

### Recycled Water Reservoirs and Pump Station

The Survey Areas are within Compatibility Zone E (other airport environs) of the Chino Airport Influence Area. Zone E does not include maximum densities and intensities, but prohibits uses that are hazards to flight and a review of objects greater than 100 feet in height. The tallest features associated with the proposed station include the two water storage tanks, which will achieve approximately 40 feet in height, and thus, are not subject to airspace review. Moreover, uses that are hazardous to flight include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations, and land use development that may cause the attraction of birds to increase is also prohibited. The proposed reservoirs and pump station will not include any component that is a prohibited use within Zone E. As the proposed reservoirs and pump station will be unmanned facilities allowed within Zone E, construction and operation of these facilities will not result in a safety hazard for people working or residing in the area. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The Treatment Plant is not located within an airport's influence area or within two miles of an airport. Thus, the proposed facilities at the Treatment Plant are not within an airport influence area. Therefore, no impact in this regard will occur.

| f) For a project within the vicinity of a private airstrip, would the project result in a |  |  |
|---|--|--|
| safety hazard for people residing or working in the project area?                         |  |  |

(Sources: Google Earth)

#### Recycled Water Pipelines

The proposed pipelines are not in the vicinity of a private airstrip that is utilized for manned aircraft. However, there is an approximately 800-foot-long airstrip located approximately 1.5 miles west of the Hall Road pipeline alignment at the northeast corner of Cucamonga Avenue and McCarty Road in Chino known as the Prado Airpark that is used for remote-controlled airplanes. Given the use of this private airstrip and its distance, Project implementation will not result in a safety hazard to people residing or working in the Project area. No impacts will occur.

#### Recycled Water Reservoirs and Pump Station

There are no private airstrips within a 2-mile proximity to the Survey Areas.

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

#### Facilities at WRCRWA Treatment Plant

The aforementioned Prado Airpark is located approximately 1.4 miles west of the clear well site, the nearest of the proposed facilities at the Treatment Plant. Please refer to the discussion under *Recycled Water Pipelines*.

| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? |  |  |
|---|--|--|
|   |  |  |

(Sources: Project Description)

### Recycled Water Pipelines

Implementation of the proposed pipelines will not reconfigure current roadways and will not result in inadequate emergency access. Construction of proposed pipeline facilities within existing roadways may require temporary closure of a travel lane or road segment, which includes arterial roadways that may be utilized in the event of an evacuation; however, a Traffic Control Plan will be prepared for the construction of the proposed pipelines that will require access and circulation be maintained throughout the construction activities as per mitigation measure **MM TRANS 1**, which is enumerated below under response XVI.a). Operation of the pipelines will not interfere with evacuation or emergency response plans. Therefore, impacts will be less than significant with mitigation.

### Recycled Water Reservoirs and Pump Station

The Survey Areas are located within an area that is currently agricultural and very low density. As such, the ROW immediately adjacent to the Survey Areas, Carpenter Avenue ROW west of Survey Area 1, which is currently unpaved, and Schaefer Avenue ROW south of Survey Area 2, which is a local access roadway, is not likely to be utilized for an emergency response plan or evacuation plan. During construction equipment will be sited on site and outside of the ROW, thereby avoiding any potential impacts to any such emergency use of the ROW. Moreover, the operation of the proposed station will not impair the implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

Construction equipment will be sited within the Treatment Plant area and outside of the nearby River Road ROW, thereby avoiding impacts to the emergency use of this roadway. Construction and operation of the proposed facilities will not impair the

Loca Than

|  | Potentially<br>Significant<br>Impact | Significant with Mitigation Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|--|--------------------------------------|--|------------------------------------|-----------|
| implementation of or physically interfere emergency evacuation plan. Therefore,  |                                      |  | •                                  | e plan or |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? |                                      |  |                                    |           |

(Sources: Project Description, RCGP, OGP EIR)

#### Recycled Water Pipelines

Within the proposed pipeline area, the Santa Ana River, with its dense vegetation, is considered moderately susceptible to a wildlfire. However, due to its weather (including the Santa Ana winds), topography, and native vegetation, nearly all of the Southern California area is at risk from wildland fires. The proposed pipelines will be primarily constructed within existing ROW and are located in predominantly developed/disturbed areas not adjacent to wildlands. No portions of the proposed pipelines are within or immediately adjacent to the Santa Ana River. Moreover, the proposed pipelines will be located underground and will not provide any habitable structures that will expose persons to a wildland fire risk. Therefore, impacts will be less than significant.

### Recycled Water Reservoirs and Pump Station

Ontario is designated as an area with moderate wildland fire threats according to the California Fire Plan and Wildland Fire Threat Map of the National Fire Plan. However, the Survey Areas are not near or intermixed with wildlands. The proposed reservoirs and pump station will be unmanned facilities, and as such will not expose people to a significant risk of loss, injury, or death from wildland fires. JCSD employees will be on site infrequently and for short durations. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The area adjacent to the proposed facilities at the Treatment Plant is not specifically identified for wildland fire risk. The surrounding area is primarily developed/disturbed except for the Santa Ana River and a portion of the Cucamonga Creek in Chino, west of the Treatment Plant. Implementation of these facilities will not expose people to a significant risk of loss, injury, or death from wildland fires. These facilities will be unmanned and JCSD employees will be on site infrequently and for short durations. These facilities will present no additional fire risk to existing structures, nor are the facilities likely to cause fires. Therefore, impacts will be less than significant.

| IX. HYDROLOGY AND WATER QUALITY <sup>14</sup> Would the project:        |  |  |  |  |
|---|--|--|--|--|
| a) Violate any water quality standards or waste discharge requirements? |  |  |  |  |

(Sources: Project Description; SWRCB 303, SWP)

## Recycled Water Pipelines

In general, all storm water runoff in the Project area drains to Reach 3 of the Santa Ana River. Reach 3 is listed on the Clean Water Act's Section 303(d) list as an "impaired" waterbody for copper, lead, and pathogens. The source of the copper and lead is unknown and the pathogens result from the upstream dairies.

Construction of the proposed pipelines (distribution network) may result in the discharge of sediment and other construction byproducts. The proposed distribution network will likely be constructed in discrete phases over time. For any phase of pipeline construction that would entail an area of disturbance greater than one mile, JCSD would obtain coverage under the NPDES General Construction Permit issued by the SWRCB via the SARWQCB and prepare and implement a SWPPP. The SWPPP, which will be implemented by the construction contractor, will incorporate appropriate BMPs to reduce discharge of polluted runoff associated with construction activities. For pipeline facilities constructed in segments that are less than one mile in length (which would not require a SWPPP), adherence to mitigation measure **MM GEO 1** is required. This measure requires the preparation of an erosion and sediment control plan that identifies BMPs to be implemented during construction. Through either the implementation of the SWPPP or erosion and sediment control plan, construction of the proposed pipeline facilities will not violate the water quality standards of receiving waters.

While not anticipated, if dewatering activities become necessary during construction due to unexpected high groundwater conditions or pipe flushing, JCSD is required to obtain a dewatering permit from SARWQCB. The permit would identify waste discharge requirements and water quality objectives that must be achieved and that any water discharged during construction activities is treated to specific numerical standards. Operation of the proposed pipelines will not otherwise discharge any waste into surface or groundwater supplies. Further, operational discharges such as from pipe flushing

Please note that additional discussion of the Project's impacts in regards to the federal Flood Plain Management, Coastal Zone Management Act, Wild and Scenic Rivers Act, Safe Drinking Water Act (Sole Source Aquifer Protection), as part of the CEQA-Plus analysis, is contained in Section D of this IS/MND.

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

activities are currently covered by JCSD's existing De Minimus Permit with SARWQCB. Therefore, adherence to the requirements of the SWPPP (or SWPPPs), its BMPs, and the NPDES permit or the erosion and sediment control plan will reduce the potential for construction-related impacts to water quality standards or waste discharge requirements to less than significant.

## Recycled Water Reservoirs and Pump Station

Construction of the proposed reservoirs and pump station may result in the discharge of sediment and other construction byproducts. Because construction of the proposed reservoirs and pump station will entail disturbance of more than one acre preparation and implementation of a SWPPP, as discussed under *Recycled Water Pipelines* is required. The SWPPP will incorporate appropriate BMPs to reduce discharge of polluted runoff associated with construction activities. In the unlikely event that groundwater is encountered during construction, a dewatering permit from SARWQCB will be required, and this permit will identify waste discharge requirements and water quality objectives that must be achieved. Operation of the proposed reservoirs and pump station will not violate water quality standards or waste discharge requirements. Therefore, adherence to the requirements of the SWPPP, its BMPs, and the NPDES permit will reduce the potential for construction-related impacts to water quality standards or waste discharge requirements to less than significant.

### Facilities at WRCRWA Treatment Plant

The clear well site encompasses approximately 0.9 acres, and the proposed underground pipeline connecting the booster station and the clear well is less than one mile in length. As this area of disturbance is under one acre and less than one mile, respectively, a SWPPP is not required, which means mitigation measure **MM GEO 1** is applicable to construction of both the clear well and underground pipeline. The implementation of the erosion control plan required by mitigation measure **MM GEO 1** will reduce the potential discharge of polluted runoff associated with construction activities to less than significant levels. Operation of the proposed facilities at the Treatment Plant will not violate water quality standards or waste discharge requirements.

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

(Sources: Project Description)

## Recycled Water Pipelines

The proposed pipelines will convey recycled water to serve existing irrigation needs within the western portion of JCSD's service area. Because the water will be sourced from the WRCRWA Treatment Plant, the proposed Project will not deplete groundwater supplies. The Project will not interfere with any groundwater recharge activities because it will not result in a substantial amount of new impervious surfaces. The Project does not propose the extraction of groundwater, nor will groundwater extraction activities increase as a result of the Project. Therefore, no impact with regard to depleting groundwater supplies or interfering with groundwater recharge will occur.

### Recycled Water Reservoirs and Pump Station

The proposed reservoirs will store recycled water and the pump station will boost the recycled water into the proposed recycled distribution system (the pipelines) to serve existing irrigation needs within the western portion of JCSD's service area or for use by IEUA. Because the recycled water is being sourced from the WRCRWA Treatment plant, the proposed Project will not deplete groundwater supplies. The Project will not interfere with any groundwater recharge activities because it will not result in a substantial amount of new impervious surfaces. The Project does not propose the extraction of groundwater, nor will groundwater extraction activities increase as a result of the Project. Therefore, no impact with regard to depleting groundwater supplies or interfering with groundwater recharge will occur.

### Facilities at WRCRWA Treatment Plant

The proposed booster station will convey recycled water sourced from the Treatment Plant through the proposed underground pipeline connecting the booster station with the clear well, and the clear well will store the recycled water prior to conveyance in the distribution network (pipelines) to JCSD customers or the proposed recycled water reservoirs and pump station in Ontario. Because the recycled water is being sourced

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

from the Treatment Plant, the proposed Project will not deplete groundwater supplies. The Project will not interfere with any groundwater recharge activities because it will not result in a substantial amount of new impervious surfaces. The Project does not propose the extraction of groundwater, nor will groundwater extraction activities increase as a result of the Project. Therefore, no impact with regard to depleting groundwater supplies or interfering with groundwater recharge will occur.

| c) Substantially alter the existing drainage pattern of the site or area, including  | $\boxtimes$ |  |
|--|-------------|--|
| through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation onor off-site? |             |  |

(Sources: Project Description, Google Earth)

## Recycled Water Pipelines

Due to the underground nature of the proposed pipelines, existing surface drainage patterns will not be altered. The pipeline facilities are primarily located within existing ROW in a region that is relatively flat in topography and gradually slopes (i.e., drains) toward the Santa Ana River. Given that the ground surface will be returned to its original condition once each pipeline facility is completed, and that each facility will be subject to the requirements of a SWPPP, or erosion and sediment control plan per mitigation measure **MM GEO 1**, there is little potential for substantial erosion and siltation to occur on or off site. Therefore, impacts will be less than significant.

## Recycled Water Reservoirs and Pump Station

The Survey Areas are within an area of relatively flat topography that gradually sloes (i.e., drains) toward the Santa Ana River. The proposed reservoirs and pump station site will be 520 feet by 250 feet (approximately 3 acres). Within this approximately 3 acre site, the recycled water reservoirs and pump station will be constructed within an area approximately 280 feet by 250 feet (approximately 1.6 acres). Because construction of the reservoirs and pump station is not anticipated to require significant grading and the footprint of the proposed reservoir and pump station is relatively minor in size, any change to the existing drainage pattern that would result from these facilities is minimal. Further, the Project will comply with existing regulations including the California Drainage Law, municipal separate storm sewer system permits, and NPDES. Given the

<sup>&</sup>lt;sup>15</sup> The remainder of the 3 acre site that is not used for the reservoirs or pump station (approximately 1.4 acres) will be used for future treatment facilities. Because the nature of the treatment facilities has yet to be determined, the treatment facilities are not a part of this Project.

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

minimal alternation to the existing drainage pattern and that construction of these facilities will be subject to the requirements of a SWPPP, the potential for substantial erosion and siltation to occur will be less than significant.

### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are within an area of relatively flat topography that gradually slopes (i.e., drains) toward the Santa Ana River. The clear well will measure 200 feet by 200 feet in maximum dimension to accommodate a 40-foot-tall and 154-foot diameter storage tank. Because construction of the clear well is not anticipated to require significant grading and its footprint is relatively minor in size, any change to the existing drainage pattern that would result from the clear well is minimal. Additionally, the shell of the booster station is being constructed by WRCRWA and the Project equipping the booster station with the necessary equipment to operate the booster station will not result in a new impact in this regard. Moreover, the proposed pipeline connecting the booster station and the clear well will be located underground. Thus, given the minimal alternation to the existing drainage pattern and that construction of the clear well and underground pipeline will be required to implement the BMPs identified in the erosion and sediment control plan required by mitigation measure **MM GEO 1**, the potential for substantial erosion and siltation to occur will be reduced to less than significant.

| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- |  |  |
|--|--|--|
| or off-site?   |  |  |

(Sources: Project Description)

#### Recycled Water Pipelines

As discussed in response IX.c), above, the construction and operation of underground recycled pipelines will not substantially alter existing drainage patterns as the ground surface will be returned to its original condition once construction of the pipeline is completed. Therefore, impacts with regard to increasing the rate or amount of surface runoff in a manner that would result in flooding will be less than significant.

### Recycled Water Reservoirs and Pump Station

As discussed in response IX.c), above, the construction and operation of the proposed reservoirs and pump station will not substantially alter existing drainage patterns.

|  | Potentially<br>Significant<br>Impact                       | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact        | No Impact                              |
|--|--|--|---|--|
| Therefore, impacts with regard to increasing the rate or amount of surface runoff in a manner that would result in flooding will be less than significant.   |  |  |   |  |
| Facilities at WRCRWA Treatment Plant As discussed in response IX.c), above, facilities at the Treatment Plant will not some Therefore, impacts with regard to increase manner that would result in flooding will   | the constructuresubstantially ising the rate               | alter existing<br>e or amount o                                | drainage pa                               | atterns.                               |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?  |  |  |   |  |
| Recycled Water Pipelines, Recycled I Facilities at WRCRWA Treatment Plant See responses IX.c) and IX.d), above. O Project Facilities will not create or contristormwater drainage systems, nor result runoff. Therefore, impacts will be less that                                     | <i>nt</i><br>Construction<br>bute to runo<br>t in substant | and operation<br>off water that witial additional              | n of the prop<br>vould excee              | posed                                  |
| f) Otherwise substantially degrade water quality?  |  |  |   |  |
| (Sources: Project Description, Analysis contained  | ed in this docui   | ment)  |   |  |
| Recycled Water Pipelines, Recycled In Facilities at WRCRWA Treatment Plant Refer to response IX.a), above. Because will adhere to all identified BMPs in the State of the General Permit, or the identified BMPs is required by mitigation measure MM GEO significant with mitigation. | <i>nt</i><br>e construction<br>SWPPP as r<br>n the erosio  | on of the prop<br>required by th<br>n and sedime               | osed Projec<br>e NPDES C<br>nt control pl | ct Facilities<br>construction<br>an as |
| g) Place housing within a 100-year flood<br>hazard area as mapped on a Federal<br>Flood Hazard Boundary or Flood<br>Insurance Rate Map or other flood hazard<br>delineation map?   |  |  |   |  |

7-4

|                            | Less Than<br>Significant |                          |           |
|----------------------------|--------------------------|--------------------------|-----------|
| Potentially<br>Significant | with<br>Mitigation       | Less Than<br>Significant |           |
| Impact                     | Incorporated             | Impact                   | No Impact |

(Sources: Project Description)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Implementation of the proposed Project does not include the development of housing or habitable structures. Therefore, no impact in this regard will occur.

| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? |  |  |
|---|--|--|
|   |  |  |

(Sources: Project Description, RCMMC, EGP, OGP EIR)

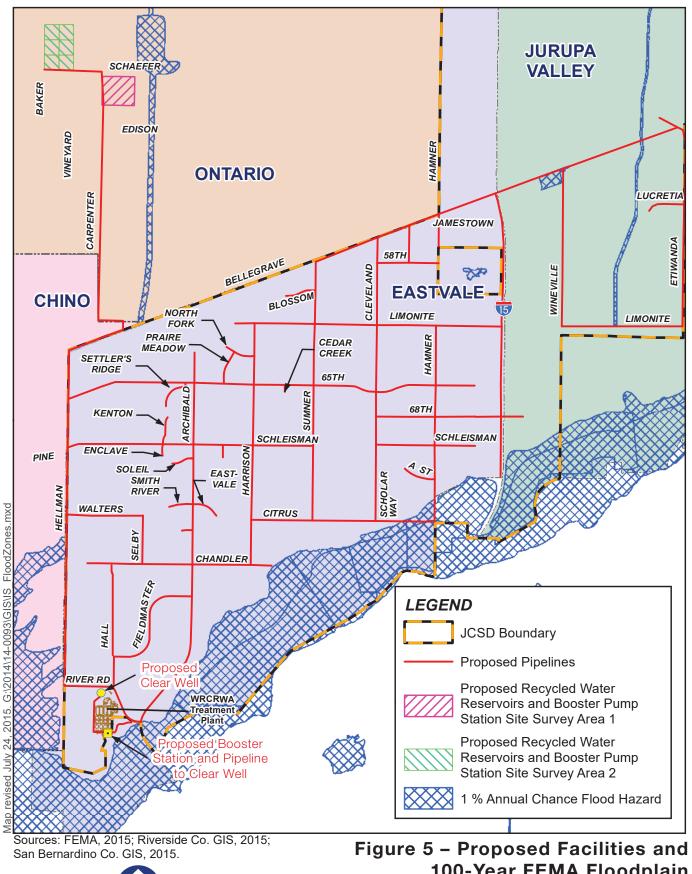
# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Although the majority of the proposed pipelines are not within a 100-year flood hazard area; portions of the proposed pipelines near the Santa Ana River or flood control channels are within the 100-year flood zone as shown on **Figure 5 – Proposed Facilities and 100-Year FEMA Floodplain**. In Eastvale, portions of the alignment within Hellman Avenue ROW, River Road ROW, Citrus Street ROW, and Hamner Avenue ROW are within the 100-year flood hazard area. In Jurupa Valley, portions of the alignment within Bellegrave Avenue ROW and Wineville Avenue ROW, and the Day Creek Channel, which runs under the Bellegrave Avenue ROW and Limonite Avenue ROW, are within the 100-year flood hazard area. However, because these facilities will be underground pipelines, impacts with regard to impeding or redirecting flood flows will be less than significant.

The Survey Areas and proposed facilities at the Treatment Plant are not located within a 100-year flood hazard area.

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0.5



2 Miles

1.5

100-Year FEMA Floodplain

JCSD Recycled Water Service Expansion



|   | Potentially<br>Significant<br>Impact | Less Than Significant with Mitigation Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
| i) Expose people or structures to a<br>significant risk of loss, injury or death<br>involving flooding, including flooding as a<br>result of the failure of a levee or dam? |                                      |  |                                    |           |

(Sources: Project Description, EGP, OGP EIR)

## Recycled Water Pipelines

The portions of the proposed pipelines within Ontario and Chino are within the San Antonio Creek Dam failure inundation zone. The San Antonio Creek Dam is located about four miles northeast of the City of Claremont in San Bernardino and Los Angeles counties. The pipelines within Eastvale and Jurupa Valley are not within an area that would be affected by inundation due to the failure of an upstream Santa Ana River dam. Construction and operation of the proposed pipelines will not result in an overall increased exposure of significant flooding hazards to people and/or structures. JCSD will obtain encroachment permits from the appropriate flood control district (SBCFCD or RCFCWCD) prior to the construction of any facility within either districts' ROW. Because JCSD will comply with the conditions placed on the encroachment permit by the applicable district, construction and operation of the pipelines will not result in adverse conditions that could weaken or damage flood-control structures. Therefore, impacts will be less than significant.

### Recycled Water Reservoirs and Pump Station

The Survey Areas are located within the San Antonio Creek Dam failure inundation zone. However, as the proposed reservoirs and booster station will be unmanned facilities that are relatively minor in size, construction and operation of these facilities will not result in an overall increased exposure of significant flooding hazards to people and/or structures. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are not within an area identified as at risk from inundation from levee or dam failure. As these proposed facilities will be unmanned and relatively minor in size, construction and operation of these proposed facilities at the Treatment Plant will not result in an overall increased exposure of significant flooding hazards to people and/or structures. Therefore, impacts will be less than significant.

| j) Inundation by seiche, tsunami, or mudflow? |  |  |  |  |
|---|--|--|--|--|
|---|--|--|--|--|

(Sources: Project Description, Google Earth, OGP EIR)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

A seiche is a surface wave created when an inland body of water is shaken, usually by earthquake activity, which can cause damage to improvements along the shoreline, and a tsunami is a very large ocean waves that are caused by an underwater earthquake or volcanic eruption. The physical conditions associated with these phenomena are not present in the area of the proposed Project Facilities.

Mudflows are a type of landslide composed of saturated rock debris and soil with a consistency of wet cement. Mudflows could occur in drainage channels during a flash flood, but are not expected to pose a substantial hazard outside of a drainage channel due to the very gently sloping terrain of the area. Therefore, no impact in this regard will occur.

| X. LAND USE AND PLANNING Would the project:    |  |  |  |             |
|--|--|--|--|-------------|
| a) Physically divide an established community? |  |  |  | $\boxtimes$ |

(Sources: Project Description; OGP)

#### Recycled Water Pipelines

Due to the underground nature of the proposed pipelines primarily within existing ROW, no established communities will be divided. Therefore, no impact in this regard will occur.

#### Recycled Water Reservoirs and Pump Station

The Survey Areas are located within an agricultural area of Ontario with underlying General Plan land use designations for residential, commercial, and open space. Construction and operation of the proposed reservoirs and pump station will not divide an established community because no community exists at present. Given the relatively minor footprint of the site for these facilities (approximately 1.64 acres), construction of the proposed reservoirs and pump station will not significantly interfere with or preclude development of the remaining Survey Area to its General Plan land use designation. Therefore, no impact in this regard will occur.

#### Facilities at WRCRWA Treatment Plant

The clear well, booster station, and underground pipeline connecting these facilities will be located in the property of the Treatment Plant. As such, the implementation of the clear well will not physically divide an established community. Therefore, no impact in this regard will occur.

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

(Sources: Project Description, OGP, EGP)

## Recycled Water Pipelines

As the proposed pipeline facilities consist of utility infrastructure and will be located underground primarily within ROW, the facilities with not conflict with local land use plan, policies, or regulations. These facilities in and of themselves will not result in any changes to the existing land use patterns in the Project area, but instead will serve existing irrigation needs within the western portion of JCSD's service area with recycled water. Therefore, no impact in this regard will occur.

## Recycled Water Reservoirs and Pump Station

Survey Area 1 is within The Avenue Specific Plan, is zoned as Specific Plan, and designated by The Ontario Plan for low density residential and park uses. This Survey Area is traversed by an existing Southern California Edison easement and power line. Survey Area 2 is zoned for agricultural uses and designated by the General Plan for low density residential and neighborhood commercial land uses. This Survey Area is also traversed by an existing Southern California Edison easement and power line.

Construction and operation of the proposed reservoirs and pump station is not anticipated to impact land use zoning or designation in Ontario because the proposed facilities will not prohibit future development consistent with land use guidance and policy documents. Moreover, the applicable zoning and land use designations are not specifically designed for the purpose of avoiding or mitigating an environmental effect. For these reasons, impacts with regard to conflicts with land use plans, policies, or regulations will be less than significant.

#### Facilities at WRCRWA Treatment Plant

The proposed facilities at the Treatment Plant are consistent with the operations of the Treatment Plant, and by extension, the zoning and land use designations for this site, which is Heavy Agriculture and Public Facilities, respectively. Therefore, no impact in this regard will occur.

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? |                                      |  | $\boxtimes$                        |           |

(Sources: Analysis contained within this document)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Please refer to response IV.f), above.

| XI. MINERAL RESOUCES Would the project:  |  |  |
|--|--|--|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? |  |  |

(Sources: Project Description; OGP EIR, RCGP)

The State Mining and Geology Board have established Mineral Resources Zones (MRZ) using the following classifications:

- MRZ-1: Areas where the available geologic information indicates no significant mineral deposits or a minimal likelihood of significant mineral deposits.
- MRZ-2a: Areas where the available geologic information indicates that there are significant mineral deposits.
- MRZ-2b: Areas where the available geologic information indicates that there is a likelihood of significant mineral deposits.
- MRZ-3: Areas where the available geologic information indicates that mineral deposits are likely to exist; however, the significance of the deposit is undetermined.
- MRZ-4: Areas where there is not enough information available to determine the presence or absence of mineral deposits.

The California Department of Conservation is primarily interested in preservation of access to significant resource areas included in MRZ-2a and 2b.

| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|--------------------------------------|--|------------------------------------|-----------|
|--------------------------------------|--|------------------------------------|-----------|

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The alignments of the proposed Project Facilities are located within MRZ-3. However, there are no known mineral deposits present within proximity of the Project Facilities. Additionally, given the relatively small footprint of the Project Facilities and the amount of existing development in the Project Area along their alignments, it is highly unlikely that any surface mining or mineral recovery operation could feasibly take place in the locations proposed for the Project Facilities. Therefore, impacts will be less than significant.

| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? |  |  |
|---|--|--|
| plan, specific plan of other land use plan!   |  |  |

(Sources: Project Description, OGP EIR, RCGP)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The Project Facilities are not proposed to be located within an area of locally important mineral resource recovery or within an area that has been classified or designated as a mineral resource area. Therefore, no impact in this regard will occur.

| XII. NOISE  |  |  |
|---|--|--|
| Would the project result in:  |  |  |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? |  |  |

(Sources: Project Description, RCGP; EMC; JVMC, CMC, OMC)

Noise within the Project area is generated by numerous sources that include mobile, stationary, and periodically construction-related. Land uses that are considered noise-sensitive receptors include, but are not limited to: schools, hospitals, rest homes, long-term care facilities, mental care facilities, residential uses, places of worship, libraries, and passive recreation areas (RCGP, p. N-5).

Noise within Eastvale is regulated by Chapter 8.52 of the Eastvale Municipal Code; noise within Jurupa Valley is regulated by Chapter 11.10 of the Jurupa Valley Municipal

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

Code; noise within Chino is regulated by Chapter 9.40 of the Chino Municipal Code; and noise within Ontario is regulated by Chapter 29 of the Ontario Municipal Code.

These cities' noise standards also include exemptions that are applicable to the Project. Specifically, Eastvale and Jurupa Valley exempt noise from the following sources (among others) in Section 8.52.050 and Section 11.10.020, respectively:

- (1) Facilities owned or operated by or for a governmental agency;
- (2) Capital improvement projects of a governmental agency;
- (3) The maintenance or repair of public properties;

Chino exempts noise from the following sources (among others) in Section 9.40.060:

(D) Noise sources associated with or vibration created by construction, repair, remodeling or grading of any real property or during authorized seismic surveys, provided said activities do not take place outside the hours for construction as defined in Section 15.44.030 of this code, and provided the noise standard of sixty-five dBA plus the limits specified in Section 9.40.040(B) as measured on residential property and any vibration created does not endanger the public health, welfare and safety;

Ontario exempts noise from the following sources (among others) in Section 5-29.06:

- (d) Noise sources associated with construction, repair, remodeling, demolition or grading of any real property. Such activities shall instead be subject to the provisions of Section 5-29.09;
- (e) Noise sources associated with construction, repair, remodeling, demolition or grading of public rights-of-way or during authorized seismic surveys;

### Recycled Water Pipelines

Construction of the proposed pipelines will involve equipment that could exceed noise levels of 65 A-weighted decibels (dBA) in the short term. Construction-related noise of the proposed pipelines is exempt from the provisions of Eastvale and Jurupa Valley's noise standards as the Project is a capital improvement project and the proposed pipelines will be owned and operated by JCSD. Pipeline construction is exempt from the provisions of Ontario's noise standards as the pipelines are within public ROW; thus, there is no conflict with these cities' noise standards.

Construction of the portions of the pipelines within Chino is exempt from the provisions of the noise standards only if construction activity occurs between 7:00 a.m. and 8:00 p.m. Monday through Saturday and no construction takes place on Sunday or federal holidays (CMC Section 15.44.030). In order to comply with the provision of Chino's noise

ordinance, mitigation measure **MM NOISE 1**, which requires that construction-related activities within Chino adhere to the designated time period for construction activities set forth in the Chino Municipal Code, will be implemented. With implementation of **MM NOISE 1**, construction-related noise impacts will be less than significant.

**MM NOISE 1:** All construction activities within the City of Chino shall be limited to occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday with no construction allowed on Sundays or federal holidays.

### Recycled Water Reservoirs and Pump Station

Construction of the proposed reservoirs and booster station is exempt from the Ontario Municipal Code as set forth in Section 5-29.06(d) as long as the construction activity adheres to the designated time period set forth in Section 5-29.09, which restricts hours of construction to only occur between 7:00 a.m. and 6:00 p.m. Monday through Friday, and between 9:00 a.m. and 6:00 p.m. on Saturday and Sunday. In order to comply with the Ontario Municipal Code, mitigation measure **MM NOISE 2**, which requires construction-related activities for the proposed reservoirs and pump station adhere to the designated time period for construction activities set forth in the Ontario Municipal Code, will be implemented. With implementation of **MM NOISE 2**, construction related noise impacts will be less than significant with mitigation.

**MM NOISE 2:** Construction activities associated with the proposed recycled water reservoirs and pump station within the City of Ontario shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday and Sunday.

#### Facilities at WRCRWA Treatment Plant

Construction-related noise associated with the proposed facilities at the Treatment Plant is exempt from Eastvale Municipal Code's noise standards. Therefore, impacts will be less than significant.

| b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? |  |     |  |
|---|--|-----|--|
| -   |  | i ' |  |

(Sources: Project Description)

#### Recycled Water Pipelines

Ground-borne vibration and noise is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of ground-borne vibration are trains,

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

buses on rough roads, and heavy construction activities such as blasting, pile driving, or extensive grading. Blasting, pile driving, and extensive grading will not be necessary for the construction of the proposed pipelines. Moreover, operation of the proposed pipelines will not result in ground-born vibration or noise. Therefore, impacts will be less than significant.

## Recycled Water Reservoirs and Pump Station

While some grading and site preparation for the proposed station is anticipated, no blasting, pile driving, or extensive grading is expected to be utilized during construction. Moreover, the proposed reservoirs and pump station will not produce ground-borne vibration or ground-borne noise during operation. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

While some grading and site preparation for the proposed clear well and underground pipeline connecting the booster station and clear well is anticipated, no blasting, pile driving, or extensive grading is expected to be utilized during construction. Moreover, the proposed facilities at the Treatment Plant will not produce ground-borne vibration or ground-borne noise during operation. Therefore, impacts will be less than significant.

| c) A substantial permanent increase in ambient noise levels in the project vicinity |  |  |
|---|--|--|
| above levels existing without the project?  |  |  |

(Sources: Project Description)

### Recycled Water Pipelines

Upon completion of the temporary construction, there will be no operational noise associated with the proposed pipelines, which will be located underground. Thus, the proposed pipelines will not result in a substantial permanent increase in ambient noise levels. Therefore, no impact in this regard will occur.

## Recycled Water Reservoirs and Pump Station

The proposed pump station may have some operational noise generated from the pump machinery; however, such noise will not constitute a substantial ambient noise level increase. The actual pump machinery will be enclosed within a structure, which will serve to attenuate noise, and the plans and specifications for the pump station structure will require applicable noise standards are achieved. Operational noise associated with the proposed station will also be sourced from vehicle trips for maintenance and any emergency repair activities; however, such occurrences will be infrequent. Therefore, impacts will be less than significant.

| s Than          |
|-----------------|
| nificant        |
| npact No Impact |
|                 |

#### Facilities at WRCRWA Treatment Plant

Operational noise associated with the clear well and booster station will be sourced from vehicle trips for maintenance and any emergency repair activities; however, such occurrences will be infrequent. The proposed underground pipeline will not generate operational noise. The clear well itself will not result in substantial permanent ambient noise level increase given the nature of the structure as a storage tank, and the boosting equipment at the booster station will be enclosed, which will attenuate noise. Therefore, no impact in this regard will occur.

| d) A substantial temporary or periodic increase in ambient noise levels in the | $\boxtimes$ |  |
|--|-------------|--|
| project vicinity above levels existing without the project?                    |             |  |

(Sources: Project Description)

### Recycled Water Pipelines

Construction of the proposed pipelines will require the use of equipment for cutting and removal of existing pavement, as applicable, excavation/trenching, installation of pipeline, backfill, compaction, and restoring original surface conditions. The equipment that is generally required includes asphalt or concrete-cutting saw, backhoe or excavator, trucks for moving materials, compactor, paving equipment, and steam roller. Construction activities will also involve the use of smaller power tools, generators, and other sources of construction noise, in addition to noise from construction vehicles. These activities have the potential to exceed noise levels of 65 dBA in the short term; however, it is important to note that active pipeline construction will only be adjacent to any given receptor for a few days, and will continue to move farther along the alignment from a particular location as construction occurs. To minimize construction noise impacts, mitigation measures **MM NOISE 3** and **MM NOISE 4** are required. Therefore, impacts will be less than significant with mitigation.

**MM NOISE 3:** To minimize noise impacts resulting from poorly tuned or improperly modified vehicles and construction equipment, all vehicles and construction equipment shall maintain equipment engines and mufflers in good condition and in proper tune per manufacturers' specifications to the satisfaction of the Jurupa Community Services District. Equipment maintenance records and equipment design specification data sheets shall be kept and maintained by the contractor and available for review by the Jurupa Community Services District upon request.

**MM NOISE 4:** To minimize noise from idling engines, all vehicles and construction equipment shall be prohibited from idling in excess of three (3) minutes when not in use.

## Recycled Water Reservoirs and Pump Station

Construction of the proposed reservoir and pump station will require the use of equipment for grading and excavation. Construction activities will also involve the use of smaller power tools, generators, and other sources of construction noise, in addition to noise from construction vehicles. These activities have the potential to exceed noise levels of 65 dBA in the short term. To minimize construction noise impacts mitigation measures **MM NOISE 3** and **MM NOISE 4** are also required for construction of the proposed reservoir and pump station. Therefore, impacts will be less than significant with mitigation.

#### Facilities at WRCRWA Treatment Plant

Construction of the proposed clear well and underground pipeline connecting the booster station and the clear well will require the use of equipment for grading and excavation. Construction activities will also involve the use of smaller power tools, generators, and other sources of construction noise, in addition to noise from construction vehicles. These activities have the potential to exceed noise levels of 65 dBA in the short term. To minimize construction noise impacts mitigation measures MM NOISE 3 and MM NOISE 4 are also required for construction of the proposed clear well and pipeline. Therefore, impacts will be less than significant with mitigation.

| the project expose people residing or working in the project area to excessive noise levels? | working in the project area to excessive |  |  |  |  |
|--|--|--|--|--|--|
|--|--|--|--|--|--|

(Sources: RCMMC; RCALUC, OGP EIR)

## Recycled Water Pipelines

As discussed in response VIII.e), above, a portion of the proposed pipeline alignments are located within the Chino Airport Influence Area Compatibility Zones B1, C, D, and E. A portion of the proposed pipeline alignment within Hellman Avenue and Carpenter Avenue are within the airport's 55 Community Noise Equivalent Level contour. However, because the proposed pipelines will be underground, construction and

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

operation of these facilities will not expose people to excessive noise levels from this airport. Therefore, impacts will be less than significant.

## Recycled Water Reservoirs and Pump Station

As discussed in response VIII.e), above, the Survey Areas are within the Chino Airport Influence Area Compatibility Zone E. The Survey Areas are not located within an identified noise contour associated with the Chino Airport. Moreover, the proposed reservoir and pump station will be unmanned facilities. Thus, construction and operation of these facilities will not expose people to excessive noise levels from this airport. Therefore, impacts will be less than significant.

## Facilities at WRCRWA Treatment Plant

As discussed in response VIII.e), above, the proposed facilities at the Treatment Plant are not located within an airport's influence area or within two miles of an airport. Therefore, no impact in this regard will occur.

| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? |  |  |
|--|--|--|
|  |  |  |

(Sources: Google Earth)

#### Recycled Water Pipelines

As discussed in response VIII.f), above, the proposed pipelines are not in the vicinity of a private airstrip that is utilized for manned aircraft. However, there is an approximately 800-foot-long airstrip located approximately 1.5 miles west of the Hall Road pipeline alignment at the northeast corner of Cucamonga Avenue and McCarty Road in Chino known as the Prado Airpark that is used for remote-controlled airplanes. Given the use of this airstrip and its distance, exposure of persons to excessive noise levels during the construction of the pipeline facilities will not result from the use of the airstrip. No impact in this regard will occur.

## Recycled Water Reservoirs and Pump Station

As discussed in response VIII.f), above, there are no private airstrips within a 2-mile proximity to the Survey Areas. No impact in this regard will occur.

#### Facilities at WRCRWA Treatment Plant

As discussed in response VIII.f), above, the aforementioned Prado Airpark is located approximately 1.4 miles west of the clear well site, the nearest of the proposed facilities at the Treatment Plant. However, given the use of this airstrip and its distance,

No Impact

Less Than

Significant

Impact

**Potentially** 

Significant Impact

Less Than Significant

with

Mitigation

Incorporated

| exposure of persons to excessive noise levels during the construction of the clear well will not result from the use of the airstrip. Therefore, no impact in this regard will occur.  |               |      |  |  |  |
|--|---------------|------|--|--|--|
| XIII. POPULATION AND HOUSING Wo  | ould the proj | ect: |  |  |  |
| a) Induce substantial population growth in<br>an area, either directly (for example, by<br>proposing new homes and businesses) or<br>indirectly (for example, through extension<br>of roads or other infrastructure)?  |               |      |  |  |  |
| (Sources: Project Description)   |               |      |  |  |  |
| Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant Implementation of the proposed Project will serve existing irrigation needs within the western portion of JCSD's service area with recycled water, and as such, will not influence any land use changes and are not considered growth-inducing either directly or indirectly. Therefore, no impact in this regard will occur. |               |      |  |  |  |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?  |               |      |  |  |  |
| (Sources: Project Description)   |               | 1    |  |  |  |
| Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant Implementation of the proposed Project pipelines will not displace existing housing. Therefore, no impact in this regard will occur.  |               |      |  |  |  |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?  |               |      |  |  |  |

(Sources: Project Description)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Implementation of the proposed Project will not displace any people. Therefore, no impact in this regard will occur.

| XIV. PUBLIC SERVICES Would the pro  | ject: |  |  |             |
|---|-------|--|--|-------------|
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |       |  |  |             |
| Fire protection?  |       |  |  |             |
| Police protection?  |       |  |  | $\boxtimes$ |
| Schools?  |       |  |  |             |
| Other public facilities?  |       |  |  |             |

(Sources: Project Description)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The proposed Project will convey recycled water for existing irrigation needs in the western portion of JCSD's service area and will not influence any land use changes. As discussed in Response XIII.a), implementation of the proposed Project will not directly or indirectly generate new development or persons to the Project area. As such, the proposed Project does not necessitate the construction of new governmental facilities or increase the demand for fire protection, police protection, schools, or other public facilities. Therefore, no impact in this regard will occur.

| XV. RECREATION Would the project:  |  |  |  |  |  |
|--|--|--|--|--|--|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? |  |  |  |  |  |

(Sources: Project Description)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The proposed Project will not increase the use of existing parks or recreational facilities, and thus, will not affect demand for such services and will not contribute to any park or recreational facility deterioration. The Project will provide recycled water to irrigate parks within the western portion of JCSD, which is a beneficial impact.

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? |                                      |  |                                    |           |

(Sources: Project Description)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The proposed Project does not include recreational facilities. Because the Project will not induce housing or population growth (see response XIII.a), above), construction and operation of the proposed Project will not result in the need for new or expanded recreational facilities. Therefore, no impact in this regard will occur.

| XVI. TRANSPORTATION/TRAFFIC Would the project:   |  |  |  |
|--|--|--|--|
| a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? |  |  |  |

(Sources: Project Description)

## Recycled Water Pipelines

Implementation of the proposed Project will not conflict with any plan, ordinance, or policies relative to transit or circulation. The proposed pipelines will be located underground primarily within existing paved ROW, and will not alter the existing roadways' configurations or geometrics. Encroachment permits will be acquired from each of the cities within the Project area as well as from Caltrans for construction of pipeline facilities within the applicable jurisdictions' ROW. Through-traffic may experience minor, short-term delays, detours, or congestion during construction within affected roadways if lane or street segment closure(s) are necessary in order to complete the work, which has a potential to impact existing levels of service along the affected roadway. Thus, in order to allow vehicular circulation to continue in a safe

|                       | Less Than<br>Significant   |                       |           |
|-----------------------|----------------------------|-----------------------|-----------|
| Potentially           | with                       | Less Than             |           |
| Significant<br>Impact | Mitigation<br>Incorporated | Significant<br>Impact | No Impact |

manner, a Traffic Control Plan will be prepared as required by mitigation measure **MM TRANS 1**. Therefore, impacts will be less than significant with mitigation.

**MM TRANS 1:** Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the *California Manual on Uniform Traffic Control Devices for Streets and Highways* and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted.

## Recycled Water Reservoirs and Pump Station

Construction of the proposed station will not directly impact roadway ROW, and construction equipment will be staged and used on site and outside of the ROW. Minor increases to traffic volume will result from construction personnel and equipment traveling to the site. Operation of the proposed station will also not impact the performance of the circulation system. Therefore, impacts will be less than significant.

#### Facilities at WRCRWA Treatment Plant

Construction equipment will be sited within the Treatment Plant area and outside of the nearby River Road ROW. Minor increases to traffic volume will result from construction personnel and equipment traveling to the site. Operation of the proposed facilities will not impact the performance of the circulation system. Therefore, impacts will be less than significant.

| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? |  |  |
|--|--|--|
| designated roads or highways?  |  |  |

(Sources: Project Description, RCTC, SANBAG)

## Recycled Water Pipelines

The Riverside County Congestion Management Program (CMP) designates certain roadways where proposed pipelines will be located as part of the CMP system. These CMP roadways include Limonite Avenue and Etiwanda Avenue. No affected roadways in San Bernardino County are designated as part of that county's CMP. While operation of the proposed pipeline will not affect performance along Limonite Avenue or Etiwanda Avenue, construction may temporarily affect performance if lane or roadway segment closure(s) are necessary along either of these roadways. However, with implementation of mitigation measure **MM TRANS 1**, potential impacts will be reduced. Therefore, impacts will be less than significant with mitigation

### Recycled Water Reservoirs and Pump Station

Construction of the proposed reservoirs and pump station will not direct impact roadway ROW. Moreover, Carpenter Avenue and Schaefer Avenue, which will provide direct access to Survey Area 1 and Survey Area 2, respectively, are not designated as part of San Bernardino County's CMP. Therefore, no impact in this regard will occur.

### Facilities at WRCRWA Treatment Plant

Construction equipment will be sited within the Treatment Plant area and outside of the nearby River Road ROW, which provides direct access to the Treatment Plant. Moreover, River Road is not designated as part of Riverside County's CMP. Therefore, no impact in this regard will occur.

| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?  |  |  |  |  |  |
|---|--|--|--|--|--|
| (Sources: Project Description)  |  |  |  |  |  |
| Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant Construction and operation of the proposed Project will not change air traffic patterns. Therefore, no impact in this regard will occur. |  |  |  |  |  |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible   |  |  |  |  |  |

(Sources: Project Description)

| 1/12/2022 Board Meeting   | / <del>- 4</del>                     | All  | achment 2, Pa                      | ge 111 01 214 |  |
|---|--------------------------------------|--|------------------------------------|---------------|--|
|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact     |  |
| Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant Implementation of the proposed Project does not include any component that will change current roadway configurations or geometrics, or alter the area in such a way as to introduce a hazardous design feature. Project implementation will not introduce incompatible uses. Therefore, no impact in this regard will occur.  |                                      |  |                                    |               |  |
| e) Result in inadequate emergency access?   |                                      |  |                                    |               |  |
| (Sources: Project Description)  |                                      |  |                                    |               |  |
| Recycled Water Pipelines  Construction of the proposed pipelines will not reconfigure current roadways; however construction of the pipelines may result in temporary lane or roadway segment closures, which may potentially impact emergency access. As required by mitigation measure MM TRANS 1, above, a Traffic Control Plan will be prepared and implemented, as necessary, so that access and circulation will be maintained during construction activities. Therefore, impacts will be less than significant with mitigation.  Recycled Water Reservoirs and Pump Station  Construction of the proposed reservoirs and pump station will not reconfigure current roadways or result in inadequate emergency access as these proposed facilities will be constructed outside of the ROW. Moreover, the relatively minor size of the proposed reservoirs and pump station will not otherwise prevent emergency access to the remainder of the Survey Area. Therefore, no impact in this regard will occur. |                                      |  |                                    |               |  |
| Facilities at WRCRWA Treatment Plant Construction of the proposed facilities at the Treatment Plant will not reconfigure current roadways or result in inadequate emergency access as the proposed clear well will be constructed outside of the ROW and within the Treatment Plant property. Moreover, the proposed clear well will not prevent emergency access to and within the Treatment Plant. Therefore, no impact in this regard will occur.  |                                      |  |                                    |               |  |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  |                                      |  |                                    |               |  |

(Sources: Project Description)

## Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

The proposed Project is an infrastructure project, and therefore, will not conflict with adopted policies, plans, or programs that support alternative transportation. Existing bus service routes along where a pipeline alignment is proposed may be temporarily impacted if construction requires a lane or roadway segment closure along the bus route. However, as part of the Traffic Control Plan required by mitigation measure **MM TRANS 1**, JCSD will coordinate with the affected transit agency to ensure that bus service will not be interrupted. Therefore, impacts will be less than significant with mitigation.

| Would the project:   |  |  |  |  |  |
|--|--|--|--|--|--|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  |  |  |  |  |  |
| (Sources: Project Description)   |  |  |  |  |  |
| Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant Because implementation of the proposed Project will not result in the generation of wastewater there will be no impacts with regard to exceeding wastewater treatment requirements. The Project will use recycled water from the Treatment Plant. |  |  |  |  |  |
| b) Require or result in the construction of<br>new water or wastewater treatment<br>facilities or expansion of existing facilities,<br>the construction of which could cause<br>significant environmental effects?   |  |  |  |  |  |

(Sources: Project Description)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Implementation of the proposed Project will not require or result in the construction or expansion of new water or wastewater treatment facilities. However, it should be noted that, while not a part of the Project, treatment facilities may be constructed at Survey Area 1 or Survey Area 2 in the future that would treat the recycled water before being conveyed to IEUA. Because the specific type of treatment is not known and the treatment facilities are not required in order for the Project to become operational, any

XVII. UTILITIES AND SERVICE SYSTEMS

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |  |
|---|--------------------------------------|--|------------------------------------|-----------|--|
| future treatment facilities are not a part of the proposed Project. Therefore, impacts with regard to the construction of new or expanded treatment facilities will be less than significant. |                                      |  |                                    |           |  |
| c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?  |                                      |  |                                    |           |  |
| (Sources: Project Description)  |                                      |  |                                    |           |  |
| <b>Recycled Water Pipelines</b> Upon completion of construction for the conditions will be restored. Operation of stormwater drainage patterns or drainage                                    | the propose                          | ed pipelines w   | ill not affect                     | existing  |  |

## Recycled Water Reservoirs and Pump Station

Given the relatively minor size of the proposed reservoirs and pump station, these proposed facilities will not substantially increase the amount of runoff or alter existing stormwater drainage patterns or drainage facilities. Because the construction of new or expanded drainage facilities is not required, there will be no impact in this regard.

or expanded drainage facilities. Therefore, no impact in this regard will occur.

## Facilities at WRCRWA Treatment Plant

Given the relatively minor size of the proposed clear well, this facility will not substantially increase the amount of runoff or alter existing stormwater drainage patterns or drainage facilities. Moreover, the shell of the booster station is already being constructed by WRCRWA and JCSD will install the equipment necessary to operate the booster station, and the pipeline connecting the booster station with the clear well will be located underground. Because the construction of new or expanded drainage facilities is not required, there will be no impact in this regard.

| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the Lead Agency shall |  |  |
|--|--|--|
| consider whether the project is subject to   |  |  |
| the water supply assessment requirements   |  |  |
| of Water Code Section 10910, et. seq. (SB  |  |  |
| 610), and the requirements of Government   |  |  |

| 77 127 2022 Board Wiedling  | real filesting   |  |                                    |           |  |
|---|--|--|------------------------------------|-----------|--|
|   | Potentially<br>Significant<br>Impact   | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |  |
| Code Section 664737 (SB 221).   |  |  |                                    |           |  |
| (Sources: Project Description)  |  |  |                                    |           |  |
| Facilities at WRCRWA Treatment Plan<br>Implementation of the proposed Project<br>water supplies. Rather, the Project will r<br>providing recycled water for existing irrig<br>service area. Therefore, no impact in thi   | will not resuluded and contract will not result and contract will not result and contract will not result and contract and | and on potable<br>in the wester                                | e water supp                       | olies by  |  |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the projects projected demand in addition to the provider's existing commitments?  |  |  |                                    |           |  |
| (Sources: Project Description)  Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant Please refer to response XVII.b), above. The proposed Project will not result in wastewater generation, and thus, will not impact existing wastewater facility capacity. Therefore, no impact in this regard will occur. |  |  |                                    |           |  |
| f) Be served by a landfill with sufficient  |  |  |                                    |           |  |

(Sources: Project Description, PRC)

permitted capacity to accommodate the projects solid waste disposal needs?

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Construction of the proposed Project will result in the generation of small quantities of solid waste debris from the removal of roadway surfaces (which will be resurfaced after pipeline installation) and general construction waste. Moreover, at least 50 percent of the solid waste that will be generated is required by the Integrated Waste Management Act to be diverted from being landfilled, further reducing the marginal impact of solid waste generation. Operation of the proposed Project does not present the potential for the generation of solid waste. Therefore, impacts will be less than significant.

|   | Potentially<br>Significant<br>Impact | Less Than Significant with Mitigation Incorporated | Less Than<br>Significant<br>Impact | No Impact |
|---|--------------------------------------|--|------------------------------------|-----------|
|   |                                      |  |                                    |           |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? |                                      |  |                                    |           |

(Sources: Project Description)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

Please refer to response to item XVII.f), above. Solid waste generated during construction of the proposed Project Facilities will be diverted, recycled, or landfilled in accordance with federal, state, and local regulations. Therefore, no impact in this regard will occur.

| XVIII. MANDATORY FINDINGS OF SIGNIFICANCE  |  |  |  |  |
|--|--|--|--|--|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? |  |  |  |  |

(Sources: Analysis contained within this document)

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

As discussed in the preceding analysis, impacts resulting from the Project will not be significant in regards to any of the environmental issues evaluated. Thus, the Project will not degrade the quality of the environment. Additionally, with incorporation of mitigation measures **MM BIO 1** and **MM BIO 2**, the construction and operation of the Project will not substantially reduce the habitat of any wildlife or fish species or cause them to drop below self-sustaining levels. No plant or animal communities will be eliminated by the construction and operation of the facilities.

In the unlikely event that any materials of archaeological or paleontological significance are found during construction of any Project Facility, mitigation measures **MM CR 1** though **MM CR 3** have been included to reduce impacts to less than significant. Additionally, mitigation measure **MM CR 2** also includes archaeological monitoring of

| $\mathcal{E}$  |                                      |  | ,                                  | 0         |  |
|--|--------------------------------------|--|------------------------------------|-----------|--|
|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>with<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No Impact |  |
| initial ground-disturbing activities at either Survey Area 1 or Survey Area 2, and that the archaeologist contacts the tribes interested in monitoring such activity so as to afford them an opportunity to provide a culturally-affiliated Native American monitor. Therefore, the Project Facilities are not expected to eliminate important examples of the major periods of California history or prehistory.  Therefore, for the reasons stated above, the Project's impacts will be less than significant with mitigation.   |                                      |  |                                    |           |  |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   |                                      |  |                                    |           |  |
| (Sources: Analysis contained within this document)  Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant  The Project will not have any impacts that are individually limited but cumulatively considerable. Moreover, the Project will not result in any significant impacts.  The Project is consistent with local and regional plans, including the AQMP, and the Project's air quality emissions do not exceed the SCAQMD-established thresholds of significance. The Project adheres to all other land use plans and policies with jurisdiction in the Project area. The Project is not considered growth-inducing as defined by State CEQA Guidelines Section 15126.2(d). The Project will not induce, either directly or indirectly, population and housing growth, and will temporarily increase traffic volume at a marginal volume in the Project area during construction-related activities. Therefore, regarding cumulative impacts, the Project's impacts will be less than significant. |                                      |  |                                    |           |  |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either  |                                      |  |                                    |           |  |

(Sources: Analysis contained within this document)

directly or indirectly?

|             | Less Than<br>Significant |             |           |
|-------------|--------------------------|-------------|-----------|
| Potentially | with                     | Less Than   |           |
| Significant | Mitigation               | Significant |           |
| Impact      | Incorporated             | Impact      | No Impact |

# Recycled Water Pipelines, Recycled Water Reservoirs and Pump Station, and Facilities at WRCRWA Treatment Plant

With adherence to existing codes, ordinance, regulations, standards and guidelines, combined with the mitigation measures identified in this IS/MND, construction and operation of the Project does not present the potential for a substantial direct or indirect adverse effect to human beings. Potential impacts in this regard are considered less than significant.

#### D. CEQA PLUS ANALYSIS

## State Water Resources Control Board (State Water Board) Clean Water State Revolving Fund Program

#### **Evaluation Form for Environmental Review and Federal Coordination**

#### 1. Federal Endangered Species Act:

Does the project involve any direct effects from construction activities, or indirect effects such as growth inducement that may affect federally listed threatened or endangered species that are known, or have a potential, to occur on-site, in the surrounding area, or in the service area?

| No. Discuss why the project will not impact any federally listed special status species.  |
|---|
| ☐ Yes. Include information on federally listed species that could potentially be affected by this project and any proposed avoidance and compensation measures so that the  |
| State Water Board can initiate informal/formal consultation with the applicable federally designated agency. Document any previous ESA consultations that may have occurred |
| with the project.   |

Please refer to Appendix A for the Biological Assessment and Biological Constraints Analysis prepared for the Project. Delhi sands are located within the Project area along segments of the proposed pipeline alignments and the proposed recycled water reservoirs and pump station's Survey Area 1. Delhi sands are known to provide habitat for the Delhi sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*), which is federally-listed as an endangered species. However, due to the developed and disturbed conditions of the Project area from urbanization and active agriculture use, no suitable habitat for the Delhi sands flower-loving fly occurs at the locations of the Delhi sands in proximity to the Project Facilities.

The Project area within Eastvale and Jurupa Valley is identified by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) for potential occurrence of Brandt's phacelia (*Phacelia stellaris*), which is candidate species for federal listing, and San Diego ambrosia (*Ambrosia pumila*), which is federally-listed as an endangered species. However, the Project Facilities will not impact undisturbed soils. The area has been under cultivation or in dairy farming from at least 1940, and remained in that use until the area was converted to urbanized land uses in recent

decades. As such, there is no suitable habitat for Brandt's phacelia or San Diego ambrosia present along or near the Project Facilities. Further, the Project will serve existing irrigation needs with recycled water and will not influence land use changes, and as such, is not growth-inducing. Therefore, no impacts to federally-listed species or their habitat will result from implementation of the Project.

#### 2. National Historic Preservation Act:

Identify the Area of Potential Effects (APE) with both cartographic and textual descriptions, including construction, staging areas, and depth of any excavation. (Note that the APE is three dimensional and includes all areas that may be affected by the project, including the surface area and extending below ground to the depth of any project excavations.)

Please refer to Appendix B for a complete cultural resources study, including maps of the APE and a summary of consultation with Native American representatives. The results of the cultural records and literature search and field surveys identified two linear sites that cross the Project's APE. The first is Site 33-016681/36-013627, which represents the Southern Sierras Power Transmission "O" Line, a single circuit 115kV transmission line built in 1929 between Seal Beach and San Bernardino. The "O" designation denoted an "open" line, intended as an emergency power connection between the Los Angeles Gas and Electric Company and the Southern Sierras Power Company. Its most urgent deployment came in 1933, after the Long Beach earthquake destroyed a portion of the Seal Beach Power Plant. When recorded in 2007, it was reported that portion of the transmission line in Orange County had been removed, while some segments remained in place in Riverside and San Bernardino counties. During the survey, several power transmission lines across the Project's proposed pipeline alignment were found to be possibly of historical origin, including one matching the alignment recorded for Site 33-016681/36-013627. This power line consists of wooden poles carrying overhead wires across various streets containing the APE. At these locations, the proposed undertaking entails only trenching for the installation of underground pipelines, which has no potential to affect the physical components, appearance, or function of Site 33-016681/36-013627 or any of the other power transmission lines across the APE. Therefore, these power lines are considered to be outside the vertical extent of the APE.

The second is Site 36-025440, which represents the Southern California Edison Company's Chino-Mira Loma No. 1 Transmission Line. Site 36-025440 was recorded in 2010 as a 12-mile-long 220kV power transmission line connecting the Southern

California Edison Company's Chino and Mira Loma substations, originally built in 1937 but with some of towers replaced in 1940. According to the site record, the line consists of 90-foot-tall, T-shaped steel lattice towers except in the easternmost 2-mile segment, where the towers were replaced in 1979. A short segment of the site lies across Survey Area 2 in an east-west direction. During the field survey, the transmission line with its Tshaped steel lattice towers were observed at that location, accompanied by a second line with taller towers of modern appearance. The transmission line was found to be extant and apparently functional during the survey. When recorded in 2010, the site was the subject of a historic significance evaluation under the provisions of both Section 106 and CEQA. The line was not identified as having a direct association with the historic elements or construction period at the Chino Substation (1912-1920s), nor was the transmission line found to relate to the City of Chino or the City of Ontario's outward expansion or growth patterns. Moreover, the line was not found to be technologically or materially innovative within the history of electrical transmission and voltage systems, and additional research of the line would not appear to provide additional information that would be considered important to the history of Chino, Ontario, San Bernardino County, the Southern California Inland Empire region, California, or the nation. Accordingly, the 2010 study concludes that Site 36-025440 does not appear eligible for listing in the National Register of Historic Places or the California Register of Historical Resources, and does not meet the definition of a "historic property" or a "historical resource" under Section 106 and CEQA provisions. This Project's cultural resources assessment encountered no new information to necessitate a reexamination of that 2010 conclusion. Nonetheless, the proposed recycled water reservoirs and pump station will not be constructed within the Southern California Edison corridor at Survey Area 2 (or within the Southern California Edison corridor at Survey Area 1).

Additional historical and archaeological resources have been mapped within a 1-mile radius of the proposed Project, and an expanded records search for prehistoric archaeological sites within a 5-mile radius of the Project area was also conducted. However, the Project will not directly or indirectly impact any of those resources given the nature of the Project and the location of the Project Facilities. Even so, mitigation measures **MM CR 1** through **MM CR 3** are required of the Project. These measures require avoidance if there is an inadvertent discovery until a significance determination can be made by a qualified archaeologist or paleontologist, as appropriate, and adherence to appropriate measures if the find is determined to be significant under CEQA. Additionally, mitigation measure **MM CR 2** also includes archaeological monitoring of initial ground-disturbing activities at either Survey Area 1 or Survey Area 2, and also requires the archaeologist contact interested tribes to afford them an

opportunity to provide a culturally-affiliated Native American monitor of the initial ground-disturbing activities.

#### 3. Clean Air Act:

Air Basin Name: South Coast Air Basin

Local Air District for Project Area: South Coast Air Quality Management District

Is the project subject to a State Implementation Plan (SIP) conformity determination?

No. The project is in an attainment or unclassified area for all federal criteria pollutants.

∑ Yes. The project is in a nonattainment area or attainment area subject to maintenance plans for a federal criteria pollutant. Include information to indicate the nonattainment designation (e.g. moderate, serious, severe, or extreme), if applicable. If estimated emissions (below) are above the federal de minimis levels, but the project is sized to meet only the needs of current population projections that are used in the approved SIP for air quality, then quantitatively indicate how the proposed capacity increase was calculated using population projections.

| Pollutant                                   | Federal Status<br>(Attainment,<br>Nonattainment,<br>Maintenance, or<br>Unclassified) | Nonattainment Rates (i.e., moderate, serious, severe, or extreme) | Threshold of<br>Significance<br>for Project Air<br>Basin (if<br>applicable | Construction<br>Emissions<br>(Tons/Year) | Operation<br>Emissions<br>(Tons/Year) |
|---|--|---|--|--|---------------------------------------|
| Carbon<br>Monoxide<br>(CO)                  | Maintenance  | N/A   | 100  | 0.9                                      | 0.0                                   |
| Ozone (O <sub>3</sub> )                     | Nonattainment  | Extreme   | 10   | N/A                                      | 0.0                                   |
| Oxides of<br>Nitrogen<br>(NO <sub>x</sub> ) | Maintenance  | N/A   | 100  | 1.48                                     | 0.0                                   |
| Particulate<br>Matter (PM <sub>2.5</sub> )  | Nonattainment  | N/A   | 100  | 0.08                                     | 0.0                                   |
| Particulate<br>Matter (PM <sub>10</sub> )   | Maintenance  | N/A   | 100  | 0.08                                     | 0.0                                   |
| Reactive<br>Organic<br>Gases (ROG)          | Unclassified   | N/A   | 50   | 0.19                                     | 0.0                                   |
| Sulfur Dioxide (SO <sub>2</sub> )           | Attainment   | N/A   | 100  | 0.00                                     | 0.0                                   |

| Pollutant                                 | Federal Status<br>(Attainment,<br>Nonattainment,<br>Maintenance, or<br>Unclassified) | Nonattainment Rates (i.e., moderate, serious, severe, or extreme) | Threshold of<br>Significance<br>for Project Air<br>Basin (if<br>applicable | Construction<br>Emissions<br>(Tons/Year) | Operation<br>Emissions<br>(Tons/Year) |
|---|--|---|--|--|---------------------------------------|
| Volatile<br>Organic<br>Compounds<br>(VOC) | Unclassified   | N/A   | 50   | 0.19                                     | 0.0                                   |
| Lead (Pb)                                 | Attainment   | N/A   | 25   | N/A                                      | 0.0                                   |

As shown above, construction-related emissions will be below the federal *de minimis* levels. Moreover, operational emissions for the Project Facilities are determined to be negligible due to the nature of the facilities. Refer to Appendix C for the air quality impact analysis utilized for this Project.

#### 4. Coastal Zone Management Act:

☑ No. The project is not within the coastal zone, explain.
☐ Yes. Describe the project location with respect to coastal areas, and the status of the coastal zone permit, and provide a copy of the coastal zone permit or coastal exemption.

The Project site is approximately 30 miles inland from the Pacific Ocean and is not within the coastal zone.

#### **5. Farmland Protection Policy Act:**

Is any portion of the project site located on important farmland?

Is any portion of the project site located within the coastal zone?

| ☐ No. | The | project | will not | impact | farmland. |
|-------|-----|---------|----------|--------|-----------|
|-------|-----|---------|----------|--------|-----------|

Yes. Include information on the acreage that would be converted from important farmland to other uses. Indicate if any portion of the project boundaries is under a Williamson Act Contract and specify the amount of affected acreage.

Up to 3 acres of Prime Farmland in the City of Ontario at either Survey Area 1 or Survey Area 2 will be converted to a non-agricultural use resulting from the construction and operation of the proposed recycled water reservoirs and pump station. This loss of

Prime Farmland will not impair the continued agricultural use at either Survey Area. The Project will not affect Williamson Act contracted lands.

#### **6. Flood Plain Management:**

Is any portion of the project site located within a 100-year floodplain as depicted on a floodplain map or otherwise designated by the Federal Emergency Management Agency?

No. Provide a description of the project location with respect to streams and potential floodplains.

Yes. Describe the floodplain, and include a floodplain map and a floodplains/wetlands assessment. Describe any measures and/or project design modifications that would minimize or avoid flood damage by the project.

The 100-year flood hazard areas within the Project area are generally limited to the Santa Ana River and flood control channels as shown on **Figure 5 – Proposed Facilities and 100-Year FEMA Floodplain**. Within Eastvale, portions of the alignment within Hellman Avenue ROW, River Road ROW, Citrus Street ROW, and Hamner Avenue ROW are within the 100-year flood hazard area. Within Jurupa Valley, portions of the alignment within Bellegrave Avenue ROW and Wineville Avenue ROW, and the Day Creek Channel, which runs under the Bellegrave Avenue ROW and Limonite Avenue ROW, are within the 100-year flood hazard area. Because these facilities will be underground pipelines, impacts with respect to impeding or redirecting flood flows will be less than significant. Moreover, existing surface conditions will be restored upon completion of pipeline installation, and thus, will not impact drainage performance of these roadways, including those within the 100-year floodplain.

#### 7. Migratory Bird Treaty Act:

| Will the project affect protected migratory birds that are known, or have a potential, to occur on-site, in the surrounding area, or in the service area?   |
|---|
| ☐ No. Provide an explanation below.   |
| Yes. Discuss the impacts (such as noise and vibration impacts, modification of habitat) to migratory birds that may be directly or indirectly affected by the project and mitigation measures to reduce or eliminate these impacts. Include a list of all migrator birds that could occur where the project is located. |

All of the birds observed during the Biological Assessment's field survey are migratory birds protected by MBTA with exception of the house sparrow (*Passer domesticus*). Namely, the migratory birds that were observed in the area include the following:

- Killdeer (Charadrius vociferous)
- Northern harrier (Circus cyaneus)
- Cooper's hawk (Accipiter cooperi)
- Red-tailed hawk (Buteo jamaicensis)
- American kestrel (Falco sparverius)
- Mourning dove (Zenaida macroura)
- Anna's hummingbird (Calypte anna)
- Black phoebe (Sayornis nigricans)
- Western kingbird (*Tyrannus verticaulis*)
- American crow (Corvus brachyrhynchos)
- Northern mockingbird (*Mimus polyglottos*)
- Red-winged blackbird (Agelaius phoeniceus)
- House finch (Carpodacus neomexicanus)

There are trees and shrubs in proximity to Project Facilities that may be used for nesting or roosting by migrating birds. Because construction of the proposed pipelines will take place in an area already experiencing high levels of human activity and noise, the additional construction noise is not expected to significantly impact nesting behavior. The proposed recycled water reservoirs and pump station's Survey Areas contain onsite and off-site vegetation that provides suitable habitat for nesting birds including those protected by the MBTA. Construction-related activities for these facilities may cause a short-term impact due to vegetation removal or construction noise; thus, implementation of mitigation measure **MM BIO 2** is required for construction of the recycled water reservoirs and pump station at either of the Survey Areas.

Mitigation measure **MM BIO 2** states that if construction activities involving heavy equipment or vegetation removal at either of the Survey Areas for the recycled water reservoirs and pump station are to occur between February 1 and August 31, a preconstruction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the MBTA or Fish and Game Code are present in the construction zone or within a buffer of 500 feet. Pre-construction nesting/breeding surveys shall be conducted within 10 days prior to the construction activity. If no active nests are found during the survey, construction activities may proceed. If nesting birds are observed on-site, an avoidance area shall be established to ensure that construction activities will not cause a nest to fail. A minimum buffer area surrounding

the nest shall be avoided by all construction activities until the nestlings have fledged the nest. The buffer zones distance shall be 300 feet for non-raptor nests, 500 feet for raptor nests, 100 feet for common songbird nests, or as determined by the biological monitor in consultation with the California Department of Fish and Wildlife. A biological monitor shall be required to monitor the progress of the nesting birds. Construction activities may encroach within the buffer area at the discretion of the biological monitor in consultation with the California Department of Fish and Wildlife. Once the nestlings have fledged the nest, construction activities may proceed within the buffer area with no further restrictions with regard to nesting birds.

Implementation of this mitigation measure will reduce potential impacts to less than significant.

#### 8. Protection of Wetlands:

Does any portion of the project area contain areas that should be evaluated for wetland delineation or require a permit from the U.S. Army Corps of Engineers?

| Yes. Describe the affect to wetlands, potential wetland areas, and other surface  |
|---|
| waters, and the avoidance, minimization, and mitigation measures to reduce such   |
| impacts. Provide the status of the permit and information on permit requirements. |

As discussed in the Project's Biological Assessment, there are no existing or potential wetlands at either of the Survey Areas for the proposed recycled water reservoirs and pump station, or proposed facilities at the Treatment Plant. The proposed pipeline alignments are primarily located within paved ROW or along compacted dirt roads. No water or evidence of ponding was observed during the survey for the Project's Biological Assessment, and no wetlands areas will be impacted by the proposed pipelines, directly or indirectly.

There are potential jurisdictional waters within the Cucamonga Creek Channel, which runs north-south through Eastvale and connects with the Santa Ana River, that may qualify as wetlands. Proposed pipelines will traverse the Cucamonga Creek Channel within existing paved roadway ROW at Schleisman Road and Hellman Avenue. The proposed pipeline alignments in the Walters Street ROW and west of the western terminus of 65<sup>th</sup> Street ROW approximately between the Cucamonga Creek Channel and Hellman Avenue via American Heroes Park will traverse the Cucamonga Creek Channel by way of a pipeline underneath the channel. Constructing the pipeline

underneath the Cucamonga Creek Channel at Walters Street and west of 65th Street will completely avoid disturbance of potentially jurisdictional waters within the Cucamonga Creek Channel. Therefore, impacts will be less than significant.

#### 9. Wild and Scenic Rivers Act:

Is any portion of the project located within a wild and scenic river?

No. The project will not impact a wild and scenic river. Explain.

Yes. Identify the wild and scenic river watershed and project location relative to the affected wild and scenic river.

The nearest river to the Project Facilities is the Santa Ana River, which is not designated as wild and scenic. 16

#### 10. Safe Drinking Water Act, Sole Source Aquifer Protection:

Is the project located in an area designated by the U.S. Environmental Protection Agency, Region 9, as a Sole Source Aquifer?

| No. The project is not within the boundaries of a sole source aquifer.               |
|--|
| Yes. Identify the aquifer (e.g., Santa Margarita Aquifer, Scott's Valley, the Fresno |
| County Aquifer, the Campo/Cottonwood Creek Aquifer or the Ocotillo-Coyote Wells      |
| Aguifer) that will be affected.  |

The nearest EPA-designated sole source aquifer is Campo/Cottonwood Creek Aquifer near the international border of the United States and Mexico.<sup>17</sup>

#### 11. Coastal Barriers Resources Act:

Will the project impact or be located within or near the Coastal Barrier Resources System or its adjacent wetlands, marshes, estuaries, inlets, and near-shore waters? Note that since there is currently no Coastal Barrier Resources System in California, projects located in California are not expected to impact the Coastal Barrier Resources

<sup>&</sup>lt;sup>16</sup> Source: http://www.rivers.gov/california.php, accessed June 15, 2015.

<sup>&</sup>lt;sup>17</sup> Source: http://www.epa.gov/region9/water/groundwater/ssa.html, accessed June 15, 2015.

| System in other states. If there is a special circumstance in which the project may impact a Coastal Barrier Resource System, indicate your reasoning below.  |
|---|
| ⊠ No. The project will not affect or be located within or near the Coastal Barrier Resources System or its adjacent wetlands, marshes, estuaries, inlets, and near-shore waters, explain.   |
| ☐ Yes. Describe the project location with respect to the Coastal Barrier Resources System, and the status of any consultation with the appropriate Coastal Zone management agency and the U.S. Fish and Wildlife Service.   |
| The Project is not located near a Coastal Barrier Resources System as there are none in the State of California or anywhere along the western coast of the United States, nor will the Project involve a special circumstance in which a Coastal Barrier Resource System would be affected. <sup>18</sup> |
| <b>12. Environmental Justice:</b> Does the project involve an activity that is likely to be of particular interest to or have particular impact upon minority, low-income, or indigenous populations, or tribes?  |
| ☐ No. Selecting "No" means that this action is not likely to be of any particular interest to or have an effect on these populations or tribes, explain.  |
| Yes. If you answer yes, please check at least one of the boxes and provide a brief explanation below:   |
| ☐ The project is likely to affect the health of these populations.  |
| ☐ The project is likely to affect the environmental conditions of these populations.  |
| ☐ The project is likely to present an opportunity to address an existing disproportionate impact of these populations.  |
| ☐ The project is likely to result in the collection of information or data that could be used to assess potential impacts on the health or environmental conditions of these populations.   |
|   |

<sup>&</sup>lt;sup>18</sup> Source: <a href="http://www.fws.gov/ecological-services/habitat-conservation/Coastal.html">http://www.fws.gov/ecological-services/habitat-conservation/Coastal.html</a>, accessed June 15, 2015.

| ☐ The project is likely to affect the availability of information to these |
|--|
| populations.   |
| _  |
| oxtimes Other reasons (please describe):                                   |

In response to consultation as part of the preparation of the Project's cultural resources report (available in Appendix B), a written request was submitted to the state's Native American Heritage Commission (NAHC). Following the NAHC's recommendations, a total of 31 tribal representatives in the region were contacted both in writing and by telephone between May 11 and 20, 2015, to solicit local Native American input regarding any potential cultural resources concerns over the proposed Project. In response, the following four Native American tribes requested monitoring of ground-disturbing activities:

- Gabrieleño Band of Mission Indians
- Gabrieliño/Tongva Band of San Gabriel Mission Indians
- Gabrielino Tongva Nation
- Pauma Band of Luiseño Indians

The following three Native American tribes requested to be kept abreast of the Project's progress, which are as follows:

- Gabrieleño Band of Mission Indians
- Pauma Band of Luiseño Indians
- San Manuel Band

To accommodate the particular interest of these tribes with the Project, archaeological monitoring of initial ground-disturbing activities associated with the construction of the recycled water reservoirs and pump station is required by mitigation measure **MM CR 2**, which also requires the archaeologist to contact the Gabrieleño Band of Mission Indians, Gabrielino/Tongva San Gabriel Band of Mission Indians, Gabrielino Tongva Nation, and Pauma Band of Luiseño Indians to invite them to provide a culturally-affiliated Native American monitor. The tribes requesting to be kept abreast of the Project are included on the distribution list for the CEQA notices and documentation. There are no other groups that would otherwise have a particular interest in the Project, or that the Project would affect.

#### 13. Magnuson-Stevens Fishery Conservation and Management Act:

Does the project involve any direct effects from construction activities, or indirect effects such as growth inducement that may adversely affect essential fish habitat?

☑ No. Discuss why the project will not affect essential fish habitat.
 ☐ Yes. Provide information on essential fish habitat that could potentially be affected by this project and any proposed avoidance and compensation measures. Explain any previous consultations/coordination conducted with the National Marine Fisheries Service for the project:

The construction and operation of the Project Facilities will not impact essential fish habitat as no aquatic habitats will be affected by the Project. The Project will store and convey recycled water from the WRCRWA Treatment Plan and IEUA to serve existing irrigation needs in the western portion of the JCSD's service area. Potential instream impacts to the Santa Ana River that will result from the WRCRWA Treatment Plant's diversion of recycled water for recycled use that would otherwise be discharged into the river was determined in a previous, certified environmental impact report to be less than significant.

#### E. REFERENCES

The following documents were referenced as general information sources during the preparation of this document. They are available for public review at the locations abbreviated after each listing, with detailed information listed at the end of this section. These documents may also be available at public libraries and at other public agency offices.

| 1993 SCAQMD         | South Coast Air Quality Management District, SCAQMD CEQA Air Quality Handbook, November 1993. (Available at SCAQMD.)   |
|---------------------|--|
| 1999–2013<br>SCAQMD | South Coast Air Quality Management District, <i>Air Quality Data, 1999–2013.</i> (Available at <a href="http://www.aqmd.gov/home/library/air-quality-data-studies/historical-data-by-year">http://www.aqmd.gov/home/library/air-quality-data-studies/historical-data-by-year</a> , accessed June 3, 2015.) |
| 2012 SCAQMD         | South Coast Air Quality Management District, 2012 Air Quality Management Plan, February 2013. (Available at <a href="http://www.aqmd.gov/aqmp/2012aqmp/Final-February2013/index.html">http://www.aqmd.gov/aqmp/2012aqmp/Final-February2013/index.html</a> , accessed May 5, 2014.)                         |
| 2014 CARB           | California Air Resources Board, <i>Area Designations Maps / State and National</i> . Available at <a href="http://www.arb.ca.gov/desig/adm/adm.htm">http://www.arb.ca.gov/desig/adm/adm.htm</a> , accessed June 15, 2015.)   |
| AMEC                | AMEC Foster Wheeler, <i>Biological Constraints Analysis for a 100-acre Project Site located in the City of Ontario, San Bernardino County, California</i> , June 8, 2015. (Appendix A)   |
| Caltrans            | California Department of Transportation, Scenic Highway Mapping System, updated September 2011. (Available at <a href="http://www.dot.ca.gov/hq/LandArch/scenic_highways/">http://www.dot.ca.gov/hq/LandArch/scenic_highways/</a> , accessed June 2, 2015.)  |
| CCR                 | California Code of Regulations. (Available at <a href="http://www.oal.ca.gov/ccr.htm">http://www.oal.ca.gov/ccr.htm</a> , accessed June 5, 2015.)  |
| CGP                 | City of Chino, <i>General Plan 2025</i> , adopted July 2010. (Available at <a href="http://www.cityofchino.org/government-services/community-development/general-plan">http://www.cityofchino.org/government-services/community-development/general-plan</a> , accessed May 5, 2014.)                      |

CGP EIR City of Chino, General Plan EIR, certified July 2010. (Available at

http://www.cityofchino.org/government-services/community-

development/general-plan, accessed June 3, 2015.)

CMC City of Chino, *Municipal Code*, current through September 16, 2014.

(Available at http://www.cityofchino.org/government-

services/administration/city-clerk/municipal-code, accessed June 9,

2015.)

CNUSD Corona-Norco Unified School District, My School Locator, website.

(Available at <a href="http://locator.decisioninsite.com/?StudyID=176079">http://locator.decisioninsite.com/?StudyID=176079</a>,

accessed June 9, 2015.)

CRM TECH, Identification and Evaluation of Historic Properties,

Jurupa Community Services District, Non-Potable Water Services Expansion Project, Cities of Chino, Eastvale, Jurupa Valley, and Ontario, Riverside and San Bernardino Counties, California, June 30,

2015. (Appendix B)

CZM City of Chino, Zoning Map. (Available at

http://www.cityofchino.org/home/showdocument?id=8709, accessed

June 2, 2015.)

DOC WA California Department of Conservation, Division of Land Resource

Protection, Williamson Act maps for Riverside and San Bernardino counties. (Available at ftp://ftp.consrv.ca.gov/pub/dlrp/wa/, accessed

June 2, 2015.)

DTSC CL California Department of Toxic Substances Control, Hazardous

Waste and Substances Site List (Cortese). (Available at

http://www.envirostor.dtsc.ca.gov/public/mandated\_reports.asp,

accessed June 5, 2015.)

EGP City of Eastvale, *General Plan*, adopted June 13, 2012. (Available at

http://www.eastvaleca.gov/modules/showdocument.aspx?documentid

=2360, accessed May 5, 2014.)

EMC City of Eastvale, *Municipal Code*, current through March 12, 2014.

(Available at https://library.municode.com/index.aspx?clientId=15015,

accessed June 9, 2015.)

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EnviroStor California Department of Toxic Substances Control, EnviroStor,

online database. (Available at

http://www.envirostor.dtsc.ca.gov/public/, accessed June 5, 2015.)

EZM City of Eastvale, Zoning Map, September 2012. (Available at

http://www.eastvaleca.gov/modules/showdocument.aspx?documentid

<u>=827</u>, accessed May 5, 2014.)

FMMP California Department of Conservation, Farmland Mapping and

Monitoring Program, 2012 Farmland data, published February 2015.

(Available at <a href="ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/">ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2012/</a>,

accessed June 2, 2015.)

GeoTracker State Water Resources Control Board, GeoTracker, online database.

(Available at <a href="http://geotracker.waterboards.ca.gov/">http://geotracker.waterboards.ca.gov/</a>, accessed June 5,

2015.)

Google Earth Google Earth, version 7.1.2.2041, software. (Available at

http://www.google.com/earth/explore/products/desktop.html)

HSC California Health & Safety Code. (Available at

http://www.leginfo.ca.gov/.html/hsc\_table\_of\_contents.html, accessed

June 3, 2015.

JAP Riverside County, Transportation and Land Management Agency,

Planning Division, County of Riverside General Plan Jurupa Area

Plan, adopted October 2003, November 2014. (Available at

http://planning.rctlma.org/Portals/0/genplan/general\_plan\_2013/2%20 Area%20Plan%20Volume%201/Jurupa\_clean\_112414.pdf, accessed

June 9, 2015.)

JUSD Jurupa Unified School District, District Map, website. (Available at

http://www.jusd.k12.ca.us/maps/default.aspx, accessed May 5,

2014.)

JVMC City of Jurupa Valley, Ordinance No. 2012-01. (Available at

http://jurupavalley.org/Portals/21/Documents/City%20Ordinance/Ord

2012 01.pdf, accessed June 9, 2015.)

JVZM City of Jurupa Valley, Zoning Map. (Available at

http://jurupavalley.org/Portals/21/Documents/Departments/Planning/Area%20Maps/JurupaValleyZNjuly2011\_map.pdf, accessed June 2,

2015.)

MSHCP Riverside County, Western Riverside County Multiple Species Habitat

Conservation Plan, adopted June 17, 2003. (Available at

http://rctlma.org/Portals/0/mshcp/volume1/index.html, accessed June

9, 2015.)

NRAI Natural Resources Assessment, Inc., Biological Assessment, Jurupa

Community Services District, Non-Potable Water Service Expansion

Project, Eastvale, California, June 23, 2015. (Appendix A)

OGP City of Ontario, *The Ontario Plan*, adopted January 2010. (Available

at <a href="http://www.ontarioplan.org/">http://www.ontarioplan.org/</a>, accessed May 5, 2014.)

OGP EIR City of Ontario, The Ontario Plan Environmental Impact Report

(SCH# 2008101140), certified January 2010. (Available at

http://www.ontarioplan.org/index.cfm/32893, accessed June 3, 2015.)

OMC City of Ontario, *Municipal Code*, current through December 16, 2014.

(Available at http://www.amlegal.com/ontario\_ca/, accessed June 2,

2015.)

OZM City of Ontario, Zoning Map. (Available at

http://www.ci.ontario.ca.us/modules/showdocument.aspx?documenti

d=3724, accessed June 2, 2015.)

PRC California Public Resources Code. (Available at

http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=prc,

accessed June 3, 2015.)

RCALUC Riverside County Airport Land Use Commission, Riverside County

Airport Land Use Compatibility Plan, adopted October 2004.

(Available at http://www.rcaluc.org/plan\_new.asp, accessed June 9,

2015.)

RCGP Riverside County, Transportation and Land Management Agency,

Planning Division, Riverside County General Plan, adopted October

2003, amended December 9, 2014. (Available at

http://planning.rctlma.org/ZoningInformation/GeneralPlan.aspx,

accessed June 9, 2015.)

RCMMC Riverside County, Map My County, online GIS data. (Available at

http://mmc.rivcoit.org/MMC Public/Viewer.html?Viewer=MMC Public

, accessed June 3, 2015.)

RCTC Riverside County Transportation Commission, 2011 Riverside County

Congestion Management Program. (Available at

http://www.rctc.org/uploads/media items/congestionmanagementpro

gram.original.pdf, accessed June 9, 2015.)

SANBAG San Bernardino Associated Governments, Congestion Management

Program for San Bernardino County, 2007 Update, December 2007.

(Available at <a href="http://www.sanbag.ca.gov/planning2/cmp/cmp07-">http://www.sanbag.ca.gov/planning2/cmp/cmp07-</a>

full%20version.pdf, accessed June 9, 2015.)

SWP California Environmental Protection Agency, State Water Resources

Control Board, Water Issues, Storm Water Program. (Available at http://www.swrcb.ca.gov/water\_issues/programs/stormwater/construc

tion.shtml, accessed June 4, 2015.)

SWRCB 303 State Water Resources Control Board, Santa Ana Regional Water

Quality Control Board, Water Issues, 2010 Santa Ana Region 303(d) List of Water Quality Limited Segments. October 11, 2011. (Available

at

http://www.waterboards.ca.gov/rwqcb8/water issues/programs/tmdl/d

ocs/303d/2010 303d.pdf, accessed June 8, 2015.)

USDA United States Department of Agriculture, Soil Conservation Service,

Soil Survey, Western Riverside Area, California, November 1971.

(Available at USDA.)

WEBB Albert A. WEBB Associates, Air Quality/Greenhouse Gas Analysis for

the Jurupa Community Services District Reclaimed Waterline, April

20, 2012. (Appendix C.)

| WRCRWA(a) | Western Riverside County Regional Wastewater Authority, <i>Final Program Environmental Impact Report, Recycled Water Program</i> (SCH# 2012031084), certified November 14, 2012. (Available at <a href="http://www.wmwd.com/documentcenter/view/1220">http://www.wmwd.com/documentcenter/view/1220</a> , accessed July 28, 2015.)                  |
|-----------|--|
| WRCRWA(b) | Western Riverside County Regional Wastewater Authority, <i>Final Environmental Impact Report, Treatment Plant Enhancement and Expansion Project</i> (SCH# 2009091040), certified August 24, 2010. (Available at <a href="http://www.wmwd.com/documentcenter/view/2170">http://www.wmwd.com/documentcenter/view/2170</a> , accessed July 28, 2015.) |

| Location | Address  |
|----------|--|
| JCSD     | Jurupa Community Services District<br>11201 Harrel Street<br>Jurupa Valley, CA 91752   |
| SCAQMD   | South Coast Air Quality Management District<br>21865 East Copley Drive<br>Diamond Bar, CA 91765  |
| USDA     | United States Department of Agriculture<br>Natural Resource Conservation Service<br>1299 Columbia Avenue, Suite E-5<br>Riverside, CA 92507 |

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Final Initial Study/Mitigated Negative Declaration Responses to Comments Regarding Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program Jurupa Community Services District Recycled Water Service Expansion District Project No. C133656

#### Section 2

# Responses to Comments Regarding the Initial Study/Mitigated Negative Declaration

#### **RESPONSES TO COMMENTS**

## REGARDING THE INITIAL STUDY / MITIGATED NEGATIVE DECLARATION

#### **FOR**

### JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER SERVICE EXPANSION DISTRICT PROJECT NO. C133656

#### Prepared for:

Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752 Contact: Robert O. Tock, P.E. Director of Engineering & Operations (951) 685-7434

#### Prepared by:

Albert A. Webb Associates 3788 McCray Street Riverside, CA 92506 Contact: Cheryl DeGano Principal Environmental Analyst (951) 686-1070

September 1, 2015

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#### **SECTION 1 – Introduction**

In July 2015, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared to assess the potential for any significant environmental effects associated with the adoption of the Recycled Water Service Expansion by Jurupa Community Services District (JCSD) Board of Directors. The IS/MND was prepared pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Sections 21000 *et seq.*) and the State CEQA Guidelines (California Code of Regulations Sections 15000 *et seq.*)

Pursuant to Section 15073 of the State *CEQA Guidelines*, the IS/MND was circulated for a 30-day period between July 29, 2015, and August 27, 2015, to the State Clearinghouse, responsible agencies, and interested parties for review and comment. No new, unavoidable significant effects were identified during the public comment period, and, pursuant to Section 15073.5 of the State *CEQA Guidelines*, there is no requirement to re-circulate the environmental documents for the project.

Section 15074(b) of the State *CEQA Guidelines* requires the decision-making body to consider the proposed IS/MND together with any comments received during the public review process. There is no requirement for a formal response to each of the comments received during the public review period for an IS/MND (unlike the requirement for a Final Environmental Impact Report). However, in order to provide JCSD's Board of Directors with additional information upon which to base their decision, this Response to Comments document has been prepared. The materials contained in this document include copies of comment letters and JCSD's responses. Each comment letter is labeled alphabetically with each individual comment identified by a number. Copies of the comment letters are included in Section 3 of this document.

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#### **Comments Received**

District Project No. C133656

The following comment letters were received regarding the IS/MND:

| Letter | Date of Letter /<br>Comments | Commenter               | Agency  |
|--------|------------------------------|-------------------------|---|
| Α      | August 6, 2015               | Mark Roberts            | California Department of Transportation District 8        |
| В      | August 19, 2015              | Steve R. Loriso, P.E.   | City of Jurupa Valley                                     |
| С      | August 27, 2015              | Derek E. Kawaii, P.E.   | Western Riverside County<br>Regional Wastewater Authority |
| D      | August 27, 2015              | Michael R. Markus, P.E. | Orange County Water District                              |
| Е      | August 25, 2015              | Sahil Pathak            | State Water Resources Control Board                       |
| F      | August 28, 2015              | Scott Morgan            | State Clearinghouse                                       |

#### **Organization of the Response to Comments Document**

This Response to Comments document is organized as follows:

- **Section 1 Introduction,** which provides the context for the review along with applicable citation pursuant to CEQA and the State *CEQA Guidelines*, and a table of summarizing the date of the comment letter, name of commenters, and commenting agencies.
- Section 2 Response to Comments, which reproduces each comment received and provides JCSD's responses.
- Section 3 Comment Letters, which includes copies of the comment letters received.

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#### **SECTION 2 – Response to Comments**

#### Letter A – California Department of Transportation District 8

California Department of Transportation District 8 (Caltrans) provided comments regarding the proposed Project in their letter dated August 6, 2015 (received by JCSD on August 10, 2015). Responses to the comments contained in that letter are provided below. A copy of the comment letter is contained in Section 3 of this document.

#### Comment A-1

Thank you for providing the California Department of Transportation (Department) the opportunity to review and comment on the Initial Study for the Jurupa Community Services District Recycled Water Service Expansion (Project), located in the cities of Eastvale, Jurupa Valley, Chino, and Ontario, in Riverside and San Bernardino Counties. The project proposes the construction and operation of recycled water distribution and storage facilities.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. Under the California Environmental Quality Act (CEQA), we are required to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the cities of Eastvale, Jurupa Valley, Chino, and Ontario, due to the project's potential impact to State facilities, it is also subject to the policies and regulations that govern the SHS.

The Department endeavors that any direct and cumulative impacts to the State highway system be eliminated or reduced to a level of insignificance pursuant to the CEQA and National Environmental Policy Act (NEPA) standards. Our areas of concern, pertaining to State facilities, include transportation/traffic and Right of Way (ROW) issues, which our initial review indicates as having potentially significant impacts. Due to these potentially significant impacts and because the portion of the project area directly adjacent to Interstate 15 (I-15), we offer the following comments regarding the analysis in the upcoming DEIR:

#### Response to Comment A-1

The commenter's description of the project is accurate. The project proposes four facilities that will cross or run adjacent to Interstate 15:

- 16" diameter recycled water line within Bellegrave Avenue overcrossing
- 12" diameter recycled water line within Limonite Avenue just before the overcrossing;
- 4" to 10" diameter recycled water line within 68<sup>th</sup> Street overcrossing;
- 6" to 12" diameter recycled water pipeline running north-south adjacent to the western side of the I-15 from Bellegrave Avenue to the north to approximately Kern River Drive and the Eastvale city limit to the south.

The commenter's statement that the project is under the jurisdiction of the cities of Eastvale, Jurupa Valley, Chino, and Ontario is incorrect. The project is under the jurisdiction of JCSD.

Section A.4 of the IS/MND identifies "Other Public Agencies whose Approval may be Required" (Final IS/MND, pp. 12-13), and Caltrans is included in this list. As stated in the IS/MND, JCSD will obtain encroachment permits prior to construction of any facilities within roadway right-of-way, including those in the state highway system such as Interstate 15 (Final IS/MND, pp. 11, 98). No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### Comment A-2

A Traffic Control Plan is required to be reviewed by the Department prior to the initiation
of construction activities where a public roadway will be affected by a lane or segment
closure or modification of a travel lane.

#### **Response to Comment A-2**

As discussed in item XVI.a in the Final IS/MND, mitigation measure **MM TRANS 1** requires preparation of a Traffic Control Plan for construction related to the recycled water pipelines within roadway right-of-way if lane or street segment closure(s) are necessary in order to complete the work. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### **Comment A-3**

 The Department would not support concurrent construction work within the Department's ROW for the proposed pipeline located adjacent to I-15 between Bellegrave Avenue and 68th Street due to potential for congestion and driver confusion.

#### **Response to Comment A-3**

While it is unlikely that the proposed recycled water pipeline adjacent to Interstate 15 generally between Bellegrave Avenue and 68<sup>th</sup> Street would be constructed concurrently, as discussed in Response to Comment A-2, mitigation measure MM TRANS 1 requires that a Traffic Control Plan be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. As such, Caltrans will have the opportunity to review the recycled water pipeline segments within their right-of-way proposed for construction, and determine through that process if there is an unacceptable potential for congestion and driver confusion associated with the proposed pipeline segment, and provide conditions to lessen that potential as part of

their approval of the Traffic Control Plan. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### Comment A-4

#### Permit Requirements

Issuance of a Caltrans Encroachment Permit will be required for any work or construction performed within, under, or over the State Right-of-Way. All comments above should be addressed prior to proceeding with the Encroachment Permit process. Review and approval of street, grading, and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained at:

Caltrans Office of Encroachment Permits
464 West 4th Street, Basement, MS 619
San Bernardino, CA 92401-1400
http://www.dot.ca.gov/hq/traffops/developserv/permits/

#### Response to Comment A-4

As discussed in Response to Comment A-1, encroachment permits will be obtained by JCSD prior to the construction of any facilities within Caltrans right-of-way. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### Comment A-5

These recommendations are preliminary and summarize our review of materials provided for our evaluation. If this project is later modified in any way, please forward copies of revised plans as necessary so that we may evaluate all proposed changes for potential impacts to the SHS. If you have any questions regarding this letter, please contact Adrineh Melkonian (909) 806-3928 or myself at (909) 383-4557.

#### Response to Comment A-5

Comment noted.

Remainder of page intentionally blank

#### **Letter B – City of Jurupa Valley**

The City of Jurupa Valley provided comments regarding the proposed Project in their letter dated August 19, 2015. Responses to the comments contained in that letter are provided below. A copy of the comment letter is contained in Section 3 of this document.

#### Comment B-1

The City of Jurupa Valley is in receipt of the Initial Study for the Recycled Water Service Expansion (JCSD Project No. C133656), hereinafter the "Project" dated July 2015. It is the City's understanding that the intent of the project is to provide recycled water from the increased production at WRCRWA to IEUA. A by-product of this delivery to IEUA is the availability of recycled water to be utilized in the western region of JCSD's service area. In reviewing the Project, the City has developed a list of concerns that is requested to be included in the Project documents:

1. The project facilities (pipelines) "...will occur in phases over time as funding is available." Is there a goal timeline for completion of the various phases, in particular, the installation of pipelines within Jurupa Valley?

#### **Response to Comment B-1**

The commenter accurately summarizes the Project's overall intent to facilitate the conveyance of JCSD's allotmant of recycled water from the Western Riverside County Regional Wastewater Authority's Treatment Plant to the Inland Empire Utilities Agency's (IEUA) recycled water system in San Bernardino County and/or to provide recycled water for irrigation uses in the western portion of JCSD's service area. At this time, JCSD has not identified a timeline for completion of the entire proposed recycled water network. The facilities most likely to be constructed first are shown on **Figure 3** of the IS/MND; which do not include recycled water facilities in the City of Jurupa Valley. It is presently unknown when the recycled water pipelines identified within the City of Jurupa Valley will be constructed. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

Remainder of page intentionally blank

#### **Comment B-2**

- 2. Pipelines are clearly identified to serve the following three locations:
  - a. Vandermolen Elementary School
  - b. Sky Country Elementary School
  - c. An unnamed park north of Bellegrave and west of Etiwanda

Clarify that the network of new pipelines will be able to serve the following facilities:

- d. Limonite Meadows Park
- e. Laramore Park
- f. Wineville Park
- g. Vernola Park
- h. An unnamed park south of 68<sup>th</sup> Street (south of Vandermolen Elementary School)
- i. An unnamed park adjacent to Paradise Knolls Golf Course
- j. The proposed K-8 School north of Bellegrave

#### **Response to Comment B-2**

The commenter correctly notes that the proposed recycled water pipelines will be able to serve Sky Country Elementary School and an unnamed park north of Bellegrave Avenue and west of Etiwanda Avenue (as shown on **Figure 4** of the IS/MND); however, Vandermolen Elementary School is not an identified site that will be served by the proposed Project. The proposed pipeline in this area within the 68<sup>th</sup> Street right-of-way is proposed to terminate at the intersection of Pats Ranch Road, approximately 800 feet west of the school site.

Regarding the commenter's request for clarification that the Project will be able to provide recycled water service to the above-listed sites (letters "d" through "j"), the Project will be able to serve Vernola Park and the proposed K-8 school north of Bellegrave Avenue. The Project will not serve Limonite Meadows Park, Laramore Park, Wineville Park, the unnamed park south of 68<sup>th</sup> Street (south of Vandermolen Elementary School), or the unnamed park adjacent to Paradise Knolls Golf Course.

No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### Comment B-3

3. It is requested that all pipelines be placed outside of the paved surfaces of the streets within Jurupa Valley.

#### **Response to Comment B-3**

The exact pipeline alignment (i.e. within or outside of paved surfaces) will be determined during the final design period for proposed pipelines. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### **Comment B-4**

Thank you for your efforts in implementing these requests into this exciting project.

If you should have any questions or comments, please feel free to contact me at sloriso@jurupavalley.org or at (951) 332-6464 x233.

#### **Response to Comment B-4**

Comment noted. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

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#### Letter C – Western Riverside County Regional Wastewater Authority

The Western Riverside County Regional Wastewater Authority (WRCRWA) provided comments regarding the proposed Project in their letter dated August 27, 2015. Responses to the comments contained in that letter are provided below. A copy of the comment letter is contained in Section 3 of this document.

#### **Comment C-1**

Thank you for the opportunity to review the Initial Study and Mitigated Negative Declaration for Jurupa Community Services District's (JCSD) Recycled Water Service Expansion. Western Riverside County Regional Wastewater Authority (WRCRWA) fully supports this project. Our comments are as follows:

#### **Response to Comment C-1**

Comment and support of the Project by WRCRWA is noted. No environmental issues have been raised by this comment and no modification of the IS/MND is required

#### Comment C-2

- The parameters for the sale of recycled water by one member agency to another has not been finalized. Therefore, the total quantity of recycled water transported by this project should consider the range of only JCSD's apportionment of up to all other water that is available for sale (Page 4).
- All WRCWRA members' apportionment of recycled water are listed as available except the City of Corona. As noted above, the sale of recycled water by one WRCRWA member agency to another has not been finalized and for flexibility, unless otherwise stated to the contrary by the City of Corona, the City may want to have the flexibility to sell their supply to other members including JCSD (Page 4).
- The total amount of WRCRWA production, less process water losses is assumed to be available for use as recycled water. The State Water Board is considering WRCRWA's pending Change of Use Petition to divert water that is currently released to the river for use as recycled water.
  - The CEQA document should consider that some water might be required by the State Water Board to be released to the Santa Ana River (Page 4).

#### **Response to Comment C-2**

The Final IS/MND for the Project has been revised to clarify that JCSD may take delivery of up to a maximum of eight million gallons per day, and that the actual quantity delivered to JCSD may be affected by the subsequent allocation agreements between other WRCRWA member agencies or if the State Water Resources Control Board requires a certain quantity be released into the Santa Ana River. These revisions to the Final IS/MND are as follows and shown in underline (Final IS/MND, p. 5):

The Treatment Plant currently discharges tertiary-treated water into the Santa Ana River. Part of the goals and objectives of the Treatment Plant's previously approved enhancement and expansion project is to decrease the amount of recycled water discharged to the Santa Ana River and increase the use of recycled water within economic distance of the Treatment Plant as well as to decrease the dependence on imported water supplies within the service areas of WRCRWA members. The Recycled Water Program Environmental Impact Report (EIR) analyzed connecting to IEUA's recycled water system (WRCRWA(a), pp. ES-5, 2-5). The Recycled Water Program EIR's analysis assumed 8 MGD of treated effluent was available and a demand of up to 1,153 acre-feet per year in the western portion of JCSD's service area (WRCRWA(a), pp. ES-5, 2-5, 2-10). It should be noted, however, that 8 MGD of treated effluent available to JCSD represents a very conservative assumption for analysis purposes, and the actual quantity delivered to JCSD may also be affected by the subsequent allocation agreements between other WRCRWA member agencies or if SWRCB were to require the Treatment Plant to maintain a certain quantity of treated effluent be released into the Santa Ana River.

The clarification that JCSD may take delivery of a lesser amount than the eight million gallons per day of effluent that is currently generated at the WRCRWA Treatment Plant does not constitute a substantial revision or modification to the IS/MND, Recirculation of the IS/MND is not required.

#### **Comment C-3**

The drawings use the future layout of the plant that is outdated (they
include multiple oxidation ditches rather than the Conventional Activated
Sludge process that will be used) (Figure 2).

#### **Response to Comment C-3**

Figure 2 in the Final IS/MND has been revised to show the most current WRCRWA Treatment Plant layout. Clarification of the WRCRWA Treatment Plant's future layout does not constitute a substantial revision or modification to the IS/MND. Recirculation of the IS/MND is not required.

#### **Comment C-4**

 The routing of the pipeline to the proposed JCSD clear well is along the back side of the plant. This routing may or may not be changed during design review in consideration of future improvements within the WRCRWA plant site (Page 12).

#### Response to Comment C-4

In the event the final routing of the pipeline to the clear well, JCSD will determine if subsequent CEQA analysis is required and prepare the appropriate document. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### **Comment C-5**

Should you have any question about these comments, please contact me at (951) 571-7230 or dkawaii@wmwd.com.

#### **Response to Comment C-5**

Comment noted.

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#### **Letter D – Orange County Water District**

The Orange County Water District (OCWD) provided comments regarding the proposed Project in their letter dated August 27, 2015. Responses to the comments contained in that letter are provided below. A copy of the e-mail is contained in Section 3 of this document.

#### Comment D-1

The Orange County Water District (OCWD, the District) is a special district formed in 1933 by an act of the California Legislature. The District manages the groundwater basin that underlies north and central Orange County. Water produced from the basin is the primary water supply for approximately 2.4 million residents living within the District's boundaries. Flow from the Santa Ana River is an important supply of water used to recharge the Orange County Groundwater Basin.

The District owns more than 2,000 acres of land in the Prado Basin and is keenly interested in projects that may affect the basin. The Prado Basin contains sensitive environmental habitat for threatened and endangered species; essentially all of the Prado Basin is designated as critical habitat for the federally endangered least Bell's vireo. In 1995, OCWD executed an agreement with the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers to cooperatively manage biological resources in the Prado Basin. This agreement allows for temporary storage of stormwater in Prado Basin for subsequent release from the Prado Dam to enable OCWD to recharge the water into the groundwater basin. This longstanding water conservation program is contingent upon the continued health of biological resources in Prado Basin. Potential impacts to riparian habitat, the Least Bell's Vireo, and other biological resources in the Prado Basin can negatively impact OCWD's water conservation program.

In addition, OCWD owns and operates a 465-acre treatment wetlands system in the Prado Basin. Approximately half of the Santa Ana River baseflow is diverted though these wetlands. This includes the discharge from the Western Riverside County Regional Wastewater Authority's (WRCRWA) treatment plant.

Thank you for the opportunity to submit comments on the draft Mitigated Negative Declaration (MND) for the proposed Recycled Water Service Expansion, SCH # 2015071073.

#### Response to Comment D-1

Comment noted. No environmental issues are identified.

#### **Comment D-2**

We understand that the proposed project involves the construction of facilities to convey treated effluent from the WRCRWA treatment plant for conveyance to Inland Empire Utilities Agency (IEUA) facilities for groundwater recharge or landscape irrigation within the western portion of Jurupa Community Services District's (JCSD) service area. We also understand that the Recycled Water Program EIR (SCH # 2012031084) prepared by WRCRWA did not analyze the distribution facilities needed by its member agencies to convey the treated effluent to end users.

#### **Responses to Comment D-2**

Comment noted. OCWD's understanding of the proposed Project is correct.

#### **Comment D-3**

The MND states that analysis of in-stream impact to the Santa Ana River was required as part of WRCRWA filing a wastewater change petition (WW-0067) with the SWRCB's Division of Water Rights and that this process will provide approval for WRCRWA for this project. In April 2013, OCWD filed a legal protest with the SWRCB regarding WRCRWA's wastewater change petition WW-0067, a copy of which is attached. OCWD's protest of change petition WW-0067 has not been resolved. The issues raised in OCWD's April 2013 protest have not been adequately addressed in either the Recycled Water Program EIR or the draft MND for the Recycled Water Service Expansion.

#### Response to Comment D-3

OCWD's filing of a legal protest with the State Water Resources Control Board (SWRCB) is noted. OCWD's protest does not change the analysis or conclusions in the IS/MND because if wastewater change petition WW-0067 is not approved by the SWRCB and treated effluent from the WRCRWA plant is not available, JCSD may elect to either only use recycled water from the IEUA water system (Final IS/MND, p. 4) or not construct Project facilities.

With regard to the issues raised in OCWD's April 2013 protest, refer to Response to Comment D-4 through Response to Comment D-9.

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#### Comment D-4

The draft MND for the Recycled Water Service Expansion must address the issues raised in the attached protest of WRCRWA's wastewater change petition WW-0067, which include the following issues that are hereby submitted as comments on the draft MND:

• The outfall of the WRCRWA treatment plant is located adjacent to the conveyance channel to OCWD's Prado Wetlands where significant public recreation and wildlife management activities occur. Water discharged at the WRCRWA treatment plant outfall flows into the conveyance channel, and then into OCWD's Prado Wetlands. Water discharged from the WRCRWA's treatment plant that flows through the wetland then flows to Chino Creek, and shortly thereafter into the Santa Ana River. The areas that became OCWD's constructed Prado Wetlands were originally ponds developed and managed for waterfowl hunting. With increases in nitrate on the Santa Ana River due to upstream treatment plant discharges and agricultural runoff, OCWD converted the ponds to constructed wetlands to provide nitrate removal. Water diverted and passed through the wetland system can have more than 90

percent of the nitrate removed—thereby reducing the risk of downstream eutrophication associated with excessive nutrient loading. Spreading water and significantly increasing its retention time has created regionally significant habitat diversity and wildlife value immediately below the WRCRWA's point of discharge. The wetlands pictured in Exhibit 1A (in attached protest to WW-0067) are tantamount to oxbow wetlands that were an historic part of the river system but were largely lost when the floodplain was diminished. The wetlands accommodate species like white-faced ibis (Plegadis Chihi) that are found in few other places in Coastal Southern California. Exhibit 1B in the attached protest of WW-0067 is a photograph of a portion of OCWD's Prado Wetlands, illustrating the open water and riparian habitat. The Prado Wetlands and environs are regionally significant and widely known for their abundance and diversity of wildlife, particularly birds. Recreational visitors come from all over the nation and the world to tour the wetlands and experience the abundant wildlife supported, in part, by the WRCRWA's current discharge.

#### Response to Comment D-4

Comment noted. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

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#### **Comment D-5**

A small remnant population of endangered Least Bell's Vireos (Vireo Bellii Pusillus or "LBV") was discovered in the Prado Basin in the 1980s. The population was so impacted by parasitism by brown-headed cowbirds (Molothrus Ater) that it would not survive without management. However, neither the U.S. Army Corps of Engineers nor the U.S. Fish and Wildlife Service (Service) had the funding to provide the management needed to prevent the extirpation of this imperiled population. Then, in 1988 and 1989 OCWD stepped up by funding and staffing a management plan for the endangered LBV in the Prado Basin This was done proactively by the District in order to partner with the resource agencies to improve public trust resources within OCWD's jurisdiction. Since then, OCWD has continued its LBV management program and has recovered the LBV in the Prado Basin from just 21 territories in 1986 to over 400 territories in 2012. The LBV territories in 2012 are shown in Exhibit 2 of the attached protest. Because of the District's efforts, the Santa Ana River population of LBV was not only saved from extirpation, but is now headed toward significant recovery. The loss of the WRCRWA's discharge, as threatened in the WW-0067 Change Petition and by use of WRCRWA's water through the proposed Recycled Water Service Expansion project, has the potential to significantly frustrate OCWD's future LBV recovery efforts. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.

#### **Response to Comment D-5**

As allowed by State CEQA Guidelines Section 15150, the IS/MND incorporated *Final Program Environmental Impact Report, Recycled Water Program, Western Riverside County Regional Wastewater Authority* (hereinafter referred to as the Recycled Water Program FPEIR or FPEIR.) The Recycled Water Program FPEIR, which was certified by the Western Riverside County Regional Wastewater Authority on November 14, 2012, was prepared to evaluate the impacts associated with the diversion of recycled water currently discharged into the Santa Ana River (WRCRWA(a), p. ES-3). Impacts to biological resources and the Prado Basin were evaluated in Sections 6, 10, 19, and 21, in the Recycled Water Program FPEIR. Because the IS/MND incorporated the FPEIR by reference, these issues have been addressed and no additional analysis is needed.

#### Comment D-6

• The expansion of the LBV population on the Santa Ana River was achieved by dedicated field staff (from OCWD and its partner agencies) adaptively managing natural resources. The significance of this achievement is that it happened on a river system that has been greatly altered by human activity and has been dramatically narrowed and heavily urbanized. It demonstrates that consistent wildlife management works for some species, but such success requires a continuous and stable water supply for species such as the LBV. It also illustrates

the expertise and ability focused through OCWD's programs to steward endangered species in concert with water conservation and wetland operations. Without the flows provided by the WRCRWA's discharge, it is not clear if OCWD's successful LBV program will continue successfully in the future. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.

#### Response to Comment D-6

As stated in <u>Response to Comment D-3</u>, if wastewater change petition WW-0067 is not approved by the SWRCB and treated effluent from the WRCRWA plant is not available, JCSD may elect to either only use recycled water from the IEUA water system (Final IS/MND, p. 4) or not construct Project facilities.

Potential LBV impacts and mitigation are discussed in the Recycled Water Program FPEIR, which is incorporated by reference to the IS/MND, on pages ES-1, 6-1, 6-3 (Figure 6-2), 6-4, 6-6, 6-7 (Figure 6-3), 6-18, 6-20, 6-21, 21-19, 21-27, 21-28, 21-40, 21-41, 21-53, 21-54, and Appendix E. The FPEIR concluded that impacts to LBV will be less than significant with mitigation. Because the IS/MND incorporated the FPEIR by reference, these issues have been addressed and no additional analysis is needed.

#### Comment D-7

• OCWD is concerned about potential impacts to the Southwestern Willow Flycatcher ("Flycatcher") that could result from the loss of flows proposed in the Change Petition. This song bird is infrequently observed in Prado Basin, although two were recently observed downstream from the WRCRWA's treatment plant outfall (Exhibit 2 of the attached protest of WW-0067). The Flycatcher prefers riparian edge habitat with moving water, and the loss of the discharge as proposed in the WRCRWA's Petition WW-0067 and by use of WRCRWA's water through the proposed Recycled Water Service Expansion project, may result in less moving water during certain seasons and loss of suitable Flycatcher habitat. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.

#### Response to Comment D-7

Potential Flycatcher impacts and mitigation are discussed in the Recycled Water Program FPEIR, which is incorporated by reference to the IS/MND, on pages 6-1, 6-3 (Figure 6-2), 6-4, 6-6, 6-7 (Figure 6-3), 6-18, 6-21, 21-18, 21-28, 21-41, and Appendix E. The FPEIR concluded that impacts to the Flycatcher will be less than significant with mitigation. Because the IS/MND incorporated the FPEIR by reference, these issues have been addressed and no additional analysis is needed.

Albert A. WEBB Associates RTC-16

#### **Comment D-8**

• The continued recovery of the species discussed herein, and the protection of other riparian flora and fauna depends on, at a minimum, maintaining the riparian habitat in Prado Basin. This riparian habitat requires adequate water, and OCWD believes, based on its many years of operation and observations in the Prado Basin, that the loss of existing flows to the Prado Basin may have significant adverse effect on the riparian areas and the abundance of wildlife they support. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.

#### Response to Comment D-8

Impacts to riparian habitat are discussed in Sections 6 and 21 of the Recycled Water Program FPEIR, which is incorporated by reference to the IS/MND. The FPEIR concluded that impacts to riparian habitat will be less than significant with mitigation. Because the IS/MND incorporated the FPEIR by reference, these issues have been addressed and no additional analysis is needed.

#### **Comment D-9**

Because the riparian habitat in Prado Basin depends on sufficient water, and certain portions of the Prado Basin only receive water from the WRCRWA treatment plant discharge during certain parts of the year, OCWD is understandably concerned about reduced flows due to the proposed Recycled Water Service Expansion project. The draft MND for the Recycled Water Service Expansion Project does not evaluate the potential environmental effects of reducing the discharge and does not provide any data or studies to show that the reduction of discharge will be consistent with the sustainment of beneficial uses (such as RARE, and WARM) and the protection of public trust resources, recreation and threatened and endangered species found in the Prado Basin. The draft MND does not consider, as it must, the cumulative impact of the proposed project in light of the other proposed diversions in the watershed. A list of proposed or planned diversions or recycled water projects which are anticipated to reduce flows into Prado Basin include projects being planned or implemented by the Inland Empire Utilities Agency, Chino Basin Watermaster, County of San Bernardino Flood Control District, Riverside County Flood Control District, the cities of Corona, Riverside, Colton, Rialto, and San Bernardino; San Bernardino Valley Municipal Water District, Eastern Municipal Water District, and Elsinore Valley Municipal Water District. The proposed

Comment continued on nest page

Recycled Water Service Expansion must be evaluated in the context of the other proposed projects in the watershed that may reduce flows into the Prado Basin. Cumulative environmental impacts must be evaluated to assess adverse environmental change "as a whole greater than the sum of its parts."

[Environmental Protection Information Center v. Johnson [(1985) 170 Cal. App. 3d 604,625,216 Cal. Rptr. 502].] Evaluating the incremental impact of a proposed project, in connection with other projects causing related impacts, helps avoid the environmental harm that comes from considering projects "in a vacuum." [Whitman v. Board of Supervisors [(1979) 88 Cal. App. 3d 397, 408, 151 Cal. Rptr. 866 (Whitman)].]

#### **Response to Comment D-9**

Impacts resulting from reduced flows to the Santa Ana River and Prado Basin were evaluated in Sections 6, 10, 19, and 21 of the Recycled Water Program FPEIR, which is incorporated by reference to the IS/MND. The FPEIR concluded that all impacts resulting from the diversion of water from the Santa Ana River will be less than significant with mitigation. Because the IS/MND incorporated the FPEIR by reference, these issues have been addressed and no additional analysis is needed.

#### Comment D-10

The proposed project as described in the draft MND states that the source of recycled water includes treated effluent from the WRCRWA treatment plant and/or the IEUA recycled water system in San Bernardino County. Since this project includes the use of recycled water produced by IEUA, will IEUA be submitting a wastewater change petition for this project or does IEUA already have such approvals for use of IEUA's recycled water for this project? Please clarify and include a discussion of the status of approval of a wastewater change petition from the SWRCB's Division of Water Rights as it relates to the potential use of IEUA's recycled water. Regarding use of water from IEUA, please describe compliance with California Water Code Section 1211, which states:

(a) Prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater, the owner of any wastewater treatment plant shall obtain approval of the board for that change. The board shall review the changes pursuant to the provisions of Chapter 10 (commencing with Section 1700) of Part 2 of Division 2.

Thank you for the opportunity to submit these comments.

#### **Response to Comment D-10**

The comment correctly indicated that recycled water from the IEUA system may be used in the distribution system. It is outside of JCSD's purview to submit a wastewater change petition on IEUA's behalf. If recycled water from IEUA is not available, it will not be used. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

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Albert A. WEBB Associates RTC-19

#### Letter E – State Water Resources Control Board

The State Water Resources Control Board (SWRCB) provided comments regarding the proposed Project in their letter dated August 25, 2015 (received by JCSD on August 28, 2015). Responses to the comments contained in that letter are provided below. A copy of the comment letter is contained in Section 3 of this document.

#### Comment E-1

We understand that the District is 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 the following information on the IS/MND to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program. 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, provide for estuary enhancement, and thereby protect and promote health, safety and welfare of the inhabitants of the state. The CWSRF Program provides low-interest funding equal to one-half of the most recent State General Obligation Bond Rates with a 30-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at:

#### www.waterboards.ca.gov/water issues/programs/grants loans/srf/index.shtml.

The CWSRF Program is partially funded by the United States Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. Three enclosures are included that further explain the CWSRF Program environmental review process and the additional federal requirements. For the complete environmental application package please visit:

#### http://www.waterboards.ca.gov/water\_issues/programs/grants\_loans/srf/srf\_forms.shtml.

The State Water Board is required to 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 the proposed Project. For further information on the CWSRF Program, please contact Mr. Ahmad Kashkoli, at (916) 341-5855.

#### Response to Comment E-1

The commenter correctly states that the Project is pursuing Clear Water State Revolving Fund (CWSRF) financing; however, the applicant for the CWSRF financing is Inland Empire Utilities Agency. The comment generally summarizes the role of SWRCB with administering the CWSRF, the CWSRF program, and its requirements for environmental review. Consistent with these requirements, the Project's IS/MND includes a CEQA-Plus analysis located in Section D. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

Albert A. WEBB Associates RTC-20

#### **Comment E-2**

It is important to note that prior to a CWSRF financing commitment, projects are subject to provisions of the Federal Endangered Species Act (ESA), and must obtain Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) for any potential effects to special-status species.

Please be advised that the State Water Board will consult with the USFWS, and/or the NMFS regarding all federal special-status species that the Project has the potential to impact if the Project is to be financed by the CWSRF Program. The District will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the Project site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

#### **Response to Comment E-2**

The comment provides additional CWSRF environmental review requirements. The Project's IS/MND includes a CEQA-Plus analysis located in Section D, which provides an analysis of the Project's impacts with regards to the federal Endangered Species Act. The analysis concluded that the Project will not impact any federally-listed special status species, and references the biological assessments undertaken for the Project in Appendix A of the IS/MND. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### Comment E-3

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act (Section 106). The State Water Board has responsibility for ensuring compliance with Section 106, and must consult directly with the California State Historic Preservation Officer (SHPO). SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant. If the District decides to pursue CWSRF financing, please retain a consultant that meets the Secretary of the Interior's Professional Qualifications Standards (<a href="http://www.nps.gov/history/local-law/arch\_stnds\_9.htm">http://www.nps.gov/history/local-law/arch\_stnds\_9.htm</a>) to prepare a Section 106 compliance report.

Note that the District will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. 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 extend to a ½-mile beyond Project 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.

#### **Response to Comment E-3**

The comment provides additional CWSRF environmental review requirements. The Project's IS/MND includes a CEQA-Plus analysis located in Section D, which provides

an analysis of the Project's impacts with regards to the National Historic Preservation Act. The analysis concluded that the Project will not impact any historic resources, and references the cultural resources study undertaken for the Project in Appendix B of the IS/MND. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### Comment E-4

Other federal environmental requirements pertinent to the Project under the CWSRF Program include the following (for a complete list of all federal requirements please visit: <a href="http://www.waterboards.ca.gov/water">http://www.waterboards.ca.gov/water</a> issues/programs/grants loans/srf/docs/forms/application environmental package.pdf):

- A. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- B. Compliance with the Coastal Zone Management Act: Identify whether the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.
- C. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.
- D. Compliance with the Farmland Protection Policy Act: Identify whether the Project will result in the conversion of farmland. State the status of farmland (Prime, Unique, or Local and Statewide Importance) in the Project area and determine if this area is under a Williamson Act Contract.
- E. 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.
- F. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone and include a copy of the Federal Emergency Management Agency flood zone maps for the area.
- G. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.

Albert A. WEBB Associates RTC-22

#### **Response to Comment E-4**

The comment provides additional CWSRF environmental review requirements. The Project's IS/MND includes a CEQA-Plus analysis located in Section D, which provides analyses of the Project's impacts with regards to all of the above-referenced federal acts. No new environmental issues have been raised by this comment and no modification of the IS/MND is required.

#### Comment E-5

Following are specific comments on the District's draft IS/MND:

1. On page 29, under Agriculture and Forestry Service (II a.), it states that for worst case analysis...the project will convert approximately three (3) acres of designated prime farmland to non-agricultural use. If it comes to the worst case scenario and prime land is converted into non-agriculture use then an Environmental Impact Report is required instead of the Initial Study/Mitigated Negative Declaration; unless, there are mitigation measures that can be implemented to reduce Project's significant impact to less than significant.

#### **Response to Comment E-5**

JCSD disagrees with the comment that the loss of 3 acres of designated Farmland is a significant impact. The Project's IS/MND determined that impacts to designated Farmland will be less than significant due to total quantity that may be potentially lost and the focus of the City of Ontario to develop land within in the City in an economically productive way that would serve the growing population. No modification of the IS/MND is required.

#### Comment E-6

2. On page 44, under Biological Resources, please clarify what type of construction methods will be employed to construct the pipeline underneath the Cucamonga Creek Channel?

#### Response to Comment E-6

The Project Description in the Final IS/MND has been revised to clarify the construction method type for installing the proposed recycled water pipeline underneath the Cucamonga Creek Channel. These revisions to the Final IS/MND are as follows and shown in underline (Final IS/MND, p. 12):

Prior to construction, JCSD will obtain encroachment permits from the cities of Chino, Eastvale, Jurupa Valley, and Ontario; California Department of Transportation (Caltrans); as well as from the San

Albert A. WEBB Associates RTC-23

Bernardino County Flood Control District (SBCFCD) <u>as proposed</u> <u>pipelines will traverse the Cucamonga Creek Chanel in Eastvale</u>, and Riverside County Flood Control and Water Conservation District (RCFCWCD) <u>as proposed pipelines will traverse the Day Creek Channel in Jurupa Valley</u>. While these pipelines will primarily traverse the channel <u>within existing roadway overcrossings</u>, the two proposed pipeline <u>alignments that traverse the Cucamonga Creek Channel where there is no existing roadway overcrossing (west of 65<sup>th</sup> Street and bisecting Walters Street), construction of the pipelines will utilize jack and bore or horizontal directional drilling to install the pipeline underneath the channel as part of the plans and specifications for constructing those pipeline segments.</u>

The clarification of the construction method that will be utilized to install the pipeline underneath the Cucamonga Creek Channel does not constitute a substantial revision or modification to the IS/MND. Therefore, recirculation of the IS/MND is not required.

#### Comment E-7

Please provide us with the following documents applicable to the proposed Project following the District's California Environmental Quality Act (CEQA) process: (1) one copy of the draft and final IS/MND, (2) the resolution adopting the IS/MND and making CEQA findings, (3) all comments received during the review period and the District's response to those comments, (4) the adopted Mitigation Monitoring and Reporting Program (MMRP), and (5) the Notice of Determination filed with the Riverside County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

Thank you for the opportunity to review the District's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 319-0220, or by email at <a href="mailto:Sahil.Pathak@waterboards.ca.gov">Sahil.Pathak@waterboards.ca.gov</a>, or contact Ahmad Kashkoli at (916) 341-5855, or by email at Ahmad Kashkoli@waterboards.ca.gov.

#### Response to Comment E-7

Upon completion of the CEQA process for this Project, which includes adoption of the MND by the JCSD Board of Directors, the requested documents will be provided to SWRCB.

Remainder of page intentionally blank

#### **Letter F – State Clearinghouse and Planning Unit**

The State Clearinghouse and Planning Unit provided comments regarding the proposed Project in their letter dated August 28, 2015 (received by JCSD on August 31, 2015). Responses to the comments contained in that letter are provided below. A copy of the comment letter is contained in Section 3 of this document.

#### Comment F-1

The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on August 27, 2015. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project. 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 (2015071073) when contacting this office.

#### Response to Comment F-1

SWRCB's comment letter is responded to as "Letter E" in this Response to Comments document. Following suit with the commenter's encouraged action, JCSD Board of Directors will be provided with the responses to the SWRCB comment letter for their consideration, along with the responses to the other comment letters received for this Project. No further response is necessary.

Remainder of page intentionally blank

#### **SECTION 3 –Comment Letters Received**

Copies of the comment letters received are included on the following pages.

Albert A. WEBB Associates RTC-26

7-4

Attachment 2, Page 166 of 214

DEPARTMENT OF TRANSPORTATION

DISTRICT 8 PLANNING (MS 725) 464 WEST 4th STREET, 6th FLOOR SAN BERNARDINO, CA 92401-1400 PHONE (909) 388-7017 FAX (909) 383-5936 TTY 711 www.dot.ca.gov/dist8

7/12/2022 Board Meeting





August 6, 2015

File: 08-RIV-15-PM 49.3/46.253 08-SBd-60-PM 7.085

Michele Lauffer Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

#### Jurupa Community Services District Recycled Water Service Expansion- Initial Study

Dear Ms. Lauffer:

Thank you for providing the California Department of Transportation (Department) the opportunity to review and comment on the Initial Study for the Jurupa Community Services District Recycled Water Service Expansion (Project), located in the cities of Eastvale, Jurupa Valley, Chino, and Ontario, in Riverside and San Bernardino Counties. The project proposes the construction and operation of recycled water distribution and storage facilities.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. Under the California Environmental Quality Act (CEQA), we are required to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the cities of Eastvale, Jurupa Valley, Chino, and Ontario, due to the project's potential impact to State facilities, it is also subject to the policies and regulations that govern the SHS.

The Department endeavors that any direct and cumulative impacts to the State highway system be eliminated or reduced to a level of insignificance pursuant to the CEQA and National Environmental Policy Act (NEPA) standards. Our areas of concern, pertaining to State facilities, include transportation/traffic and Right of Way (ROW) issues, which our initial review indicates as having potentially significant impacts. Due to these potentially significant impacts and because the portion of the project area directly adjacent to Interstate 15 (I-15), we offer the following comments regarding the analysis in the upcoming DEIR:

A Traffic Control Plan is required to be reviewed by the Department prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane.

Ms. Lauffer August 6, 2015 Page 2

> The Department would not support concurrent construction work within the Department's ROW for the proposed pipeline located adjacent to I-15 between Bellegrave Avenue and 68th Street due to potential for congestion and driver confusion.

#### Permit Requirements

Issuance of a Caltrans Encroachment Permit will be required for any work or construction performed within, under, or over the State Right-of-Way. All comments above should be addressed prior to proceeding with the Encroachment Permit process. Review and approval of street, grading, and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained at:

Caltrans Office of Encroachment Permits
464 West 4<sup>th</sup> Street, Basement, MS 619
San Bernardino, CA 92401-1400
<a href="http://www.dot.ca.gov/hq/traffops/developserv/permits/">http://www.dot.ca.gov/hq/traffops/developserv/permits/</a>

These recommendations are preliminary and summarize our review of materials provided for our evaluation. If this project is later modified in any way, please forward copies of revised plans as necessary so that we may evaluate all proposed changes for potential impacts to the SHS. If you have any questions regarding this letter, please contact Adrineh Melkonian (909) 806-3928 or myself at (909) 383-4557.

Sincerely,

MARK ROBERTS

Mark Rheets

Office Chief

Intergovernmental Review, Community and Regional Planning

# City of Jurupa Valley

Brad Hancock, Mayor . Laura Roughton, Mayor Pro Tem . Brian Berkson, Council Member . Frank Johnston, Council Member . Verne Lauritzen, Council Member

August 19, 2015

Ms. Michele Lauffer Senior Administrative Assistant Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

Subject: INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (CEQA AND CEQA-

PLUS) – RECYCLED WATER SERVICE EXPANSION DISTRICT PROJECT NO.

C133656

Dear Ms. Lauffer,

The City of Jurupa Valley is in receipt of the Initial Study for the Recycled Water Service Expansion (JCSD Project No. C133656), hereinafter the "Project" dated July 2015. It is the City's understanding that the intent of the project is to provide recycled water from the increased production at WRCRWA to IEUA. A by-product of this delivery to IEUA is the availability of recycled water to be utilized in the western region of JCSD's service area. In reviewing the Project, the City has developed a list of concerns that is requested to be included in the Project documents:

- 1. The project facilities (pipelines) "...will occur in phases over time as funding is available." Is there a goal timeline for completion of the various phases, in particular, the installation of pipelines within Jurupa Valley?
- 2. Pipelines are clearly identified to serve the following three locations:
  - a. Vandermolen Elementary School
  - b. Sky Country Elementary School
  - c. An unnamed park north of Bellegrave and west of Etiwanda

Clarify that the network of new pipelines will be able to serve the following facilities:

- d. Limonite Meadows Park
- e. Laramore Park
- f. Wineville Park
- g. Vernola Park
- h. An unnamed park south of 68<sup>th</sup> Street (south of Vandermolen Elementary School)
- i. An unnamed park adjacent to Paradise Knolls Golf Course
- j. The proposed K-8 School north of Bellegrave

### Attachment 2, Page 169 of 214 Member Agencies

## Western Riverside County 7-4 Regional Wastewater Authority

Administration 14205 Meridian Parkway Riverside, CA 92518-3045 (951) 571-7100 (951) 571-0590 (FAX) Treatment Plant 14634 River Road Corona, CA 92880 (951) 739-6225 (951) 371-2517 (FAX) City of Norco Home Gardens Sanitary District Western Municipal Water District Jurupa Community Services District City of Corona

August 27, 2015

Michele Lauffer Sr. Administrative Assistant Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

## INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION FOR RECYCLED WATER EXPANSION

Dear Ms. Lauffer

Thank you for the opportunity to review the Initial Study and Mitigated Negative Declaration for Jurupa Community Services District's (JCSD) Recycled Water Service Expansion. Western Riverside County Regional Wastewater Authority (WRCRWA) fully supports this project. Our comments are as follows:

- The parameters for the sale of recycled water by one member agency to another has not been finalized. Therefore, the total quantity of recycled water transported by this project should consider the range of only JCSD's apportionment of up to all other water that is available for sale (Page 4).
- All WRCWRA members' apportionment of recycled water are listed as available except the City of Corona. As noted above, the sale of recycled water by one WRCRWA member agency to another has not been finalized and for flexibility, unless otherwise stated to the contrary by the City of Corona, the City may want to have the flexibility to sell their supply to other members including JCSD (Page 4).
- The total amount of WRCRWA production, less process water losses is assumed to be available for use as recycled water. The State Water Board is considering WRCRWA's pending Change of Use Petition to divert water that is currently released to the river for use as recycled water.

8/27/2015 Page 2 of 2

The CEQA document should consider that some water might be required by the State Water Board to be released to the Santa Ana River (Page 4).

- The drawings use the future layout of the plant that is outdated (they include multiple oxidation ditches rather than the Conventional Activated Sludge process that will be used) (Figure 2).
- The routing of the pipeline to the proposed JCSD clear well is along the back side of the plant. This routing may or may not be changed during design review in consideration of future improvements within the WRCRWA plant site (Page 12).

Should you have any question about these comments, please contact me at (951) 571-7230 or <a href="mailto:dkawaii@wmwd.com">dkawaii@wmwd.com</a>.

DEREK E. KAWAII, P.E. Director of Engineering

Jest Head

DEK:sc

3. It is requested that all pipelines be placed outside of the paved surfaces of the streets within Jurupa Valley.

Thank you for your efforts in implementing these requests into this exciting project.

If you should have any questions or comments, please feel free to contact me at sloriso@jurupavalley.org or at (951) 332-6464 x233.

Sincerely,

Steve R. Loriso, P.E. Deputy City Engineer

Cc: Jim Smith, P.E., City Engineer

DENIS R. BILDDEAU, P.E. Board Meeting SHAWN DEWANE

JAN M. FLORY **CATHY GREEN** 

**DINA NGUYEN** ROMAN A. REYNA

STEPHEN R. SHELDON HARRY S. SIDHU, P.E. ROGER C. YOH, P.E.

Attachment 2, Page President 214 CATHY GREEN

> First Vice President DENIS R. BILODEAU, P.E.

Second Vice President PHILIP L. ANTHONY

General Manager MICHAEL R. MARKUS, P.E., D.WRE



ORANGE COUNTY'S GROUNDWATER AUTHORITY

August 27, 2015

Michelle Lauffer Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

Dear Ms. Lauffer

Mitigated Negative Declaration for the Recycled Water Service Expansion (District RE: Project No. C133656) Jurupa Community Services District, SCH # 2015071073

The Orange County Water District (OCWD, the District) is a special district formed in 1933 by an act of the California Legislature. The District manages the groundwater basin that underlies north and central Orange County. Water produced from the basin is the primary water supply for approximately 2.4 million residents living within the District's boundaries. Flow from the Santa Ana River is an important supply of water used to recharge the Orange County Groundwater Basin.

The District owns more than 2,000 acres of land in the Prado Basin and is keenly interested in projects that may affect the basin. The Prado Basin contains sensitive environmental habitat for threatened and endangered species; essentially all of the Prado Basin is designated as critical habitat for the federally endangered least Bell's vireo. In 1995, OCWD executed an agreement with the U.S. Fish and Wildlife Service and the U.S. Army Corps of Engineers to cooperatively manage biological resources in the Prado Basin. This agreement allows for temporary storage of stormwater in Prado Basin for subsequent release from the Prado Dam to enable OCWD to recharge the water into the groundwater basin. This longstanding water conservation program is contingent upon the continued health of biological resources in Prado Basin. Potential impacts to riparian habitat, the Least Bell's Vireo, and other biological resources in the Prado Basin can negatively impact OCWD's water conservation program.

In addition, OCWD owns and operates a 465-acre treatment wetlands system in the Prado Basin. Approximately half of the Santa Ana River baseflow is diverted though these

Michelle Lauffer August 27, 2015 Page 2 of 5

wetlands. This includes the discharge from the Western Riverside County Regional Wastewater Authority's (WRCRWA) treatment plant.

Thank you for the opportunity to submit comments on the draft Mitigated Negative Declaration (MND) for the proposed Recycled Water Service Expansion, SCH # 2015071073.

We understand that the proposed project involves the construction of facilities to convey treated effluent from the WRCRWA treatment plant for conveyance to Inland Empire Utilities Agency (IEUA) facilities for groundwater recharge or landscape irrigation within the western portion of Jurupa Community Services District's (JCSD) service area. We also understand that the Recycled Water Program EIR (SCH # 2012031084) prepared by WRCRWA did not analyze the distribution facilities needed by its member agencies to convey the treated effluent to end users.

The MND states that analysis of in-stream impact to the Santa Ana River was required as part of WRCRWA filing a wastewater change petition (WW-0067) with the SWRCB's Division of Water Rights and that this process will provide approval for WRCRWA for this project. In April 2013, OCWD filed a legal protest with the SWRCB regarding WRCRWA's wastewater change petition WW-0067, a copy of which is attached. OCWD's protest of change petition WW-0067 has not been resolved. The issues raised in OCWD's April 2013 protest have not been adequately addressed in either the Recycled Water Program EIR or the draft MND for the Recycled Water Service Expansion.

The draft MND for the Recycled Water Service Expansion must address the issues raised in the attached protest of WRCRWA's wastewater change petition WW-0067, which include the following issues that are hereby submitted as comments on the draft MND:

• The outfall of the WRCRWA treatment plant is located adjacent to the conveyance channel to OCWD's Prado Wetlands where significant public recreation and wildlife management activities occur. Water discharged at the WRCRWA treatment plant outfall flows into the conveyance channel, and then into OCWD's Prado Wetlands. Water discharged from the WRCRWA's treatment plant that flows through the wetland then flows to Chino Creek, and shortly thereafter into the Santa Ana River. The areas that became OCWD's constructed Prado Wetlands were originally ponds developed and managed for waterfowl hunting. With increases in nitrate on the Santa Ana River due to upstream treatment plant discharges and agricultural runoff, OCWD converted the ponds to constructed wetlands to provide nitrate removal. Water diverted and passed through the wetland system can have more than 90

Michelle Lauffer August 27, 2015 Page 3 of 5

percent of the nitrate removed—thereby reducing the risk of downstream eutrophication associated with excessive nutrient loading. Spreading water and significantly increasing its retention time has created regionally significant habitat diversity and wildlife value immediately below the WRCRWA's point of discharge. The wetlands pictured in Exhibit 1A (in attached protest to WW-0067) are tantamount to oxbow wetlands that were an historic part of the river system but were largely lost when the floodplain was diminished. The wetlands accommodate species like white-faced ibis (Plegadis Chihi) that are found in few other places in Coastal Southern California. Exhibit 1B in the attached protest of WW-0067 is a photograph of a portion of OCWD's Prado Wetlands, illustrating the open water and riparian habitat. The Prado Wetlands and environs are regionally significant and widely known for their abundance and diversity of wildlife, particularly birds. Recreational visitors come from all over the nation and the world to tour the wetlands and experience the abundant wildlife supported, in part, by the WRCRWA's current discharge.

- A small remnant population of endangered Least Bell's Vireos (Vireo Bellii Pusillus or "LBV") was discovered in the Prado Basin in the 1980s. The population was so impacted by parasitism by brown-headed cowbirds (Molothrus Ater) that it would not survive without management. However, neither the U.S. Army Corps of Engineers nor the U.S. Fish and Wildlife Service (Service) had the funding to provide the management needed to prevent the extirpation of this imperiled population. Then, in 1988 and 1989 OCWD stepped up by funding and staffing a management plan for the endangered LBV in the Prado Basin This was done proactively by the District in order to partner with the resource agencies to improve public trust resources within OCWD's jurisdiction. Since then, OCWD has continued its LBV management program and has recovered the LBV in the Prado Basin from just 21 territories in 1986 to over 400 territories in 2012. The LBV territories in 2012 are shown in Exhibit 2 of the attached protest. Because of the District's efforts, the Santa Ana River population of LBV was not only saved from extirpation, but is now headed toward significant recovery. The loss of the WRCRWA's discharge, as threatened in the WW-0067 Change Petition and by use of WRCRWA's water through the proposed Recycled Water Service Expansion project, has the potential to significantly frustrate OCWD's future LBV recovery efforts. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.
- The expansion of the LBV population on the Santa Ana River was achieved by dedicated field staff (from OCWD and its partner agencies) adaptively managing natural resources. The significance of this achievement is that it happened on a river system that has been greatly altered by human activity and has been dramatically narrowed and heavily urbanized. It demonstrates that consistent wildlife management works for some species, but such success requires a continuous and stable water supply for species such as the LBV. It also illustrates

Michelle Lauffer August 27, 2015 Page 4 of 5

the expertise and ability focused through OCWD's programs to steward endangered species in concert with water conservation and wetland operations. Without the flows provided by the WRCRWA's discharge, it is not clear if OCWD's successful LBV program will continue successfully in the future. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.

- OCWD is concerned about potential impacts to the Southwestern Willow Flycatcher ("Flycatcher") that could result from the loss of flows proposed in the Change Petition. This song bird is infrequently observed in Prado Basin, although two were recently observed downstream from the WRCRWA's treatment plant outfall (Exhibit 2 of the attached protest of WW-0067). The Flycatcher prefers riparian edge habitat with moving water, and the loss of the discharge as proposed in the WRCRWA's Petition WW-0067 and by use of WRCRWA's water through the proposed Recycled Water Service Expansion project, may result in less moving water during certain seasons and loss of suitable Flycatcher habitat. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.
- The continued recovery of the species discussed herein, and the protection of other riparian flora and fauna depends on, at a minimum, maintaining the riparian habitat in Prado Basin. This riparian habitat requires adequate water, and OCWD believes, based on its many years of operation and observations in the Prado Basin, that the loss of existing flows to the Prado Basin may have significant adverse effect on the riparian areas and the abundance of wildlife they support. This issue is not addressed in the draft MND for the Recycled Water Service Expansion project.
- Because the riparian habitat in Prado Basin depends on sufficient water, and certain portions of the Prado Basin only receive water from the WRCRWA treatment plant discharge during certain parts of the year, OCWD is understandably concerned about reduced flows due to the proposed Recycled Water Service Expansion project. The draft MND for the Recycled Water Service Expansion Project does not evaluate the potential environmental effects of reducing the discharge and does not provide any data or studies to show that the reduction of discharge will be consistent with the sustainment of beneficial uses (such as RARE, and WARM) and the protection of public trust resources, recreation and threatened and endangered species found in the Prado Basin. The draft MND does not consider, as it must, the cumulative impact of the proposed project in light of the other proposed diversions in the watershed. A list of proposed or planned diversions or recycled water projects which are anticipated to reduce flows into Prado Basin include projects being planned or implemented by the Inland Empire Utilities Agency, Chino Basin Watermaster, County of San Bernardino Flood Control District, Riverside County Flood Control District, the cities of Corona, Riverside, Colton, Rialto, and San Bernardino; San Bernardino Valley Municipal Water District, Eastern Municipal Water District; and Elsinore Valley Municipal Water District. The proposed

Michelle Lauffer August 27, 2015 Page 5 of 5

Recycled Water Service Expansion must be evaluated in the context of the other proposed projects in the watershed that may reduce flows into the Prado Basin. Cumulative environmental impacts must be evaluated to assess adverse environmental change "as a whole greater than the sum of its parts." [Environmental Protection Information Center v. Johnson [(1985) 170 Cal. App. 3d 604,625,216 Cal. Rptr. 502].] Evaluating the incremental impact of a proposed project, in connection with other projects causing related impacts, helps avoid the environmental harm that comes from considering projects "in a vacuum." [Whitman v. Board of Supervisors [(1979) 88 Cal. App. 3d 397, 408, 151 Cal. Rptr. 866 (Whitman)].]

The proposed project as described in the draft MND states that the source of recycled water includes treated effluent from the WRCRWA treatment plant and/or the IEUA recycled water system in San Bernardino County. Since this project includes the use of recycled water produced by IEUA, will IEUA be submitting a wastewater change petition for this project or does IEUA already have such approvals for use of IEUA's recycled water for this project? Please clarify and include a discussion of the status of approval of a wastewater change petition from the SWRCB's Division of Water Rights as it relates to the potential use of IEUA's recycled water. Regarding use of water from IEUA, please describe compliance with California Water Code Section 1211, which states:

(a) Prior to making any change in the point of discharge, place of use, or purpose of use of treated wastewater, the owner of any wastewater treatment plant shall obtain approval of the board for that change. The board shall review the changes pursuant to the provisions of Chapter 10 (commencing with Section 1700) of Part 2 of Division 2.

Thank you for the opportunity to submit these comments.

Sincerely,

Michael R. Markus, P.E., D.WRE

General Manager

Attachment: OCWD Protest – Petition to WW-0067, April 11, 2013

State of California State Water Resources Control Board

#### DIVISION OF WATER RIGHTS P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterboards.ca.gov/waterrights

#### PROTEST - PETITION

This form may also be used for objections

#### PETITION FOR TIME EXTENSION, CHANGE, TEMPORARY URGENT CHANGE

#### OR TRANSFER ON

**APPLICATION:** Wastewater Change Petition WW-0067 to Change of Place of Use, and Purpose of Use for Recycled Water Currently Discharged to Prado Basin of the Santa Ana River

| PERMIT:  |  |
|----------|--|
| LICENSE: |  |

**OF** Western Riverside County Regional Wastewater Authority ("Authority")

I (We) have carefully read the notice (state name):

Joel Kuperberg General Counsel, Orange County Water District

Address, email address and phone number of protestant or authorized agent:

Orange County Water District 18700 Ward Street Fountain Valley, CA 92708 <a href="mailto:jkuperberg@rutan.com">jkuperberg@rutan.com</a> (714) 662 4608

Attach supplemental sheets as needed. To simplify this form, all references herein are to protests and protestants although the form may be used to file comments on temporary urgent changes and transfers.

Protest based on ENVIRONMENTAL OR PUBLIC INTEREST CONSIDERATIONS (Prior right protests should be completed in the section below):

| • | the proposed action will not be within the State Water Resources<br>Control Board's jurisdiction |      |
|---|--|------|
| • | not best serve the public interest   |      |
| • | be contrary to law   |      |
| • | have an adverse environmental impact   | abla |

#### State facts which support the foregoing allegations:

#### Relief Requested:

Per Water Code Sections 1211 and 1700 et seq., the Orange County Water District ("OCWD", or "District"), timely submits this Protest to the State Water Resources Control Board ("SWRCB", "State Board" or "Board"). The Protest, for the reasons indicated above, and pursuant to the factual statement provided below, asks the Board to refrain from approving the Authority's requested changes memorialized in the Authority's Change Petition captioned Petition WW 0067 (hereinafter "Change Petition" or "Petition") until such time as the Authority provides enforceable assurances that environmental and public trust resources will be protected in the event that the Petition is granted.

#### Factual Background and Legal Framework:

OCWD owns about 2,150 acres of land in the Prado Basin adjacent to the Santa Ana River. This acreage includes approximately 465 acres of constructed wetlands. The constructed wetlands provide treatment for Santa Ana River water—to include significant nutrient removal—while also providing habitat for a rich variety of wildlife, including threatened and endangered species. OCWD, while generally supportive of efforts of the Authority and other utilities in Southern California to increase recycled water use within their respective service areas, cannot support the Authority's current initiative to withdraw the quantity of water from the Prado Basin as reflected in the Change Petition. Indeed, OCWD must protest WW 0067 because of the potentially significant adverse environmental effects that are reasonably likely to occur from the Authority's proposal to completely remove 6,000 or more acre feet per year ("AFY)" of highly treated tertiary effluent currently discharged in immediate proximity of sensitive wetlands and associated habitat in the Prado Basin of the Santa Ana River Watershed.

As reflected in Change Petition, flow to the OCWD Prado Wetlands occurs through a conveyance channel that extends from the Santa Ana River near River Road to the upgradient portion of the wetlands. Cutting off the entire flow of recycled water. as the Authority proposes to do, could have significant environmental effects on a host of environmental and public trust values that currently exist in the Prado Basin particularly during drier portions of the year when other sources of flow to the wetlands and Prado Basin are unavailable or occur at reduced flow rates. The Change Petition, without action by the Board to protect environmental resources, could result—as illustrated by the protests of the California Department of Fish and Wildlife ("DFW") and the U.S. Fish and Wildlife Service ("USFWS") to the Change Petition—in the Board approving an action that is inconsistent with Water Code Sections 1243.5 and 1258 (protection of existing instream flows and beneficial uses designated in water quality control plans); and Water Code Sections 1243 and 1257.5 (protection of recreation uses and fish/wildlife resources). See also Water Code Section 13350 (a)(4) (recycled water rediversion appropriate where it "will not degrade water quality, and is determined not to be injurious to plant life, fish, and wildlife.") As the SWRCB noted in WR 2008-0024, In the Matter of Wastewater Change Petition WW-0045, City of Riverside, "the Board has an obligation to consider the effect of [recycled water change petitions] on public trust resources and to protect those resources where feasible."

OCWD, based on the information provided below, and also upon the information alleged in the protests of USFWS, DFW and that of the Santa Ana Watershed Association (SAWA), respectfully requests the Board fulfill the obligations referenced in WR 2008-0024, and in WR 95-9. In the Matter of Treated Waste Water Change Petition WW-20 of the El Dorado Irrigation District (hereinafter "El Dorado"), by withholding approval of the Change Petition until such time as the Authority has revised its proposal to ensure continued protection of public trust resources and beneficial uses in the Prado Basin. The relief requested herein is akin to that requested by the protesters in El Dorado, a case very similar to the case at bar (each involves the proposed removal of long term discharges of recycled water from sensitive riparian areas). In El Dorado, the Board specifically required that the water needs of the riparian area be addressed first before the Board would consider the amount of water available for appropriation and beneficial use at a separate location. El Dorado at p. 35 (requiring petitioner to "leave enough water" in the receiving water body to "protect the existing fish and wildlife habitat that is dependent on the discharge of treated waste water and to provide for the use of any amounts over and above the reasonable needs of the existing habitat for the proposed new beneficial uses") (emphasis added).

The Authority appears to answer the requirements of *El Dorado* in its Petition by averring that all of its current discharge is imported "foreign water" and therefore not subject to *El Dorado* and its progeny. Though OCWD is skeptical that <u>all</u> of the water currently discharged by the Authority at the Prado Basin is "foreign" since member agencies of the Authority do appear to pump and use local groundwater, the source of the wastewater is irrelevant where the injury alleged is to environmental or public trust resources. Were OCWD alleging injury to prior rights, which they are not herein, then the foreign water issue could perhaps be a relevant consideration.

The Petition also appears to suffer from procedural defects that render it difficult to discern the likely environmental impacts of the Authority's proposed action. 23 Cal Code Regs Section 794 requires a wastewater change petition to include certain elements—which, where provided, allow the Board and interested parties to understand the effect of the action on environmental resources in the project area. It is not clear from the Petition and its supporting materials where the withdrawn water would be used once it is removed, or whether any return flow would ultimately return to the Prado Basin. This is part of the larger concern that the Petition and its supporting materials really do not adequately evaluate the impacts of the modified flow regime on downstream environmental values. The Board should require the Authority to provide all required information prior to approving the Petition. Similarly, 23 Cal Code Regs. Section 794 (c) requires the Board to refrain from acting on a change petition until such time as the petitioner provides comments received from the pertinent Regional Water Quality Control Board in response to the petitioner's request for consultation. OCWD asks that the State Board evaluate and appropriately consider any comments provided by the Santa Ana Regional Water Quality Control Board in the event that it chooses to provide comments on the Authority's Petition.

#### Specific Environmental Impact and Public Trust Resource Concerns:

The outfall of the Authority treatment plant is located adjacent to the conveyance channel to OCWD's Prado Wetlands where significant public recreation and wildlife management activities occur. Water discharged at the Authority treatment plant outfall

flows into the conveyance channel, and then into OCWD's Prado Wetlands (Exhibit 1A). Water discharged from the Authority's treatment plant that flows through the wetland then flows to Chino Creek, and shortly thereafter into the Santa Ana River.

The areas that became OCWD's constructed Prado Wetlands were originally ponds developed and managed for waterfowl hunting. With increases in nitrate on the Santa Ana River due to upstream treatment plant discharges and agricultural runoff, OCWD converted the ponds to constructed wetlands to provide nitrate removal. Water diverted and passed through the wetland system can have more than 90 percent of the nitrate removed—thereby reducing the risk of downstream eutrophication associated with excessive nutrient loading. Spreading water and significantly increasing its retention time has created regionally significant habitat diversity and wildlife value immediately below the Authority's point of discharge. The wetlands pictured in Exhibit 1A are tantamount to oxbow wetlands that were an historic part of the river system but were largely lost when the floodplain was diminished. The wetlands accommodate species like white-faced ibis (Plegadis Chihi) that are found in few other places in Coastal Southern California. Exhibit 1B is a photograph of a portion of OCWD's Prado Wetlands, illustrating the open water and riparian habitat. The Prado Wetlands and environs are regionally significant and widely known for their abundance and diversity of wildlife, particularly birds. Recreational visitors come from all over the nation and the world to tour the wetlands and experience the abundant wildlife supported, in part, by the Authority's current discharge.

A small remnant population of endangered Least Bell's Vireos (Vireo Bellii Pusillus or "LBV") was discovered in the Prado Basin in the 1980s. The population was so impacted by parasitism by brown-headed cowbirds (Molothrus Ater) that it would not survive without management. However, neither the U.S. Army Corps of Engineers nor the U.S. Fish and Wildlife Service (Service) had the funding to provide the management needed to prevent the extirpation of this imperiled population. Then, in 1988 and 1989 OCWD stepped up by funding and staffing a management plan for the endangered LBV in the Prado Basin This was done proactively by the District in order to partner with the resource agencies to improve public trust resources within OCWD's jurisdiction. Since then, OCWD has continued its LBV management program and has recovered the LBV in the Prado Basin from just 21 territories in 1986 to over 400 territories in 2012. The LBV territories in 2012 are shown in Exhibit 2. Because of the District's efforts, the Santa Ana River population of LBV was not only saved from extirpation, but is now headed toward significant recovery. The loss of the Authority's discharge, as threatened in the Change Petition, has the potential to significantly frustrate OCWD's future LBV recovery efforts.

At one time considered common, the LBV was widely distributed throughout the Central Valley and other low elevation riverine systems through southern California and Baja California, Mexico. However, by the mid-1900s habitat loss due to agricultural, urban, and commercial developments, flood control and river channelization projects, livestock grazing, and other activities had severely reduced the available habitat and the LBV was extirpated from much of its former range. Nest parasitism by brown-headed cowbirds greatly limited the LBVs' reproductive output and in concert with habitat loss, LBV numbers plummeted. When the LBV was finally listed as endangered in 1980, there were only 300 pairs known to exist throughout the historic range.

The expansion of the LBV population on the Santa Ana River was achieved by dedicated field staff (from OCWD and its partner agencies) adaptively managing natural resources. The significance of this achievement is that it happened on a river system that has been greatly altered by human activity and has been dramatically narrowed and heavily urbanized. It demonstrates that consistent wildlife management works for some species, but such success requires a continuous and stable water supply for species such as the LBV. It also illustrates the expertise and ability focused through OCWD's programs to steward endangered species in concert with water conservation and wetland operations. Without the flows provided by the Authority's discharge, it is not clear if OCWD's successful LBV program will continue successfully in the future.

Some of the other highlights in the OCWD Natural Resources Program that illustrate the District's investments in natural resource management and depend, at least in part, on the continuation of sufficient flow into the Prado Basin, include the following. In March 1991, the endangered bird management program for the Prado Basin was endowed with long term funding by OCWD (\$450,000) to offset the effects of stormwater capture in the Basin. OCWD also contributed another \$450,000 to a habitat restoration fund (which was later reimbursed by the County of Orange) and donated 124 acres of District land for habitat restoration. By 1995, these restored acres held the highest nesting density of LBVs in the Basin. The restoration and management was achieved by the Nature Conservancy (TNC) through an agreement between the U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service (Service), TNC, and OCWD.

In 1993, as part of an interim agreement to continue stormwater capture in the Basin, OCWD contributed another \$100,000 to the restoration and management funds. Then, in 1995 a landmark agreement was signed by the USFWS, U.S. Army Corps of Engineers, and OCWD (Exhibit 3) which included:

- A \$1 million contribution to the conservation fund that was to be used to sustain restoration efforts throughout the watershed, beginning in the upper watershed, and focusing upon Arundo control.
- 2) OCWD hired a full time permanent and an additional limited-term environmental specialist to assist with LBV management activities.
- 3) USFWS, U.S. Army Corps of Engineers, and OCWD agreed to partner in the environmental management of the District's land and the Federal land in the Prado Basin.

In 1997, the OCWD established the Santa Ana River Conservation Trust Fund in partnership with the USFWS and many other entities. The Trust Fund was to be a repository for money to manage watershed resources through the Santa Ana River Watershed Program over a long enough period of time to ensure resource recovery with the eventual control of Arundo Donax. Arundo requires many years of monitoring and follow-up treatment to achieve control because of the massive root systems supporting new growth. OCWD administered the fund at no cost to the program and the three Resource Conservation Districts (RCD) on the river do most of the work on the ground. Approximately 4,500 acres of Arundo have been removed and endangered bird management is underway in most of the river's riparian forests. Funding to date has

been approximately 50% grants and 50% mitigation money, mostly from large federal projects on the river. OCWD's Santa Ana River Watershed Program, as described above, is an attempt to counter-balance human-induced changes on the river through control of invasive species, habitat restoration, wildlife management emphasizing endangered species, and public education and involvement. Many of these initiatives are advanced by, to some degree, flows to the Prado Basin from the Authority's current discharge. SAWA, also a protester to the Authority's Petition (a protest in which OCWD concurs and the contents of which OCWD incorporates herein by reference). implements the program in partnership with OCWD and other Federal, state, county, and city agencies, non-governmental organizations (NGOs) and private interests. SAWA became a 501(c)(3), nonprofit organization in March 2003. SAWA's governing Board is comprised of one voting member from each of five agencies, OCWD, Inland Empire Resource Conservation District ("RCD"), Riverside-Corona RCD, San Jacinto Basin RCD, and the Elsinore-Murrieta-Anza RCD. The USFWS, Santa Ana Regional Water Quality Control Board, DFW, and many other agencies participate in SAWA's monthly meetings, review work plans, and participate in plan formulation and report preparation.

One additional full-time biologist and two seasonal biologists are funded jointly by SAWA and OCWD, and OCWD funds a Habitat Restoration Manager and Natural Resources Director. Our partnerships involve dozens of other biologists from various agencies and firms who help survey the watershed during the endangered bird nesting season.

On a related OCWD initiative in the area of endangered species protection and recovery, OCWD was a founding member and has continued to participate and provide leadership to the Santa Ana Sucker Conservation Team. Since 1998, OCWD has participated in the efforts to conserve the Santa Ana Sucker. OCWD has contributed in excess of \$20,000 annually to fund studies and restoration activities. OCWD Staff and their partners are also currently removing exotic predators and working to restore habitat for the Santa Ana Sucker. The information provided in this paragraph, and those preceding it, is submitted in order to illustrate to the SWRCB that there is an entire process and program that OCWD and its partners have developed to protect the LBV and other riparian species in the Prado Basin over many years. Any proposed action, such as the Change Petition submitted by the Authority, that has the potential to significantly change the now existing hydrologic regime in the Prado Basin, creates real risk to the continuation of successful species recovery efforts. Thus, a thorough study by the Authority, preceded by extensive coordination with OCWD and other agencies with interest in managing Prado Basin's ecosystem, is a necessary prerequisite to preventing injury to public trust resources and other adverse environmental impacts in the Prado Basin.

Finally, OCWD is concerned about potential impacts to the Southwestern Willow Flycatcher ("Flycatcher") that could result from the loss of flows proposed in the Change Petition. This song bird is infrequently observed in Prado Basin, although two were recently observed downstream from the Authority's treatment plant outfall (Exhibit 2). The Flycatcher prefers riparian edge habitat with moving water, and the loss of the discharge as proposed in the Authority's Petition may result in less moving water during certain seasons, and potentially the loss of suitable Flycatcher habitat.

Exhibit 4, attached hereto, is a generalized schematic diagram of surface water flow in Prado Basin. As illustrated in Exhibit 4, Chino Creek, Cucamonga/Mill Creek, and Temescal Creek flow into Prado Basin, but they do not provide flow to OCWD's Prado Wetlands. Santa Ana River flow diverted by OCWD, and the Authority's discharge, are the only surface water flows that provide water to OCWD's Prado Wetlands.

The continued recovery of the species discussed herein, and the protection of other riparian flora and fauna depends on, at a minimum, maintaining the riparian habitat in Prado Basin. This riparian habitat requires adequate water, and OCWD believes, based on its many years of operation and observations in the Prado Basin, that the loss of 6,000 AFY or more of flows to the Prado Basin may have significant adverse effect on the riparian areas and the abundance of wildlife they support.

## <u>Change Petition Needs to Be Consistent With Integrated Regional Water</u> Management in Santa Ana Region

The Chino Basin Watermaster and Inland Empire Utilities Agency ("IEUA") are implementing an integrated water management program in the Chino Basin referred to as the Optimum Basin Management Plan ("OBMP"). The Peace II Agreement (Peace II) program is considered a modification of the Optimum Basin Management Program (Peace I) adopted by the Chino Basin Watermaster and stakeholders in the Chino Basin in the year 2000. IEAU served as the CEQA Lead Agency for the OBMP Program EIR (PEIR, SCH#2000041047), which was certified in July 2000. In October 2010, IEUA certified the Subsequent Environmental Impact Report for the Peace II Project. This Subsequent EIR includes the following mitigation measure, relevant to the SWRCB's consideration of the Change Petition, identified as Mitigation Measure 4.4-3. Specifically, it states:

"The Chino Basin Stakeholders are committed to ensuring that the Peace II Agreement actions will not significantly adversely impact the Prado Basin riparian habitat. This includes the riparian portions of Chino and Mill Creek's between the terminus of hard lined channels and Prado Basin proper. The available modeling data in the SEIR indicates that Peace II Agreement implementation will not cause significant adverse effects on the Prado Basin riparian habitat. However, the following contingency measure will be implemented to ensure that the Prado Basin riparian habitat will not incur unforeseeable significant adverse effects, due to implementation of Peace II. IEUA. Watermaster, OCWD and individual stakeholders, that choose to participate, will jointly fund and develop an adaptive management program that will include, but not be limited to: monitoring riparian habitat quality and extent; investigating and identifying essential factors to long-term sustainability of Prado Basin riparian habitat; identification of specific parameters that can be monitored to measure potential effects of Peace II Agreement implementation effects on Prado Basin; and identification of water management options to minimize the Peace II Agreement effects on Prado Basin. This adaptive management program will be prepared as a contingency to define available management actions by Prado Basin stakeholders to address unforeseeable significant adverse impacts, as well as to contribute to the long-term sustainability of the Prado Basin riparian habitat. The above effort will be implemented under the supervision of a newly-formed Prado Basin Habitat Sustainability Committee. This Committee will include representatives from all interested parties and will be convened by the

Watermaster and IEUA. Annual reports will be prepared and will include recommendations for ongoing monitoring and any adaptive management actions required to mitigate any measured loss or prospective loss of riparian habitat that may be attributable to the Peace II Agreement. As determined by Watermaster and IEUA, significant adverse impacts to riparian habitat that are attributable to the Peace II Agreement will be mitigated."

7-4

This mitigation requirement, not addressed in the Authority's Change Petition and the EIR which supports it, was adopted by the Inland Empire Utilities Agency and illustrates the careful attention that must be given to address potential environmental impacts in an integrated fashion when water management activities are undertaken in or adjacent to an important riparian habitat area like Prado Basin. The work identified in this mitigation measure is underway and the Prado Basin Habitat Sustainability Committee has conducted its first meeting. The SWRCB should mandate the Authority to participate in the Sustainability Committee and commit to coordinate with OCWD in integrated regional water planning of the Prado Basin as a condition of any future approval of a revised Change Petition.

#### **Summary of Environmental Concerns:**

Because the riparian habitat in Prado Basin depends on sufficient water, and certain portions of the Prado Basin only receive water from the discharge during certain parts of the year, OCWD is understandably concerned that the Authority has filed a petition to reduce their current discharge to zero. The Environmental Impact Report prepared by the Authority (State ClearingHouse # 2012031084) does not evaluate the potential environmental effects of reducing the discharge to zero--providing no objective data or studies to show that the complete loss of the discharge will be consistent with the sustainment of beneficial uses (such as RARE, and WARM) and the protection of public trust resources, recreation and threatened and endangered species found in the Prado Basin. Nor does the Change Petition consider, as it must, the cumulative impact of the proposed project in light of the other proposed diversions in the watershed. A list of proposed or planned diversions or recycled water projects which are anticipated to reduce flows into Prado Basin include projects being planned or implemented by the Inland Empire Utilities Agency, Chino Basin Watermaster, County of San Bernardino Flood Control District, Riverside County Flood Control District, the cities of Corona, Riverside, Colton, Rialto, and San Bernardino; San Bernardino Valley Municipal Water District; Eastern Municipal Water District; and Elsinore Valley Municipal Water District.

Riparian habitat, and OCWD's programs to protect it, are dependent on the availability of water, and the proximity of the discharge point to the OCWD Constructed Wetlands makes the likelihood of adverse effect more acute than would the removal of an upstream river discharge. The cumulative impact of the Authority's proposed Wastewater Change Petition and the loss of flow associated with the diversions or recycled water projects referenced above could significantly reduce the amount of water flowing in the Santa Ana River during certain portions of the year and, combined with the loss of flow associated with the Change Petition, have potential to negatively impact riparian habitat in the Prado Basin.

In Attachment 1 to the Petition the Authority appears to seek avoidance of the need to objectively evaluate the environmental implications of its proposed action by

asserting that the loss of flow associated is only 2.5% of the total historic flow of the Santa Ana River. The Authority's statistic is unsupported in the Petition. However, even assuming it was accurate, the proximity of the 6,000 AFY or more of discharge to the Prado Wetlands means that the loss of those flows, particularly during drier parts of the year, could result in the loss of some or all of the water currently available to the wetlands. Of course, OCWD has no way of knowing what the impact of the loss of these flows will be to the Prado Wetlands and Prado Basin because the Authority has made no effort to evaluate the impacts of such losses.

7-4

As indicated above, and in the protests of USFWS, DFW, and SAWA, the Authority's proposed action has the potential to cause significant adverse environmental effects, and be contrary to the public interest. Damage to the Prado Wetlands, and to riparian habitat in the Prado Basin, and all of the multitude of wildlife, water quality and recreational beneficial uses they support, is not consistent with advancing the public interest through the State Board's management of water appropriations.

#### List of Exhibits:

- 1A—Prado Basin Location Map
- 1B—Photograph of Prado Basin Wetlands in Close Proximity of Current Authority Discharge
- 2—Map of Least Bells Vireo and Southwestern Willow Flycatcher Territories
- 3—Cooperative Agreement Between OCWD, US Army Corps of Engineers, US Fish and Wildlife Service to Cooperatively Manage OCWD Lands in Prado Basin
- 4—Generalized Schematic Diagram of Surface Water Flow in the Prado Basin

Under what conditions may this protest be disregarded and dismissed? (Conditions should be of a nature that the petitioner can address and may include mitigation measures.)

OCWD would be willing to consider dismissing this Protest if the Authority commits to the following three measures in relation to Wastewater Change Petition WW0067:

- Developing a minimum discharge rate, determined after a scientifically rigorous and peer reviewed study, that is protective of environmental resources in Prado Basin and its wetland resources, and
- Participating in the Prado Basin Habitat Sustainability Committee identified in Mitigation Measure 4.4-3 of the Inland Empire Utilities Agency's Subsequent EIR for the Peace II Project, and assisting OCWD and the Sustainability Committee to implement the goals and objectives of the Committee,
- Implementing, at the Authority's cost, a mitigation program similar to that identified in Mitigation Measure 4.4-3 of the Inland Empire Utilities Agency's Subsequent EIR for the Peace II Project.

#### **Protest based on INJURY TO PRIOR RIGHTS:**

OCWD alleges no injury to its prior rights.

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- b. Approximate date first use made
- c. Amount used (list units)
- d. Diversion season
- e. Purpose(s) of use

7-4

| Under what conditions may this protest be disregarded and dismissed? | ) |
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All protests must be signed by the protestant or authorized representative:

Signed: Date: April 11, 2013

**All protests must be served on the petitioner.** Provide the date served and method of service used:

A duplicate copy of this Protest, per 23 Cal. Code Regs, Section 745, and pursuant to directions contained in the electronic correspondence of April 9, 2013 from Matthew McCarthy of SWRCB staff, was served on the Authority via e-mail on April 11, prior to the close of the protest period. OCWD has also served a copy of this Protest on the Authority via U.S. Mail—postmarked prior to the close of the protest period.

#### **EXHIBIT 1A**

#### PRADO BASIN LOCATION MAP

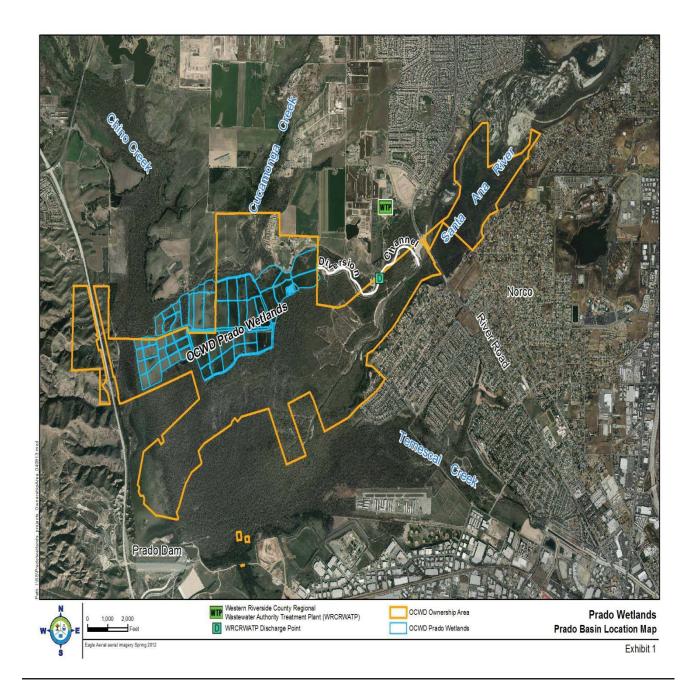
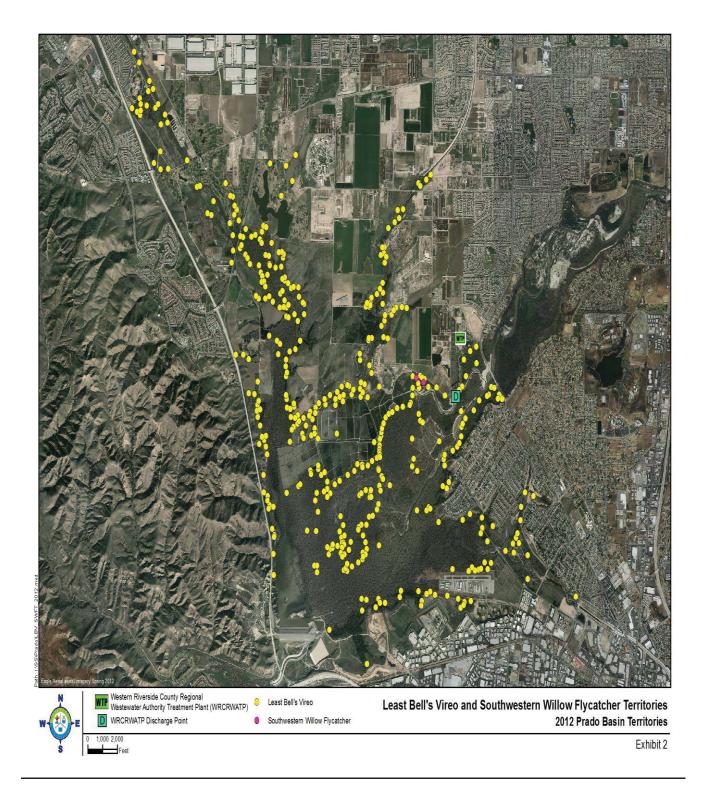


EXHIBIT 1B
PHOTOGRAPH OF PRADO BASIN WETLANDS



#### **EXHIBIT 2**

# MAP OF LEAST BELLS VIREO AND SOUTHWESTERN WILLOW FLYCATCHER TERRITORIES



#### **EXHIBIT 3**

# COOPERATIVE AGREEMENT BETWEEN OCWD, US ARMY CORPS OF ENGINEERS, US FISH AND WILDLIFE SERVICE TO COOPERATIVELY MANAGE OCWD LANDS IN PRADO BASIN

Cooperative Agreement
between the
Orange County Water District,
United States Army Corps of Engineers
and the
United States Fish and Wildlife Service
to Cooperatively Manage
Orange County Water District's Lands
in Prado Basin, Riverside County

Over the past decade, the Orange County Water District (OCWD), the United States Army Corps of Engineers (COE) and the United States Fish and Wildlife Service (USFWS) have worked together to enhance the water conservation and environmental values of Prado Basin, Riverside County, which has been identified as the most significant riparian and palustrine habitat in Southern California and is home to the least Bell's vireo, an endangered species. Numerous documents have been completed by OCWD, COE and the USFWS (the agencies) to develop a staged plan to increase water conservation potential beginning March 1 of each year as mitigation for the least Bell's vireo is planted and matures. Instituted in 1991, one-hundred acres of new vireo habitat has now matured and has allowed the water conservation pool to increase from elevation 494' to 498' in 1995. In an allied effort, OCWD began mitigating for the vireo in 1988 by funding a vireo management program which is administered by The Nature Conservancy. OCWD has committed approximately \$600,000 to this program to date. The combination of these two programs has resulted in a highly successful vireo recovery program. In 1986, when the vireo was listed as endangered, 19 pairs existed in Prado Basin. In 1994, 149 pairs existed in Prado Basin, a seven-fold increase that demonstrates a continuing commitment among the agencies.

Today, the agencies have identified Arundo donax, an invasive exotic plant species, as a major threat to the ecosystem of not only Prado Basin but the entire Santa Ana River watershed. Arundo donax is also a heavy consumer of water, far more that native species. Recently, the agencies have recognized the values to work cooperatively together in pursuing a more holistic approach in managing the various resources in Prado Basin and have recognized that the mitigation approach is very costly and time consuming, and that a dedicated Arundo donax removal program will ultimately be more effective in enhancing the environment of Prado Basin and the entire Santa Ana River watershed. Therefore, the agencies agree that the following management concepts are in the best interests of conserving more native Santa Ana River flows and enhancing the environmental values of Prado Basin and the Santa Ana River watershed.

 The agencies agree to cooperatively manage the environmental values of OCWD lands that have been identified as critical habitat for the least Bell's vireo,

WD DOC. R95-4-46

STAR NO. 2424

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- specifically OCWD lands in Prado Basin below elevation 543', fully recognizing the water conservation, water quality and various environmental values of these lands.
- The agencies agree to meet on a quarterly basis to discuss water conservation, water quality and wildlife enhancement objectives.
- 3. Least Bell's vireo mitigation completed thus far by OCWD, per the Prado October 1992 EIS, has resulted in significant recovery of the species in Prado Basin. While the Prado October 1992 EIS and other agreements have been beneficial, a more productive use of the efforts of the agencies towards expanding an ecosystem-wide program as quickly as possible, in keeping with the spirit of the Prado October 1992 EIS, will benefit both wildlife and water conservation programs.
- OCWD and USFWS agree to meet annually to specifically review Arundo donax removal efforts and re-prioritize the program if necessary. In this regard, a goal of treating all of the Arundo donax within a three-year time frame will be established.
- OCWD shall contribute \$1,000,000 to establish a conservation fund that will be used to remove Arundo donax in the Santa Ana River watershed. With respect to the \$1 million contribution, OCWD will contribute the money in four equal payments (\$250,000 each) beginning June 1, 1995 and semi-annually thereafter on January 1, 1996, June 1, 1996 and January 1, 1997. The use of this conservation fund shall be at the direction of the Service subsequent to input from, and discussions with, OCWD and the Corps. The Arundo donax removal program will be reviewed annually in January of each year by OCWD and the USFWS to determine its effectiveness and to redirect the program if necessary.
- 6. This Cooperative Agreement is consistent with the implementation of an annual mitigation plan pursuant to the Memorandum of Agreement (MOA), dated January 1994, between the U.S. Army Corps of Engineers and the Orange County Water District for the operation of Prado Dam for seasonal additional water conservation. The Cooperative Agreement fully satisfies the annual mitigation plan to achieve a permanent water conservation pool to elevation 505', per the MOA. Additional mitigation must be implemented by OCWD at a future time to achieve a permanent water conservation pool above 505'.
- As part of this Cooperative Agreement, OCWD will employ a full-time temporary employee to assist in the vireo management program. This full-time position will be filled in the March through September time frame each year and will then serve as a part-time temporary employee in the October through December time frame each year to assist in completing the vireo management report for The Nature Conservancy. This position will be fully funded by OCWD and will be hired by OCWD, with input from USFWS. After a period of five years (year 2000), the agencies will determine if this position is still necessary and/or explore other options to assist in the vireo management program.

- If, in the event that the water conservation pool to elevation 505' impacts existing
  occupied nests of least Bell's vireos, OCWD, in cooperation with USFWS, will
  dedicate personnel to physically relocate nests to minimize impacts from the higher
  water conservation pool.
- 9. From March 1 to August 30 of each year, OCWD agrees to take a flow of 500 cfs or a flow that equals the District's maximum recharge capacity, whichever is greater, up to a pool elevation of 505'. If it is in the agencies best interests to reduce the outflow from Prado Dam below 500 cfs, OCWD and the USFWS must both approve the new outflow program. If weather and hydrologic forecasts and reservoir conditions indicate that the pool elevation may exceed 505' because of a projected disparity between inflow and outflow, the water control manager at the Reservoir Operation Center shall take any and all steps necessary (including the immediate release of water at the maximum possible rate) to (1) prevent the pool elevation from exceeding 505' or (2) to reduce, to the extent possible, the amount of time the pool is above 505' if, in fact, the early release of water at the maximum possible rate does not succeed in keeping the pool elevation below 505'. These requirements shall be followed unless the agencies find that it is in the best interests of the agencies to deviate from this arrangement.

Lenu President

For Orange County Water District

For U.S. Department of Interior / U.S. Fish and Wildlife Service

APPROVED AS TO FORM

By Carry Street Street

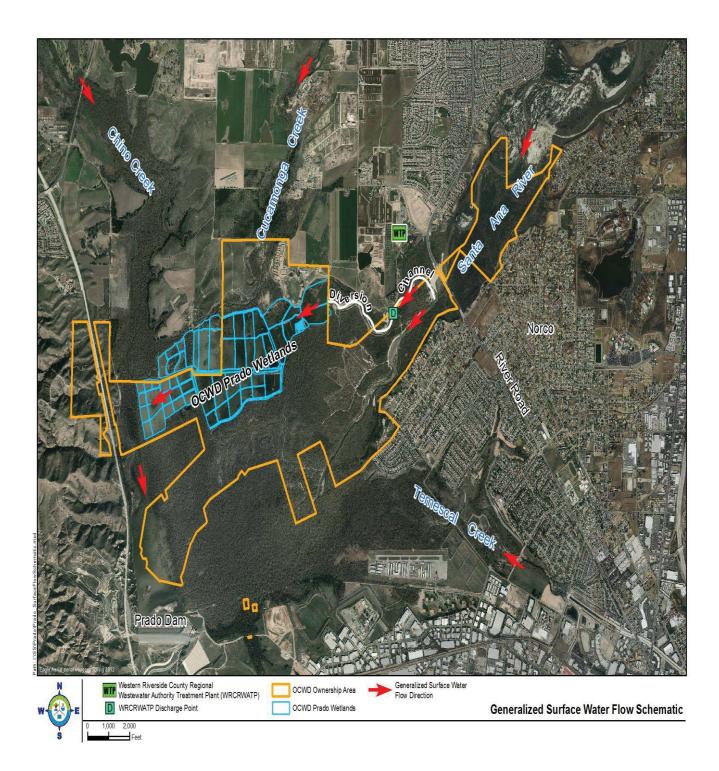
Orange County Water Disales

This Cooperative Agreement fully satisfies the requirements contained in the Memorandum of Agreement for a permanent water conservation program for elevation 505' at Prado Dam beginning March 1 and ending on August 30 each year.

For U.S. Army Corps of Engineers

#### **EXHIBIT 4**

# GENERALIZED SCHEMATIC DIAGRAM OF SURFACE WATER FLOW IN THE PRADO BASIN







#### State Water Resources Control Board

AUG 2 5 2015

Robert O. Tock Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

Dear Mr. Tock:



INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) FOR JURUPA COMMUNITY SERVICES DISTRICT (DISTRICT); RECYCLED WATER SERVICE EXPANSION PROJECT (PROJECT); RIVERSIDE COUNTY; STATE CLEARINGHOUSE NO. 2015071073

We understand that the District is 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 the following information on the IS/MND to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program. 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, provide for estuary enhancement, and thereby protect and promote health, safety and welfare of the inhabitants of the state. The CWSRF Program provides low-interest funding equal to one-half of the most recent State General Obligation Bond Rates with a 30-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at:

www.waterboards.ca.gov/water issues/programs/grants loans/srf/index.shtml.

The CWSRF Program is partially funded by the United States Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. Three enclosures are included that further explain the CWSRF Program environmental review process and the additional federal requirements. For the complete environmental application package please visit:

http://www.waterboards.ca.gov/water issues/programs/grants loans/srf/srf forms.shtml.

The State Water Board is required to 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 the proposed Project. For further information on the CWSRF Program, please contact Mr. Ahmad Kashkoli, at (916) 341-5855.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

- 2 -

It is important to note that prior to a CWSRF financing commitment, projects are subject to provisions of the Federal Endangered Species Act (ESA), and must obtain Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) for any potential effects to special-status species.

Please be advised that the State Water Board will consult with the USFWS, and/or the NMFS regarding all federal special-status species that the Project has the potential to impact if the Project is to be financed by the CWSRF Program. The District will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the Project site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act (Section 106). The State Water Board has responsibility for ensuring compliance with Section 106, and must consult directly with the California State Historic Preservation Officer (SHPO). SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant. If the District decides to pursue CWSRF financing, please retain a consultant that meets the Secretary of the Interior's Professional Qualifications Standards (<a href="http://www.nps.gov/history/local-law/arch\_stnds\_9.htm">http://www.nps.gov/history/local-law/arch\_stnds\_9.htm</a>) to prepare a Section 106 compliance report.

Note that the District will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. 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 extend to a ½-mile beyond Project 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.

Other federal environmental requirements pertinent to the Project under the CWSRF Program include the following (for a complete list of all federal requirements please visit: <a href="http://www.waterboards.ca.gov/water">http://www.waterboards.ca.gov/water</a> issues/programs/grants loans/srf/docs/forms/application environmental package.pdf):

- A. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- B. Compliance with the Coastal Zone Management Act: Identify whether the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.

- C. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.
- D. Compliance with the Farmland Protection Policy Act: Identify whether the Project will result in the conversion of farmland. State the status of farmland (Prime, Unique, or Local and Statewide Importance) in the Project area and determine if this area is under a Williamson Act Contract.
- E. 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.
- F. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone and include a copy of the Federal Emergency Management Agency flood zone maps for the area.
- G. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.

Following are specific comments on the District's draft IS/MND:

- 1. On page 29, under Agriculture and Forestry Service (II a.), it states that for worst case analysis... the project will convert approximately three (3) acres of designated prime farmland to non-agricultural use. If it comes to the worst case scenario and prime land is converted into non-agriculture use then an Environmental Impact Report is required instead of the Initial Study/Mitigated Negative Declaration, unless, there are mitigation measures that can be implemented to reduce Project's significant impact to less than significant.
- 2. On page 44, under Biological Resources, please clarify what type of construction methods will be employed to construct the pipeline underneath the Cucamonga Creek Channel?

Please provide us with the following documents applicable to the proposed Project following the District's California Environmental Quality Act (CEQA) process: (1) one copy of the draft and final IS/MND, (2) the resolution adopting the IS/MND and making CEQA findings, (3) all comments received during the review period and the District's response to those comments, (4) the adopted Mitigation Monitoring and Reporting Program (MMRP), and (5) the Notice of Determination filed with the Riverside County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

Thank you for the opportunity to review the District's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 319-0220, or by email at Sahil.Pathak@waterboards.ca.gov, or contact Ahmad Kashkoli at (916) 341-5855, or by email at Ahmad.Kashkoli@waterboards.ca.gov.

Sincerely,

Sahil Pathak **Environmental Scientist** 

## Enclosures (3)

- 1. Clean Water State Revolving Fund Environmental Review Requirements
- 2. Quick Reference Guide to CEQA Requirements for State Revolving Fund Loans
- 3. Basic Criteria for Cultural Resources Reports

CC: State Clearinghouse (Re: SCH# 2015071073)

P.O. Box 3044

Sacramento, CA 95812-3044

CLEAN WATER STATE REVOLVING FUND

# California Environmental Quality Act Requirements

State Water Resources Control Board Division of Financial Assistance

The State Water Resources Control Board (State Water Board), Division of Financial Assistance, administers the Clean Water State Revolving Fund (CWSRF) Program. The CWSRF Program is partially funded by grants from the United States Environmental Protection Agency, All applicants seeking CWSRF financing must comply with the California Environmental Quality Act (CEQA), and provide sufficient information so that the State Water Board can document compliance with federal environmental laws. The "Environmental Package" provides the forms and instructions needed to complete the environmental review requirements for CWSRF Program financing. It is available at: http://www.waterboards.ca.gov/ water\_issues/programs/grants\_ loans/srf/srf\_forms.shtml



Contact Information: For more information related to the CWSRF Program environmental review process and requirements, please contact your State Water Board Project Manager or Mr. Ahmad Kashkoli at 916-341-5855 or Ahmad.Kashkoli@waterboards.ca.gov

# LEAD AGENCY

The applicant is usually the "Lead Agency" and must prepare and circulate an environmental document before approving a project. Only a public agency, such as a local, regional or state government, may be the "Lead Agency" under CEQA. If a project will be completed by a non-governmental organization, "Lead Agency" responsibility goes to the first public agency providing discretionary approval for the project.

# RESPONSIBLE AGENCY

The State Water Board is generally a "Responsible Agency" under CEQA. As a "Responsible Agency," the State Water Board must make findings based on information provided by the "Lead Agency" before financing a project.

# ENVIRONMENTAL REVIEW

The State Water Board's environmental review of the project's compliance with both CEQA and federal cross-cutting regulations must be completed before a project can be financed by the CWSRF Program.

# DOCUMENT REVIEW

Applicants are encouraged to consult with State Water Board staff early during preparation of CEQA document if considering CWSRF financing. Applicants shall also send their environmental documents to the State Water Board, Environmental Review Unit during the CEQA public review period. This way, any environmental concerns can be addressed early in the process.

# REQUIRED DOCUMENTS

The Environmental Review Unit requires the documents listed below to make findings and complete its environmental review. Once the State Water Board receives all the required documents and makes its own findings, the environmental review for the project will be complete.

- ✓ Draft and Final Environmental Documents: **Environmental Impact Report, Negative** Declaration, and Mitigated Negative Declaration as appropriate to the project
- Resolution adopting/certifying the environmental document, making CEQA findings, and approving the project
- All comments received during the public review period and the "Lead Agency's" responses to those comments.
- Adopted Mitigation Monitoring and Reporting Plan, if applicable
- Date-stamped copy of the Notice of Determination or Notice of Exemption filed with the County Clerk(s) and the Governor's Office of Planning and Research
- CWSRF Evaluation Form for Environmental Review and Federal Coordination with supporting documents



# Basic Criteria for Cultural Resources Report Preparation

State Water Resources Control Board Division of Financial Assistance

For Section 106 Consultation with the State Historic Preservation Officer (SHPO) under the National Historic Preservation Act

# CULTURAL RESOURCES REPORT

The Cultural Resources Report must be prepared by a qualified researcher that meets the Secretary of the Interior's Professional Qualifications Standards. Please see the Professional Qualifications Standards at the following website at: http://www.cr.nps.gov/local-law/arch\_stnds\_9.htm

The Cultural Resources Report should include one of the four "findings" listed in Section 106. These include:

# "No historic properties affected"

(no properties are within the area of potential effect (APE; including below the ground).

# "No effect to historic properties"

(properties may be near the APE, but the project will not have any adverse effects).

# "No adverse effect to historic properties"

(the project may affect "historic properties", but the effects will not be adverse).

# "Adverse effect to historic properties"

Note: Consultation with the SHPO will be required if a "no adverse effect to historic properties" or an "adverse effect to historic properties" determination is made, to develop and evaluate alternatives or modifications to the proposed project that could avoid, minimize or mitigate adverse effects on "historic properties."

# RECORDS SEARCH

- A records search (less than one year old) extending to a halfmile beyond the project APE from a geographically appropriate Information Center is required. The records search should include maps that show all recorded sites and surveys in relation to the APE for the proposed project, and copies of the confidential site records included as an appendix to the Cultural Resources Report.
- . The APE is three-dimensional (depth, length and width) and all areas (e.g., new construction, easements, staging areas, and access roads) directly affected by the proposed project.





# NATIVE AMERICAN and INTERESTED PARTY CONSULTATION

- Native American and interested party consultation should be initiated at the planning phase of the proposed project to gather information to assist with the preparation of an adequate Cultural Resources Report.
- The Native American Heritage Commission (NAHC) must be contacted to obtain documentation of a search of the Sacred Lands Files for or near the project APE.
- All local Native American tribal organizations or individuals identified by the NAHC must be contacted by certified mail, and the letter should include a map and a description of the proposed project.
- Follow-up contact should be made by telephone and a phone log maintained to document the contacts and responses.
- Letters of inquiry seeking historical information on the project area and local vicinity should be sent to local historical societies, preservation organizations, or individual members of the public with a demonstrated interest in the proposed project.

Copies of all documents mentioned above (project description, map, phone log and letters sent to the NAHC and Native American tribal organizations or individuals and interested parties) must be included in the Cultural Resources Report.

Contact Information: For more information related to the CWSRF Program Cultural Resources and Requirments, please contact Mr. Ahmad Kashkoli at 916–341–5855 or Ahmad.Kashkoli@waterboards.ca.gov

# **PRECAUTIONS**

A finding of "no known resources" without supporting evidence is unacceptable. The Cultural Resources Report must identify resources within the APE or demonstrate with sufficient evidence that none are present.

"The area is sensitive for buried archaeological resources," followed by a statement that "monitoring is recommended." Monitoring is not an acceptable option without good-faith effort to demonstrate that no known resource is present.

If "the area is already disturbed by previous construction" documentation is still required to demonstrate that the proposed project will not affect "historic properties."

An existing road can be protecting a buried archaeological deposit or may itself be a "historic property." Additionally, previous construction may have impacted an archaeological site that has not been previously documented.

# SHPO CONSULTATION LETTER

Submit a draft consultation letter prepared by the qualified researcher with the Cultural Resources Report to the State Water Resources Control Board. A draft consultation letter template is available for download on the State Water Board webpage at: <a href="http://www.waterboards.ca.gov/water\_issues/programs/grants\_loans/cwsrf\_requirements.shtml">http://www.waterboards.ca.gov/water\_issues/programs/grants\_loans/cwsrf\_requirements.shtml</a>





#### STATE OF CALIFORNIA

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



August 28, 2015

Michele Lauffer Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752

Subject: Recycled Water Service Expansion (District Project No. C133656)

SCH#: 2015071073

Dear Michele Lauffer:

The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on August 27, 2015. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

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

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 (2015071073) when contacting this office.

Sincerely

Scott Morgan

Director, State Clearinghouse

Enclosures

cc: Resources Agency

Final Initial Study/Mitigated Negative Declaration Responses to Comments Regarding Initial Study/Mitigated Negative Declaration Mitigation Monitoring and Reporting Program Jurupa Community Services District Recycled Water Service Expansion District Project No. C133656

# Section 3

# **Mitigation Monitoring and Reporting Program**

# MITIGATION AND MONITORING AND REPORTING PROGRAM

# JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER SERVICE EXPANSION DISTRICT PROJECT NO. C133656

### Prepared for:

Jurupa Community Services District 11201 Harrel Street Jurupa Valley, CA 91752 Contact: Robert O. Tock, P.E. Director of Engineering & Operations (951) 685-7434

## Prepared by:

Albert A. Webb Associates 3788 McCray Street Riverside, CA 92506 Contact: Cheryl DeGano Principal Environmental Analyst (951) 686-1070

September 1, 2015

Recycled Water Service Expansion

Pursuant to State *CEQA Guidelines* Section 15097, a written Mitigation Monitoring and Reporting Program (MMRP) has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of project oversight. "Reporting" refers to written compliance review that will be presented to the responsible parties included in the table below. A report can be required at various stages throughout project implementation or upon completion of the mitigation measure. The following table provides the required information which includes identification of the potential impact, the various mitigation measures, applicable implementation timing, identification of the agencies responsible in implementation, and the monitoring/reporting method for each mitigation measure identified. This MMRP is set up as a Compliance Report, with space for confirming the mitigation measures have been implemented.

The following clarifies the meaning of each column in the following table:

| Impact Category/<br>Mitigation Measure | Impact category identifies potentially affected resource/environmental condition. Those measures that will be implemented to minimize possible significant environmental impacts. |
|--|---|
| Implementation Timing                  | The phase of the project during which the mitigation measure shall be implemented and monitored.  |
| Responsible Monitoring Party           | Identifies the entity responsible for monitoring implementation of the mitigation measure.  |
| Monitoring/Reporting<br>Method         | Identifies mechanism by which implementation will be verified.  |
| Compliance Verification                | Signature/initials and date at time of completion   |

Recycled Water Service Expansion

## **Mitigation Monitoring and Reporting Program**

| Impact Category and Mitigation Measures   | Implementation<br>Timing   | Responsible<br>Monitoring<br>Party | Monitorinę<br>Reportinę<br>Method |
|---|----------------------------|------------------------------------|-----------------------------------|
| BIOLOGICAL RESOURCES  |                            |                                    |                                   |
| MM BIO 1: To avoid potential impacts to burrowing owl, a pre-   | 14 days prior to           | JCSD                               | Completed pre                     |
| construction survey (or surveys) shall be conducted no less than  | construction in any of the |                                    | construction survey with          |
| 14 days prior to initiating ground disturbance activities in the following locations:                               | identified                 | Qualified                          | negative resul                    |
| Along the Southern California Edison easement west of   | locations                  | Biologist                          | 9                                 |
| Along the Southern California Edison easement west of     Archibald Avenue up to the boundary of the American       |                            |                                    |                                   |
| Heroes Park;  |                            | Construction<br>Contractor         |                                   |
| Along the access road in Crossroads Riverview Park  | 1                          | Contractor                         |                                   |
| southeast of the Treatment Plant;   |                            |                                    |                                   |
| Agricultural fields along Hellman Avenue, Scholar Way, and  | 1                          |                                    |                                   |
| Schleisman Road;  |                            |                                    |                                   |
| The route from Hellman Avenue up to Carpenter Avenue,   | 1                          |                                    |                                   |
| connecting with Schaefer Avenue;  | 1                          |                                    |                                   |
| Along Schaefer Avenue (if the recycled water reservoirs and   |                            |                                    |                                   |
| pump station are constructed at Survey Area 2);   |                            |                                    |                                   |
| The proposed clear well site and pipeline connecting the booster station and clear well; and                        |                            |                                    |                                   |
| · ·   | 1                          |                                    |                                   |
| The portion of Survey Area 1 or Survey Area 2 chosen for<br>the proposed recycled water reservoir and pump station. | 1                          |                                    |                                   |
| If burrowing owls, or signs of burrowing owls, are observed,  | 1                          |                                    |                                   |
| protocol level surveys and/or mitigation measures shall be  |                            |                                    |                                   |
| implemented as prescribed in the California Department of Fish  | 1                          |                                    |                                   |
| and Wildlife's Staff Report on Burrowing Owl Mitigation (March  | 1                          |                                    |                                   |
| 2012). These mitigation measures may include, but are not limited   | 1                          |                                    |                                   |
| to, avoidance of the nesting season and passive or active   | 1                          |                                    |                                   |
| relocation. Passive relocation involves excluding the burrowing owl   | 1                          |                                    |                                   |
| from burrows by means of a one-way trap door. Active relocation   |                            |                                    | <u> </u>                          |

Albert A. WEBB Associates

Recycled V

| Impact Category and Mitigation Measures involves the capture and physical relocation of the owl.  | Implementation<br>Timing  | Responsible<br>Monitoring<br>Party                 | Monitorino<br>Reportino<br>Method   |
|---|---|--|---|
| MM BIO 2: If construction activities at either Survey Area 1 or Survey Area 2 involving heavy equipment or vegetation removal are to occur between February 1 and August 31, a preconstruction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or Fish and Game Code are present in the construction zone or within a buffer of 500 feet. Pre-construction nesting/breeding surveys shall be conducted within 10 days prior to the construction activity. If no active nests are found during the survey, construction activities may proceed. If nesting birds are observed on-site, an avoidance area shall be established to ensure that construction activities will not cause a nest to fail. A minimum buffer area surrounding the nest shall be avoided by all construction activities until the nestlings have fledged the nest. The buffer zones distance shall be 300 feet for non-raptor nests, 500 feet for raptor nests, 100 feet for common songbird nests, or as determined by the biological monitor in consultation with the California Department of Fish and Wildlife. A biological monitor shall be required to monitor the progress of the nesting birds. Construction activities may encroach within the buffer area at the discretion of the biological monitor in consultation with the California Department of Fish and Wildlife. Once the nestlings have fledged the nest, construction activities may proceed within the buffer area with no further restrictions with regard to nesting birds. | Pre-construction: within 10 days of the start of the activities involving heavy equipment or vegetation removal | JCSD  Qualified Biologist  Construction Contractor | Construction schedule to determine if proconstruction survey is required. Completed preconstruction survey with negative results. |
| CULTURAL RESOURCES  MM CR 1: Should any archaeological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified   | During construction   | Construction contractor                            | Archaeologica<br>report indicatin<br>disposition of<br>resource, if   |

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Recycled Water Service Expansion

| Impact Category and Mitigation Measures   | Implementation<br>Timing   | Responsible<br>Monitoring<br>Party  | Monitorinզ<br>Reportinզ<br>Method   |
|---|--|---|---|
| archaeologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique archaeological resource, as defined in Section 15064.5 of the State CEQA Guidelines, avoidance or other appropriate measure shall be implemented.   |  | JCSD Inspector  | applicable  |
| MM CR 2: A qualified professional archaeologist shall be retained to monitor initial ground-disturbing activities related to construction of the recycled water reservoirs and pump station at either Survey Area 1 or Survey Area 2. The archaeologist shall contact the Gabrieleño Band of Mission Indians, Gabrielino/Tongva San Gabriel Band of Mission Indians, Gabrielino Tongva Nation, and Pauma Band of Luiseño Indians and invite them to provide a culturally-affiliated Native American monitor to be present during initial ground-disturbing activities. If any archaeological deposits are encountered, all ground-disturbing work shall be halted at the location of the discovery until a qualified archaeologist determines the significance of the resource(s). If the archaeologist determines a find to be a unique archaeological resource, as defined in Section 15064.5 of the State CEQA Guidelines, avoidance or other appropriate measures shall be implemented. | During initial ground-disturbing activities for recycled water reservoirs and pump station | JCSD  Qualified Archaeologist  Designated Native American monitor(s) from tribes, if applicable | Archaeologica<br>report indicatin<br>disposition of<br>resource, if<br>applicable |
| MM CR 3: Should any paleontological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified paleontologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique paleontological resource, as defined in Section 15064.5 of the State CEQA Guidelines, then a mitigation program shall be developed in accordance with the provisions of CEQA as well as the guidelines of the Society of Vertebrate Paleontology (1995), and shall include, but not be limited to, the following:   | During<br>construction   | Construction contractor  JCSD Inspector  Qualified Paleontologist                               | Paleontologica<br>report indicatin<br>disposition of<br>resource                  |

MMRP-4

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Recycled V

| Impact Category and Mitigation Measures  | Implementation<br>Timing  | Responsible<br>Monitoring<br>Party | Monitorinç<br>Reportinç<br>Method |
|--|---|------------------------------------|-----------------------------------|
| The excavation of areas identified as likely to contain paleontological resources shall be monitored by a qualified paleontological monitor. Monitoring should be restricted to undisturbed subsurface areas of older alluvium, which may be present below the surface. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. The monitor shall also remove samples of sediments that are likely to contain the remains of |   |                                    |                                   |
| <ul> <li>small fossil invertebrates and vertebrates.</li> <li>Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved.</li> <li>Specimens shall be identified and curated at a repository with permanent retrievable storage to allow further research in the future.</li> </ul>   |   |                                    |                                   |
| A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the procedures outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the appropriate lead agency, shall signify completion of the program to mitigate impacts to paleontological resources.   |   |                                    |                                   |
| GEOLOGY AND SOILS  |   |                                    |                                   |
| <b>MM GEO 1</b> : Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation  | Prior to the construction of any facility that does not require | JCSD  Design Engineer              | Approved eros<br>control plan     |

Albert A. WEBB Associates

Recycled Water Service Expansion

| Impact Category and Mitigation Measures  | Implementation<br>Timing   | Responsible<br>Monitoring<br>Party | Monitorinզ<br>Reportinզ<br>Method |
|--|--|------------------------------------|-----------------------------------|
| control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request.   | preparation of a<br>facility-specific<br>Storm Water<br>Pollution<br>Prevention Plan |                                    |                                   |
| HAZARDS AND HAZARDOUS MATERIALS  |  |                                    |                                   |
| MM TRANS 1: Prior to the initiation of construction activities   | Design   | JCSD                               | Preparation ar                    |
| where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the <i>California Manual on Uniform Traffic Control Devices for Streets and Highways</i> and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted. |  | Design engineer                    | approval of Tr<br>Control Plan    |
| HYDROLOGY AND WATER QUALITY  |  |                                    |                                   |
| MM GEO 1: Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment  | Prior to the construction of any facility that does not require preparation of a     | JCSD  Design Engineer              | Approved eros<br>control plan     |

MMRP-6

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Recycled V

| Impact Category and Mitigation Measures  | Implementation<br>Timing   | Responsible<br>Monitoring<br>Party | Monitoring<br>Reporting<br>Method                            |
|--|--|------------------------------------|--|
| control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request. | facility-specific<br>Storm Water<br>Pollution<br>Prevention Plan |                                    |  |
| NOISE  |  |                                    |  |
| <b>MM NOISE 1:</b> All construction activities within the City of Chino shall be limited to occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday with no construction allowed on Sundays or federal holiday.   | During construction  | JCSD Inspector                     | Time limitation will be include construction specification a |
|  |  | Construction<br>Contractor         | contract<br>documents.                                       |
|  |  |                                    | Inspection Re  |
| <b>MM NOISE 2:</b> Construction activities associated with the proposed recycled water reservoirs and pump station within the  | During construction  | JCSD                               | Time limitation will be include                              |
| City of Ontario shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and 9:00 a.m. and  |  | JCSD Inspector                     | construction<br>specification a<br>contract                  |
| 6:00 p.m. on Saturday and Sunday.  |  | Construction<br>Contractor         | documents.   |
|  |  |                                    | Inspection Rep   |
| <b>MM NOISE 3:</b> To minimize noise impacts resulting from poorly tuned or improperly modified vehicles and construction equipment,   | During construction  | JCSD                               | Inspection<br>Reports  |
| all vehicles and construction equipment shall maintain equipment engines and mufflers in good condition and in proper tune per   |  | JCSD Inspector                     |  |
| manufacturers' specifications to the satisfaction of the Jurupa<br>Community Services District. Equipment maintenance records and<br>equipment design specification data sheets shall kept and<br>maintained by the contractor and available for review by the                                     |  | Construction<br>Contractor         |  |

Albert A. WEBB Associates

Recycled Water Service Expansion

| Impact Category and Mitigation Measures  | Implementation<br>Timing | Responsible<br>Monitoring<br>Party | Monitorin<br>Reportin<br>Method                 |
|--|--------------------------|------------------------------------|---|
| Jurupa Community Services District upon request.   |                          |                                    |   |
| MM NOISE 4: To minimize noise from idling engines, all vehicles and construction equipment shall be prohibited from idling in excess of three (3) minutes when not in use.   | During<br>construction   | JCSD JCSD Inspector Construction   | Inspection<br>Reports                           |
|  |                          | Contractor                         |   |
| TRANSPORTATION/TRAFFIC   |                          |                                    |   |
| MM TRANS 1: Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the California Manual on Uniform Traffic Control Devices for Streets and Highways and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted. | Design                   | JCSD  Design engineer              | Preparation a<br>approval of Tr<br>Control Plan |

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MMRP-8

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**Corporate Headquarters** 3788 McCray Street Riverside, CA 92506 951.686.1070

#### **Palm Desert Office**

41-990 Cook St., Bldg. I - #801B Palm Desert, CA 92211 951.686.1070

#### **Murrieta Office**

41391 Kalmia Street #320 Murrieta, CA 92562 951.686.1070

# ADDENDUM NO. 1 to the MITIGATED NEGATIVE DECLARATION for JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER EXPANSION (DISTRICT PROJECT NO. C133656)

#### INTRODUCTION

This document has been prepared pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000 *et seq.*), the State *CEQA Guidelines* (California Code of Regulations Sections 15000 *et seq.*), the Jurupa Community Services District's (JCSD) *Local Guidelines for Implementing the California Environmental Quality Act* (2015 Revision), and is consistent with the CEQA-Plus requirements of the State Water Resources Control Board (SWRCB) State Revolving Fund (SRF) Program for Environmental Review and Federal Coordination. JCSD will serve as the lead agency for CEQA purposes. Western Municipal Water District (WMWD) and the Inland Empire Utilities Agency (IEUA) are responsible agencies.

Section 15164(b) of the State CEQA Guidelines states:

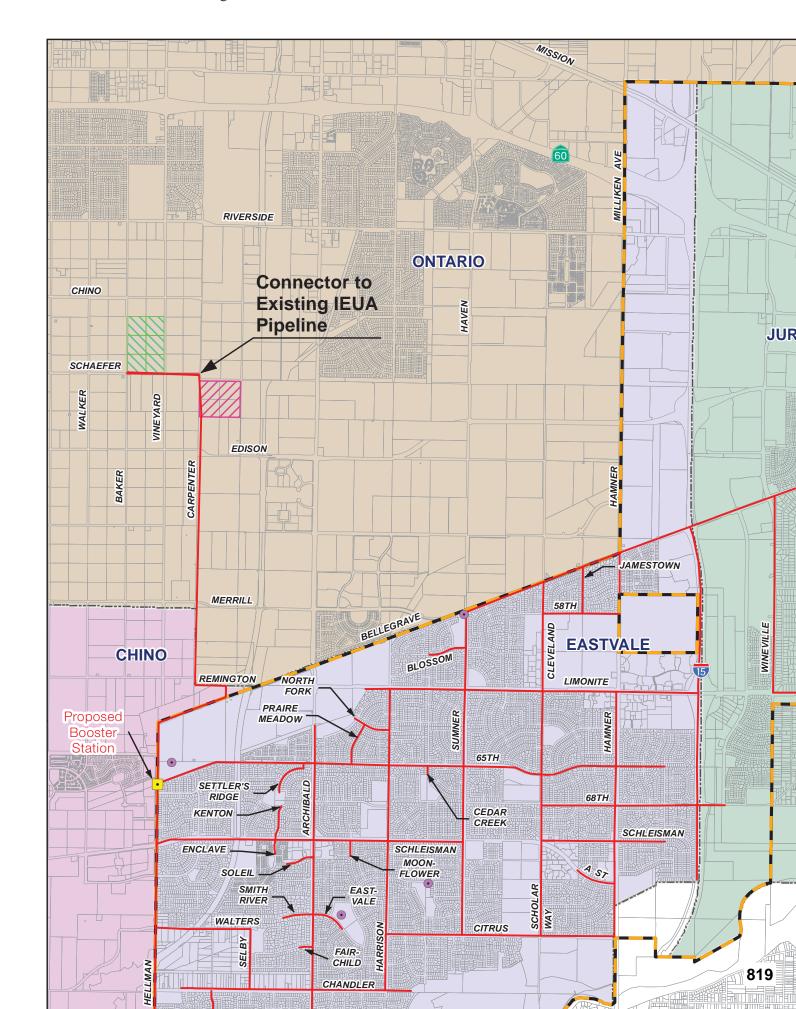
An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The purpose of Addendum No. 1 is to demonstrate that only minor changes have been made to the Project and that any potentially significant impacts can be mitigated through implementation of mitigation measures identified in the original MND, with minor clarifications.

#### PROJECT INFORMATION

The Initial Study/Mitigated Negative Declaration (CEQA and CEQA-Plus) for the Jurupa Community Services District Recycled Water Service Expansion (SCH No. 2015071073) was circulated for a 30-day public review period from July 29, 2015 to August 27, 2015, pursuant to State *CEQA Guidelines* Section 15073 (hereinafter the "2015 MND"). The 2015 MND and a Mitigation Monitoring and Reporting Program (MMRP) were approved by the JCSD Board of Directors on September 28, 2015. The Project evaluated in the 2015 MND was the construction and operation of potential distribution and storage facilities to convey recycled water that has been treated to Title 22 standards to IEUA's facilities and serve landscape irrigation needs within the western portion of JCSD's service area. (Refer to **Figure 1 – Original Project**).

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The recycled water will be sourced from JCSD's, WMWD's, the City of Norco's, and/or Home Gardens Sanitary District's allocation of treated effluent from the WRCRWA Treatment Plant (operated by WMWD) in Eastvale and/or the IEUA recycled water system in San Bernardino County.

#### Description and Setting of the Revised Project

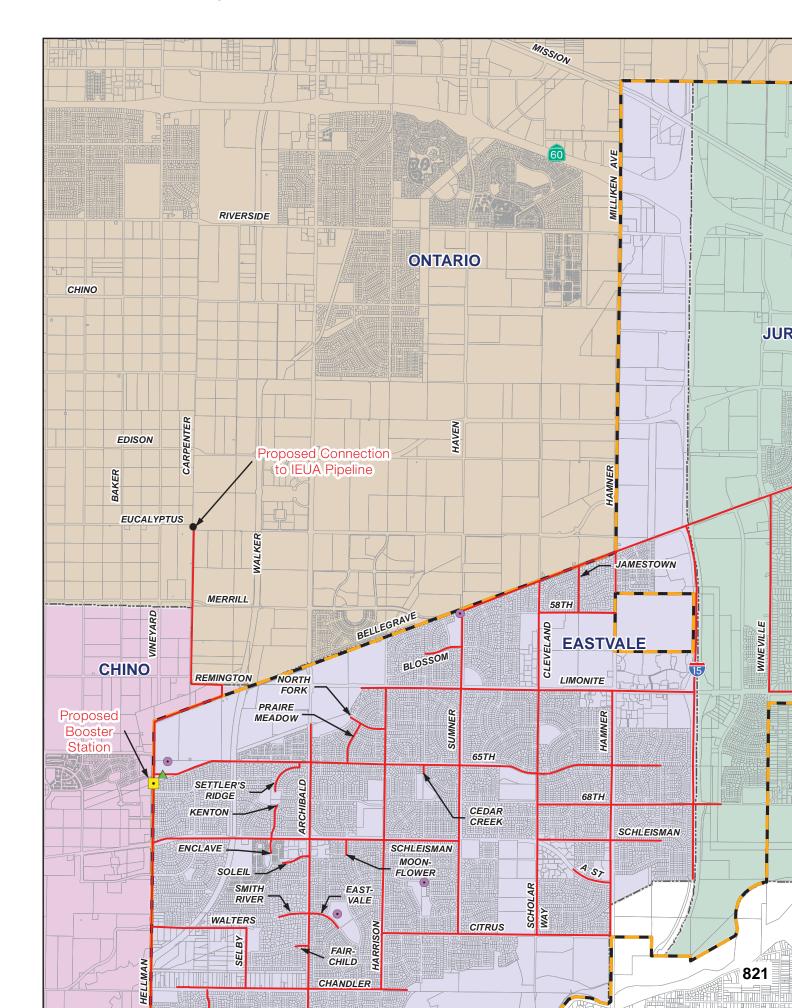
In the 2015 MND the Original Project included a proposed recycled water pump station and water reservoir which were to be located at either one of two sites in the City of Ontario (referred to as Survey Area 1 and Survey Area 2). At either of these sites, up to three acres of Prime Farmland were to be converted to non-agricultural use. The Revised Project proposes a new location for the pump station, which would not require construction of a reservoir or construction of the water pipeline along Carpenter Street, from Eucalyptus Avenue to Schaefer Avenue. The Revised Project proposes construction of the pump station in an established park, the American Heroes Park, located in the City of Eastvale as shown in Figure 2 – Revised Project. No other revisions to the Project as evaluated in the 2015 MND are proposed. Surrounding land uses include residential and agriculture. Further, the mitigation measures identified in the 2015 MND with minor clarifications are adequate to mitigate for any potentially significant impacts associated with the Revised Project. The minor revisions that are needed for the mitigation measures to be applicable to the Revised Project are shown in strikethrough (strikethrough) and underline (underline) text. None of the revisions to the mitigation measures change the intent or outcome, they mere clarify changes in location of the facilities.

A summary of project specific, potentially significant impacts, in addition to impacts that may become potentially significant as a result of the Revised Project, are as discussed in the following paragraphs.

### **Biological Resources**

The Revised Project would not result in any effects to biological resources more severe than those described in the previously adopted MND. The proposed revised pump site is within an already developed and landscaped active use park and the mitigation measures contained in the biological section of the MMRP, with minor clarifications, would be adequate to mitigate any potentially significant biological impacts associated with this Project.

The new pump location will have the same requirements for the protection of biological resources and the mitigation measures shall apply to this new site. The mitigation measures identified below were listed in the MMRP for the Project and apply to the new proposed site in American Heroes Park.



**MM BIO 1:** To avoid potential impacts to burrowing owl, a preconstruction survey (or surveys) shall be conducted no less than 14 days prior to initiating ground disturbance activities in the following locations:

- Along the Southern California Edison easement west of Archibald Avenue up to the boundary of the American Heroes Park;
- Along the access road in Crossroads Riverview Park southeast of the Treatment Plant;
- Agricultural fields along Hellman Avenue, Scholar Way, and Schleisman Road;
- The route from Hellman Avenue, continuing northeast along Bellegrave Avenue, north through private property to Remington Street, continuing west in Remington Street up to Carpenter Avenue, north in Carpenter Street connecting with Schaefer to Eucalyptus Avenue;
- The proposed clear well site and pipeline connecting the booster station and clear well; and
- The portion of Survey Area 1 or Survey Area 2 chosen for the proposed recycled water reservoir and pump station.

If burrowing owls, or signs of burrowing owls, are observed, protocol level surveys and/or mitigation measures shall be implemented as prescribed in the California Department of Fish and Wildlife's Staff Report on Burrowing Owl Mitigation (March 2012). These mitigation measures may include, but are not limited to, avoidance of the nesting season and passive or active relocation. Passive relocation involves excluding the burrowing owl from burrows by means of a one-way trap door. Active relocation involves the capture and physical relocation of the owl.

MM BIO 2: If construction activities at either Survey Area 1 or Survey Area 2 the pump station location in American Heroes Park involving heavy equipment or vegetation removal are to occur between February 1 and August 31, a preconstruction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or Fish and Game Code are present in the construction zone or within a buffer of 500 feet. Pre-construction nesting/breeding surveys shall be conducted within 10 days prior to the construction activity. If no active nests are found during the survey, construction activities may proceed. If nesting birds are observed on-site, an avoidance area shall be established to ensure that construction activities will not cause a nest to fail. A minimum buffer area surrounding the nest shall be avoided by all construction activities until the nestlings have fledged the nest. The buffer zones distance shall be 300 feet for non-raptor nests, 500 feet for raptor nests, 100 feet for common songbird nests, or as determined by the biological monitor in consultation with the California Department of Fish and Wildlife. A biological monitor shall be required to monitor the progress of the nesting birds. Construction

activities may encroach within the buffer area at the discretion of the biological monitor in consultation with the California Department of Fish and Wildlife. Once the nestlings have fledged the nest, construction activities may proceed within the buffer area with no further restrictions with regard to nesting birds.

#### **Cultural Resources**

The Revised Project would not result in any effects to cultural resources more severe than those described in the adopted MND. The revised pump station site is within an already developed park area surrounded by agricultural and residential land uses. The mitigation measures described below from the approved MMRP are sufficient to prevent significant impacts to cultural resources.

**MM CR 1:** Should any archaeological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified archaeologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique archaeological resource, as defined in Section 15064.5 of the State *CEQA Guidelines*, avoidance or other appropriate measure shall be implemented.

MM CR 2: A qualified professional archaeologist shall be retained to monitor initial ground-disturbing activities related to construction of the recycled water reservoirs and pump station—at either Survey Area 1 or Survey Area 2. The archaeologist shall contact the Gabrieleño Band of Mission Indians, Gabrieliño/Tongva San Gabriel Band of Mission Indians, Gabrieliño Tongva Nation, and Pauma Band of Luiseño Indians and invite them to provide a culturally-affiliated Native American monitor to be present during initial ground-disturbing activities. If any archaeological deposits are encountered, all ground-disturbing work shall be halted at the location of the discovery until a qualified archaeologist determines the significance of the resource(s). If the archaeologist determines a find to be a unique archaeological resource, as defined in Section 15064.5 of the State CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

**MM CR 3:** Should any paleontological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified paleontologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique paleontological resource, as defined in Section 15064.5 of the State *CEQA Guidelines*, then a mitigation program shall be developed in accordance with the provisions of CEQA as well as the guidelines of the Society of Vertebrate Paleontology (1995), and shall include, but not be limited to, the following:

- The excavation of areas identified as likely to contain paleontological resources shall be monitored by a qualified paleontological monitor. Monitoring should be restricted to undisturbed subsurface areas of older alluvium, which may be present below the surface. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. The monitor shall also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved.
- Specimens shall be identified and curated at a repository with permanent retrievable storage to allow further research in the future.
- A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the procedures outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the appropriate lead agency, shall signify completion of the program to mitigate impacts to paleontological resources.

## **Geology and Soils**

The Revised Project would not result in any effects to geology and soils more severe than those described in the adopted MND. The new proposed site is within an already developed park area surrounded by residential and agricultural land uses. The mitigation measures described below and in the original MMRP shall also apply to the new Project site and have already been determined to reduce any potential impacts to a non-significant level.

**MM GEO 1:** Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request.

#### **Hazards and Hazardous Materials**

The new proposed pump site is located within a park, and would not result in any traffic hazards not already described in the original MND. The mitigation measures described

in the MMRP, and listed below, for this Project are sufficient to prevent any significant effects.

MM TRANS 1: Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the California Manual on Uniform Traffic Control Devices for Streets and Highways and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted.

#### **Hydrology and Water Quality**

The Revised Project would not result in any effects to hydrology and water quality not already described in the adopted MND. The new proposed pump site is within an existing park. The mitigation measures listed in the adopted MMRP and described below should be sufficient to avoid any significant impacts.

**MM GEO 1:** Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request.

#### Noise

The proposed pump site is located within a public park and so mitigation measures described in the approved MND should be sufficient to reduce any potentially significant impacts to non-significant levels.

**MM NOISE 1:** All construction activities within the City of Chino shall be limited to occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday with no construction allowed on Sundays or federal holiday.

MM NOISE 2: Construction activities associated with the proposed recycled water reservoirs and pump station within the City of Ontario shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday and Sunday.

**MM NOISE 3:** To minimize noise impacts resulting from poorly tuned or improperly modified vehicles and construction equipment, all vehicles and construction equipment shall maintain equipment engines and mufflers in good condition and in proper tune per manufacturers' specifications to the satisfaction of the Jurupa Community Services District. Equipment maintenance records and equipment design specification data sheets shall kept and maintained by the contractor and available for review by the Jurupa Community Services District upon request.

**MM NOISE 4:** To minimize noise from idling engines, all vehicles and construction equipment shall be prohibited from idling in excess of three (3) minutes when not in use.

#### Recreation

The 2015 MND found that implementation of the Original Project would not contribute to the deterioration of any park or recreational facility. The Revised Project proposes construction of a booster station in the American Heroes Park in Eastvale. Because the booster station will have a small footprint, be located along the park edges away from the active use park areas, and will not require frequent maintenance; impacts will still be less than significant.

#### **Transportation/Traffic**

The revised proposed pump site is within a park. No new potentially significant impacts to traffic have been identified, and the mitigation listed below and in the MMRP should be sufficient to prevent any significant impacts on traffic.

MM TRANS 1: Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the California Manual on Uniform Traffic Control Devices for Streets and Highways and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted.

#### CONCLUSION

The proposed revision to the Original Project will not create any new significant impacts and does not necessitate the preparation of a new MND. The new proposed pump station is in a better location than the original approved location because it is located within an already developed public park and will not result in a loss of Prime Farmland. Therefore, all mitigation measures identified in the 2015 MND as clarified in this Addendum are sufficient to reduce any potentially significant impacts to less than significant levels.

#### **FINDINGS**

State CEQA Guidelines Section 15164(b) states:

An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The following table presents a summary of each condition in Section 15162 and how the Revised Project is consistent with such condition.

### **Section 15162 Conditions and Findings**

# (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified significant effects

Section 15162 Condition

## **Revised Project Modification Consistency**

The Original Project included a proposed recycled water pump station and water reservoir which were to be located at either one of two sites in the City of Ontario (referred to as Survey Area 1 and Survey Area 2 on **Figure 1**). The Revised Project proposes a new location for the pump station at American Heroes Park (see **Figure 2**), which would not require construction of a reservoir or construction of the water pipeline along Carpenter Street, from Eucalyptus Avenue to Schaefer Avenue.

These are minor revisions that, as shown by the preceding analysis, do not involve new significant environmental effects or any increase in the severity of previous environmental effects.

| Sect  | tion 15162 Condition   | Revised Project Modification Consistency  |
|---|--|---|
| (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or |  | There are no changes in the circumstances under which the Revised Project will be undertaken. As shown in the preceding analysis, implementation of the Revised Project will not result in new significant environmental effects or any increase in the severity of previously environmental effects.   |
| (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:  |  | There is no new information of substantial importance.  |
| sign<br>the   | project will have one or more<br>ificant effects not discussed in<br>previous EIR or negative<br>laration;   | As shown in the preceding analysis, no new impacts will occur as a result of the Revised Project.   |
| exar  | nificant effects previously<br>mined will be substantially more<br>ere than shown in the previous  | There were no significant environmental effects identified in the 2015 MND. Further, as shown in the preceding analysis, no new impacts will occur as a result of implementation of the Revised Project.  |
| prev<br>wou<br>subs<br>sign<br>the p  | gation measures or alternatives viously found not to be feasible ald in fact be feasible, and would stantially reduce one or more difficant effects of the project, but project proponents decline to pt the mitigation measure or rnative; or | All potentially significant impacts identified in the 2015 MND were determined to be less than significant with incorporation of mitigation measures. The Revised Project incorporates feasible mitigation to reduce potential impacts to less than significant. The Revised Project will not result in any new impacts that were not evaluated in the 2015 MND and will avoid impacts to Prime Farmland. |
| ` '   | gation measures or alternatives<br>are considerably different from   | All potentially significant impacts identified in the 2015 MND were determined to be less than  |

| Section 15162 Condition  | Revised Project Modification Consistency   |
|--|--|
| those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. | significant with incorporation of mitigation measures. Minor revisions to some of the mitigation measures adopted in the 2015 MND are proposed for clarity. No new mitigation measures are needed for the Revised Project. |

JCSD has reviewed the Project Modification in light of the requirements defined under the State *CEQA Guidelines* and determined that none of the above conditions requiring preparation of a subsequent or supplemental MND apply.

# ADDENDUM NO. 2 to the MITIGATED NEGATIVE DECLARATION for JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER EXPANSION (DISTRICT PROJECT NO. C133656)

#### INTRODUCTION

This document has been prepared pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000 *et seq.*), the State *CEQA Guidelines* (California Code of Regulations Sections 15000 *et seq.*), the Jurupa Community Services District's (JCSD) *Local Guidelines for Implementing the California Environmental Quality Act* (2015 Revision), and is consistent with the CEQA-Plus requirements of the State Water Resources Control Board (SWRCB) State Revolving Fund (SRF) Program for Environmental Review and Federal Coordination. JCSD will serve as the lead agency for CEQA purposes. Western Municipal Water District (WMWD) and the Inland Empire Utilities Agency (IEUA) are responsible agencies.

Section 15164(b) of the State CEQA Guidelines states:

An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The purpose of Addendum No. 2 is to demonstrate that only minor changes have been made to the Project and that any potentially significant impacts can be mitigated through implementation of mitigation measures identified in the original MND, with minor clarifications.

#### PROJECT INFORMATION

The Initial Study/Mitigated Negative Declaration (CEQA and CEQA-Plus) for the Jurupa Community Services District Recycled Water Service Expansion (SCH No. 2015071073) was circulated for a 30-day public review period from July 29, 2015 to August 27, 2015, pursuant to State *CEQA Guidelines* Section 15073 (hereinafter the "2015 MND" or "2015 IS/MND"). The 2015 MND and a Mitigation Monitoring and Reporting Program (MMRP) were approved by the JCSD Board of Directors on September 28, 2015. The Project evaluated in the 2015 MND was the construction and operation of potential distribution and storage facilities to convey recycled water that has been treated to Title 22 standards to IEUA's facilities and serve landscape irrigation needs within the western portion of JCSD's service area. (Refer to **Figure 1 – Original Project**).

The recycled water will be sourced from JCSD's, WMWD's, the City of Norco's, and/or Home Gardens Sanitary District's allocation of treated effluent from the WRCRWA Treatment Plant (operated by WMWD) in Eastvale and/or the IEUA recycled water system in San Bernardino County.

#### Addendum No. 1

Subsequent to the adoption of the 2015 MND, minor changes to the Original Project were proposed. These changes consisted of eliminating the recycled water pump station and water reservoir in the City of Ontario<sup>1</sup> and the recycled water pipelines in Carpenter Street between Edison Avenue and Schaefer Avenue and in Schaefer Avenue between Carpenter Street and Baker Avenue (refer to Figure 1). Instead of the recycled water pump station and reservoir proposed in the City of Ontario, a pump station was proposed in the American Heroes Park (see Figure 2 - Revised Project -**Addendum No. 1**). This new location would eliminate the loss of Prime Farmland<sup>2</sup> and would not require construction of a reservoir or construction of the water pipelines along Carpenter Street, from Eucalyptus Avenue to Schaefer Avenue or in Schaefer Avenue between Carpenter Street and Baker Avenue. Addendum No. 1 to the 2015 MND was adopted by JCSD on September 28, 2015 and the Notice of Determination (NOD) was filed with the Riverside County Clerk on October 1, 2015 and the State Clearinghouse on November 11, 2015. Because a financial assistance application was submitted to the State Water Resources Control Board, Addendum No. 1 was transmitted to the State Clearinghouse for a fifteen day review period from November 13, 2013–November 30, 2015.

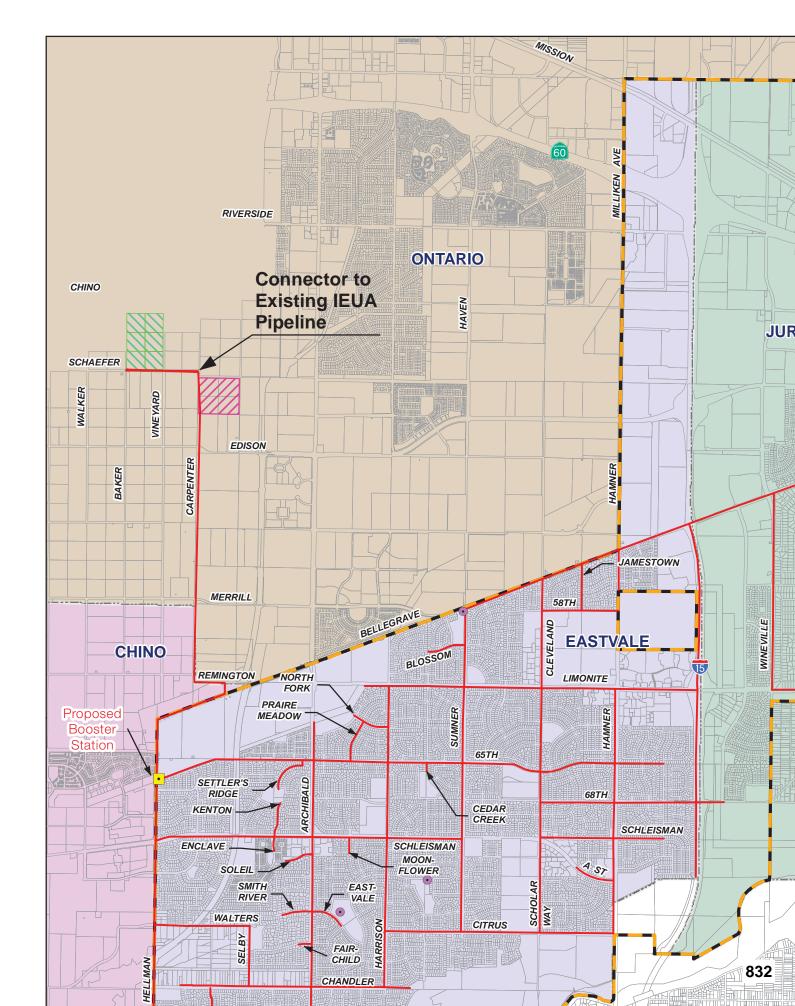
Description and Setting of the Revised Project for Addendum No. 2

The Project for analysis in Addendum No. 2 (herein after "Revised Project") includes the extension of the recycled water proposed in Schleisman Road approximately 2,477 feet west in Pine Avenue past Hellman Avenue into the City of Ontario as shown in **Figure 3** – **Revised Project – Addendum No. 2**. Schleisman Road turns into Pine Avenue at the City boundary. The pipeline extension is proposed to provide a second connection to existing IEUA infrastructure. No other revisions to the Original Project are proposed.

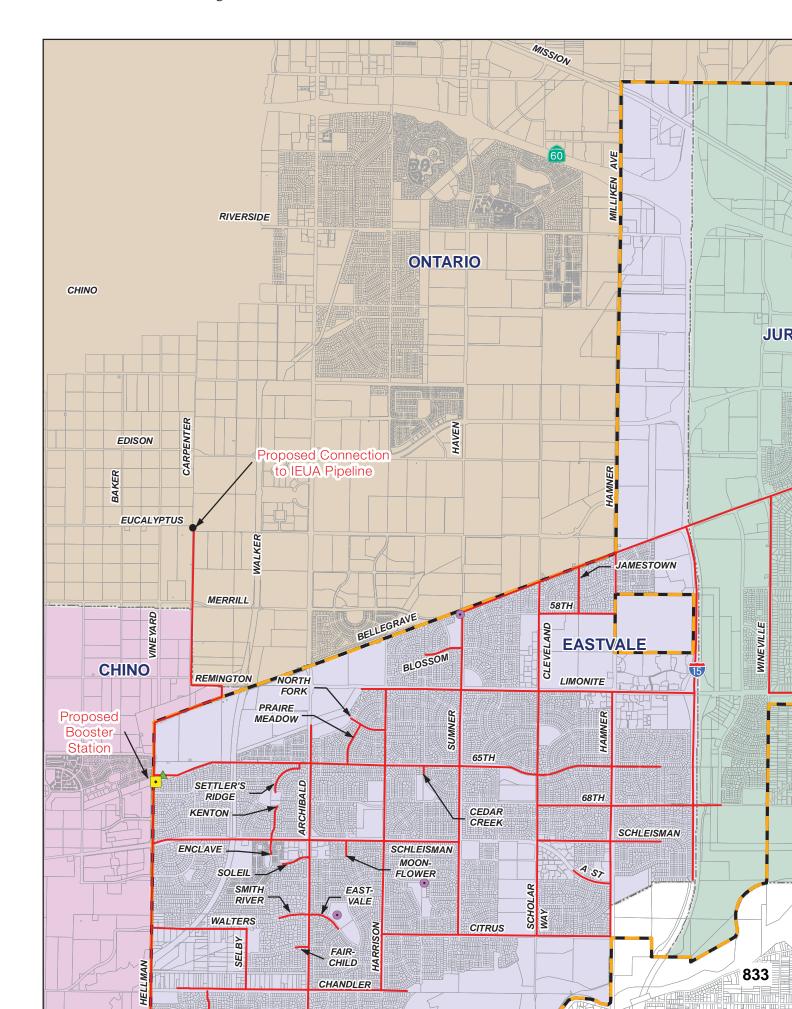
<sup>&</sup>lt;sup>1</sup> Two potential sites for the recycled water pump station and water reservoir were proposed by the Original Project. These sites are referred to as Survey Area 1 and Survey Area 2 in the 2015 IS/MND and on **Figure 1 – Original Project**.

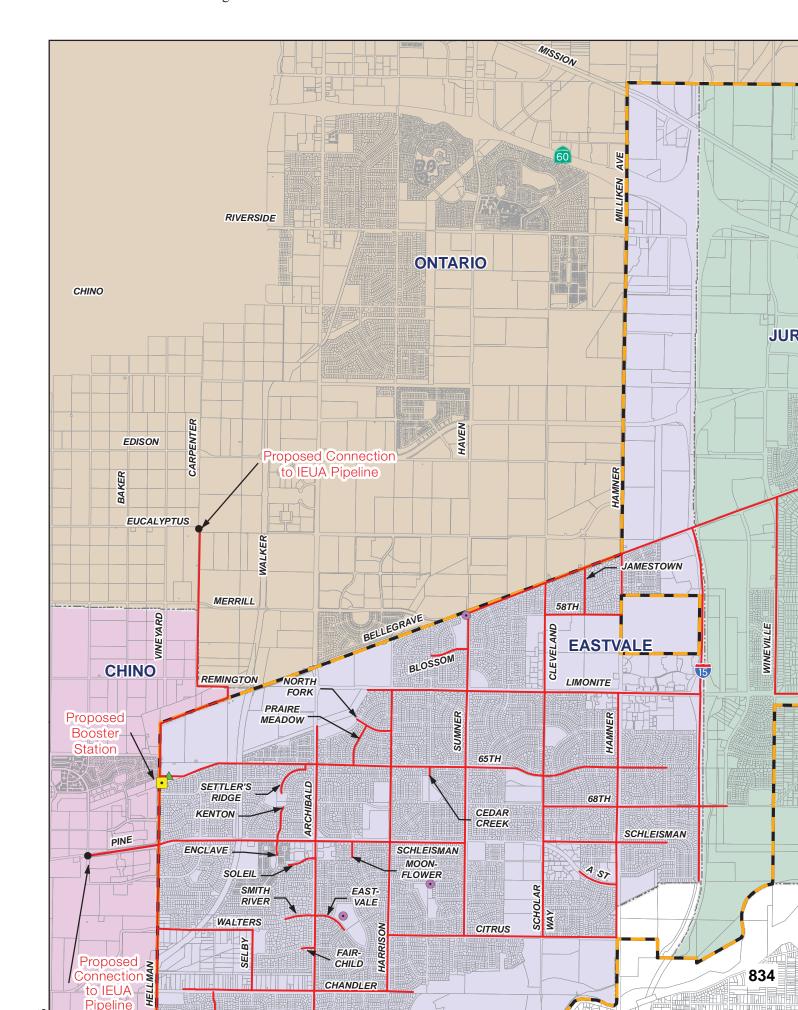
<sup>&</sup>lt;sup>2</sup> Survey Area 1 and Survey Area 2 have Prime Farmland as shown on maps prepared by the Farmland Mapping and Monitoring Program.

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The portion of Pine Avenue along which the Revised Project is proposed to be constructed will be constructed is a four lane divided road. The northern shoulder is unpaved and heavily compacted without vegetation. This portion of Chino is within The Preserve Specific Plan. The Preserve encompasses approximately 5,435 acres within the City of Chino. The property north of the Revised Project alignment is currently being graded for construction of single family residential units and an operating dairy to the north. The property south of the Revised Project alignment consists of residential development to the south.

Based on the analysis in this Addendum, it has been determined that, the mitigation measures identified in the 2015 MND will mitigate any potentially significant impacts associated with the Revised Project to a less than significant level and no revisions are required. Minor revisions made to the original mitigation measures as a result of Addendum No. 1 are shown in strikethrough (strikethrough) and underline (underline) text. None of the revisions to the mitigation measures from Addendum No. 1 changed the intent or outcome; they merely clarified changes in location of the facilities.

A summary of Project specific, potentially significant impacts, in addition to impacts that may become potentially significant as a result of the Revised Project, are as discussed in the following paragraphs.

#### **Aesthetics**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Pine Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that short-term construction related impacts are less than significant, because once construction is complete, the facility will be below ground and the surface returned to its original condition. As an underground pipeline, the Revised Project will not affect the views of any scenic vista, damage scenic resources, alter the visual character of the area, or create a new source of light or glare.

# **Agriculture and Forestry Resources**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

According to the City of Chino General Plan Draft EIR, there is no Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance (Farmland for CEQA purposes) adjacent to the alignment of the Revised Project. Zoning

in proximity of the Revised Project site is residential and there are no active Williamson Act contracted lands in the vicinity. The area surrounding the Revised Project site is in the process of development per The Preserve Specific Plan. For these reasons implementation of the Revised Project will not result in any direct or indirect impacts to agriculture or forestry resources.

# Air Quality

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The Revised Project would not result in any air quality impacts more severe than those described in the 2015 MND. Construction activities will be required to comply with all applicable County and South Coast Air Quality Management District (SCAQMD) regulations. Long-term emissions due to operation of this pipeline are negligible, and would be limited to periodic maintenance of the Pine Avenue pipeline segment. The Revised Project area is in the process of development in accordance with The Preserve Specific Plan and development of the Revised Project will not result in any changes to the existing land use patterns. Construction and operation of the Pine Avenue pipeline will not result in new direct or indirect impacts to air quality.

# **Biological Resources**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

Implementation of the Revised Project would not result in any effects to biological resources more severe than those described in the 2015 IS/MND and therefore would not change the 2015 IS/MND conclusion that impacts would be less than significant with mitigation incorporated. The proposed pipeline extension is located within the existing Pine Avenue or its graded and compacted road shoulder which has already been cleared when Pine Avenue was constructed. Mitigation measures identified in the 2015 MND as modified by Addendum No. 1 will mitigate any potentially significant impacts associated with the Revised Project to a less than significant level.

**MM BIO 1:** To avoid potential impacts to burrowing owl, a pre-construction survey (or surveys) shall be conducted no less than 14 days prior to initiating ground disturbance activities in the following locations:

- Along the Southern California Edison easement west of Archibald Avenue up to the boundary of the American Heroes Park;
- Along the access road in Crossroads Riverview Park southeast of the Treatment Plant;

- Agricultural fields along Hellman Avenue, Scholar Way, and Schleisman Road;
- The route from Hellman Avenue, <u>continuing northeast along Bellegrave Avenue</u>, <u>north through private property to Remington Street</u>, <u>continuing west in Remington Street</u>, <u>up</u> to Carpenter Avenue, <u>north in Carpenter Street</u>, <u>connecting with Schaefer</u> to Eucalyptus Avenue;
- Along Schaefer Avenue (if the recycled water reservoirs and pump station are constructed at Survey Area 2);
- The proposed clear well site and pipeline connecting the booster station and clear well; and
- The portion of Survey Area 1 or Survey Area 2 chosen for the proposed recycled water reservoir and pump station.

If burrowing owls, or signs of burrowing owls, are observed, protocol level surveys and/or mitigation measures shall be implemented as prescribed in the California Department of Fish and Wildlife's *Staff Report on Burrowing Owl Mitigation* (March 2012). These mitigation measures may include, but are not limited to, avoidance of the nesting season and passive or active relocation. Passive relocation involves excluding the burrowing owl from burrows by means of a one-way trap door. Active relocation involves capture and physical relocation of the owl.

MM BIO 2: If construction activities at either Survey Area 1 or Survey Area 2 the pump station location in American Heroes Park involving heavy equipment or vegetation removal are to occur between February 1 and August 31, a preconstruction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or Fish and Game Code are present in the construction zone or within a buffer of 500 feet. Pre-construction nesting/breeding surveys shall be conducted within 10 days prior to the construction activity. If no active nests are found during the survey, construction activities may proceed. If nesting birds are observed on-site, an avoidance area shall be established to ensure that construction activities will not cause a nest to fail. A minimum buffer area surrounding the nest shall be avoided by all construction activities until the nestlings have fledged the nest. The buffer zones distance shall be 300 feet for non-raptor nests, 500 feet for raptor nests, 100 feet for common songbird nests, or as determined by the biological monitor in consultation with the California Department of Fish and Wildlife. A biological monitor shall be required to monitor the progress of the nesting birds. Construction activities may encroach within the buffer area at the discretion of the biological monitor in consultation with the California Department of Fish and Wildlife. Once the nestlings have fledged the nest, construction activities may proceed within the buffer area with no further restrictions with regard to nesting birds.

#### **Cultural Resources**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

The Revised Project would not result in any effects to cultural resources more severe than those described in the adopted MND. CRM Tech conducted a cultural resources assessment in June 2015 during the preparation of the MND. No prehistoric or historic resources were recorded within or directly adjacent to the proposed Pine Avenue pipeline alignment; however, six historic resources and one prehistoric resource were documented in the Revised Project vicinity. **Table 1** provides descriptions of the recorded historic and prehistoric resources in the vicinity of the Revised Project.

Table 1 - Cultural Records Search Results

| Site Number        | Resource Description   |  |
|--------------------|--|--|
| Historic Resources |  |  |
| 36-020641          | This is a one-story single-family residence that was likely built soon after 1927.   |  |
| 36-020642          | This is a one-story residence of mid-20 <sup>th</sup> century origin; historic maps indicate that this house was one of five structures making up a dairy operation on the property by the late 1930s.                             |  |
| 36-020643          | This small building may have been originally a residence, but has long been abandoned. Historic maps indicate that this house was present as one of five structures making up a dairy operation on the property by the late 1930s. |  |
| 36-020644          | This one-story home could have been among five structures on the property by the late 1930s, but may have been constructed as late as the 1950s.   |  |
| 36-020645          | This dairy barn was most likely built in the 1950s.  |  |
| 33-013375          | The main residence at this site was constructed in 1915. The property also contains two additional historic structures used for dairy production.  |  |

| Site Number           | Resource Description   |  |
|-----------------------|--|--|
| Prehistoric Resources |  |  |
| 36-005274             | Mortars, pestles, and projectile points were discovered at this site during well excavation. |  |

The majority of the resources identified were historic single-family residences and other structures associated with historic dairy farms and operations. Sites 36-020641 through 36-020645 are located to the west of the Revised Project pipeline alignment and would not be impacted by construction or operation of this pipeline segment. Site 33-013375 is located southeast of the Pine Avenue pipeline segment and would also not be impacted by construction or operation of the Pine Avenue pipeline segment. None of these historic resources were eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, or for local designation. One prehistoric resource was documented in the Revised Project vicinity, and consisted of mortars, pestles, and projectile points.

The historic dairy farm buildings and residences are located approximately 0.10 miles west of the western-most terminus of the Pine Avenue pipeline segment and the prehistoric mortar is located across Hellman Avenue at the eastern terminus of the Pine Avenue pipeline segment. Construction activities will be limited to the roadway directly adjacent to Pine Avenue and will not impact these resources. There will be no long-term impacts to these resources due to the underground nature of the pipeline being installed.

The pipeline extension is within the existing Pine Avenue, surrounded by vacant land and a dairy to the north and a residential development to the south. However, Revised Project-related impacts will be limited to the roadway or its shoulder. Due to the disturbed nature of the Revised Project area and lack of documented cultural resources within the proposed pipeline alignment, no known resources will be disturbed and it is unlikely that new resources will be discovered. The mitigation measures described below from the approved MMRP, with minor modifications from Addendum No. 1, will reduce potential impacts to cultural resources to less than significant.

**MM CR 1:** Should any archaeological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified archaeologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique archaeological resource, as defined

in Section 15064.5 of the State *CEQA Guidelines*, avoidance or other appropriate measure shall be implemented.

MM CR 2: A qualified professional archaeologist shall be retained to monitor initial ground-disturbing activities related to construction of the recycled water reservoirs and pump station—at either Survey Area 1 or Survey Area 2. The archaeologist shall contact the Gabrieleño Band of Mission Indians, Gabrieliño/Tongva San Gabriel Band of Mission Indians, Gabrieliño Tongva Nation, and Pauma Band of Luiseño Indians and invite them to provide a culturally-affiliated Native American monitor to be present during initial ground-disturbing activities. If any archaeological deposits are encountered, all ground-disturbing work shall be halted at the location of the discovery until a qualified archaeologist determines the significance of the resource(s). If the archaeologist determines a find to be a unique archaeological resource, as defined in Section 15064.5 of the State CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

**MM CR 3:** Should any paleontological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified paleontologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique paleontological resource, as defined in Section 15064.5 of the State *CEQA Guidelines*, then a mitigation program shall be developed in accordance with the provisions of CEQA as well as the guidelines of the Society of Vertebrate Paleontology (1995), and shall include, but not be limited to, the following:

- The excavation of areas identified as likely to contain paleontological resources shall be monitored by a qualified paleontological monitor. Monitoring should be restricted to undisturbed subsurface areas of older alluvium, which may be present below the surface. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. The monitor shall also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved.
- Specimens shall be identified and curated at a repository with permanent retrievable storage to allow further research in the future.
- A report of findings, including an itemized inventory of recovered specimens,
   shall be prepared upon completion of the procedures outlined above. The report

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shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the appropriate lead agency, shall signify completion of the program to mitigate impacts to paleontological resources.

# **Geology and Soils**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

The Revised Project would not result in any effects to geology and soils more severe than those described in the adopted MND. The new proposed pipeline extends along Pine Avenue and is surrounded by existing residential development (to the south), vacant land under construction (to the north), and a dairy (to the north). The mitigation measures described below and in the original MMRP shall also apply to the Revised Project and have already been determined to reduce potential impacts to a less than significant level.

**MM GEO 1:** Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request.

#### **Greenhouse Gas Emissions**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The Revised Project would not result in any greenhouse gas emissions more severe than those described in the adopted MND. Greenhouse gas analysis conducted for the 2015 IS/MND found that short-term construction emissions and long-term operational emissions will both be under SCAQMD established thresholds.

Therefore, construction-related emissions will be less than significant due to the limited scope of the Pine Avenue segment and compliance with all applicable SCAQMD and County regulations. Long term emissions associated with operation of the Pine Avenue pipeline segment will be limited to periodic maintenance activities and will be negligible.

#### **Hazards and Hazardous Materials**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

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Revised Project: No New Impact

The new proposed pipeline alignment is located within the existing Pine Avenue or its compacted shoulder, and would not result in any traffic hazards not already described in the original MND. The mitigation measures described in the MMRP, and listed below, for this Project are will reduce potential impacts to a less than significant level.

MM TRANS 1: Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the California Manual on Uniform Traffic Control Devices for Streets and Highways and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted.

# **Hydrology and Water Quality**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

The Revised Project would not result in any effects to hydrology and water quality not already described in the adopted MND. Because the proposed Pine Avenue pipeline is less than one mile long, the Revised Project will not require coverage under the National Pollutant Discharge Elimination System (NPDES); however, it will likely be constructed as part of the pipeline proposed in Schliesman Avenue coverage would be obtained. Further, if a Storm Water Pollution Prevention Plan is not required, implementation of mitigation measure **MM GEO 1** listed in the adopted MMRP and described below will reduce potential impacts to a less than significant level.

**MM GEO 1:** Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion

control plan shall be retained at the construction site and available for inspection upon request.

# Land Use and Planning

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Pine Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that land use and planning impacts would be less than significant. The recycled water facilities identified in the Original and Revised Projects are being constructed to serve existing irrigation needs in the JCSD service area and will not result in any land use changes. The area surrounding the Pine Avenue pipeline segment is being developed according to The Preserve Specific Plan.

#### **Mineral Resources**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Pine Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that impacts to mineral resources would be to less than significant. The proposed pipeline in Pine Avenue is located within Mineral Resource Zone 3 (MRZ-3), as designated by the State Mining and Geology Board. This means that mineral deposits are likely to exist in this area; however, the significance of any potential deposits is undetermined. Given the proposed pipeline's alignment in the existing Pine Avenue and residential uses in close proximity, surface mining or mineral recovery operations could not likely take place at this location.

#### Noise

2015 IS/MND Conclusion: Less than Significant with Mitigation Incorporated.

Revised Project: No New Impact

The only noise resulting from the Revised Project will be construction noise. As with the Original Project, construction of the pipeline in Pine Avenue will involve equipment that could exceed noise levels of 65 A-weighted decibels in the short term and the existing residents south of Pine Avenue are considered sensitive receptors.

Construction of the Revised Pipeline is exempt from the provisions of the noise standards in Chino's Municipal Code if construction activity occurs between 7:00 a.m.

and 8:00 p.m. Monday through Saturday and no construction takes place on Sunday or federal holidays (CMC Section 15.44.030). In order to ensure compliance with Chino's Municipal Code, the 2015 IS/MND included mitigation measure **MM NOISE 1**, which limits construction hours within the City of Chino. Once construction is complete, the underground pipeline will not be a noise producer. Because the Revised Project will implement the mitigation measures described in the 2015 IS/MND, as modified in Addendum No. 1, potential noise impacts will be reduced to a less than significant level.

**MM NOISE 1:** All construction activities within the City of Chino shall be limited to occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday with no construction allowed on Sundays or federal holiday.

MM NOISE 2: Construction activities associated with the proposed recycled water reservoirs and pump station within the City of Ontario shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday and Sunday.

**MM NOISE 3:** To minimize noise impacts resulting from poorly tuned or improperly modified vehicles and construction equipment, all vehicles and construction equipment shall maintain equipment engines and mufflers in good condition and in proper tune per manufacturers' specifications to the satisfaction of the Jurupa Community Services District. Equipment maintenance records and equipment design specification data sheets shall kept and maintained by the contractor and available for review by the Jurupa Community Services District upon request.

**MM NOISE 4:** To minimize noise from idling engines, all vehicles and construction equipment shall be prohibited from idling in excess of three (3) minutes when not in use.

# Population/Housing

2015 IS/MND Conclusion: No Impact.

Revised Project: No New Impact

Implementation of the Revised Project would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that there would be no impacts to population/housing. The construction and operation of a recycled water pipeline in Pine Avenue will provide a second connection between JCSD's proposed recycled water facilities (the Original Project) and IEUA's existing network. Because the Original Project will serve existing irrigation needed, it will not influence any land use changes and is not considered growth inducing either directly or indirectly.

#### **Public Services**

2015 IS/MND Conclusion: No Impact.

Revised Project: No New Impact

Implementation of the Revised Project would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that there would be no impacts to public services. As discussed under Population/Housing, providing a second connection between JCSD's proposed recycled water facilities and IEUA's existing network will not directly or indirectly generate new development or persons to the Project area, and will not necessitate the construction of new governmental facilities or increase the demand for fire protection, police protection, schools, or other public facilities.

#### Recreation

2015 IS/MND Conclusion: No Impact.

Revised Project: No New Impact

The Revised Project will serve existing irrigation needs within JCSD's service area and will not influence any land use changes. The area surrounding the Pine Avenue segment is being developed according to The Preserve Specific Plan; however, the 2015 MND found that construction of the pipeline alone is not considered growth inducing and no new impacts have been identified.

#### **Transportation/Traffic**

2015 IS/MND Conclusion: Less than Significant with Mitigation Incorporated.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Pine Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that transportation/traffic impacts would be reduced to less than significant with mitigation. The proposed pipeline will be constructed within Pine Avenue or its compacted shoulder, thus construction may require temporary closure of a travel lane. No other impacts to transportation or traffic will occur, and the mitigation listed below and in the MMRP will reduce potential impacts to traffic to a less than significant level.

**MM TRANS 1:** Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the California Manual on Uniform Traffic Control Devices for Streets and Highways and designed to maintain

safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted.

# **Utilities and Service Systems**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

Implementation of the Revised Project would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND. The Revised Project is a recycled water pipeline, which will not generate wastewater or require the construction of new water or wastewater treatment facilities, storm drain facilities, or result in the need for new potable water supplies. By providing a second connection between JCSD's recycled water expansion project and existing IEUA facilities, the Revised Project would reduce the demand for potable water within the JCSD and/or IEUA service areas by providing a means to convey recycled water from the WRCRWA Treatment Plant to the IEUA network, where it may serve existing customers. As with the Original Project, construction of the Revised Project will generate small quantities of solid waste debris from the removal of roadway surfaces. Construction of the Revised Project will not result in more construction waste than the Original Project due to the elimination of certain pipelines as evaluated in Addendum No. 1.

# **Mandatory Findings of Significance**

2015 IS/MND Conclusion: Less than Significant with Mitigation Incorporated.

Revised Project: No New Impact

As discussed in the preceding analysis, impacts resulting from the Revised Project will not be with regard to any of the environmental issues evaluated. Thus, the Project will not degrade the quality of the environment. Additionally, with incorporation of mitigation measures **MM BIO 1** and **MM BIO 2**, the Revised Project will not substantially reduce the habitat of any wildlife or fish species or cause them to drop below self-sustaining levels. No plant or animal communities will be eliminated by the construction and operation of the recycled water pipeline in Pine Avenue.

In the unlikely event that any materials of archaeological or paleontological significance are found during construction the Revised Project, implementation of mitigation measures **MM CR 1** though **MM CR 3** will reduce impacts to less than significant.

Therefore, the Project Facilities are not expected to eliminate important examples of major periods of California history or prehistory.

With regard to cumulative impacts, the Revised Project is consistent with local and regional plans, including the AQMP, and the Revised Project's air quality emissions do not exceed the SCAQMD-established thresholds of significance. The Revised Project is consistent with and adheres to all other land use plans and policies. The Revised Project is not considered as growth-inducing as defined by State *CEQA Guidelines* Section 15126.2(d).

With adherence to existing codes, ordinance, regulations, standards and guidelines, combined with the mitigation measures identified in the 2015 MND as clarified by Addendum No. 1, the Revised Project does not present the potential for a substantial direct or indirect adverse effect to human beings.

#### CONCLUSION

With implementation of the mitigation measures identified in the 2015 MND as clarifies in Addendum No. 1, the proposed Revised Project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant impacts; therefore a subsequent, or supplemental MND is not required.

#### **FINDINGS**

State CEQA Guidelines Section 15164(b) states:

An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The following table presents a summary of each condition in Section 15162 and how the Revised Project is consistent with such condition.

# **Section 15162 Conditions and Findings**

| Section 15162 Condition  | Revised Project Modification Consistency   |
|--|--|
| (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of | The Revised Project proposes extension of a pipeline segment into the City of Chino for 2,477 feet to provide a second connection of the proposed recycled water service to existing IEUA facilities (see <b>Figure 3</b> ). Although the Original Project did not consider construction of this |

| pre   | Section 15162 Condition viously identified significant effects   | Revised Project Modification Consistency segment, the preceding analysis shows that this constitutes a minor revision that does not involve new significant environmental effects or any increase in the severity of previous environmental effects.  |
|---|--|---|
| (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or |  | There are no changes in the circumstances under which the Revised Project will be undertaken. As shown in the preceding analysis, implementation of the Revised Project will not result in new significant environmental effects or any increase in the severity of previously environmental effects. |
| (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:  |  | There is no new information of substantial importance.  |
| (A)   | The project will have one or more significant effects not discussed in the previous EIR or negative declaration; | As shown in the preceding analysis, no new impacts will occur as a result of the Revised Project.   |
| (B)   | Significant effects previously examined will be substantially more severe than shown in the previous EIR         | There were no significant environmental effects identified in the 2015 MND. Further, as shown in the preceding analysis, no new impacts will occur as a result of implementation of the Revised Project.  |

#### **Section 15162 Condition Revised Project Modification Consistency** All potentially significant impacts identified in the Mitigation measures or alternatives 2015 MND were determined to be less than previously found not to be feasible significant with incorporation of mitigation would in fact be feasible, and would measures. The Revised Project incorporates substantially reduce one or more feasible mitigation to reduce potential impacts to significant effects of the project, but less than significant. The Revised Project will not the project proponents decline to result in any new impacts that were not evaluated adopt the mitigation measure or alternative; or in the 2015 MND. All potentially significant impacts identified in the (D) Mitigation measures or alternatives 2015 MND were determined to be less than that are considerably different from significant with incorporation of mitigation those analyzed in the previous EIR measures. Minor revisions to some of the would substantially reduce one or mitigation measures adopted in the 2015 MND more significant effects on the and Addendum No. 1 are proposed for clarity. No environment, but the project proponents decline to adopt the new mitigation measures are needed for the Revised Project. mitigation measure or alternative.

JCSD has reviewed the Project Modification in light of the requirements defined under the State *CEQA Guidelines* and determined that none of the above conditions requiring preparation of a subsequent or supplemental MND apply.

# ADDENDUM NO. 3 TO THE MITIGATED NEGATIVE DECLARATION FOR JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER EXPANSION (SCH NO. 2015071073) (DISTRICT PROJECT NO. C133656)

#### INTRODUCTION

This document has been prepared pursuant to the California Environmental Quality Act (CEQA, California Public Resources Code Sections 21000 *et seq.*), the State *CEQA Guidelines* (California Code of Regulations Sections 15000 *et seq.*), the Jurupa Community Services District's (JCSD) *Local Guidelines for Implementing the California Environmental Quality Act* (2016 Revision), and is consistent with the CEQA-Plus requirements of the State Water Resources Control Board (SWRCB) State Revolving Fund (SRF) Program for Environmental Review and Federal Coordination. JCSD will serve as the lead agency for CEQA purposes.

Section 15164(b) of the State CEQA Guidelines states:

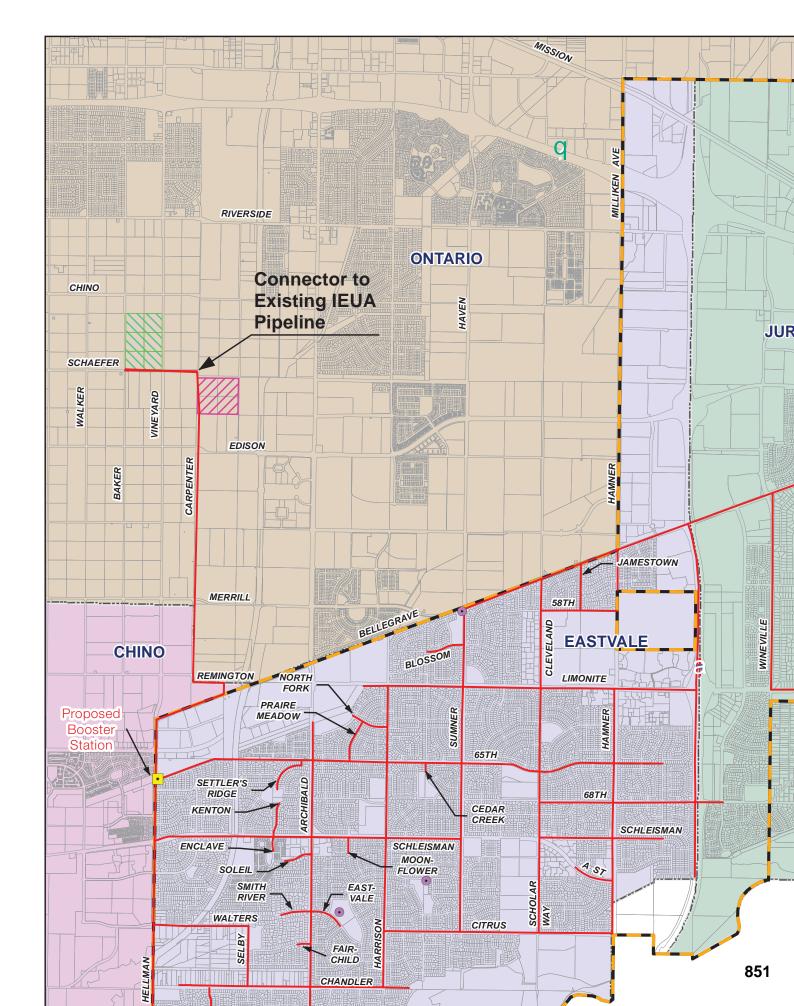
An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The purpose of Addendum No. 3 is to demonstrate that only minor changes have been made to the Project and that any potentially significant impacts can be mitigated through implementation of mitigation measures identified in the 2015 MND, with minor clarifications.

#### PROJECT INFORMATION

The Initial Study/Mitigated Negative Declaration (CEQA and CEQA-Plus) for the Jurupa Community Services District Recycled Water Service Expansion (SCH No. 2015071073) was circulated for a 30-day public review period from July 29, 2015 to August 27, 2015, pursuant to State *CEQA Guidelines* Section 15073 (hereinafter the "2015 MND" or "2015 IS/MND"). The 2015 MND and a Mitigation Monitoring and Reporting Program (MMRP) were approved by the JCSD Board of Directors on September 28, 2015 and are included as Appendix A to this addendum. The Project evaluated in the 2015 MND was the construction and operation of potential distribution and storage facilities to convey recycled water that has been treated to Title 22 standards to IEUA's facilities and serve landscape irrigation needs within the western portion of JCSD's service area. (Refer to **Figure 1 – Original Project.**)

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The recycled water will be sourced from JCSD's, WMWD's, the City of Norco's, and/or Home Gardens Sanitary District's allocation of treated effluent from the WRCRWA Treatment Plant (operated by WMWD) in Eastvale and/or the IEUA recycled water system in San Bernardino County.

#### Addendum No. 1

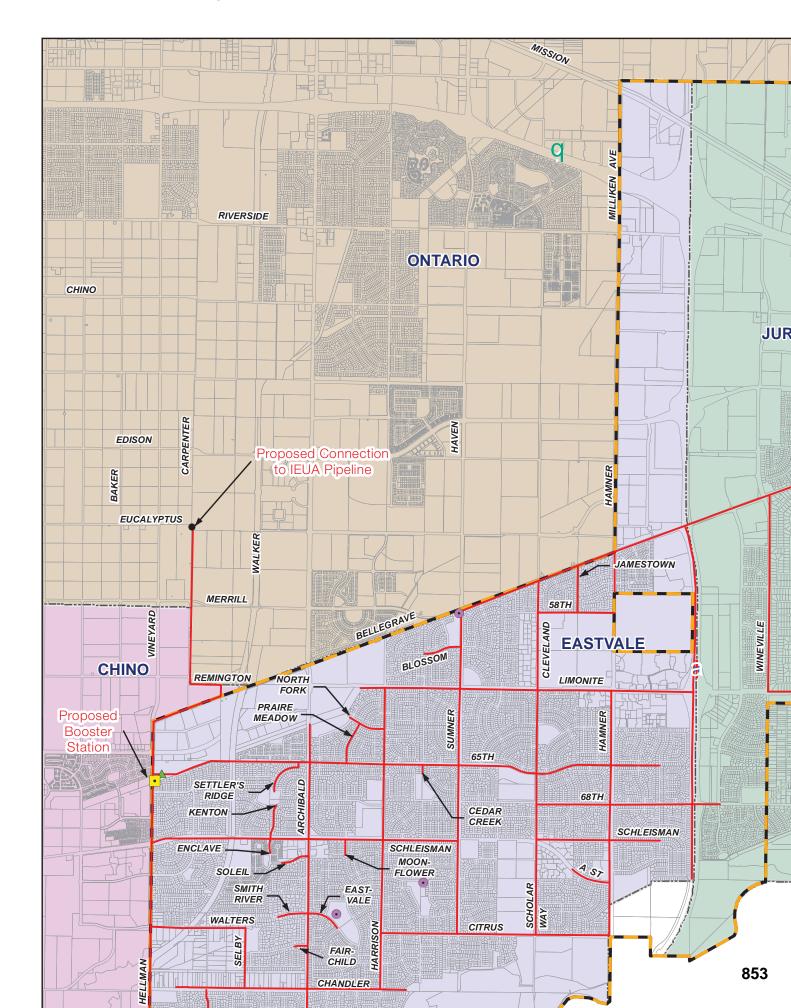
Subsequent to the adoption of the 2015 MND, minor changes to the Original Project were proposed. These changes consisted of eliminating the recycled water pump station and water reservoir in the City of Ontario¹ and the recycled water pipelines in Carpenter Street between Edison Avenue and Schaefer Avenue and in Schaefer Avenue between Carpenter Street and Baker Avenue (refer to **Figure 1**). Instead of the recycled water pump station and reservoir proposed in the City of Ontario, a pump station was proposed in the American Heroes Park (see **Figure 2 – Revised Project – Addendum No. 1**). This new location would eliminate the loss of Prime Farmland² and would not require construction of a reservoir or construction of the water pipelines along Carpenter Street, from Eucalyptus Avenue to Schaefer Avenue or in Schaefer Avenue between Carpenter Street and Baker Avenue.

Addendum No. 1 to the 2015 MND was adopted by the JCSD Board of Directors on September 28, 2015 and the Notice of Determination (NOD) was filed with the Riverside County Clerk on October 1, 2015 and the State Clearinghouse on November 11, 2015. Because a financial assistance application was submitted to the SWRCB, Addendum No. 1 was transmitted to the State Clearinghouse for a fifteen day review period from November 13, 2015 to November 30, 2015. (Addendum No. 1 is included as Appendix B.)

<sup>&</sup>lt;sup>1</sup> Two potential sites for the recycled water pump station and water reservoir were proposed by the Original Project. These sites are referred to as Survey Area 1 and Survey Area 2 in the 2015 IS/MND and on **Figure 1 – Original Project**.

<sup>&</sup>lt;sup>2</sup> Survey Area 1 and Survey Area 2 have Prime Farmland as shown on maps prepared by the Farmland Mapping and Monitoring Program.

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#### Addendum No. 2

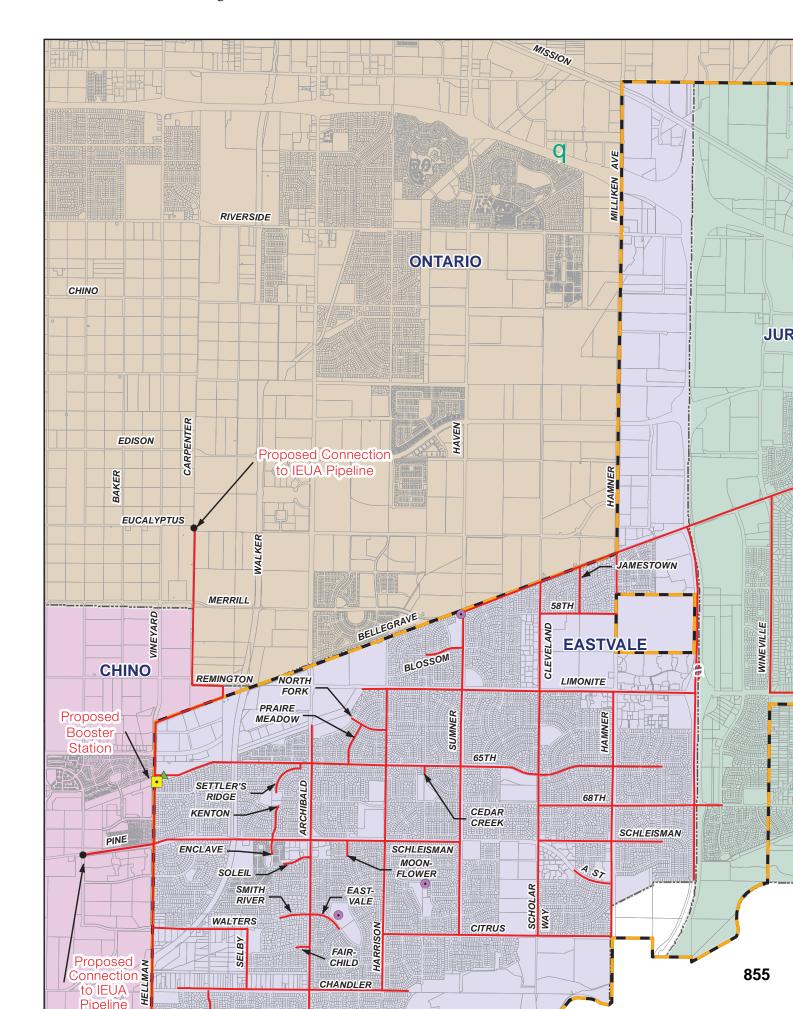
Subsequent to the adoption of Addendum No. 1 to the 2015 MND, additional minor changes to the Original Project were proposed in Addendum No. 2. These changes extended the recycled water pipeline in Schleisman Road approximately 2,477 feet west in Pine Avenue past Hellman Avenue into the City of Ontario, as shown in **Figure 3 – Revised Project – Addendum No. 2.** (Schleisman Road turns into Pine Avenue at the City boundary.) The pipeline extension described in Addendum No. 2 provides a second connection to existing IEUA infrastructure. No other revisions to the Original Project were proposed in Addendum No. 2.

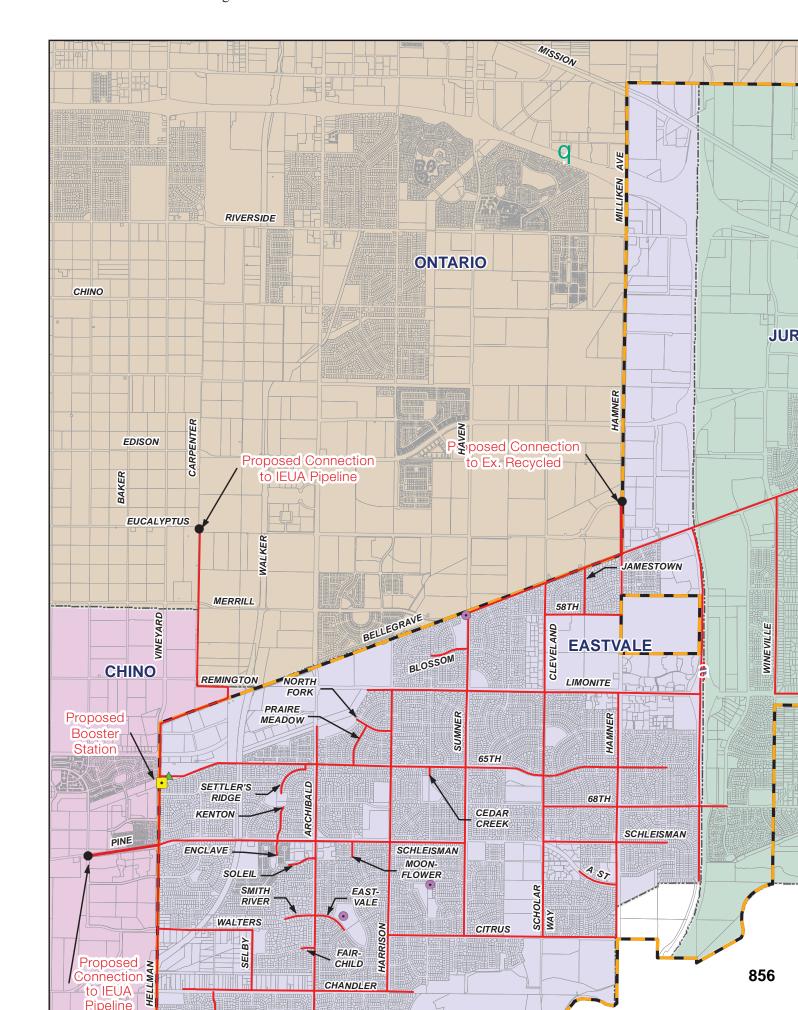
Addendum No. 2 to the 2015 MND was adopted by the JCSD Board of Directors on May 9, 2016 (Resolution No. 2644) and the NOD was filed with both the Riverside and San Bernardino County Clerks on May 10, 2016. The NOD was also filed with the State Clearinghouse on May 10, 2016 for a 15-day review period, as required for projects that apply for SRF assistance through the SWRCB.( Appendix No. 2 is included as Appendix C.)

#### Description and Setting of the Revised Project for Addendum No. 3

The Project for analysis in Addendum No. 3 (hereinafter "Revised Project") consists of extending the recycled water pipeline within Hamner Avenue (aka Milliken Avenue) from Bellegrave Avenue to a point of connection located approximately 1,800 feet to the north. The proposed pipeline will connect to the City of Ontario's recycled water system. See **Figure 4 – Revised Project – Addendum No. 3**. Notably, the centerline of Hamner Avenue marks the dividing line between the City of Eastvale/Riverside County to the east and the City of Ontario/San Bernardino County to the west. The maximum extent of ground disturbance for the Revised Project will consist of trenching operations required for pipeline installation within the existing paved roadway. The estimated pipeline right-of-way is expected to measure no more than four feet wide and eight feet deep. After pipeline installation is complete, no above-ground structures are anticipated. The purpose of this pipeline extension is to provide a second point of connection to the City of Ontario's recycled water infrastructure for system reliability and redundancy. No other revisions to the Original Project are proposed.

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The portion of Hamner Avenue along which the Revised Project is proposed to be constructed is planned to be a six-lane divided road. The easterly half of the roadway (north-bound lanes) has been built to ultimate design, with landscaped median, three lanes of roadway, curb, gutter, sidewalk and landscaping. The properties adjacent to the north-bound lanes (i.e. on the eastern side of Hamner Avenue) are currently in differing stages of development for commercial uses as part of the *Goodman Commerce Center* Specific Plan as shown in the photograph captioned "Existing Conditions - East of Hamner Avenue (Goodman Commerce Center SP)" on Figure 5 – Revised Project – **Site Pictures**. The westerly half of Hamner Avenue (south-bound lanes) is currently in an interim condition of two-lanes with dirt shoulders (i.e. no curb/gutter). The property adjacent to the south-bound lanes (i.e. the western side of Hamner Avenue) is currently under construction for future residential uses as planned in the *Esperanza Specific Plan* as shown in the photograph captioned "Existing Conditions - West of Hamner Avenue on (Esperanza SP)" on **Figure 5**. When construction of the Esperanza Specific Plan is complete, the westerly half of Hamner Avenue will be built to ultimate design with curb, gutter, sidewalk, and landscaping. Therefore, when construction of the Revised Project is underway, Hamner Avenue will be built out to ultimate design and installation of the Revised Project will occur within a paved roadway.

Based on the analysis in this Addendum, it has been determined that, the mitigation measures identified in the 2015 MND will mitigate any potentially significant impacts associated with the Revised Project to a less than significant level and no revisions are required. Minor revisions made to the original mitigation measures as a result of Addendum No. 1 are shown in strikethrough (strikethrough) and underline (underline) text. None of the revisions to the mitigation measures from Addendum No. 1 changed the intent or outcome; they merely clarified changes in location of the facilities.

A summary of Project specific, potentially significant impacts, in addition to impacts that may become potentially significant as a result of the Revised Project, are as discussed in the following paragraphs.

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# **Existing Conditions - West of Hamner Avenue (Esperanza SP)**



**Existing Conditions - East of Hamner Avenue (Goodman Commerce Center SP)** 



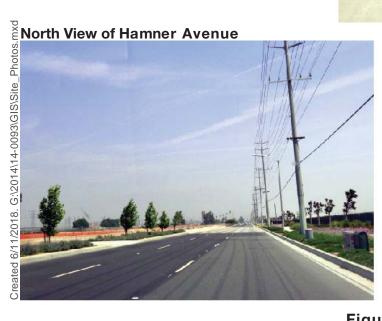


Figure 5 - Revised Project - Site Pictures

JCSD Recycled Water Service Expansion



#### **Aesthetics**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Hamner Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that short-term construction related impacts are less than significant, because once construction is complete, the facility will be below ground and the surface returned to its original condition. As an underground pipeline, the Revised Project will not affect the views of any scenic vista, damage scenic resources, alter the visual character of the area, or create a new source of light or glare.

#### **Agriculture and Forestry Resources**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The area surrounding the Revised Project has Prime Farmland and Farmland of Local Importance, according to the California Department of Conservation 2016 Map. Zoning in proximity of the Revised Project site is the *Esperanza Specific Plan* and the *Goodman Commerce Center Specific Plan* and there are no active Williamson Act contracted lands in the vicinity. The area surrounding the Revised Project site is in the process of development as part of the *Esperanza Specific Plan* and the *Goodman Commerce Center Specific Plan*, and at buildout will include residential, commercial retail, and business park uses. For these reasons implementation of the Revised Project will not result in any direct or indirect impacts to agriculture or forestry resources.

# **Air Quality**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The Revised Project would not result in any air quality impacts more severe than those described in the 2015 MND. Construction activities will be required to comply with all applicable County and South Coast Air Quality Management District (SCAQMD) regulations. Long-term emissions due to operation of this pipeline are negligible, and would be limited to periodic maintenance of the Hamner Avenue pipeline segment. The Revised Project area is in the process of development in accordance with the *Esperanza Specific Plan* and the *Goodman Commerce Center Specific Plan*, and development of the Revised Project will not result in any changes to the existing land use patterns. Construction and operation of the Hamner Avenue pipeline will not result in new direct or indirect impacts to air quality.

# **Biological Resources**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

Implementation of the Revised Project would not result in any effects to biological resources more severe than those described in the 2015 IS/MND and therefore would not change the 2015 IS/MND conclusion that impacts would be less than significant with mitigation incorporated. The proposed pipeline extension is located within the existing Hamner Avenue which will be built to ultimate design as a six-lane divided road with landscaped median, curb, gutter, sidewalks and landscaping that abuts developed properties.

The area east of the Hamner Avenue centerline is within the boundary of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and within MSHCP-Survey Areas for burrowing owl, Brand's phacelia, San Diego ambrosia, and San Miguel savory. The area west of the Hamner Avenue centerline is not within a habitat conservation plan. No suitable habitat is present for owl and plants within or adjacent to the proposed pipeline alignment because of the road and parcel developments: therefore, focused surveys are not required.

The Revised Project within Hamner Avenue will not cause or contribute to adverse impacts to biological resources since the road and adjacent properties will be fully developed. Mitigation measures identified in the 2015 MND as modified by Addendum No. 1, shown below, will mitigate any potentially significant impacts associated with the Revised Project to a less than significant level.

**MM BIO 1:** To avoid potential impacts to burrowing owl, a pre-construction survey (or surveys) shall be conducted no less than 14 days prior to initiating ground disturbance activities in the following locations:

- Along the Southern California Edison easement west of Archibald Avenue up to the boundary of the American Heroes Park;
- Along the access road in Crossroads Riverview Park southeast of the Treatment Plant;
- Agricultural fields along Hellman Avenue, Scholar Way, and Schleisman Road;
- The route from Hellman Avenue, <u>continuing northeast along Bellegrave Avenue</u>, <u>north through private property to Remington Street</u>, <u>continuing west in Remington Street</u>, <u>up</u> to Carpenter Avenue, <u>north in Carpenter Street</u>, <u>connecting with Schaefer</u> to Eucalyptus Avenue;
- Along Schaefer Avenue (if the recycled water reservoirs and pump station are constructed at Survey Area 2);

- The proposed clear well site and pipeline connecting the booster station and clear well.: and
- The portion of Survey Area 1 or Survey Area 2 chosen for the proposed recycled water reservoir and pump station.

If burrowing owls, or signs of burrowing owls, are observed, protocol level surveys and/or mitigation measures shall be implemented as prescribed in the California Department of Fish and Wildlife's *Staff Report on Burrowing Owl Mitigation* (March 2012). These mitigation measures may include, but are not limited to, avoidance of the nesting season and passive or active relocation. Passive relocation involves excluding the burrowing owl from burrows by means of a one-way trap door. Active relocation involves capture and physical relocation of the owl.

MM BIO 2: If construction activities at either Survey Area 1 or Survey Area 2 the pump station location in American Heroes Park involving heavy equipment or vegetation removal are to occur between February 1 and August 31, a preconstruction field survey shall be conducted by a qualified biologist to determine if active nests of species protected by the Migratory Bird Treaty Act or Fish and Game Code are present in the construction zone or within a buffer of 500 feet. Pre-construction nesting/breeding surveys shall be conducted within 10 days prior to the construction activity. If no active nests are found during the survey, construction activities may proceed. If nesting birds are observed on-site, an avoidance area shall be established to ensure that construction activities will not cause a nest to fail. A minimum buffer area surrounding the nest shall be avoided by all construction activities until the nestlings have fledged the nest. The buffer zones distance shall be 300 feet for non-raptor nests, 500 feet for raptor nests, 100 feet for common songbird nests, or as determined by the biological monitor in consultation with the California Department of Fish and Wildlife. A biological monitor shall be required to monitor the progress of the nesting birds. Construction activities may encroach within the buffer area at the discretion of the biological monitor in consultation with the California Department of Fish and Wildlife. Once the nestlings have fledged the nest, construction activities may proceed within the buffer area with no further restrictions with regard to nesting birds.

#### **Cultural Resources**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

The Revised Project would not result in any effects to cultural resources more severe than those described in the 2015 MND. CRM Tech prepared a "draft" cultural resources assessment of the Original Project dated May 21, 2015 that included an evaluation of potential cultural resources within Hamner Avenue from Bellegrave Avenue to Mission

Boulevard (see **Appendix D**). That section of roadway was subsequently removed from the Original project and as such was not included in the June 2015 cultural resources assessment that was adopted as part of the 2015 MND. Nonetheless, the research data in the May 2015 report, are still valid and described herein.

The Area of Potential Effect (APE) within Hamner Avenue was assumed in the draft cultural resources assessment to be four feet in maximum width and eight feet in maximum depth. One linear site was identified that may have crossed the Revised Project APE: Site 36-015980 (CA-SBR-27), which represents the approximate route of Juan Bautista de Anza's 1774-1775 overland expedition. Although designated California Point of Historic Interest No. SBR-027, it is purely symbolic in nature and exists only on paper at this location. No physical relics from the historic period were ever recorded in association with the site, nor were any observed during the cultural resources assessment. The only physical embodiment of the site is found at de Anza Park in the City of Ontario, well outside the APE. No other known or potential prehistoric or historic resources were recorded within or directly adjacent to the proposed Hamner Avenue pipeline alignment.

The proposed recycled water pipeline is within the existing Hamner Avenue, bounded by commercial and residential developments. Revised Project-related construction impacts will be limited to the roadway or adjacent sidewalk and landscaped frontages. No post-construction impacts to the surrounding environment will occur. After installation of the pipeline, no above-ground structures are anticipated. Due to the built and urban nature of the Revised Project area and lack of documented cultural resources within the proposed pipeline alignment, no known resources will be disturbed and it is unlikely that new resources will be discovered. The mitigation measures described below from the approved MMRP, with minor modifications from Addendum No. 1, will reduce potential impacts to cultural resources to less than significant.

**MM CR 1:** Should any archaeological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified archaeologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique archaeological resource, as defined in Section 15064.5 of the State *CEQA Guidelines*, avoidance or other appropriate measure shall be implemented.

**MM CR 2:** A qualified professional archaeologist shall be retained to monitor initial ground-disturbing activities related to construction of the recycled water reservoirs and pump station—at either Survey Area 1 or Survey Area 2. The archaeologist shall contact the Gabrieleño Band of Mission Indians, Gabrieliño/Tongva San Gabriel Band of Mission Indians, Gabrieliño Tongva Nation, and Pauma Band of Luiseño Indians and invite them to provide a culturally-affiliated Native American monitor to be present

during initial ground-disturbing activities. If any archaeological deposits are encountered, all ground-disturbing work shall be halted at the location of the discovery until a qualified archaeologist determines the significance of the resource(s). If the archaeologist determines a find to be a unique archaeological resource, as defined in Section 15064.5 of the State CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

**MM CR 3:** Should any paleontological resource(s) be accidentally discovered during construction, construction activities shall be moved to other parts of the construction site and a qualified paleontologist shall be contacted to determine the significance of the resource(s). If the find is determined to be a unique paleontological resource, as defined in Section 15064.5 of the State *CEQA Guidelines*, then a mitigation program shall be developed in accordance with the provisions of CEQA as well as the guidelines of the Society of Vertebrate Paleontology (1995), and shall include, but not be limited to, the following:

- The excavation of areas identified as likely to contain paleontological resources shall be monitored by a qualified paleontological monitor. Monitoring should be restricted to undisturbed subsurface areas of older alluvium, which may be present below the surface. The monitor shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays, but must have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens. The monitor shall also remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved.
- Specimens shall be identified and curated at a repository with permanent retrievable storage to allow further research in the future.
- A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the procedures outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the appropriate lead agency, shall signify completion of the program to mitigate impacts to paleontological resources.

# **Geology and Soils**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

The Revised Project would not result in any effects to geology and soils more severe

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than those described in the 2015 MND. The new proposed pipeline extends along Hamner Avenue and is surrounded by existing retail commercial and office space development (to the east), vacant land under construction (to the west), residential development (to the south), and a dairy (to the north). The mitigation measures described below and in the 2015 MMRP shall also apply to the Revised Project and have already been determined to reduce potential impacts to a less than significant level.

**MM GEO 1:** Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request.

#### **Greenhouse Gas Emissions**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The Revised Project would not result in any greenhouse gas emissions more severe than those described in the adopted MND. Greenhouse gas analysis conducted for the 2015 IS/MND found that short-term construction emissions and long-term operational emissions will both be under SCAQMD established thresholds.

Therefore, construction-related emissions will be less than significant due to the limited scope of the Hamner Avenue segment and compliance with all applicable SCAQMD and County regulations. Long term emissions associated with operation of the Hamner pipeline segment will be limited to periodic maintenance activities and will be negligible.

#### **Hazards and Hazardous Materials**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

The new proposed pipeline alignment is located within the existing Hamner Avenue, and would not result in any traffic hazards not already described in the 2015 MND. The mitigation measures described in the MMRP, and listed below, for this Project are will reduce potential impacts to a less than significant level.

**MM TRANS 1:** Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic

Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the California Manual on Uniform Traffic Control Devices for Streets and Highways and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted.

### **Hydrology and Water Quality**

2015 IS/MND Conclusion: Less than Significant Impact with Mitigation Incorporated.

Revised Project: No New Impact

The Revised Project would not result in any effects to hydrology and water quality not already described in the 2015 MND. Because the proposed Hamner Avenue pipeline is in and of itself less than one mile long, the Revised Project would not require coverage under the National Pollutant Discharge Elimination System (NPDES) for construction (i.e., Storm Water Pollution Prevention Plan); however, in the event it is constructed as part of a larger plan of development coverage would be obtained. Further, if a Storm Water Pollution Prevention Plan is not required, implementation of mitigation measure **MM GEO 1** listed in the adopted MMRP and described below will reduce potential impacts to a less than significant level.

**MM GEO 1:** Prior to the construction of any Project facility that does not require preparation of a facility-specific Storm Water Pollution Prevention Plan, an erosion and sedimentation control plan shall be prepared that identifies erosion and sedimentation control best management practices. The erosion and sediment control plan may be prepared by the Construction Contractor or designee; however, it must be approved by the Jurupa Community Services District prior to the start of construction. The erosion control plan shall be retained at the construction site and available for inspection upon request.

### Land Use and Planning

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Hamner Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that land use

and planning impacts would be less than significant. The recycled water facilities identified in the Original and Revised Projects are being constructed to serve existing irrigation needs in the JCSD service area and will not result in any land use changes. The area surrounding the Hamner Avenue pipeline segment is being developed according to *Esperanza Specific Plan* and the *Goodman Commerce Specific Plan*.

#### **Mineral Resources**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Hamner Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that impacts to mineral resources would be to less than significant. The proposed pipeline in Hamner Avenue is located within Mineral Resource Zone 3 (MRZ-3), as designated by the State Mining and Geology Board. This means that mineral deposits are likely to exist in this area; however, the significance of any potential deposits is undetermined. Given the proposed pipeline's alignment in the existing Hamner Avenue and the existing and proposed urban development, surface mining or mineral recovery operations could not likely take place at this location.

#### **Noise**

2015 IS/MND Conclusion: Less than Significant with Mitigation Incorporated.

Revised Project: No New Impact

The only noise resulting from the Revised Project will be construction noise. As with the Original Project, construction of the pipeline in Hamner Avenue will involve equipment that could exceed noise levels of 65 A-weighted decibels in the short term and the existing residents south of Hamner Avenue are considered sensitive receptors.

Construction of the Revised Pipeline is exempt from the provisions of the noise standards in Eastavale's Municipal Code if Facilities owned or operated by or for a governmental agency (Sec. 5.52.020. Exemptions), and in Ontario's Municipal Code if the improvement of a public facility is by public agency (Sec 5-29.09 Construction Activity Noise Regulations). The Revised Project will be in compliance with construction noise provisions for both cities. Once construction is complete, the underground pipeline will not be a noise producer. Because the Revised Project will implement mitigation measures MM NOISE 1, MM NOISE 3, and MM NOISE 4 described in the 2015 IS/MND, potential noise impacts will be reduced to a less than significant level.

**MM NOISE 1:** All construction activities within the City of Chino shall be limited to occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday with no construction allowed on Sundays or federal holiday.

MM NOISE 2: Construction activities associated with the proposed recycled water reservoirs and pump station within the City of Ontario shall be limited to occur between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday and Sunday.

**MM NOISE 3:** To minimize noise impacts resulting from poorly tuned or improperly modified vehicles and construction equipment, all vehicles and construction equipment shall maintain equipment engines and mufflers in good condition and in proper tune per manufacturers' specifications to the satisfaction of the Jurupa Community Services District. Equipment maintenance records and equipment design specification data sheets shall kept and maintained by the contractor and available for review by the Jurupa Community Services District upon request.

**MM NOISE 4:** To minimize noise from idling engines, all vehicles and construction equipment shall be prohibited from idling in excess of three (3) minutes when not in use.

### Population/Housing

2015 IS/MND Conclusion: No Impact.

Revised Project: No New Impact

Implementation of the Revised Project would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that there would be no impacts to population/housing. The construction and operation of a recycled water pipeline in Hamner Avenue will provide a second connection to JCSD's proposed recycled water facilities (the Original Project) and City of Ontario's recycled water infrastructure. Because the Original Project will serve existing irrigation needs, it will not influence any land use changes and is not considered growth inducing either directly or indirectly.

#### **Public Services**

2015 IS/MND Conclusion: No Impact.

Revised Project: No New Impact

Implementation of the Revised Project would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that there would be no impacts to public services. As discussed under Population/Housing, providing a second connection between JCSD's proposed recycled water facilities and Ontario's existing network will not directly or

indirectly generate new development or persons to the Project area, and will not necessitate the construction of new governmental facilities or increase the demand for fire protection, police protection, schools, or other public facilities.

### Recreation

2015 IS/MND Conclusion: No Impact.

Revised Project: No New Impact

The Revised Project will serve existing irrigation needs within JCSD's service area and will not influence any land use changes. The area surrounding the Hamner Avenue segment is being developed according to *Esperanza Specific Plan* and the *Goodman Commerce Center Specific Plan*; however, the 2015 MND found that construction of the pipeline alone is not considered growth inducing and no new impacts have been identified.

# **Transportation/Traffic**

2015 IS/MND Conclusion: Less than Significant with Mitigation Incorporated.

Revised Project: No New Impact

The construction and operation of a recycled water pipeline in Hamner Avenue would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND, and therefore would not change the 2015 IS/MND conclusion that transportation/traffic impacts would be reduced to less than significant with mitigation. The proposed pipeline will be constructed within Hamner Avenue, thus construction may require temporary closure of a travel lane. No other impacts to transportation or traffic will occur, and the mitigation listed below will reduce potential transportation and traffic impacts to a less than significant level.

MM TRANS 1: Prior to the initiation of construction activities where a public roadway will be affected by a lane or segment closure or modification of a travel lane, a Traffic Control Plan shall be prepared to the satisfaction of the agency with jurisdiction over the affected roadway. The Traffic Control Plan shall be prepared per the California Manual on Uniform Traffic Control Devices for Streets and Highways and designed to maintain safe traffic flow on local streets, permit adequate access by emergency vehicles and to private property fronting the affected alignment, traffic control procedures, alternate routes in the event road closure is required, adequate sign postings, detours, and permitted hours of construction. Where a Traffic Control Plan is being prepared along a roadway utilized for bus transit, as part of the Traffic Control Plan, Jurupa Community Services District shall coordinate with that transit agency to ensure that bus service will not be interrupted.

# **Utilities and Service Systems**

2015 IS/MND Conclusion: Less than Significant Impact.

Revised Project: No New Impact

Implementation of the Revised Project would not result in new impacts or increase the severity of impacts identified in the 2015 IS/MND. The Revised Project is a recycled water pipeline, which will not generate wastewater or require the construction of new water or wastewater treatment facilities, storm drain facilities, or result in the need for new potable water supplies. The second connection between JCSD's recycled water expansion project and existing Ontario facilities provides system reliability and redundancy. As with the Original Project, construction of the Revised Project will generate small quantities of solid waste debris from the removal of roadway surfaces. Construction of the Revised Project will not result in more construction waste than the Original Project due to the elimination of certain pipelines as evaluated in Addendum No. 1.

## **Mandatory Findings of Significance**

2015 IS/MND Conclusion: Less than Significant with Mitigation Incorporated.

Revised Project: No New Impact

As discussed in the preceding analysis, impacts resulting from the Revised Project will not be with regard to any of the environmental issues evaluated. Thus, the Project will not degrade the quality of the environment. Additionally, with incorporation of mitigation measures **MM BIO 1** and **MM BIO 2**, the Revised Project will not substantially reduce the habitat of any wildlife or fish species or cause them to drop below self-sustaining levels. No plant or animal communities will be eliminated by the construction and operation of the recycled water pipeline in Pine Avenue.

In the unlikely event that any materials of archaeological or paleontological significance are found during construction the Revised Project, implementation of mitigation measures **MM CR 1** though **MM CR 3** will reduce impacts to less than significant. Therefore, the Revised Project is not expected to eliminate important examples of major periods of California history or prehistory.

With regard to cumulative impacts, the Revised Project is consistent with local and regional plans, including the AQMP, and the Revised Project's air quality emissions do not exceed the SCAQMD-established thresholds of significance. The Revised Project is consistent with and adheres to all other land use plans and policies. The Revised Project is not considered as growth-inducing as defined by State *CEQA Guidelines* Section 15126.2(d).

With adherence to existing codes, ordinance, regulations, standards and guidelines, combined with the mitigation measures identified in the 2015 MND as clarified by Addendum No. 1, the Revised Project does not present the potential for a substantial direct or indirect adverse effect to human beings.

### CONCLUSION

With implementation of the mitigation measures identified in the 2015 MND as clarified in Addendum No. 1, the proposed Revised Project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant impacts; therefore a subsequent, or supplemental MND is not required.

### **FINDINGS**

State CEQA Guidelines Section 15164(b) states:

An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

The following table presents a summary of each condition in Section 15162 and how the Revised Project is consistent with such condition.

### **Section 15162 Conditions and Findings**

| Section 15162 Condition  | Revised Project Modification Consistency   |
|--|--|
| (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified significant effects | The Revised Project proposes extending the recycled water pipeline within Hamner Avenue from Bellegrave Avenue to a point of connection located approximately 1,800 feet to the north. The proposed pipeline will connect to the City of Ontario's recycled water system (see Figure 4). Although the Original Project did not consider construction of this segment, the preceding analysis shows that this constitutes a minor revision that does not involve new significant environmental effects or any increase in the severity of previous environmental effects. |
| (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require   | There are no changes in the circumstances under which the Revised Project will be undertaken. As shown in the preceding analysis,  |

| Section 15162 Condition  |   | Revised Project Modification Consistency   |  |
|--|---|--|--|
| major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or   |   | implementation of the Revised Project will not result in new significant environmental effects or any increase in the severity of previously environmental effects.  |  |
| (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following: |   | There is no new information of substantial importance.   |  |
| (A)  | The project will have one or more significant effects not discussed in the previous EIR or negative declaration;  | As shown in the preceding analysis, no new impacts will occur as a result of the Revised Project.  |  |
| (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR   |   | There were no significant environmental effects identified in the 2015 MND. Further, as shown in the preceding analysis, no new impacts will occur as a result of implementation of the Revised Project.   |  |
| (C)  | Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or | All potentially significant impacts identified in the 2015 MND were determined to be less than significant with incorporation of mitigation measures. The Revised Project incorporates feasible mitigation to reduce potential impacts to less than significant. The Revised Project will not result in any new impacts that were not evaluated in the 2015 MND. |  |

| Section 15162 Condit  | tion Revised Project Modification Consistency   |
|---|---|
| (D) Mitigation measures of that are considerably of those analyzed in the pwould substantially red more significant effects environment, but the pproponents decline to a mitigation measure or a | 2015 MND were determined to be less than significant with incorporation of mitigation measures. Minor revisions to some of the mitigation measures adopted in the 2015 MND and Addendum No. 1 are proposed for clarity. No new mitigation measures are needed for the |

JCSD has reviewed the Project Modification in light of the requirements defined under the State *CEQA Guidelines* and determined that none of the above conditions requiring preparation of a subsequent or supplemental MND apply.

# ADDENDUM No. 4 TO THE MITIGATED NEGATIVE DECLARATION FOR THE JURUPA COMMUNITY SERVICES DISTRICT RECYCLED WATER SERVICE EXPANSION (DISTRICT PROJECT NO. C133656)

7-4

# Prepared by JURUPA COMMUNITY SERVICES DISTRICT

11201 Harrel Street Jurupa Valley, CA 91752

#### 1. Introduction:

The Jurupa Community Services District Recycled Water Service Expansion Project entails the planning, design, and construction of an 800 HP booster station at the Western Riverside County Regional Wastewater Authority's Treatment Plant. The Project will construct 16,900 LF of 24" diameter transmission pipeline from the booster station through River Road to Helman Ave going up north along Helman Ave to the American Heroes Park. In addition, a total of 37,985 LF of distribution pipeline system with diameters ranging from 8" to 18" will be constructed covering the northern part of the City of Eastvale within Jurupa Community Services District's (JCSD's) service area generally along 65th Street and Scholar Way as illustrated in the attached Appendix A Baseline Alternative Facility Map. The Project will deliver an estimated 661 acre-feet per year (AFY) of recycled water to provide direct use irrigation sources for multiple public lands including, but not limited to, parks, schools, and streetscapes that currently use potable water for irrigation. Further, the project will provide: 1) additional non-potable water for private agricultural enterprises, 2) the best alignment to support future lateral expansion within the City of Eastvale and 3) the greatest opportunity for future interagency connectivity.

The Initial Study/Mitigated Negative Declaration (CEQA and CEQA-Plus) for the Jurupa Community Services District Recycled Water Service Expansion (SCH No. 2015071073) was circulated for a 30-day public review period from July 29, 2015 to August 27, 2015, pursuant to State CEQA Guidelines Section 15073 (hereinafter the "2015 MND"). The 2015 MND and a Mitigation Monitoring and Reporting Program (MMRP) were approved by the JCSD Board of Directors on September 28, 2015 and are included as Appendix B to this addendum.

Subsequent to adoption of the 2015 MND, minor changes to the Original Project were proposed. These changes consisted of eliminating the recycled water pump station and water reservoir in the City of Ontario and the recycled water pipelines in Carpenter Street between Edison Avenue and Schaefer Avenue and in Schaefer Avenue between Carpenter Street and Baker Avenue. Instead of the recycled water pump station and reservoir proposed in the City of Ontario, a pump station was proposed in the American Heroes Park. This new location would eliminate the loss of Prime Farmland and would not require construction of a reservoir or construction of the water pipelines along Carpenter Street, from Eucalyptus Avenue to Schaefer Avenue or in Schaefer Avenue between Carpenter Street and Baker Avenue.

Addendum No. 1 to the 2015 MND was adopted by the JCSD Board of Directors on September 28, 2015 and the Notice of Determination (NOD) was filed with the Riverside County Clerk on October 1, 2015 and the State Clearinghouse on November 11, 2015. Because a financial assistance application was submitted to the State Water Resources Control Board, Addendum No. 1 was transmitted to the State Clearinghouse for a fifteen day review period from November 13, 2015 to November 30, 2015. (Addendum No. 1 is included as Appendix C.)

Subsequent to the adoption of Addendum No. 1 to the 2015 MND, additional minor changes to the Original Project were proposed and documented in Addendum No. 2. These changes extended the recycled water pipeline in Schleisman Road approximately 2,477 feet west in Pine Avenue past Hellman Avenue into the City of Ontario. (Schleisman Road turns into Pine Avenue at the City boundary.) This pipeline extension provides a second connection to existing Inland Empire Utilities Agency infrastructure. No other revisions to the Original Project were proposed in Addendum No. 2.

Addendum No. 2 to the 2015 MND was adopted by the JCSD Board of Directors on May 9, 2016 (Resolution No. 2644) and the NOD was filed with both the Riverside and San Bernardino County Clerks on May 10, 2016. The NOD was also filed with the State Clearinghouse on May 10, 2016 for a 15-day review period, as required for projects that apply for SRF assistance through the SWRCB.( Addendum No. 2 is included as Appendix D.)

Subsequent to the adoption of Addendum No. 1 and No. 2 to the 2015 MND, additional minor changes to the Original Project were proposed and documented in Addendum No. 3. The changes extended the recycled water pipeline within Hamner Avenue (aka Milliken Avenue) from Bellegrave Avenue to a point of connection located approximately 1,800 feet to the north. The pipeline connects to the City of Ontario's recycled water system. Notably, the centerline of Hamner Avenue marks the dividing line between the City of Eastvale/Riverside County to the east and the City of Ontario/San Bernardino County to the west. The purpose of this pipeline extension is to provide a second point of connection to the City of Ontario's recycled water infrastructure for system reliability and redundancy. No other revisions to the Original Project are proposed.

Addendum No. 3 to the 2015 MND was adopted by the JCSD Board of Directors on August 13, 2018 (Resolution No. 2895) and the NOD was filed with both the Riverside and San Bernardino County Clerks on August 17, 2018. The NOD was also filed with the State Clearinghouse on August 16, 2021 for a 15-day review period, as required for projects that apply for SRF assistance through the SWRCB.(Addendum No. 3 is included as Appendix E.)

### 2. Project Modification Description:

Since the approval of the original project and the three minor modifications (as described in Section 1 of this addendum), a fourth minor project modification has occurred that needs to be addressed within the context of CEQA and the State CEQA Guidelines. The Jurupa Community Services District is proposing to obtain financial assistance for the approved project through the Local Resources Program (LRP) that is administered by The Metropolitan Water District of Southern California (Metropolitan). The LRP provides financial incentives to public and private water agencies to encourage local development of water recycling, groundwater recovery and seawater desalination.

Metropolitan offers three different LRP incentive payment structure alternatives to choose from:

**Alternative 1:** Sliding scale incentives, recalculated annually based on eligible project costs incurred each year and Metropolitan's applicable water rates, up to \$340/AF over 25 years;

Alternative 2: Sliding scale incentives up to \$475/AF over 15 years; and

**Alternative 3:** Fixed incentive up to \$305/AF over 25 years.

The Jurupa Community Services District has chosen the Alternative 1. As the Lead Agency, Jurupa Community Services District has prepared this addendum to the previously adopted Mitigated Negative Declaration in support of its discretionary action to comply with CEQA and the State CEQA Guidelines. For this proposed project modification, Metropolitan will act as a Responsible Agency.

#### 3. Minor Technical Additions

This addendum has been prepared since partnering in the original project would require a discretionary action by the Lead Agency's decision making body.

On July 21, 2021, the Jurupa Community Services District submitted the proposal on the Jurupa Community Services District Recycled Water Service Expansion Project to Metropolitan. As the Responsible Agency, Metropolitan's Board of Directors will review and consider the proposal and environmental documentation prepared by Jurupa Community Services District in determining whether or not to approve financial assistance for the project within the LRP administrative process.

The proposed project modification (i.e., a partnership with Metropolitan in the LRP for the Jurupa Community Services District Recycled Water Service Expansion Project would be consistent with Metropolitan's commitment to develop LRP activities that would increase water supply reliability and avoid or defer Metropolitan capital expenditures.

Therefore, this minor technical change and further clarification to the original project has no impact on water supplies or water quality within the Lead Agency's service area. Instead, the proposed project modification is an administrative and fiscal action.

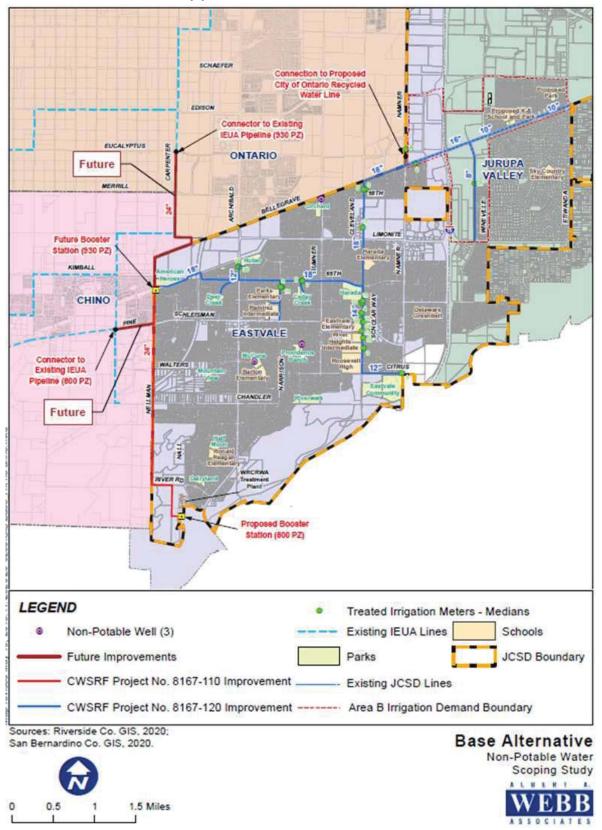
#### 4. Basis for Preparation of Addendum:

Section 15164(b) of the State CEQA Guidelines states, "An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred."

The proposed modification to the original project would not result in a tangible change in the physical environment. As the Lead Agency for the proposed project modification, Jurupa Community Services District is issuing this addendum in accordance with the State CEQA Guidelines (Section 15164). The minor textual additions provided herein are not considered to 1) constitute a substantial change in the project as originally proposed and subsequently modified through Addendum Nos. 1 through 3 to the MND by the Jurupa Community Services District, 2) lead to substantial changes in the circumstances under which the project is undertaken, or 3) constitute new information of substantial importance. Accordingly, an addendum was prepared as opposed to a negative declaration or a subsequent environmental impact report.

# **Appendix A**Baseline Alternative Facility Map

# Appendix A: Base Alternative





# One Water Committee

Authorize entering into a Local Resources Program Agreement with Western Municipal Water District and Jurupa Community Services District for the JCSD Recycled Water Program

Item 7-4 June 28, 2022 Local Resources Program

Background

Provides incentives for Metropolitan's member agencies to develop new local projects to reduce demand on imported water deliveries.



Recycled Water (1982)



Groundwater Recovery (1991)



Seawater Desalination (2014)

# Local Resources Program

Benefits



Benefits all member agencies regardless of location



Legislative Mandate (SB 60 - 1999)



Increases regional water supply reliability



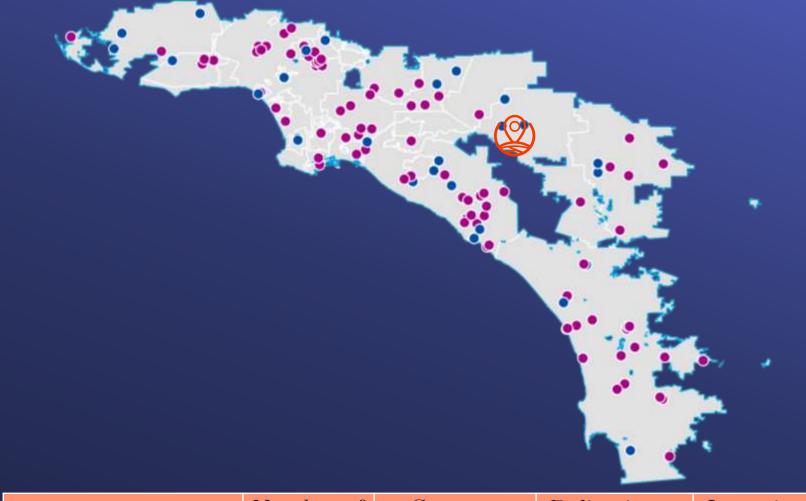
Decreases the burden on Metropolitan's infrastructure



Reduces demand for imported water supplies

Metropolitan
Water
District of
Southern
California

Program Status

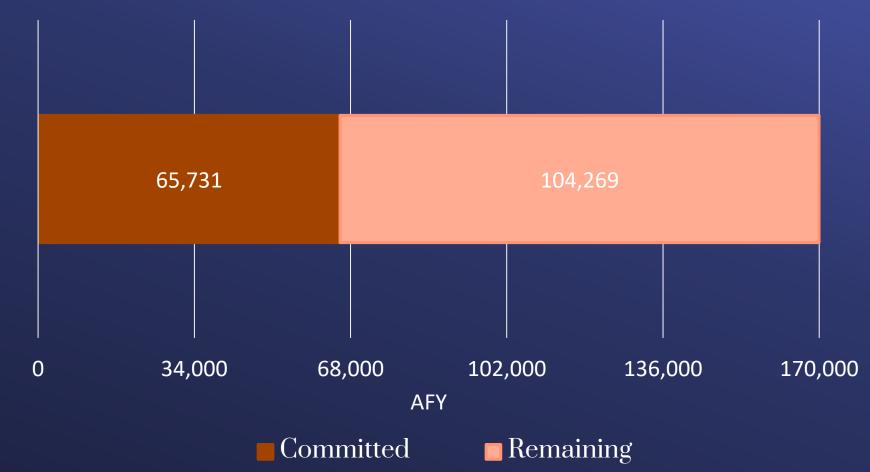


| Туре                    | Number of<br>Projects | Contract<br>Yield (AFY) | Deliveries to<br>Date (AF) | Incentives to Date (\$M) |
|-------------------------|-----------------------|-------------------------|----------------------------|--------------------------|
| Recycling               | 88                    | 358,256                 | 3,077,048                  | 534.83                   |
| Groundwater<br>Recovery | 28                    | 124,747                 | 1,129,013                  | 185.99                   |
| Total                   | 116                   | 486,003                 | 4,206,060                  | 720.82                   |

# Available Program Capacity



170,000 AFY



# Incentive Payment Structures

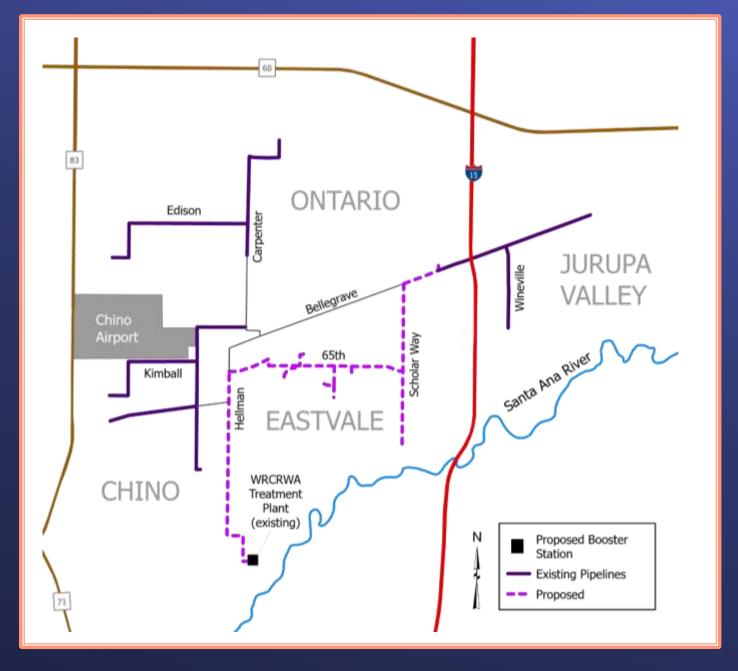
| Payment Structure<br>Alternatives | Maximum*<br>Incentive<br>Amount | Payment Period |
|-----------------------------------|---------------------------------|----------------|
| l – Sliding Scale                 | \$340/AF                        | 25 years       |
| 2 – Sliding Scale**               | \$475/AF                        | l5 years       |
| 3 – Fixed Incentive Rate          | \$305/AF                        | 25 years       |



<sup>\*</sup> Pay for project water used. Incentives never exceed costs. \*\* Project must produce for 25 years

JCSD Recycled Water Project

Location Map



June 28, 2022 One Water Committee Item # 7-4 Slide 7

# JCSD Recycled Water Project

# Project Description

- Expansion of recycled water distribution system and new pump station
  - New pump station at the Western Riverside County Regional Wastewater Authority (WRCRWA) Treatment Plant,
  - 17,000 linear feet of transmission backbone from the pump station,
  - 38,000 linear feet of distribution pipeline to expand the existing non-potable water pipeline system in the northern part of the City of Eastvale,
- JCSD will own and operate the Project and plans to deliver water by 2024.

# Agreement Terms

JCSD Recycled Water Project



500 AFY over 25 years

Sliding scale incentives up to \$475/AF for 15 years



\$ 3.6 million maximum lifetime contract payment

12,500 AF maximum contract yield over 25 years



Performance Provisions

- Start of construction and operation
- Production required over 25 years
- Production targets every four years

# Board Options

- Option #1
  - Review and consider the Jurupa Community Services District's CEQA documents and take related CEQA actions;
  - Authorize the General Manager to enter into a Local Resources Program Agreement with Western Municipal Water District and the Jurupa Community Services District for the JCSD Recycled Water Program for up to 500 AFY of recycled water under the terms included in this letter.
- Option #2

Do not authorize execution of an agreement for the Project.

# Staff Recommendation

• Option #1

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# Board of Directors Communications and Legislation

7/12/2022 Board Meeting

7-5

# **Subject**

Express support, if amended, for AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens): Water policy: environmental justice: disadvantaged and tribal communities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

# **Executive Summary**

As introduced, AB 2108 would have added the requirement that one member of the State Water Resources Control Board (State Board) and at least one of the seven appointees to each of the nine Regional Water Quality Control Boards (Regional Boards) be qualified in water supply and water quality relating to disadvantaged or tribal communities, engage in outreach to disadvantaged and tribal communities in waste discharge permitting processes, hire new staff upon appropriation of funding, and address waste discharge impacts in disadvantaged and tribal communities when issuing regional and statewide permits or waivers. The bill was amended to expand the new procedural and substantive mandates to include addressing environmental justice, racial inequities, and tribal community impacts in adopting or updating regional and statewide water quality control plans and policies, including the current and future updates to the Bay-Delta Water Quality Control Plan. While the overarching objective of the bill to include disadvantaged and tribal communities in water quality planning and permitting is laudable, some provisions in the bill are ambiguous in ways that could be interpreted to authorize and require the State Board to reallocate water rights, including in the Bay-Delta watershed, to address injustices or inequities, jeopardizing the current and future Bay-Delta Water Quality Control Plan update processes and potentially diminishing State Water Project supplies.

#### **Details**

### **Background**

Under existing law, the State Board has five members appointed by the governor, subject to Senate confirmation, each of whom shall represent the state at large and should be from different regions. The five members must include an attorney, a civil engineer, a professional engineer, someone qualified in water quality, and someone with no special qualifications. One of the preceding five members also must be qualified in water supply and water quality relating to irrigated agriculture.

Each Regional Board has seven members appointed by the governor, subject to Senate confirmation. With one exception, each member shall be appointed based on a demonstrated interest or proven ability in water quality, including water pollution control, water resource management, water use, or water protection. One member need not have an interest or proven ability in water quality. And for any appointments from the nonpublic sector, the governor shall consider including members from key economic sectors such as agriculture, industry, commerce, forestry, and fisheries.

The State and Regional Boards may designate tribal and subsistence fishing beneficial uses for qualifying waters, in which case the water quality control plans must provide for the reasonable protection of those beneficial uses.

### Summary of AB 2108 as Amended June 16, 2022

AB 2108 (Attachment 1) requires that one member of the State Board and each of the nine Regional Boards be qualified in water supply and water quality relating to disadvantaged or tribal communities. It also requires the

State and Regional Boards to address environmental justice and social equity issues early in the permit and policy planning processes, including community outreach and a mandate to meaningfully involve potentially affected communities for major projects and appropriate minor projects in disadvantaged communities. Contingent upon an appropriation by the Legislature, the State and Regional Boards must hire environmental justice and tribal community coordinator positions solely dedicated to the purpose of achieving, at a minimum, the following goals:

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- Adhering to related environmental justice goals, policies, and objectives.
- Promoting meaningful civic engagement in the public decision-making processes relating to statewide and regional permitting, water quality policies, and water quality control plans.
- Informing permit conditions that address the needs of disadvantaged communities.
- Informing regulatory mitigation and remediation opportunities before State Board or Regional Board
  decisions and during enforcement actions and regulatory decisions—including water quality control plans
  such as the Bay-Delta Plan, and, where appropriate, after formal enforcement orders or administrative civil
  liability orders are adopted.
- Soliciting community recommendations for future projects to be listed on Regional Board supplemental environmental project lists.

Also, upon appropriation, the State Board must:

- Direct resources for training of State and Regional Board staff to advance adherence to environmental justice objectives, goals, and policies.
- Establish a community capacity-building stipend program to promote meaningful civic engagement by disadvantaged communities and tribal communities in the State Board and Regional Board decision-making processes.
- Develop program-specific tools to better identify and prioritize State Board and Regional Board compliance assessment and enforcement actions in disadvantaged communities.

AB 2108 also requires the State and Regional Boards to make programmatic findings and identify and potentially impose permit terms to address potential environmental justice, tribal impact, and racial equity considerations when issuing regional or statewide water quality control plans or policies, including the ongoing update to the Bay-Delta Water Quality Control Plan, and for waste discharge permits and waivers.

### **Potential Impacts on Metropolitan**

AB 2108's requirements that at least one member of each water board be qualified in water supply and water quality relating to disadvantaged or tribal communities and to promote the meaningful engagement of disadvantaged and tribal communities in water quality policymaking and permitting are consistent with the Board's legislative policy to support administrative and legislative actions that prioritize providing safe and affordable drinking water to disadvantaged communities. The overall intent of the bill is also consistent with the Board's overarching objective in its 2022 Legislative Priorities and Principles that lay out an integrated "One Water" collaborative approach to managing Southern California's watersheds, water resources, and water infrastructure to ensure long-term resilience and reliability for communities and ecosystems.

However, the bill includes broad findings calling for actions to remedy past injustices and ambiguous statutory language that could be interpreted by the State and Regional Boards or reviewing courts to authorize and mandate that the State Board reallocate water rights to address economic or racial injustices when updating water quality control plans, including the Bay-Delta Plan. Such broad authority and mandate could affect the Department of Water Resources' State Water Project water rights, which are junior to many water rights in the Bay-Delta watershed.

Staff has discussed the bill's intent with its sponsor and has learned that the intent is not to expand the State or Regional Boards' authority or to reallocate water rights, but to ensure the boards engage with disadvantaged and tribal communities and take their input into account when adopting policies or issuing permits that affect water quality in disadvantaged and tribal communities.

#### **Suggested Amendments**

Based on the concerns above, staff recommends supporting AB 2108 if amended to address the potential impacts to water rights throughout the state, including the Department of Water Resources' State Water Project rights. Amendments to AB 2108 include:

- 1. Amend the Section 1 findings to avoid suggesting the bill's intent is to reallocate water rights and to acknowledge that public water agencies must serve all people within their service areas regardless of economic status, race, or cultural heritage and must meet state and federal drinking water quality requirements.
- 2. In Section 3, strike and replace broad, ambiguous language requiring water boards to "address" issues of environmental justice and social equity with language focusing on the mandate to conduct outreach and engagement to identify such issues early in water quality permitting and rulemaking processes.
- 3. In Section 4, amend language to avoid requiring water boards to base findings on all comments, even if comments are baseless or factually inaccurate, and instead require the boards to consider all comments in regulatory and permitting processes.
- 4. In Section 4, add reference to State and Regional Board's existing authority under the Porter-Cologne Water Quality Control Act (Water Code Division 7, commencing with Section 13000) to clarify that AB 2108 creates no new regulatory or permitting authority.
- 5. Make conforming amendments as needed to address the concerns outlined above.

#### Recommendation

Staff recommends the Board authorize the General Manager to express a support-if-amended position and seek amendments to clarify the bill's focus on process and water quality under the State and Regional Boards' existing authority over water quality.

# **Policy**

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 52579, dated November 9, 2021, the Board adopted the Legislative Priorities and Principles for 2022, Section II.B., Water Governance and Funding, Subsection 1. Support administrative/legislative actions that prioritize providing safe and affordable drinking water to disadvantaged communities.

# California Environmental Quality Act (CEQA)

### **CEQA** determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities, such as general policy and procedure making (Public Resources Code Section 21065; Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not subject to CEQA because it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment (Section 1506l(b)(3) of the State CEQA Guidelines).

### **CEQA** determination for Option #2:

None required

### **Board Options**

# Option #1

Express support, if amended, for AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens)

**Fiscal Impact:** Unknown. Reduces the risk of reallocation of water rights and future litigation. **Business Analysis:** Metropolitan's State Water Project supplies would not be impacted and potential delays to water quality control plan updates may be avoided.

### Option #2

Take no position on AB 2108

Fiscal Impact: Unknown. Increased risk of reallocation of water rights and litigation costs.

**Business Analysis:** Metropolitan's State Water Project supplies could be adversely impacted, water quality control plan updates could be delayed leading to water supply reliability uncertainty, and litigation costs could be incurred.

# Staff Recommendation

Option #1

Susan Sims

External Affairs Group Manager

Date

7/7/2022

7/7/2022

Adel Hagekhalil General Manager Date

Attachment 1— Bill Text: AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens): Water policy: environmental justice: disadvantaged and tribal communities, as amended June 16, 2022

Ref# ea12687462

AMENDED IN SENATE JUNE 16, 2022

AMENDED IN ASSEMBLY MAY 19, 2022

AMENDED IN ASSEMBLY APRIL 19, 2022

AMENDED IN ASSEMBLY MARCH 15, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

### ASSEMBLY BILL

No. 2108

Introduced by Assembly Members Robert Rivas and Cristina Garcia (Coauthors: Assembly Members Eduardo Garcia, Ramos, and Bennett)

February 14, 2022

An act to amend Sections 175 and 13201 of, and to add Sections 189.7 and 13149.2 to, the Water Code, relating to water.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2108, as amended, Robert Rivas. Water policy: environmental justice: disadvantaged and tribal communities.

Existing law establishes the State Water Resources Control Board (state board) in the California Environmental Protection Agency. The state board consists of 5 members appointed by the Governor, including one member who is not required to have specialized experience. Existing law requires one of those members, excluding the member who is not required to have specialized experience, to additionally be qualified in the field of water supply and water quality relating to irrigated agriculture.

Existing law also establishes 9 California regional water quality control boards. Each regional board consists of 7 members appointed

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by the Governor, of whom 6 are appointed on the basis of demonstrated interest or proven ability in the field of water quality and one as a public member not specifically associated with any enumerated qualification.

This bill would require that one of the persons appointed by the Governor to the state board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities and not be the same member as the member appointed who is qualified in the field of water supply and water quality relating to irrigated agriculture. The bill would also require that at least one person appointed to each regional board have specialized experience relating to disadvantaged or tribal communities, except as provided. The bill would prohibit, in making those appointments, preference to be given on the basis of ethnicity or national origin.

Existing law requires the state board to formulate and adopt state policy for water quality control. Existing law requires the regional board boards to prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a community sewer system, with relation to the conditions existing in the disposal area or receiving waters upon, or into which, the discharge is made or proposed. Existing law also authorizes the state board or a regional board to waive these requirements as to a specific discharge or type of discharge if the state board or a regional board determines, after any necessary state board or regional board meeting, that the waiver is consistent with any applicable state or regional water quality control plan and is in the public interest

This bill would, among other things, require the state board and each regional board to begin addressing issues of environmental justice and social equity as early as possible in permit and policy planning processes. The bill would require the state board and each regional board, contingent upon an appropriation, to hire environmental justice and tribal community coordinator positions for specified purposes. The bill would require the state board, contingent upon an appropriation, to establish a community capacity-building stipend program to promote meaningful civic engagement by disadvantaged communities and tribal communities in the state board and regional board decisionmaking processes, among other activities. The bill would require the state board and each regional board to make a programmatic finding on potential environmental justice, tribal impact, and racial equity considerations when issuing certain plans, policies, waste discharge requirements, and

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waivers. regional or statewide water quality control plans, policies for water quality control, waste discharge requirements, or waivers of waste discharge requirements. The bill would also set forth related findings and declarations.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the 2 following:
  - (a) Disadvantaged communities are disproportionally impacted by water quality pollution. The state's 2021 *CalEnviroScreen* update reveals that the top 10 percent of least polluted neighborhoods are 67 percent White, and the top 10 percent of most polluted neighborhoods are 90 percent Black, Indigenous, and people of color. Contaminated drinking water sources disproportionately burden low-income and Black, Indigenous, and people of color communities throughout California, further exacerbating persistent inequities, which can be seen in data collected by the human right to water framework.
  - (b) The 2021 Pollution and Prejudice story map from the California Protection Environmental Agency (CalEPA) demonstrates that historically redlined neighborhoods are generally associated with worse environmental conditions and greater population vulnerability to the effects of pollution today. People of color are overrepresented in the neighborhoods that are the most environmentally degraded and are still experiencing severe racial wealth gaps caused by redlining and other land-use practices designed to oppress them. Many of these communities lack access to parks, open spaces, greenways, and green infrastructure to provide, for example, natural flood protection, water treatment, and groundwater recharge and replenishment.
  - (c) In 2021, the State Water Resources Control Board released the 2021 Drinking Water Needs Assessment, which identifies approximately 345 water systems that fail to meet the goals of the human right to water. In addition, the needs assessment identified 617 at-risk public water systems, 611 at-risk state small water systems, and 80,000 at-risk domestic wells. It also identified 13 federally regulated tribal water systems that failed to meet the

### AB 2108 —4—

goals of the human right to water and 22 at-risk tribal water
systems.
(d) Historically, the boards' programs were established over a

- (d) Historically, the boards' programs were established over a structural framework that perpetuated inequities based on race. These inequities persist and the boards need to specifically address the role racism has played in creating inequities in affordability and access to clean and safe water and in the allocation and protection of water resources.
- (e) In California, race predicts a person's access to government services and the quality and affordability of the services they receive. This includes the availability of safe drinking water and the collection, treatment, and reuse of wastewater. In fact, race is the strongest predictor of water and sanitation access.
- (f) On a community scale, race is strongly correlated with more severe pollution burdens. However, until recently, few of the water boards' policies, programs, or plans expressly considered or addressed racial inequities. As a government agency, the State Water Resources Control Board recognizes the need to acknowledge racial inequity and to take action to address racial inequity within the agency and as part of the programs the regional water quality control boards carry out for the communities served.
- (g) Over the last decade, the regional water quality control boards have increasingly emphasized actions to address environmental injustices, including: (1) creating the Safe and Affordable Funding for Equity and Resilience (SAFER) Program, a comprehensive approach to implementing the state's commitment to the human right to water by ensuring the estimated 1,000,000 Californians being served contaminated water have solutions for safe, affordable drinking water; (2) improving engagement with California Native American tribes and recognizing and protecting tribal beneficial uses; (3) developing a comprehensive response to climate change, including addressing disproportionate impacts on vulnerable communities; and (4) administering funding for projects that remediate the harm—or threat of harm—to human health, safety, and the environment caused by existing or threatened surface water and groundwater contamination.
- (h) The regional water quality control boards recognize the need to further address environmental injustice and racial inequity. To better represent and serve California's communities, the regional water quality control boards need to address the connection

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between protecting and managing water resources and systemic and institutional racism while fostering greater workforce diversity, equity, and inclusion within the agency.

- (i) The state is committed to the protection of public health and beneficial uses of waterbodies in all communities, particularly in Black, Indigenous, and people of color communities disproportionately burdened by environmental pollution through cleanup of contaminated soil, soil vapor, and groundwater; control of wastes discharged to land and surface water; restoration of impaired surface waters and degraded aquifers; and promotion of multibenefit water quality projects to increase access to parks, open spaces, greenways, and other green infrastructure.
  - SEC. 2. Section 175 of the Water Code is amended to read:
- 175. (a) There is in the California Environmental Protection Agency the State Water Resources Control Board consisting of five members appointed by the Governor. One of the members appointed shall be an attorney admitted to practice law in this state who is qualified in the fields of water supply and water rights, one shall be a registered civil engineer under the laws of this state who is qualified in the fields of water supply and water rights, one shall be a registered professional engineer under the laws of this state who is experienced in sanitary engineering and who is qualified in the field of water quality, and one shall be qualified in the field of water quality. One of the above-appointed persons, in addition to having the specified qualifications, shall be qualified in the field of water supply and water quality relating to irrigated agriculture. One of the persons appointed pursuant to this subdivision, in addition to having the qualifications described in this section, shall be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities and shall not be the same member as the member appointed who is qualified in the field of water supply and water quality relating to irrigated agriculture. In appointing the member qualified in the field of water supply and water quality relating to disadvantaged or tribal communities, preference shall not be given on the basis of ethnicity or national origin. One member shall not be required to have specialized experience.
- (b) Each member shall represent the state at large and not any particular portion thereof and shall serve full time. The board shall, to the extent possible, be composed of members from different

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- regions of the state. The appointments made by the Governor shall
  be subject to confirmation by the Senate in accordance with Article
  2 (commencing with Section 1770) of Chapter 4 of Division 4 of
  Title 1 of the Government Code.
- 5 SEC. 3. Section 189.7 is added to the Water Code, to read:
  - 189.7. (a) Addressing issues of environmental justice and social equity shall begin as early as possible in state board or regional board permit and policy planning processes. In accordance with that requirement, the state board and each regional board shall do both of the following:
  - (1) Engage in equitable, culturally relevant community outreach to meaningfully involve potentially impacted communities for major projects and appropriate minor projects in-underrepresented, identified vulnerable, or disadvantaged communities and ensure that outreach and engagement shall continue throughout the review and permitting processes.
  - (2) Contingent upon an appropriation by the Legislature in the annual Budget Act for this purposes, hire environmental justice and tribal community coordinator positions solely dedicated to the purpose of achieving, at a minimum, all of the following goals:
  - (A) Adhering to related environmental justice goals, policies, and objectives.
  - (B) Promoting meaningful civic engagement in the public decisionmaking process.
  - (C) Informing permit conditions that address the needs of disadvantaged communities pursuant to Section 13149.2.
  - (D) Informing—regulatory mitigation and remediation opportunities before state board or regional board-decisions and during enforcement actions pursuant to Section 13149.2. regulatory decisions pursuant to Section 13149.2 and, where appropriate, after formal enforcement orders or administrative civil liability orders are adopted.
  - (E) Soliciting and informing supplemental environmental project proposals.
  - (E) Soliciting community recommendations for future projects to be listed on regional board supplemental environmental project lists
- 38 (b) Contingent upon an appropriation by the Legislature in the 39 annual Budget Act for these purposes, the state board shall do all 40 of the following:

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- **AB 2108**
- (1) Direct resources for training of state board and regional board staff to advance adherence to environmental justice objectives, goals, and policies adopted by the state board and the regional boards.
- (2) Establish a community capacity-building stipend program to promote meaningful civic engagement by disadvantaged communities and tribal communities in the state board and regional board decisionmaking processes by providing funding or services that allow members of the public to overcome barriers, such as technology, language, travel, and income, to public participation.
- (3) Develop program-specific tools to better identify and prioritize state board and regional board compliance assessment and enforcement actions in disadvantaged communities.
- (c) The state board may, through contracts or grants, utilize nonprofit organizations to administer all or part of the activities specified in paragraph (1) of subdivision (a) and paragraph (2) of subdivision (b).
  - (d) For purposes of this section, the following definitions apply:
- (1) "Disadvantaged community" has the same meaning as defined in Section 116275 of the Health and Safety Code.
- (2) "Environmental justice" has the same meaning as defined in Section 30107.3 of the Public Resources Code.
- (3) "Meaningful civic engagement" includes, but is not limited to, all of the following:
- (A) An opportunity for people to participate in decisions about activities that may affect their environment or health.
- (B) Public contribution that may influence a regulatory agency's decisionmaking.
  - (C) Community concerns that are considered in the process.
- (D) Decisionmakers seeking out and facilitating the involvement of people potentially affected.
- (E) Informing disadvantaged and tribal community members of decisionmaker appointment opportunities, thereby empowering those community members to become decisionmakers.
  - SEC. 4. Section 13149.2 is added to the Water Code, to read:
- 13149.2. (a) It is the intent of the Legislature in enacting this section to facilitate the development of analyses and findings that apply environmental justice objectives, goals, and policies adopted by the state board and the regional boards in a transparent and inclusive manner.

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- (b) When issuing regional or statewide plans or policies, or water quality control plans, policies for water quality control, waste discharge requirements requirements, or waivers of waste discharge requirements, the state board or a regional board shall make a programmatic finding on potential environmental justice, tribal impact, and racial equity considerations related to the issuance. The finding shall be based on readily available information identified by staff or raised during the public review process and shall include both of the following:
- (1) A summary of the anticipated water quality impact in disadvantaged or tribal communities as a result of the permitted activity or facility, and any environmental justice concerns within the scope of the state board or regional board's authority previously raised to the applicable board by interested persons with regard to these impacts.
- (2) Identification of measures available and within the scope of the state board or regional board's authority to address the impacts of the permitted activity or facility in a disadvantaged or tribal community.
- (c) When issuing an individual waste discharge requirement or waiver of a waste discharge requirement that regulates activity or a facility that may impact a disadvantaged or tribal community, and that includes a time schedule in accordance with subdivision (c) of Section 13263 for achieving an applicable water quality objective, water quality variance, or other permit exemption for achieving applicable water quality objectives, receiving water limitation exemption, the state board or a regional board shall make a finding on potential environmental justice, tribal impact, and racial equity considerations. The finding shall be based on readily available information identified by staff or raised during the public review process and include the information specified in paragraphs (1) and (2) of subdivision (b). This subdivision does not apply to the use of mixing zones or dilution credits.
- (d) This section does not apply to certifications issued pursuant to Section 401 of the federal Clean Water Act (33 U.S.C. Sec. 1341).
  - (e) For purposes of this section, the following definitions apply:
- (1) "Disadvantaged community" has the same meaning as defined in Section 116275 of the Health and Safety Code.

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- (2) "Environmental justice" has the same meaning as defined in Section 30107.3 of the Public Resources Code.
- SEC. 5. Section 13201 of the Water Code is amended to read: 13201. (a) There is a regional board for each of the regions described in Section 13200. Each board shall consist of seven members appointed by the Governor, each of whom shall represent, and act on behalf of, all the people and shall reside or have a principal place of business within the region.
- (b) Except as specified in subdivision (c), each member shall be appointed on the basis of that member's demonstrated interest or proven ability in the field of water quality, including water pollution control, water resource management, water use, or water protection. The Governor shall consider appointments from the public and nonpublic sectors. In regard to appointments from the nonpublic sector, the Governor shall consider including members from key economic sectors in a given region, such as agriculture, industry, commercial activities, forestry, and fisheries.
- (c) (1) At least one member shall be appointed as a public member who is not required to meet the criteria established pursuant to subdivision (b).
- (2) At least one member appointed pursuant to subdivision (a) shall have specialized experience relating to disadvantaged or tribal communities. In appointing the member with specialized experience relating to disadvantaged or tribal communities, preference shall not be given on the basis of ethnicity or national origin.
- (d) All persons appointed to a regional board shall be subject to Senate confirmation, but shall not be required to appear before any committee of the Senate for purposes of such confirmation unless specifically requested to appear by the Senate Committee on Rules.
- (e) Insofar as practicable, appointments shall be made so as to result in representation on the board from all parts of the region.
- (f) Insofar as practicable, appointments shall be made so as to result in representation on the board from diverse experiential backgrounds.
- (g) Each member shall be appointed on the basis of that member's ability to attend substantially all meetings of the board and to actively discharge all duties and responsibilities of a member of the board.

AB 2108 — 10 —

1 (h) The reduction in the number of members of each regional board required by Chapter 39 of the Statutes of 2012 shall be achieved according to the ordinary expiration of the terms of incumbents and other vacancies. Notwithstanding Section 13202, 4 the Governor shall not fill a vacancy on any regional board until the number of members serving on that regional board falls below seven members. If the number of members serving on the regional board falls below seven members, the Governor shall appoint or reappoint individuals pursuant to this section. Paragraph (2) of subdivision (c) does not apply, and shall not limit the Governor, 10 11 in instances in which an appointment or reappointment is necessary for a regional board to establish a quorum. 12

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### Communications & Legislation Committee

Express support, if amended, for AB 2108 (Rivas, D-Hollister; Garcia, D-Bell Gardens): water policy; environmental justice; disadvantaged and tribal communities.

Item #7-5 July 12, 2022

## Overview.

- Summary of AB 2108 Proposed Actions
- Rationale
- Impacts to Metropolitan
- Suggested Amendments
- Board Options
- Staff Recommendation

As amended June 16, 2022

## Summary of AB 2108.

- Requires environmental justice or tribal expertise on Boards
- Requires the State and Regional Boards to make a programmatic finding on potential environmental justice, tribal impact, and racial equity considerations when issuing:
  - Regional or statewide water quality control plans
  - Policies for water quality control
  - Waste discharge requirements
- Creates environmental justice and tribal community coordinator positions upon appropriation
- Mandates "meaningful civic engagement" in public decisionmaking process

## AB 2108 Rationale.

- Low-income communities of color have historically been excluded from policy and permitting processes
- Low-income communities of color and tribal communities are disproportionately impacted by water quality pollution
- Environmental justice or tribal representation will reduce barriers to community engagement and mandate environmental justice considerations in the permitting process

# Impacts to Metropolitan.

- Environmental justice, tribal impact, and racial equity considerations are consistent with Board-adopted priorities/policies
- Broad findings and ambiguous language may be interpreted as new authority for the State Board to reallocate water resources to address past injustices
- Possible impacts to DWR's State Water Project water rights

## Suggested Amendments.

- Clarify the intent of legislation
- Replace ambiguous language
- Amend & clarify language on findings and regarding comments received in public processes
- Clarify no new regulatory/permitting authority granted
- Conforming amendments

## Support

- 50+ environmental groups
- California Federation of Teachers AFL-CIO
- Physicians for Social Responsibility Los Angeles

## Other Positions.

### Opposition

- Orange County Water District
- California Council for Environmental & Economic Balance

## Opposition (unless amended)

- 12 agricultural interest groups
- California Building Industry Association
- California Chamber of Commerce
- State Building & Construction Trades Council of California

# Board Options.

## Option #1

Express support, if amended, for AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens)

## Option #2

Take no position on AB 2108

## Staff Recommendation.

## Option #1

Express support, if amended, for AB 2108 (Rivas, D-Hollister and Garcia, D-Bell Gardens)



Express support, if amended, for AB 2108 (Rivas, D-Hollister; C. Garcia, D-Bell Gardens): water policy; environmental justice; disadvantaged and tribal communities\_

Questions.

Chris Gabelich, WSO Kathy Viatella, Legislative Services





#### Board of Directors

7/12/2022 Board Meeting

8-1

#### Subject

Approve public release of documents by Shaw Law Group, PC concerning its investigations of equal employment opportunity complaints by four employees, by waiving the attorney-client privilege and confidentiality in specified documents; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [Conference with legal counsel – anticipated litigation; based on existing facts and circumstances, including receipt of a legal claim threatening litigation, there is significant exposure to litigation against Metropolitan: unknown number of potential cases; to be heard in closed session pursuant to Gov. Code Section 54956.9(d)(2)]

#### **Executive Summary**

In June 2022, the Board voted to place an action item on the July 2022 Board agenda, for the Board to consider whether to approve the public release of reports prepared by Shaw Law Group, PC (SLG) of its investigations of equal employment opportunity (EEO) allegations. The release would require the Board's waiver of the attorney-client privilege and confidentiality which are applicable to the reports.

This Board letter contains public, non-confidential information regarding this action item. An accompanying confidential Board letter on this item has also been provided to the Board.

#### **Details**

In 2021, SLG conducted a climate assessment of Metropolitan on EEO issues, coordinated by the Ethics Office. SLG provided Metropolitan with its privileged climate assessment report in July 2021. In July 2021, the Board voted to waive the attorney-client privilege and publicly release the climate assessment report, with certain confidentiality redactions. The climate assessment report, with the approved redactions, has been posted publicly on Metropolitan's website since that time.

Also in 2021, SLG conducted four investigations of EEO allegations raised by four employees, coordinated by the Ethics Office under an agreement between SLG and the Ethics Office on behalf of Metropolitan. For each investigation, there was a report with SLG's factual determinations issued in August 2021, followed by a report with SLG's policy determinations and recommendations issued in September 2021. The role of the Ethics Office in coordinating the investigations ended on September 24, 2021, when SLG's completed reports were provided to the Assistant General Manager overseeing Human Resources, who was also serving as the interim EEO Officer, for resolution.

Like most entities, Metropolitan treats EEO investigations and reports as confidential. In addition, the SLG investigation reports are attorney-client privileged.

The investigation reports and related documents have been requested in Public Records Act (PRA) requests by the Los Angeles Times and AFSCME, Local 1902. The reports are not subject to public disclosure because they are

privileged, unless the Board waives the privilege. They are also subject to a balancing of interests (the public's interest in disclosure balanced with the public's interest in protecting individual privacy rights) under PRA law.

At the January 2022 Organization, Personnel and Technology (OP&T) Committee meeting, the Ethics Officer provided the Board with a briefing on the investigations and SLG's findings. The Ethics Officer explained that the Ethics Office ensured the investigations were conducted independently in an objective and fair manner. He explained that seven out of 16 allegations were substantiated by SLG, based on a standard of whether it was more likely than not that the conduct alleged occurred. He identified each allegation and explained whether it was substantiated or unsubstantiated, without identifying individuals involved.

Also at the January 2022 OP&T meeting, the General Manager explained that SLG determined that Metropolitan policies were either violated or needed to be updated or clarified; SLG did not recommend any discipline; but SLG recommended for Metropolitan to review and revise its EEO policies and procedures, provide training on EEO complaint and investigation processes and practices, review its direct threat assessment and paid administrative leave practices, and proceed as quickly as possible with hiring an experienced EEO Officer. The General Manager stated that Metropolitan was taking the SLG findings into consideration for further review and necessary actions as appropriate.

In February 2022, at a joint closed session meeting of the Legal and Claims Committee and the OP&T Committee, directors considered the potential public release of SLG documents. No action was taken.

At the June 2022 OP&T meeting, the General Manager reported that after reviewing the investigation reports and considering the recommendations of independent outside labor counsel regarding the appropriate corrective actions to take in response to the findings, the matters were now concluded with appropriate corrective actions taken. The General Manager explained that these actions included disciplinary and non-disciplinary actions, training, and policy updates.

There has been continued public comment and director comment in Board and Committee meetings for several months about disclosing the SLG investigation reports. In June 2022, the Board voted to place an action item on the July 2022 Board agenda to consider approving disclosure of the SLG investigation reports.

#### **Policy**

Metropolitan Water District Administrative Code Section 6305: Nondiscrimination, Harassment, and Retaliation by Officers and Employees

#### California Environmental Quality Act (CEQA)

#### **CEQA** determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves continuing administrative activities (Section 15378(b)(2) of the State CEQA Guidelines).

#### **CEQA** determination for Option #2:

None required

#### **Board Options**

#### Option #1

Approve public release of documents by Shaw Law Group, PC concerning its investigations of equal employment opportunity complaints by four employees, by waiving the attorney-client privilege and confidentiality in specified documents.

Fiscal Impact: No identifiable fiscal impact at this time.

**Business Analysis:** Public release of identified SLG investigation documents can serve a public interest in transparency regarding the investigations.

#### Option #2

Do not approve public release of documents by Shaw Law Group, PC concerning its investigations of equal employment opportunity complaints by four employees, by waiving the attorney-client privilege and confidentiality in specified documents.

**Fiscal Impact:** No identifiable fiscal impact at this time.

**Business Analysis:** Not publicly releasing the investigation documents that may be withheld under the law can serve a public interest in protecting individual privacy rights.

#### Staff Recommendation

None

Marcia Scully
General Counsel

Date

7/8/2022

Adel Hagekhalil General Manager 7/8/2022 Date

Ref# bd12686446



Water Resource Management Group

#### Conservation Board Report July 2022

#### **Summary**

This report provides a summary of conservation activity and expenditures for May 2022.

#### **Purpose**

Informational

#### **Detailed Report**

### Conservation Expenditures – FY2020/21 & FY2021/22 (1)

|                            | Paid <sup>(2)</sup> | Committed <sup>(3)</sup> |
|----------------------------|---------------------|--------------------------|
| Regional Devices           | \$7.5 M             | \$8.2 M                  |
| Member Agency Administered | \$3.8 M             | \$5.7 M                  |
| Turf Replacement           | \$16.3 M            | \$20.5 M                 |
| Advertising                | \$0.5 M             | \$4.1 M                  |
| Other                      | \$2.7 M             | \$1.2 M                  |
| TOTAL                      | \$30.8 M            | \$39.7 M                 |

- (1) The Conservation Program biennial expenditure authorization was \$86 million and expected expenditures for rate setting purposes were \$50 million.
- (2) As of 7/1/2020 5/31/2022
- (3) Committed dollars as of June 10, 2022

#### Summary of Expenditures in May 2022: \$1,743,607 (1)



#### **Turf Replacement Rebates:**

May: 358,767 ft<sup>2</sup> removed

FY2020/21-FY2021/22: 8,305,662 ft<sup>2</sup> removed



#### **Smart Controllers:**

May: 898 units rebated

FY2020/21-FY2021/22: 23,623 units rebated



#### **Rain Barrels and Cisterns:**

May: 127 units rebated

FY2020/21-FY2021/22: 4,367 units rebated



#### **Clothes Washers:**

May: 1,094 units rebated

FY2020/21-FY2021/22: 31,065 units rebated



#### Toilets:

May: 1,855 units rebated

FY2020/21-FY2021/22: 21,015 units rebated



#### **Sprinkler Nozzles:**

May: 1,573 units rebated

FY2020/21-FY2021/22: 56,354 units rebated

#### Lifetime Water Savings to be achieved by all rebates in May 2022: 3,914 AF

FY2020/21-FY2021/22: 75,463 AF lifetime water savings

Date of Report: 7/12/2022

<sup>(1)</sup> Expenditures may include advertising and Water Savings Incentive Program activity in addition to the incentives highlighted above.