

## SECTION 1 INTRODUCTION

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The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) be prepared for any project to be undertaken or approved by a State or local agency that may have a significant effect on the environment. This report constitutes a Draft Program EIR (Program EIR) for the San Diego County Water Authority's (Water Authority's) Regional Water Facilities Master Plan (Master Plan) located in San Diego County, California (see **Figure ES-1**). The purpose of the Master Plan is to evaluate the ability of the Water Authority to continue to meet its mission based on current plans for water supply and facility improvements, and to recommend new facilities or improvements to existing facilities needed to meet the Water Authority's mission through 2030. The mission of the Water Authority is to provide a safe and reliable water supply to its member agencies serving the San Diego region. A map of the Water Authority's service area, its member agencies, aqueducts, and major storage reservoirs is presented in **Figure ES-2**.

This Program EIR was prepared in compliance with CEQA of 1970 (Public Resources Code §§21000 *et seq.*), and the CEQA Guidelines (California Code of Regulations (CCR), Title 14, §§15000 *et seq.*). As described in the CEQA Guidelines Section 15121(a), an EIR is a public information document that assesses potential environmental impacts of a proposed project and identifies mitigation measures and alternatives to the project that could reduce or avoid adverse environmental impacts. CEQA requires that State and local government agencies (including the Water Authority) consider the environmental consequences of projects over which they have discretionary authority. It is not the purpose of an EIR to recommend either approval or denial of a project. The Master Plan constitutes a "project" under CEQA. This Program EIR is an informational document that will be used by the Water Authority's Board of Director's in the planning and decision-making process for the Master Plan.

Section 21102.1 of CEQA requires that a lead agency (i.e., the Water Authority) neither approve nor carry out a "project" as it was initially proposed unless any significant environmental impacts that result from the proposal have been avoided, reduced to the greatest extent feasible, or mitigated. One exception is if specific findings are made attesting to the infeasibility of altering the project or adopting measures to reduce or avoid environmental impacts (see CEQA Guidelines, Sections 15091 and 15092). Section 21102.1 of CEQA also requires that decision makers balance the benefits of a proposed project against its unavoidable environmental risks. If environmental impacts are identified as significant and unavoidable, the Water Authority may still approve the proposed Master Plan if it believes that social, economic, or other benefits of the Master Plan outweigh the unavoidable impacts. The Water Authority would then be required to state in writing the specific reasons for approving the Master Plan, based on information in the EIR and other information in the administrative record. The document describing this reasoning is called, per Section 15093 of the CEQA Guidelines, a "Statement of Overriding Considerations."

## 1.1 PURPOSE OF THE EIR

This Program EIR has been prepared by the Water Authority, acting in its capacity as Lead Agency pursuant to CEQA and the CEQA Guidelines. This document programmatically evaluates impacts identified as significant or potentially significant by community members, agencies, the Water Authority, and its consultants. The Program EIR provides information regarding environmental effects of the proposed Master Plan. The Program EIR process and the information it generates will be used for the following purposes:

- To give government officials and the community the opportunity to have input into the decision-making process;
- To provide agencies with information necessary to determine if they have jurisdiction over some aspect of the program and, if so, to identify project permitting requirements;
- To assist the community in understanding the expected program-related environmental effects and how decision makers plan to respond to and mitigate these effects;
- To develop mitigation measures that reduce or eliminate the potential for environmental, public health, and safety impacts;
- To assist the Water Authority and other responsible State and Federal agencies in determining the extent, nature, and possible future scope of CEQA documents that may be needed for future projects to implement the selected program alternative; and
- To serve as a starting point for site-specific environmental findings.

## 1.2 CEQA EIR PROCESS

### 1.2.1 Type of EIR: Program EIR

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. This EIR has been prepared as a Program EIR, pursuant to Section 15168 of the CEQA Guidelines, which defines a Program EIR in the following terms:

*A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) geographically, (2) as logical parts in the chain of contemplated actions, (3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.*

The Master Plan qualifies for a Program EIR because it is a series of logically interrelated and geographically connected actions that have similar environmental effects and for which mitigation requirements will be generally the same.

A Program EIR provides definite advantages to the Water Authority, to the public, and other agencies for the Master Plan, in that CEQA review for the facilities proposed in the Master Plan may be tiered to this EIR. According to Guidelines Section 15168(c), the CEQA review process for later implementation projects should proceed along the following sequence.

*Subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.*

1. *If a later activity would have effects that were not examined in the program EIR, a new initial study would need to be prepared leading to either an EIR or a negative declaration.*
2. *If the agency finds that pursuant to Section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.*
3. *An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into subsequent actions in the program.*
4. *Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.*

Section 15168(d) describes the CEQA review process steps for subsequent implementation projects:

*A program EIR can be used to simplify the task of preparing environmental documents on later parts of the program. The program EIR can:*

1. *Provide the basis in an initial study for determining whether the later activity may have any significant effects.*
2. *Be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.*
3. *Focus an EIR on a subsequent project to permit discussion solely of new effects, which had not previously been considered.*

Proposed Project facilities would undergo additional environmental review as specific projects begin. Environmental review could include Initial Studies, Negative Declarations or EIRs.

## **1.2.2 Public and Agency Scoping Summary**

### **1.2.2.1 Notice of Preparation and Public and Agency Notification**

In compliance with CEQA Guidelines, a Notice of Completion and Notice of Preparation (NOP) was prepared by the Water Authority and mailed to recipients on February 10, 2003 (see

Appendix B of the Final Scoping Report for the Master Plan (Scoping Report) presented in Appendix A of this document). The formal CEQA scoping process provided an opportunity for governmental agencies and the public to provide comments on the issues and scope of the Program EIR. Comments from governmental agencies were due to the Water Authority no later than 30 days after receipt of the NOP. The public comment period ended on March 12, 2003. Written comments received during the scoping process are part of the project record and have been reviewed and were considered by the Water Authority in scoping the Program EIR.

The NOP was sent to potentially affected Federal, State and local trustee and responsible agencies (see Appendix C of the Scoping Report for mailing list). In addition, 15 copies of the NOP were delivered to the State Clearinghouse for distribution to State responsible and trustee agencies. A list of agencies the State Clearinghouse sent copies of the NOP to is also included in Appendix C of the Scoping Report.

Public notification for the availability of the NOP and the scoping meeting included an announcement in The San Diego Union-Tribune and notification flyers (see Appendix B of the Scoping Report). This notice was used to inform the general public and other interested parties of the project as well as the date, time and location of the scoping meeting. The NOP provided for a 30-day public comment period as mandated by CEQA (Article 7, section 15082). In addition, the NOP was sent to the San Diego County Clerk's Office to be posted for 30 days as required by CEQA (Public Resources Code Section 21092.3).

In addition to publishing the NOP in The San Diego Union-Tribune, a letter noticing the public meeting was sent to approximately 850 persons and/or organizations--primarily local, city and State government; planning and civic entities; and media outlets such as newspapers and radio and television stations. The notification letter and mailing list used are included in Appendix D of the Scoping Report.

### **Open House and Scoping Meeting**

The Water Authority held one combined open house and scoping meeting on March 5, 2003, to provide the public and governmental agencies information on the Master Plan and the CEQA process, and an opportunity to identify environmental issues and alternatives for consideration in the Draft Program EIR.

The location of the open house and scoping meeting was selected for its close proximity to the anticipated audience and its ease of accessibility by various agency representatives and other interested and organized environmental groups. The public scoping meeting was held on the following date and location:

Date: Wednesday, March 5, 2003  
Time: Open House: 5:30 – 6:30 p.m.  
Scoping Meeting: 6:30 – 8:00 p.m.  
Place: Mission Valley Library, 2123 Fenton Parkway, San Diego, CA 92108

Five persons spoke at the Scoping Meeting (a copy of the meeting transcript is included in Appendix G of the Scoping Report).

Scoping Comment Forms were also available for those attendees interested in providing written comments on the scope of issues to be addressed in the Master Plan Program EIR. Attendees were invited to mail their comments to the Water Authority no later than March 10, 2003, or leave them with Water Authority staff following the meeting, to ensure their concerns could be addressed in the draft Program EIR. One comment form was left with Water Authority staff following the scoping meeting.

Ten letters were received during the NOP public scoping process from public agencies and private citizens. Comment letters and comment forms received are included in Appendix H of the Scoping Report. The input received from the CEQA scoping process assisted the Water Authority in identifying the range of actions, alternatives, issues and potential effects associated with the Proposed Project. All issues raised in the scoping meeting were reviewed by the Water Authority and the environmental team to determine the appropriate consideration and level of analysis.

### **1.2.3 Draft Program EIR Review Process**

The draft Program EIR for the Master Plan was made available for public review and comment between August 14, 2003 and September 30, 2003. Copies of the draft were available to the public at the Water Authority's office and on the Water Authority's website ([www.sdcwa.org](http://www.sdcwa.org)) and public libraries in the project area.

Copies of the Draft Program EIR were distributed to interested individuals, organizations and trustee and responsible agencies. Responsible agencies are those agencies, other than the lead agency, which have discretionary approval over the Proposed Project. Trustee agencies are those agencies which have jurisdiction by law over natural resources affected by the Proposed Project which are held in trust for the people of the State.

During the review period thirteen letters were received on this Draft Program EIR from responsible and affected agencies and no comment letters were received from the general public. In accordance with CEQA Guidelines, Section 15087 (a), the Lead Agency has evaluated comments on environmental issues received from agencies and persons who reviewed the Draft Program EIR and has prepared a written response. These comment letters and the Water Authority's responses are presented in Section 24.

## **1.3 ORGANIZATION OF THIS EIR**

This Program EIR is organized into 24 sections and 2 appendices as discussed below.

**Executive Summary.** This section presents a summary of the Proposed Project and Alternatives considered in this Program EIR, identifies areas of controversy and issues to be resolved, and provides a summary of potential environmental impacts and mitigation measures.

**Section 1 – Introduction.** This section describes the purpose and organization of the Program EIR and its preparation, review, and certification process.

**Section 2 – Project Description.** This section describes the background for the Master Plan, outlines objectives of the Master Plan, and summarizes components of the Master Plan.

**Section 3 – Local Environmental Settings.** This section provides a description of the local environmental settings for the Proposed Project.

**Sections 4 Through 17 – Environmental Analyses.** For each environmental issue area, such as Land Use, these sections describe the regional setting, identify significance criteria, discuss the potentially significant adverse environmental impacts associated with the Proposed Project, identify programmatic mitigation measures for the impacts, and identify effects found not to be significant.

**Section 18 – Other Environmental Considerations.** This section discusses several issues required to be analyzed by CEQA, including significant irreversible and irretrievable commitment of resources; growth inducing impacts; cumulative impacts; effects found not to be significant; and unavoidable adverse impacts.

**Section 19 – Alternatives.** This section describes the alternatives to the Proposed Project and compares their relative impacts to those of the Proposed Project. This section also provides a brief description of alternatives considered but not addressed in detail.

**Section 20 – Acronyms and Abbreviations.** This section provides a list of acronyms and abbreviations that are used throughout the Program EIR.

**Section 21 – Organizations and Persons Consulted.** This section identifies the agencies, organizations, and individuals consulted in preparing the draft Program EIR.

**Section 22 – List of Preparers.** This section provides the names of the Program EIR authors and consultants.

**Section 23 – References.** This section provides a list of the references cited.

**Section 24 – Responses to Comments.** This section address the responses to comments provided by State, Federal, and responsible parties.

**Appendix A – Scoping Report.** The appendix is a copy of the Scoping Report for the Water Authority’s Master Plan.

**Appendix B – Mitigation Monitoring and Reporting Plan.** This section provides the public and responsible agencies with information about the potential environmental effects of the Proposed Project.

## 1.4 PERMITS, APPROVALS, AND REGULATORY REQUIREMENTS

Numerous Federal, State and local regulations and permit requirements would be applicable to construction and/or operation of the Proposed Project. The Water Authority or its contractors would be required to comply with all applicable requirements, unless by exception of Government Code Section 53091. While zoning ordinances do not apply to the location or construction of facilities used for the production, generation, storage, or transmission of water (per Section 53091), the Water Authority will submit project proposals to the planning agencies of communities potentially affected for review of general plan conformity. **Table 1-1** lists the major Federal, State, and local permits, approvals, and consultations identified for the construction and operation of the Proposed Project and alternatives.

**Table 1-1  
Potential Permits and Approvals for the Proposed Project and Alternatives**

Agency / Department	Permit / Approval	Action Associated With or Required For
<b>FEDERAL AGENCIES</b>		
U.S. Fish and Wildlife Service (USFWS)	Biological Assessment, Section 7 Consultation, Biological Opinion (Endangered Species Act [ESA] 16 United States Code (USC) 1531-1544) Consistency with San Diego County Water Authority Sub-Regional natural Communities Conservation Plan/Habitat Conservation Plan	Activity where there may be an effect on federally-listed endangered/threatened/proposed species (applies to projects with Federal involvement).
	Fish and Wildlife Coordination Act	Provide comments to prevent loss of, and damage to, wildlife resources.
U.S. Army Corps of Engineers (ACOE)	Individual/Nationwide Section 404 Permit (Clean Water Act [CWA], 33 USC 1341)	Discharge of dredge/fill into Waters of the United States, including wetlands.
	Section 10, Rivers and Harbors Act Permit	Activities, including the placement of structures, affecting navigable waters.
Advisory Council on Historic Preservation (ACHP)	Section 106 Consultation, National Historic Preservation Act (NHPA)	Opportunity to comment if project may affect cultural resources listed or eligible for listing on National Register of Historic Places (NRHP).
U.S. Department of Transportation (U.S. DOT), Federal Highway Administration (FHA)	Encroachment Permits	Consider issuance of permit for transmission line crossing of federally-funded highways (Interstate 10 [I-10]).
U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms	Explosive User's Permit	Consider issuance of permit to purchase, store and use explosives for site preparation.
<b>STATE AGENCIES</b>		
State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB)	General Construction Activity Stormwater Permit	Stormwater discharges associated with construction activity.
	Waste Discharge Requirements (Water Code 13000 <i>et seq.</i> )	Discharge of waste that might affect groundwater or surface water (nonpoint-source) quality.
	401 Certification (CWA, 33 USC 1341. If the project requires ACOE 404 permit.)	Discharge into waters and wetlands (see ACOE Section 404 Permit).
California State Lands Commission	Right-of-Way Permit (Land Use Lease)	Consider issuance of a grant of right-of-way across State land.

**Table 1-1 (continued)**  
**Potential Permits and Approvals for the Proposed Project and Alternatives**

<b>Agency / Department</b>	<b>Permit / Approval</b>	<b>Action Associated With or Required For</b>
California Department of Fish and Game (CDFG)	California ESA Consistency with San Diego County Water Authority Sub-Regional natural Communities Conservation Plan/Habitat Conservation Plan	Activity where a listed candidate, threatened, or endangered species under California ESA may be present in the project area and a State agency is acting as lead agency for CEQA compliance. Consider issuance of a Section 2081 incidental take permit for State-only listed species and a Section 2081.1 consistency determination for effects on species that are both State and Federally listed.
	California Native Plant Protection Act Lake/Streambed Alteration Agreement (California Fish and Game Code Section 1601)	Review of mitigation agreement and mitigation plan for plants listed as rare. Change in natural state of river, stream, or lake (includes road or land construction across a natural streambed).
State Department of Health Services	Permit to Operate a Public Water System	Any person who plans to operate a public water system must obtain permit.
California Department of Transportation (Caltrans)	Encroachment Permit	Consider issuance of permits to cross state highways.
California Coastal Commission (CCC)	Coastal Development Permit	Development within the Coastal Zone
California State Historic Preservation Office	Section 106 Consultation, NHPA	Consult with Bureau of Land Management (BLM), project applicant, appropriate land management agencies, and others regarding activities potentially affecting cultural resources.
<b>LOCAL AGENCIES</b>		
San Diego County Environmental Health	Hazardous Materials Business Plan	Hazardous materials over Federal threshold quantities.
	Hazardous Materials Inventory	Hazardous materials over threshold quantities.
San Diego County, Sheriff's Department	Explosives Permit	Consider issuance of a license to store flammable explosives.
San Diego Air Pollution Control District (SDAPCD)	Authority to Construct	Emission from a stationary source.
	Permit to Operate	Equipment emitting pollutants from a stationary source.