SECTION 24  RESPONSES TO COMMENTS

24.1 INTRODUCTION TO RESPONSES TO COMMENTS

On August 14, 2003 the Water Authority filed a Notice of Completion with the Governor’s Office of Planning and Research, State Clearinghouse, indicating that the Draft Program EIR had been completed and was available for review. The Draft Program EIR was made available for public review and comment for 45-days, from August 14, 2003 to September 29, 2003. The Draft Program EIR was distributed to Responsible and Trustee Agencies pursuant to CEQA and was made available to members of the public at public libraries and on the Internet.

On September 25, 2003, the Water Authority held a public hearing in San Diego, California to receive oral comments on the Draft Program EIR. Written comments were accepted by the Water Authority until the close of the review period on September 29, 2003. This Final Program Environmental Impact Report includes the original contents of the draft Program EIR with edits in response to comments, and presents all written comments received on the Draft Program EIR and responses to those comments (Section 24.3). Editorial revisions to the Draft Program EIR made by the Water Authority in response to comments are shown in the Responses to Comments. Text revisions are provided in revision format: strikeouts indicate removed text and underlines indicate new text.

24.2 LIST OF COMMENTERS

The organizations, groups, and individuals listed in Table 24-1 provided written statements on the Draft Program EIR. Each comment letter was given a number and each separate, specific comment made within a letter was given a unique identifying number. The letter codes and comment numbers are provided on the right hand side of each letter. Responses to each comment are labeled with the corresponding letter code and comment number.

<table>
<thead>
<tr>
<th>Letter #</th>
<th>Name</th>
<th>Agency/Organization</th>
<th>Letter Date</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Terry Roberts</td>
<td>State Clearinghouse</td>
<td>September 30, 2003</td>
</tr>
<tr>
<td>2</td>
<td>Therese O’Rourke</td>
<td>California Department of Fish and Game</td>
<td>October 3, 2003</td>
</tr>
<tr>
<td></td>
<td>William E. Tippets</td>
<td>U.S. Fish and Wildlife Service</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Mario Orso</td>
<td>California Department of Transportation</td>
<td>September 11, 2003</td>
</tr>
<tr>
<td>4</td>
<td>James L. Smyth</td>
<td>Sweetwater Authority</td>
<td>September 24, 2003</td>
</tr>
<tr>
<td>5</td>
<td>Cathy Cibit</td>
<td>City of San Diego</td>
<td>September 30, 2003</td>
</tr>
<tr>
<td>6</td>
<td>Michael J. Holzmiller</td>
<td>City of Carlsbad</td>
<td>September 29, 2003</td>
</tr>
<tr>
<td>7</td>
<td>Jurg Heuberger</td>
<td>Imperial County Planning/Building</td>
<td>September 23, 2003</td>
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<td></td>
<td></td>
<td>Department</td>
<td></td>
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<tr>
<td>8</td>
<td>Ed Kimura</td>
<td>Sierra Club</td>
<td>September 28, 2003</td>
</tr>
<tr>
<td>9</td>
<td>James W. Royle, Jr.</td>
<td>San Diego County Archaeological</td>
<td>September 28, 2003</td>
</tr>
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<td></td>
<td></td>
<td>Society, Inc.</td>
<td></td>
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<tr>
<td>10</td>
<td>Peter MacLaggan</td>
<td>Poseidon Resources Corporation</td>
<td>September 29, 2003</td>
</tr>
<tr>
<td>11</td>
<td>David Lloyd</td>
<td>Cabrillo Power I LLC</td>
<td>September 29, 2003</td>
</tr>
<tr>
<td>12</td>
<td>Brian Bernados</td>
<td>Department of Health Services</td>
<td>October 1, 2003</td>
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</table>
Table 24-2 provides a list of individuals that provided oral statements at the Public Hearing on September 25, 2003. Minutes from the Public Hearing are provided in Section 24.4.

<table>
<thead>
<tr>
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<th>Name</th>
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<th>Comment Date</th>
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<tr>
<td>13</td>
<td>John Christianson</td>
<td>Citizen</td>
<td>09/25/03</td>
</tr>
<tr>
<td>14</td>
<td>Patty Chris</td>
<td>San Diego Industrial Environmental Association</td>
<td>09/25/03</td>
</tr>
<tr>
<td>15</td>
<td>Angelica Villa Granada</td>
<td>San Diego Regional Chamber of Commerce</td>
<td>09/25/03</td>
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</tbody>
</table>

24.3 COMMENT LETTERS AND RESPONSES
24.3.1 RESPONSES TO LETTER NO. 1 – STATE CLEARINGHOUSE

The letter acknowledges that the document was circulated and met the requirements of CEQA. No comments needed.
<table>
<thead>
<tr>
<th><strong>STATE OF CALIFORNIA</strong></th>
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<tr>
<td>Governor’s Office of Planning and Research</td>
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<tr>
<td>State Clearinghouse</td>
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</tbody>
</table>

**LETTER 1B**

October 7, 2003

Ms. Kelley Gage
San Diego County Water Authority
6677 Cleveland Avenue
San Diego, CA 92121-1233

Subject: Regional Water Facilities Master Plan for the San Diego County Water Authority

SC#: 200002102

Dear Ms. Kelley Gage:

The enclosed comment(s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the 45 day review period, which closed on September 29, 2003. We are forwarding these comments to you because they provide information at stake issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Land 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 (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 10-digit State Clearinghouse number (200002102) when contacting this office.

Sincerely,

Terry R. Jones
Senior Planner, State Clearinghouse

Enclosures

cc: Resources Agency
24.3.2 Responses to Letter No. 2 – U.S. Fish and Wildlife Services and Department of Fish and Game (Wildlife Agencies)

In Reply Refer to:
FWS-SDD-3403.2

Ms. Kelley Gage
San Diego County Water Authority
Water Resources Department
4677 Overland Avenue
San Diego, CA 92123-1233

Re: Comments on the Draft Program Environmental Impact Report for the San Diego County Water Authority’s Regional Water Facilities Master Plan, San Diego County, California

Dear Ms. Gage:

The U.S. Fish and Wildlife Service (Service), in coordination with the California Department of Fish and Game (State), collectively referred to as the “Wildlife Agencies,” have reviewed the above-referenced draft for the San Diego County Water Authority’s Regional Water Facilities Master Plan (Master Plan) to evaluate the San Diego County Water Authority’s (Authority) ability 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 Authority’s mission through 2039. The EIIR does not address any specific construction project, but rather is intended as a guide for planning and implementing the Authority’s major capital improvements to meet projected water demands. The Master Plan identifies these specific water supply alternatives: 1) constructing a pipeline from the north to obtain additional water from the Metropolitan Water District of Southern California (Alternative 1); developing an additional supply from the west through construction of seawater desalination facilities (Alternative 2); and 3) construction of a new pipeline from the east to deliver water from the Colorado River (Alternative 3). The EIIR identifies Alternative 2 as the environmentally preferred alternative and the Proposed Project.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, endangered species, and endangered species and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 et seq.). The Department is a Trust Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 21061 and 21060 respectively. The Department is responsible for the conservation, protection, and management of the State’s biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the Natural Community Conservation Planning (NCCP) Program. The Authority is actively preparing a Subregional Habitat Conservation Plan pursuant to the NCCP.

Take Pride in America
24.3.2.1 Response to Comment No. 2-1

The comment suggests that water conservation should be evaluated as an alternative to enhanced water supply to serve the needs of the San Diego region over the next 20 to 30 years. The Master Plan does not reject water conservation as a vital component of meeting the region’s future water needs, rather, conservation is a foundation of the Master Plan, and is assumed to increase over the next 20 to 30 years to total nearly 95,000 acre feet (ac-ft) annually. This underlying assumption, in conjunction with assumed improvements in groundwater management and local surface water management, is the basis upon which the projected needs for future water supplies were developed.

An overview of the San Diego County Water Authority’s (Water Authority) water conservation programs is provided to clarify the importance of water conservation in the Water Authority’s water supply planning.

Water conservation and demand management programs have been in place in the San Diego Water Authority’s service area since the droughts of the 1970s when many programs were initially instituted as emergency measures. Realizing the importance of conservation and having a reliable long-term supply of water, the California Legislature enacted the Urban Water Management Planning Act (UWMPA) in 1983. This Act requires water agencies to prepare urban water management plans (UWMPs) that evaluate their water supply, storage, conservation efforts and “make every effort to ensure the appropriate level of reliability in its water service sufficient to meet the needs of its various categories of customers during normal, dry, and multiple dry years.”

Conservation and demand management measures generally fall into two categories: 1) Urban, and 2) Agricultural measures. The Water Authority’s goals for conservation are to reduce demand for expensive imported water, demonstrate continued commitment to the Best
Management Practices (BMPs) and Agricultural Efficient Water Management Practices (AEWMPs), and to ensure a reliable future water supply (SDCWA 2000). Urban measures target residential, commercial, industrial, institutional users (i.e., schools, government), and other non-farming uses of water. Agricultural measures target commercial growing of plants used for food, fiber, or landscaping.

Although agriculture in general is the largest statewide consumer of water, such use within the Water Authority’s service area comprises 15 to 20 percent of the total demand (SDCWA 2000). The Water Authority has implemented conservation programs for both urban and agricultural uses, with greater emphasis on urban measures commensurate with urban consumption pressures. The following discussion of conservation programs begins with measures associated with urban uses, followed by those that have been developed for agriculture. Conservation measures are implemented by both the Water Authority as a water wholesaler and its member agencies who act both as wholesalers and retail sellers of water.

1. Urban Conservation Programs

Water Conservation programs for the Water Authority are described in the Program EIR in Section 19.2.3.4. The following paragraphs are provided to supplement and re-emphasize the importance of water conservation as an underlying foundation of the Master Plan.


In December 1991 the Water Authority, along with nearly 100 California urban water agencies, signed a Memorandum of Understanding Regarding Urban Water Conservation (MOU) forming the California Urban Water Conservation Council (CUWCC). The purpose of the MOU was “…to establish assumptions for use in calculating estimates of reliable future water conservation savings resulting from proven and reasonable conservation measures. …The signatories have agreed upon the initial assumptions to be used in calculating estimates of reliable savings… it is probable that average savings achieved by water suppliers will exceed the estimates of reliable savings.” The CUWCC is responsible for monitoring implementation of the MOU and making recommendations to the State Water Resources Control Board for the BMPs identified in the MOU to be taken as the standard when estimating reliable savings for urban areas. Direction is given to the CUWCC by a steering committee of 19 members. (See Table 19-3 presented in the Program EIR for a list of BMPs for Water Conservation.)

In addition to implementing applicable BMPs, the Water Authority and its member agencies are also carrying out mandates associated with other water regulations or conservation programs.

Future Conservation and Potential BMPs

The MOU also identifies Potential BMPs (PBMPs) that will be studied. PBMPs demonstration projects are “carried out to determine if the practices meet the criteria to be designated at BMPs.” PBMPs currently being reviewed and also addressed by the Water Authority are:

- **Appliance Efficiency Standards**: An incentive program to improve water use efficiency of various appliances.
- **Car Wash Retrofits**: An incentive program for car wash facilities to improve water efficiency by the use of improved spray systems and recycled water systems.
- **Greywater 200**: An incentive program for new construction to include separate plumbing to hold wash and bath water for use in irrigation of residential landscaping. To meet health codes irrigation water would be distributed below ground.
While the Water Authority and most of its member agencies are signatories to the MOU, the Carlsbad Municipal Water District, City of Del Mar, Camp Pendleton Marine Corps Base, Rainbow Municipal Water District, and Yuima Municipal Water District are not. However, these agencies are implementing BMPs through the Water Authority’s programs and independently.

The CUWCC has posted the BMP implementation report status of each signatory water agency through April 2003 on its website. The Water Authority has submitted all of its required reports on the implementation of applicable BMPs [Numbers 3, 7, 8, 10, 11, and 12]. Most retail members of the Water Authority who signed the MOU have reported on their implementation of BMPs [1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13 and 14]. While a few gaps in the reporting status currently exist, the Water Authority and its member agencies in general are vigorously implementing the water conservation BMP programs.

2. Agricultural Conservation Programs

In recent years, agriculture has accounted for 15 to 20 percent of the Water Authority’s total water demand. The Water Authority adopted an Agricultural Water Management Plan (AWMP) in May 2002 to address supply, demand, and conservation of water in the agricultural sector. The AWMP was prepared according to California Department of Water Resources (DWR) Agriculture Council guidance on the implementation of AEWMPs. The DWR Agriculture Council adopted the AWMP in January 2003. Agricultural water needs for the Water Authority service area are calculated using the following factors:

- **Number of acres of crop type:** based on San Diego Association of Government (SANDAG), Avocado Commission, County of San Diego Department of Agriculture, Weights and Measures, and DWR data;

- **Reference evapotranspiration:** amount of water used by a well watered cool season grass plus the amount of water that evaporates from the soil surface;

- **Crop coefficients:** conversion factor accounting for difference in evapotranspiration of grass versus a particular crop (e.g. 70 percent for citrus, 100 percent for fruits and vegetables, 65 percent for avocados, 100 percent for flowers and nurseries);

- **Leaching factor of 10 percent:** how much extra water is needed to prevent accumulation of salts in the soil; and

- **Irrigation distribution uniformity of 80 percent:** ability of irrigation system’s ability to deliver the same amount of water to each plant.

Using these parameters, the total agricultural irrigation water requirement was 251,129 ac-ft per year (ac-ft/yr). By comparison, reported agricultural irrigation water use measured 135,047 ac-ft in 1999. This figure is based on billing records and estimated private well water use. With the addition of historic effective rainwater (45,423 ac-ft/year), reported agricultural water use was 180,470 ac-ft/year. This is only 72 percent of the calculated irrigation water requirement. Several reasons account for why growers are using 28 percent less water than they are expected to need, including, but not limited to:

- Variation in irrigation practices;

- Water needs vary by crop type within crop categories;

- Water use can vary throughout the year based on growing stage of plants (seedlings need less water than mature plants and trees); and

- Private well water use is not metered or reported so only estimates by experts in the field are used.
Agricultural community outreach and training is provided in the form of:

- on-farm irrigation system evaluations and recommendations;
- irrigation scheduling assistance through the use of crop evapotranspiration calculations;
- low cost water testing;
- irrigation management training (available bilingually); and
- other resource conservation outreach.

These services are important because irrigation management has a significant impact on the total applied water and crop water use efficiency. A number of different scheduling systems have been developed that can use either soil, plant, or atmosphere based measurements to determine when to irrigate. Using a more scientific approach to scheduling has generally been shown to decrease the amount of water applied while improving yield. Services are concentrated on the Valley Center Municipal Water District agricultural region (AWMP 2003).

3. Urban Water Conservation/Supply Development Programs

Recycled Water

Reclaimed water is currently being used in at least six member districts. An estimated 13,700 ac-ft of recycled water is used annually for irrigating and recharging groundwater basins. Approximately 25 wastewater treatment plants are treating recovered wastewater. The salinity of reclaimed water in San Diego County is frequently too high for most crops having a total dissolved solids (TDS) concentration of 700 to 1300 mg/l; however, water with a TDS greater than 500 mg/l is problematic to many of the subtropical crops grown in the San Diego region, as productivity is reduced and irrigation management is more difficult when irrigated with high TDS water (AWMP 2002). This greatly limits the potential uses and marketability of recycled water, particularly for agricultural purposes, because certain crops and nursery stock cannot be irrigated with the higher TDS water (AWMP 2003).

Recycled water contains nitrogen and phosphorus, which can provide a fertilizer benefit. However, the salt level is slightly elevated, so periodic leaching may be necessary depending on soil and plant characteristics (Carlsbad 2003).

Recycled water is approved for uses such as irrigation of food crops, parks, playgrounds, schoolyards, residential landscaping, common areas, landscape nurseries and wetland projects. Approved uses for recreational water bodies include fishing, boating, fish hatcheries, and for industrial processing, commercial laundries and soil compaction. According to the strict standards set out in Title 22, recycled water is safe for all human contact (City of San Diego 2003).

4. Voluntary Water Transfers

An agreement has been signed and approved with growers in Imperial Valley to increase the Water Authority’s supply. Under terms of this 45-year agreement, the Water Authority will pay Imperial Valley farmers for any allotted water they save from the Colorado River and transfer it to the Water Authority. The approved agreement requires the Imperial Irrigation District (IID) to acquire contracts with landowners to conserve water sufficient to yield 130,000 ac-ft/yr in the first 13 years. The Water Authority will receive up to 200,000 ac-ft/yr by the end of year 19. The water will be conveyed through the Metropolitan Water District’s (MWD’s) Colorado River Aqueduct. This transfer is a key component of the Quantification Settlement Agreement, designed to provide California enough surplus Colorado River water to allow water agencies to implement measures to reduce California’s over dependence on the Colorado River. The transfer
protects against shortages and stabilizes the price of a significant portion of the Water Authority’s overall supplies.

**24.3.2.2 Response to Comment No. 2-2**

The comment asks that the analysis identify what project components could be eliminated or deferred if actual growth is lower than the projections on which the Master Plan was developed. Project components include seawater desalination for enhanced water supply, expanded capacity of conveyance pipelines and treatment plants, new treatment plants, and various storage facilities. Adjustments in the actual development of these facilities may be made in a variety of ways, including delayed timing for construction, reduced size (capacity), and development of facilities in alternative locations depending upon actual growth patterns and system needs. Adjustments in the location of facilities will also be made in response to changing environmental sensitivity, for example to avoid or minimize disturbance of lands that have become designated preserve areas.

The Master Plan is a roadmap that consists of regional components that may be constructed to serve the region, if and when growth occurs. The Master Plan was designed to allow the Water Authority to respond to slowed or accelerated population growth and associated water demand within the region (see Section 18.2.5). The Water Authority works closely with SANDAG, its member water retailers and the local land use agencies within its service territory to further refine its planning efforts (see Sections 18.2.2 and 18.2.3).
Section 24 - Responses to Comments

24.3.2.3 Response to Comment No. 2-3

Table 1-1 has been modified as shown on the following page to include references to the Natural Communities Conservation Plan/Habitat Conservation Plan.

24.3.2.4 Response to Comment No. 2-4

The comment concerns the evaluation of growth inducing effects. Specifically, the comment acknowledges that the actual growth pattern through 2030 is uncertain, but asserts that since specific components of the Proposed Project are identified in the Draft Program EIR, the growth facilitating effects of these specific components can be evaluated.

First, the Master Plan is a roadmap that consists of regional components that may be constructed to serve the region, if and when growth occurs. As discussed in detail in Section 18.2.5, the Master Plan has been developed with a “built-in flexibility” designed to allow the Water Authority to respond to slowed or accelerated population growth and associated water demand within the region. The Water Authority works closely with SANDAG, its member water retailers and the local land use agencies within its service territory to further refine its planning efforts. This interaction is described in detail in Sections 18.2.2 and 18.2.3.

While the actual planning and construction of a specific regional project component may precede full buildout within an area, such a specific regional project component will not be constructed unless the growth projections require it. In other words, the specific components described in the Master Plan will not be constructed unless the growth is occurring or will occur.

Additionally, the Water Authority is a water wholesaler and as such builds only regional facilities. The Water Authority does not provide
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<th>Agency / Department</th>
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<tr>
<td><strong>FEDERAL AGENCIES</strong></td>
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<td></td>
</tr>
<tr>
<td>U.S. Fish and Wildlife Service (USFWS)</td>
<td>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 Fish and Wildlife Coordination Act</td>
<td>Activity where there may be an effect on federally-listed endangered/threatened/proposed species (applies to projects with Federal involvement). Provide comments to prevent loss of, and damage to, wildlife resources.</td>
</tr>
<tr>
<td>U.S. Army Corps of Engineers (ACOE)</td>
<td>Individual/Nationwide Section 404 Permit (Clean Water Act [CWA], 33 USC 1341) Section 10, Rivers and Harbors Act Permit</td>
<td>Discharge of dredge/fill into Waters of the United States, including wetlands. Activities, including the placement of structures, affecting navigable waters.</td>
</tr>
<tr>
<td>Advisory Council on Historic Preservation (ACHP)</td>
<td>Section 106 Consultation, National Historic Preservation Act (NHPA)</td>
<td>Opportunity to comment if project may affect cultural resources listed or eligible for listing on National Register of Historic Places (NRHP).</td>
</tr>
<tr>
<td>U.S. Department of Transportation (U.S. DOT), Federal Highway Administration (FHWA)</td>
<td>Encroachment Permits</td>
<td>Consider issuance of permit for transmission line crossing of federally-funded highways (Interstate 10 [I-10]).</td>
</tr>
<tr>
<td>U.S. Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms</td>
<td>Explosive User’s Permit</td>
<td>Consider issuance of permit to purchase, store and use explosives for site preparation.</td>
</tr>
<tr>
<td><strong>STATE AGENCIES</strong></td>
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<td></td>
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<tr>
<td>State Water Resources Control Board (SWRCB), Regional Water Quality Control Board (RWQCB)</td>
<td>General Construction Activity Stormwater Permit Waste Discharge Requirements (Water Code 13000 et seq.) 401 Certification (CWA, 33 USC 1341. If the project requires ACOE 404 permit.)</td>
<td>Stormwater discharges associated with construction activity. Discharge of waste that might affect groundwater or surface water (nonpoint-source) quality. Discharge into waters and wetlands (see ACOE Section 404 Permit).</td>
</tr>
<tr>
<td>California State Lands Commission</td>
<td>Right-of-Way Permit (Land Use Lease)</td>
<td>Consider issuance of a grant of right-of-way across State land.</td>
</tr>
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<td>Permit / Approval</td>
<td>Action Associated With or Required For</td>
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<tr>
<td>California Department of Fish and Game (CDFG)</td>
<td>California ESA Consistency with San Diego County Water Authority Sub-Regional Natural Communities Conservation Plan/Habitat Conservation Plan</td>
<td>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.</td>
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<tr>
<td></td>
<td>California Native Plant Protection Act</td>
<td>Review of mitigation agreement and mitigation plan for plants listed as rare.</td>
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<td></td>
<td>Lake/Streambed Alteration Agreement (California Fish and Game Code Section 1601)</td>
<td>Change in natural state of river, stream, or lake (includes road or land construction across a natural streambed).</td>
</tr>
<tr>
<td>State Department of Health Services</td>
<td>Permit to Operate a Public Water System</td>
<td>Any person who plans to operate a public water system must obtain permit.</td>
</tr>
<tr>
<td>California Department of Transportation (Caltrans)</td>
<td>Encroachment Permit</td>
<td>Consider issuance of permits to cross state highways.</td>
</tr>
<tr>
<td>California Coastal Commission (CCC)</td>
<td>Coastal Development Permit</td>
<td>Development within the Coastal Zone</td>
</tr>
<tr>
<td>California State Historic Preservation Office</td>
<td>Section 106 Consultation, NHPA</td>
<td>Consult with Bureau of Land Management (BLM), project applicant, appropriate land management agencies, and others regarding activities potentially affecting cultural resources.</td>
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**LOCAL AGENCIES**

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<td>Hazardous Materials Inventory</td>
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<td>Explosives Permit</td>
<td>Consider issuance of a license to store flammable explosives.</td>
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<td>Authority to Construct</td>
<td>Emission from a stationary source.</td>
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<tr>
<td></td>
<td>Permit to Operate</td>
<td>Equipment emitting pollutants from a stationary source.</td>
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</tbody>
</table>
direct connections to specific developments or retail customers. These regional facilities are part of a larger regional supply and conveyance system. The comment identifies two components, the Second Crossover Pipeline and the Escondido-Dixon Pipeline, and suggests that these components may affect urban sprawl and therefore should be evaluated in the Draft Program EIR. The Draft Program EIR acknowledges that the Master Plan has the potential to indirectly foster growth by making water available to new development, thus removing a potential barrier to growth. These two pipelines are part of the regional system and will not be tapped for local distribution nor are they dedicated to serve any particular area. The actual location of development within the region is dictated by the land use agencies’ general planning, which is outside the control of the Water Authority. Therefore, it is unnecessarily speculative to identify what, if any, specific physical changes to the environment would result from the construction of those two components. The Draft Program EIR also acknowledges that prior to actual construction of these, or any other Master Plan component, subsequent environmental review is required. At the time of this subsequent environmental review, if any physical changes to the environment can be identified without speculation, such changes will be evaluated. (See Section 18.2.)

24.3.2.5 Response to Comment No. 2-5

The comment suggests that analysis should be undertaken to evaluate water supply contingencies if the IID / Water Authority water transfer agreement of up to 200,000 ac-ft annually is not approved. Subsequent to the comment being prepared by the Wildlife Agencies, the transfer agreement has been approved as a part of the Colorado River Quantification Settlement Agreement, signed by the California parties and approved by the Governor in October.
24.3.2.6 Response to Comment No. 2-2-16

The comment concerns the location of the conveyance facilities to deliver water to and from the new desalination sites and requests that the approximate locations be identified in the final Program EIR. At this Master Plan stage, the locations of the conveyance facilities have not been determined. However, the Water Authority has indicated a preference to site the conveyance facilities during the design stage within existing roadways and utility rights-of-way wherever feasible. Since construction of the new desalination facilities would require subsequent environmental review, the actual locations of any conveyance facilities, once selected, will be included in such subsequent environmental review.

24.3.2.7 Response to Comment No. 2-2-18

The comment includes the Wildlife Agencies preference for tunneling techniques to avoid and minimize impacts to sensitive species and habitats to the extent practicable. The Water Authority supports this position. However, at this Master Plan stage, it is difficult to expand this technique without further design level review. Since the development of the specific components of the Master Plan will require subsequent environmental review after the component has undergone design level review, the further use of tunneling techniques will be considered where necessary to avoid and minimize impacts to sensitive species and habitats to the extent practicable.

24.3.2.8 Response to Comment No. 2-2-27

The Master Plan Program EIR addresses the types of impacts and mitigation measures that will be employed during the design, construction, and operation of water facilities. For the referenced pipeline, the Water Authority will prepare a project-specific environmental impact analysis and associated CEQA document to evaluate potential impacts. This process will use the types of impacts
and mitigation measures outlined in the Program EIR (e.g., Land Use Mitigation Measure 4) as guidelines. Project-specific documents will be subject to public and resource agency review.

24.3.2.9  **Response to Comment No. 2-2-26**

As described above in response to Comment No. 2-2-27, the Program EIR outlines the types of impacts and mitigation measures that will be addressed during design, construction, and operation of water facilities. For the referenced water treatment plant, the Water Authority will prepare a project-specific environmental impact analysis that will be subject to public and resource agency review.

24.3.2.10  **Response to Comment No. 2-5-13**

The referenced statement on page 5-13 was made only with respect to the significance of potential water quality impacts from the dam raise. The statement was not made in the context of a finding with respect to other potential impacts such as biology, air quality, land use, and cultural resources impacts. As described above in reference to specific pipeline and water treatment components, the Water Authority will prepare a project-specific environmental analysis that will evaluate all pertinent categories of potential impact. The project-specific environmental impacts of the proposed San Vicente dam raise will be evaluated in a subsequent CEQA analysis that will include re-evaluation of the Quino checkerspot butterfly and Arroyo southwestern toad (see Program EIR Table 6-2) and the potential incremental impacts of the habitat modifications that would result from additional inundation.

24.3.2.11  **Response to Comment No. 2-6-15**

The Water Authority appreciates the detailed review completed for Table 6-2. Table 6-2 will be modified to reflect the correct listing status for the referenced species as follows:
Table 6-2
Special-Status Species Regulatory Status

<table>
<thead>
<tr>
<th>Scientific Name</th>
<th>Common Name</th>
<th>Status⁸ (Federal/State)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plants</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ambrosia punila</td>
<td>San Diego ambrosia</td>
<td>FSC²⁴ FE</td>
</tr>
<tr>
<td>Navarretia fossalis</td>
<td>Spreading navarretia</td>
<td>FE FT</td>
</tr>
<tr>
<td>Birds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charadrius montanus</td>
<td>Mountain-plover</td>
<td>FTP</td>
</tr>
<tr>
<td>Haliaeetus leucocephalus</td>
<td>Bald eagle</td>
<td>FRD/CE FT</td>
</tr>
<tr>
<td>Mammals</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perognathus longimembris pacificus</td>
<td>Pacific pocket mouse</td>
<td>CE/ESC FE</td>
</tr>
</tbody>
</table>

24.3.2.12 Response to Comment No. 2-6-21

Figure 6-4 has been modified to reflect both the existing October 24, 2000 delineation of critical California gnatcatcher habitat and the re-proposed April 24, 2003 critical habitat delineation.

24.3.2.13 Response to Comment No. 2-6-24

The suggested clarifications will be added to Biological Resources Mitigation Measure 1 in the Final Program EIR as follows:

- In areas where listed species may occur, ensure that biological surveys are conducted according to U.S. Fish and Wildlife Service protocols and special-status plant species surveys are conducted at the appropriate time of year by a qualified biologist; and

- Utilize existing Water Authority standard construction specifications (General Conditions and Standard Specifications, April 1999) to minimize direct and indirect impacts of construction on natural resources unless more stringent measures are identified in project-specific review.
These specifications may be used for construction within or adjacent to sensitive habitats requiring such mitigating measures as habitat revegetation, erosion control, and brush clearing.

24.3.2.14 Response to Comment No. 2-6-26

The comment asserts that the final Program EIR include guidelines for individual project revegetation and restoration plans. Please see the clarifications made to Biological Resources Mitigation Measure 1 in Response to Comment 2-6-24 above. With the clarification, project level specific revegetation and restoration measures will apply to construction projects. To the extent additional measures are necessary to mitigate project specific impacts, such measures will be developed during the project level environmental review, including consultation with Wildlife Agencies.
24.3.3 Responses to Letter No. 3 – Department of Transportation (CALTRANS)

The Water Authority appreciates and acknowledges Caltrans’ review. During preparation of subsequent project-specific environmental analyses, the Water Authority will evaluate potential impacts on traffic and transportation, and mitigation measures subject to public and Caltrans review will be proposed as needed. Subsequent planning documents will contain lists of the appropriate permits, including encroachment permits, and the Water Authority will ensure that any required permits, closure charts, traffic control plans, and mitigation measures will be implemented by the construction contractor under Water Authority supervision.
24.3.4 Responses to Letter No. 4 – Sweetwater Authority

24.3.4.1 Response to Comment No. 4-1

The Water Authority is committed to its mission to provide adequate supplies of safe and reliable water. The Water Authority will undertake subregional analysis of the untreated water system and related system components in connection with the implementation of specific Master Plan projects, in consultation with its member agencies.

24.3.4.2 Response to Comment No. 4-2

The Water Authority acknowledges that locating a desalination facility in the South Bay Region would provide a new water supply as well as an equivalent benefit of emergency storage in the form of production capacity for this region. Whether this alternative would provide a better solution to the region’s emergency water supply needs will be evaluated in the project-specific analysis of the proposed San Vicente Dam raise project.
24.3.4.3   Response to Comment No. 4-3

The Program EIR addresses the types of impacts and mitigation measures that will be employed during the design, construction, and operation of water facilities. For the proposed San Vicente dam raise, the Water Authority will prepare a project-specific environmental impact analysis and associated CEQA document to evaluate potential impacts. This process would evaluate potential hydrologic impacts of the larger reservoir both during construction and during operation.

24.3.4.4   Response to Comment No. 4-4

The comment questions whether conveyance pipelines between San Vicente, El Capitan, and Loveland Reservoirs will be considered as an alternative project for enhanced water storage. This option was one of several studied during formulation of the Master Plan and did not emerge as a preferred alternative based upon preliminary engineering and water supply capacity criteria. However, additional alternatives, including those suggested, will be reviewed and evaluated as a part of project-specific CEQA compliance for specific water supply enhancement projects.
September 12, 2003

The Honorable Barbara Boxer
U.S. Senate
112 Hart Senate Office Building
Washington, D.C. 20510

Re: San Diego County Reservoir Intermic System - Section 219 Water Resources Development Act Request

Dear Senator Boxer:

We are writing to ask for your support for U.S. Army Corps of Engineers participation in a critical water supply project that will benefit the region, and help manage California's water resources.

In 1993, the Army Corps of Engineers (Corps) conducted a Reconnaissance Study of the best methods to ensure water reliability in San Diego County. Of over 40 study subjects, one of their top two recommendations was to connect the San Vicente Reservoir, which receives imported raw water, to El Capitan Reservoir and then to Loveland Reservoir. Both Loveland and El Capitan Reservoir receive only local runoff and are rarely full. These important facilities are currently stranded assets, and their utility is strongly limited by their isolation from the imported water supply system. The Corps study confirmed that the "Reservoir Intermic System" evaluated, more than met, Corps criteria to proceed with a Feasibility Study.

Loveland Reservoir is located in the foothills of the Cuyama Mountains, some 21 miles upstream of the San Diego Bay. Built in 1945, the Loveland Reservoir was constructed to impound water from the Sweetwater River and is capable of storing 26,000 acre-feet of water. An acre-foot of water will supply two average-sized families for an entire year. Loveland Reservoir is owned and operated by Sweetwater Authority, one of 23 water agencies in San Diego County. In the 57 years since the Loveland Reservoir was constructed, it has filled to capacity only 12 times. In most years, the reservoir is half full or, as in its present state, one-quarter full.

El Capitan Reservoir, built in 1934 and owned by the City of San Diego, is located about six miles north of Loveland Reservoir and has a capacity of 112,000 acre-feet of water. It is currently about 23 percent full and has only filled to capacity 11 times in the last 66 years.

If imported water could be delivered to Loveland and El Capitan Reservoirs, it would be beneficial in a number of ways. First, there are few storage reservoirs in San Diego County, and the ability to store and treat water on an ongoing basis lessens the impact of drought and allows water to be imported when water is more plentiful. Second, adjacent water agencies would benefit from year-round deliveries to these reservoirs, both to deliver water more efficiently to high elevation customers, and to provide needed supply to growing service areas.

This project would provide important regional benefits of increasing water supply storage with minimal environmental impacts, which would directly benefit the constituents served by our water agencies. As Congress considers legislation to reauthorize WRDA, please work to authorize the San Diego Three Reservoir Intermic Project as a Section 219 Environmental Infrastructure project.

Thank you in advance for your consideration of this important request.

Sincerely,

[Signatures]

[Names]

[Positions]

[Agencies]
24.3.5  Responses to Letter No. 5 – The City of San Diego

24.3.5.1  Response to Comment No. 5-A

The Comment regarding early coordination with the City is noted. The Water Authority is committed to early coordination with the City and all other responsible and trustee agencies, and potentially affected parties.

24.3.5.2  Response to Comment No. 5-1

The comment asserts that the Draft Program EIR does not adequately address the process by which future Master Plan facilities would undergo subsequent environmental review and suggests a flow chart of the Water Authority approval process be included which identifies major milestones necessary for typical project approval. The comment further suggests specific major milestones that should be included. The Water Authority prefers to take a more flexible and project-specific approach to CEQA implementation.

The Draft Program EIR explains that the review of the Master Plan is being conducted at a Program Level. Sections 1.1 through 1.2.1 describe the Program Level review. Further, the Draft Program EIR describes the use of the Program Level EIR and clearly states that subsequent project facilities would undergo additional environmental review such as Initial Studies, Negative Declarations, or EIRs. A flow chart identifying the major milestones such as design review, design contract, 100 percent design drawings, construction bid documents, award of construction contract, and notice to proceed is premature. All of the major milestones identified in the comment would take place either concurrently or at a significant time after completion of environmental review of the subsequent project.
review to ensure adequate implementation of meaningful mitigation monitoring and reporting program (MMRPs). The Program EIR case and should provide more specific analyses to focus and limit subsequent environmental studies and future CEQA actions; for the various issues. To facilitate this approach, it is recommended that a description of how the CWA project approval process be included in Section 2.9.1 (Facilities) of the Project Description. This description should address the major milestones necessary for typical project approval such as basis of design report, design contract, 100% design drawings, construction bid documents, award of construction contract, notice to proceed, etc.

2. The MMRP for the various issue areas should be developed such that the timing of performance standards or specific CEQA actions would be linked to the appropriate CWA project approval milestones. For example, Land Use Mitigation Measure 2 could be reviewed as follows:

"Prior to preparation of 10% design drawings for any Master Plan Facility in Table 2.1, an initial study shall be prepared that includes evaluation of potential project displacement of existing land uses. If the initial study identifies a significant impact with respect to land use displacement, after all other mitigation measures and alternatives have been considered, a subsequent (final) environment document shall be prepared that addresses specific MMRPs for identified impacts, including but not limited to the following measures/performance standards:

a) For existing land uses that will be displaced by...

b) Relocation assistance will be offered to...

The CWA Board shall approve the above-referenced subsequent environmental document and MMRP concurrent with approval of construction bid documents, and the MMRP shall be implemented prior to initiation of construction."

Such a program as described above would lead a much more meaningful approach to addressing the appropriate level of impact/mitigation analysis for the various environmental issues in the draft PSIR.

3. The draft PSIR is simply a reiteration of basic CEQA significance guidelines, and provides no real programmatic assessment of impacts and mitigation measures. Due to the board-directed, "cook book" approach used throughout the draft PSIR, several impact analyses have been overstated or understated. For example, the discussion under Land Use Measure 2 acknowledges that mining ordinaces of local governments do not apply to the Master Plan Facilities, yet launches into a speculative conclusion of potential inconsistency with adopted plans and ordinances. Conversely, impacts are understated with respect to cumulative air quality impacts and utility conflicts. Specifically, even if cumulative projects implement ACPD-required mitigation measures, the combined construction activities in the region would contribute to a cumulative significant impact with respect to PM10 and PM2.5 attainment, as held in the recent court case ( Communities for Better Environment v. California Resources Agency [2002] 103 Cal.App.4th 919). Furthermore, conclusions of impact significance are drawn based on:

For example, 100 percent design drawings would need to be prepared to develop construction bid documents, but would not be completed prior to environmental review of the initial design. CEQA contemplates this timing and encourages the 100 percent design drawings to reflect the mitigation and design changes recommended in the environmental review document. Therefore, it is sufficient that the Draft Program EIR explains that subsequent environmental review should and will be conducted for each Master Plan facility.

24.3.5.3 Response to Comment No. 5-2

The comment suggests alternative language be adopted to link specific CEQA actions to the appropriate Water Authority project approval milestone. The comment cites as an example Land Use Mitigation Measure 2 and suggests specific language modifications. The Draft Program EIR concludes that at the Program Level review stage no displacements of residences, businesses, extractive, or other established land uses have been identified to date. However, the Draft Program EIR acknowledges that these baseline conditions may change between now and the time a specific Master Plan facility is constructed and could potentially result in a significant land use impact. The Draft Program EIR then recommends Land Use Mitigation Measure 2 to mitigate the effects of this potential impact, should it occur in the future. The commenter does not disagree with the mitigation measure’s requirements for fair market value property compensation and relocation assistance, but rather suggests that the measure specifically include the requirement for environmental review. CEQA requires such subsequent review to evaluate if any changes in the baseline conditions result in a significant land use impact. As stated throughout the Draft Program EIR, such subsequent environmental review will be performed in accordance with CEQA mandates. Since subsequent environmental review is already a requirement of law, it is not necessary to restate the mandate in the mitigation measure.
24.3.5.4  Response to Comment No. 5-3

The comment asserts that the Draft Program EIR fails to perform an adequate assessment of impacts and mitigation measures. To support this assertion, the comment cites a perceived inconsistency under Land Use Impact 4 relating to the applicability of zoning ordinances to the location or construction of facilities used for the production, generation, storage or transmission of water. Land Use Impact 4 does state that implementation of the Proposed Project facilities could result in conflicts or inconsistencies with zoning ordinances within the service area. This is correct. However, the discussion of whether this potential inconsistency would require additional mitigation explains that since the zoning ordinances are not applicable to these Proposed Project facilities, the inconsistency would not rise to the level of a significant adverse impact requiring separate mitigation.

The commenter also asserts that the Draft Program EIR understates cumulative air quality impacts and utility conflicts. With respect to cumulative air quality as it relates to particulate matter, the discussion for Air Quality Impact 1 distinguishes between particulate matter generated during construction and that generated during operation and maintenance of the Proposed Project facilities. Long-term operation and maintenance would produce minimal fugitive dust emissions due to the sporadic and infrequent vehicle trips on unpaved roads and surfaces during operation and maintenance.

With respect to construction of the Proposed Project facilities, the Draft Program EIR does acknowledge that fugitive dust would be generated but concludes that these activities are likely to be temporary in nature. Since it is impossible at this time to accurately predict when each of the Proposed Project facilities would be constructed, and therefore impossible to predict whether such concurrent construction between facilities would result in combined fugitive dust plumes, it is also impossible to determine whether such future plumes may cause violations of air quality standards. Such an evaluation is extremely site specific for the reasons discussed in Air Quality Impact 1. It is clear, however, that all of the Proposed Project facilities will not be constructed at the same time, since the Master Plan is developed to respond to long-term water demand and, as stated in the Master Plan and Draft Program EIR, facilities will be constructed based on the realized demand. Lastly, the Draft Program EIR does clearly state that subsequent environmental review would be required for all Proposed Project facilities. During such review, if conditions warrant, a cumulative air quality impact analysis would be performed.

The comment also asserts that conclusions relating to impact significance are based on very little information regarding the specifics of the Master Plan facilities. This comment is more specifically addressed as a comment on the Master Plan itself. The Master Plan is the “project” being evaluated by the Draft EIR and whether it should be more specific is not an environmental issue requiring a detailed response. However, please see Response to Comment 5-1 above for a more detailed response concerning the program-level environmental review of the Draft Program EIR.
24.3.5.5  Response to Comment No. 5-4

The comment concerns the location of facility San Diego 24/25/26 FCF #7. The specific project details will be developed in connection with specific project feasibility studies. Comment noted.

24.3.5.6  Response to Comment No. 5-5

The comment concerns whether San Diego 24/25/26 FCF #7 would require a meter vault and control facility and whether such components would be within the scope of the Water Authority or the City of San Diego. This comment does not raise substantive environmental issues relating to the Draft Program EIR and therefore the comment is noted.

24.3.5.7  Response to Comment No. 5-6

The Water Authority appreciates the clarification regarding the fate of potential runoff during construction of San Diego 24/25/26 FCF #7. The text on page 3-24 in the Final Program EIR will be modified as follows:

Depending on project specific details, runoff from construction of the project may would drain into the Miramar Reservoir and subsequently into Carroll Canyon, which receives outflow from the reservoir.

24.3.5.8  Response to Comment No. 5-7

In the Final Program EIR, page 3-25 text will be modified as follows:

Traffic on Scripps Lake Drive and machinery noise (e.g., pumps and motors) from the pump station would provide an incremental increase in the noise environment at the site.

24.3.5.9  Response to Comment No. 5-8

The comment concerns water conservation savings and requests a breakdown of savings per district and asks whether water meters are
optional for new customers. The comment does not raise substantive environmental issues on the Draft EIR but rather seeks to clarify implementation of Water Authority policy. The basis for the water conservation figures contained in Section 5.1.3 of the Draft Program EIR are derived from page 4-11 of the Draft Master Plan and the Water Authority’s 2000 Urban Water Management Plan.

24.3.5.10 Response to Comment No. 5-9

Facilities costs are addressed in the Master Plan. Cost was a basis for comparison of facilities, but cost is not part of the environmental evaluation.

24.3.5.11 Response to Comment No. 5-10

The comment relates to the analysis of the No Project Alternative. The No Project Alternative analysis focuses on the impacts of not planning for the projected water demand beyond 2010, the current Capital Improvement Program planning horizon. As described in Section 19.2.3.1, protection of the environment can be improved by making smarter long-term planning choices rather than building in a haphazard, hurried and reactive mode. Since such an unplanned approach would be reactive, the timeline for actual construction of a facility would be more immediate, thereby possibly creating a conflict between environmental protection and the obligation to provide additional water supply system upgrades.
24.3.5.12  Response to Comment No. 5-11

The comment asserts that Table 19-5 fails to include a detailed listing of multiple impacts within a Resource category; specifically the commenter identifies the topic area of Water Resources. Table 19-5 is a summary and is intended to be read concurrently with the analysis in Section 19. Please see Section 19.2.5.2 for a comparison of water resource impacts for the various alternatives.
24.3.6 Responses to Letter No. 6 – City of Carlsbad

24.3.6.1 Response to Comment No. 6-1

The comment correctly identifies that the Master Plan contemplates ultimate desalination capacity of up to 150 mgd by 2020. However, the comment is in error to suggest that the Master Plan Program EIR describes the proposed desalination plant at Encina as having conveyance facilities sized to serve only 50 mgd. The Program EIR does acknowledge on page 2-16 that any expansion of the desalination plant at Encina would require new or expanded conveyance facilities. Similarly, the Program EIR describes that the likely expansion would take place in three phases with Phase I including 50 mgd; Phase II would include either expansion up to 100 mgd or construction of a new desalination plant at a location other than Encina to accommodate 30 to 50 mgd additional capacity. Phase III would include either expansion of the Encina plant up to 150 mgd, expansion of the Phase II seawater desalination facility, or construction of a new desalination facility to accommodate a total capacity among all desalination facilities of 150 mgd. Each of the phases would require environmental review prior to selecting from the various alternatives contemplated by each phase of expansion.

This subsequent environmental review will evaluate all conveyance facilities, whether new or upgraded, necessary to deliver the additional water supply within the region. At this time, the actual conveyance facilities associated with each possible alternative or combination of alternatives have not been specifically identified. However, it is likely that with respect to the Seawater Desalination Plant at Encina, the conveyance facilities would be sized to accommodate future expansion as part of the initial construction. It is anticipated that the primary change to the conveyance facilities is that the pipeline(s) would be larger diameter, requiring slightly wider and deeper trenching during
construction. These larger pipelines would not result in greater impacts than analyzed by the Program EIR because the larger pipelines would result in essentially the same footprint and location analyzed in the Program EIR, and would avoid the impacts of subsequent construction of a dual pipeline in the future.

24.3.6.2 Response to Comment No. 6-2a

The Water Authority intends to obtain a general plan consistency determination pursuant to Government Code 62402(c). Government Code 65455 does not apply to projects of the Water Authority.

24.3.6.3 Response to Comment No. 6-2b

The Water Authority intends to obtain a general plan consistency determination pursuant to Government Code 62402 (c). The Water Authority believes that Carlsbad’s positions regarding application of its other local land use plans, ordinances or regulations are not consistent with law.

24.3.6.4 Response to Comment No. 6-3

The comment identifies that the City of Carlsbad is currently processing an application for the Carlsbad Seawater Desalination Project, and, as part of the application review, the City will be processing an EIR. The comment suggests that the Master Plan Program EIR incorporate the City EIR as a reference. The Water Authority acknowledges that the City of Carlsbad has elected to process the referenced application. The Water Authority is proceeding with its own environmental evaluation and preparation of an EIR of a proposed desalination project to serve regional water needs, over which the Water Authority has jurisdiction under CEQA.
COMMENTS ON THE ADEQUACY OF THE
DRAFT PDR FOR THE REGIONAL WATER
FACILITIES MASTER PLAN
SEPTEMBER 29, 2003

PAGE 2

review for the desalination project and the appurtenant facilities necessary to connect the
desalination plant with the regional water infrastructure. The PDR should incorporate the
EIR by reference.

If you should have any questions, please contact Scott Donnell at (760) 562-4518 or me at (760) 562-
4601.

Sincerely,

Michael J. Holzmiller
Planning Director
24.3.7 Responses to Letter No. 7 – Imperial County Planning/Building Department

The comment letter concerns coordination with Imperial County if the regional water pipeline from the Colorado River to San Diego County is pursued. The Program EIR concludes that this alternative has significant disadvantages in contrast to other water supply alternatives considered. If, however, the regional pipeline were to be pursued in the future, the Water Authority acknowledges that coordination with Imperial County would be required.
It appears that the Imperial County General Plan and the affected Elements, e.g. Land Use Element, Agricultural Element, Water Element and Conservation/Open Space Element, would have been impacted if the Colorado River pipeline alternative was the “Proposed Project”.

The Program EIR addresses only two “Alternatives”, i.e. Alternative 1, Conveyance of Supplies from the North (NWW Pipeline), and Alternative 2, Conveyance of Supplies from the West (Seawater Desalination).

As was discussed in the County’s previous correspondence, if any “new water pipeline” was to be located within Imperial County, the County’s goals, policies and objectives within the General Plan and its various Elements and modified ordinances would need to be addressed.

As you are aware, one of the most pressing and significant issues facing the County and the Imperial Irrigation District in any future water transfers, whether to SDCWA or MWD, is the potential impact on the Salton Sea. Appropriate mitigation measures must be implemented in order not to create direct and indirect impacts on the local agricultural industry, local business interests and adjacent residents.

Since the two alternatives reviewed, and the “Proposed Project”, does not include the “Alternative 3”, Conveyance of Supplies From the East, or Regional Colorado River Conveyance Facility, the Program EIR text and maps do not discuss the significant adverse, environmental impacts that would result from choosing the alternative.

The PEIR indicates in Section 19, Alternatives, page 19-17, paragraph 19.2.5, that “...Potential impacts related to the construction and operation of the Conveyance of Supplies From the East, or ERCF (Master Plan Alternative 3) are based on the Regional Colorado River Conveyance Feasibility Study Final Report, February 2002, prepared by the Water Authority.”...

The County is interested in obtaining a copy of this February 2002, Final Report, which may provide more information on the various alternatives that were proposed for the water pipeline from the Colorado River through Imperial County to San Diego County.
March 13, 2003

Ms. Kelley Gage
Water Resources Specialist
San Diego County Water Authority
4577 Overpass Avenue
San Diego, CA 92123-1233

SUBJECT: Response to the “Notice of Preparation (NOP)” for a Program EIR for the San Diego County Water Authority’s “Regional Water Facilities Master Plan”

Dear Ms. Gage:

The Planning/Building Department received on February 13th an NOP regarding the San Diego County Water Authority’s “Regional Water Facilities Master Plan” dated February 10, 2003, for review and comment. The Office of Water Resources in the latter states “…we need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency’s statutory responsibilities in connection with the proposed project…”

One of the three alternatives under review is “…constructing a new pipeline from the east to deliver water from the Colorado River (Alternative 3).” The NOP does not indicate whether this new “pipeline” is to be constructed in Mexico or Imperial County. The Draft Program EIR should provide in more specificity the exact location and those agencies that will approve such a pipeline.

For example, if the pipeline is to be in the United States, there is no indication in the agencies listed that the “Army Corps of Engineers” or the “International Border and Water Commission” has or will be notified for any proposed water transfer from the “…new pipeline from the east… traversing federal, military, state and private lands in both San Diego and Imperial Counties. If in Baja California, Mexico, who will authorize this new pipeline and any new proposal for a water transfer? How much water will this “pipeline” transfer to San Diego?”

The deadline for comments on the Authority’s NOP is “…no later than 30 days after receipt of this notice…”, i.e. March 13, 2003.

839 MAIN STREET, SUITE B-1, EL CENTRO, CA 92243-2656 (760) 452-4255 FAX (760) 452-4252 EMAIL: planning@imperial(county)net

Preliminary Comments on the San Diego County Water Authority’s NOP:

The following are some preliminary observations on the Authority’s NOP and more comments may be forthcoming after reviewing the Draft Program EIR and Draft Master Plan more thoroughly.

1) Imperial County General Plan: If the proposed “new pipeline” will be located within Imperial County, the County’s General Plan, Water Element (May 1993), outlines the various goals, objectives and policies to guide the development, utilization and preservation of water in the County.

The primary goal, Adequate Domestic Water Supply, is “Goal 1: The County will assure the provision of safe and healthful sources and supplies of domestic water adequate to assure the implementation of the County General Plan and the long-term continued availability of this essential resource. Objective 1.1 The efficient and cost-effective utilization of local and imported water resources through the development of urban use patterns…” and “Goal 2: Long-term viability of the Salton Sea, Colorado River, and other surface waters in the County will be protected for sustaining wildlife and a broad range of ecological communities and under Coordinated Water Management, “Goal 5: Water Resources shall be managed effectively and efficiently through inter-agency and inter-jurisdictional coordination and cooperation. Objective 5.1 Encourage and provide for the management and wise use of water resources for domestic and irrigation use…” and finally the Policy and Program, states that “…the County of Imperial will confer and consult with the Imperial Irrigation District and incorporated communities…” as well as all other related agencies to assure a coordinated and coherent water policy for all interested parties in the County regarding future water transfers.

Thus, the County’s General Plan and various Elements as well as the Land Use Ordinance provisions shall govern any future water transfers out of Imperial County. This is particularly true as to how third-party impacts may occur as a result of a new water transfer if the pipeline is from the Colorado River through Imperial County.

2) The County’s Land Use Ordinance discusses the requirements for permitted uses in various zones throughout the County in which a “new pipeline” would be constructed. If the new pipeline is to traverse through the County, the Planning/Building Department should be contacted for appropriate review of the particular areas and zones where the new pipeline would be located. There has been some mention that the proposed pipeline is to be located in Mexico. If so, the Draft Program EIR should provide what the existing water situation is in Mexico, how the Mexican pipeline and new water transfer will impact the Alamo and New River flows into Imperial County and what mitigation measures will be
imposed to mitigate impacts to the Salton Sea from a reduced flow from both of the above rivers.

(3) The County's Conservation/Open Space Element identifies the Salton Sea as a vital recreation and open space component to Imperial Valley, providing water-oriented recreation (i.e., fishing and boating) and wildlife observation (i.e., bird and species watching). The Element's Goal 2 states: "...The County will preserve the integrity, function, productivity, and long-term viability of environmentally sensitive habitats, plant and animal species . . ."

Objective 2.1 Conserve wetlands, fresh water marshes, and riparian vegetation, and Objective 2.2 Protect significant fish, wildlife, plant species, and their habitats . . ." Additionally, within Goal 8, it states that: "...The County will conserve, protect and enhance the water resources in the planning area . . ." Objective 8.1 Protect all bodies of water, e.g., Salton Sea, and water courses for their continued use and development and Objective 8.5 Protect and improve water quality and quantity for all water bodies in Imperial County . . ."

Therefore, any proposed withdrawals from the New River or the Alamo River based on a Mexican pipeline that significantly impacts the flow must be mitigated for any Master Plan 'Alternative' impacting the Salton Sea.

(4) The Regional Water Facilities Master Plan will encompass various urban areas within San Diego County. The State Water Code, Section 10631(e)(1) provides that for any urban water master plan, it provides guidance on urban water plans as follows: "...Urban Water Master Plan shall include, to the extent records are available, past and current water use, over the same five-year increments, and projected water uses, satisfying the uses among water use sectors . . ."

The projected population of San Diego County is expected to increase to approximately 3.8 million people by the year 2020 according to the Authority's 2000 Urban Water Management Plan and the Master Plan and Draft Program EIR should provide the detailed analysis as to how this increased population will be served and the design of any future water service delivery systems.

(5) Also, the State Water Code, Section 10632 (e), provides as follows: "...Actions to be undertaken by the urban water supplier to prepare for, and implement during, a catastrophic interruption of water supplies including, but not limited to, a regional power outage, an earthquake, or other disaster . . ."

However, the NOP does not identify any emergency actions to be taken in case of such a "catastrophic interruption" and should include such a provision in the Draft Program EIR and as part of the Final "Regional Water Facilities Master Plan . . ."
24.3.8 Responses to Letter No. 8 – Sierra Club

24.3.8.1 Response to Comment No. 8-1

The comment asserts that the expected service life of the Encina Power Station is much less than the desalination plant but cites no authority or evidence of this conclusion. While the Encina Power Station has been operating since 1954, the infrastructure for the facility as well as the transmission infrastructure is already in place, and this power plant is located close to electricity demand. All five units are currently being retrofitted with selective catalytic reduction systems (SCR) requiring a capital investment of over $75 million and extending the life of Units 1, 2, and 3 by at least 10 years. Units 4 and 5 are the newest generating units in Southern California with a remaining useful life of at least 30 years.

Therefore, it is more likely that the facility will be updated rather than retired. Further, the Legislature and environmental communities have encouraged such retrofits as an alternative to constructing new “greenfield” power plants. Therefore, we believe that it is more likely that the Encina Power Station will continue to be a reliable source of cooling water discharge for the desalination facility.

24.3.8.2 Response to Comment No. 8-2

The comment requests identification of criteria that were used to pre-screen the site locations of the proposed facilities to minimize or avoid the need to mitigate environmental impacts. At this Master Plan stage, general locations of facilities were identified based on the functionality of the specific components within the Water Authority’s regional water system. In other words, the general locations of components were selected at locations where the component would work well within the framework of the regional system. The Water Authority recognizes that during subsequent environmental review of any particular component, environmental criteria may warrant rearrangement or modification to the general locations identified in the Master Plan.
24.3.8.3 Response to Comment No. 8-3

This comment relates to the Master Plan facilities and general plan conformity. In general, water supply utility systems are considered to be conditionally compatible with all land uses and are not subject to specific general plan land use designations. Also reference Land Use Mitigation Measure 4 on page 4-14 of the Program EIR.

24.3.8.4 Response to Comment No. 8-4

The comment asserts that Table 5-1 fails to identify Clean Water Act Section 316(b), which provides standards for the design of the cooling water intake structures. Section 316(b) does not apply to desalination facilities, as any water used would not be for industrial cooling purposes. Additionally, one of the main reasons for siting a desalination facility adjacent to a power plant is to use the cooling water discharge from the power plant as the feedwater for the desalination plant. This collocation avoids the need for an additional intake structure, does not increase the power plant’s feedwater intake flow rate, and also recycles what is currently a waste stream to a beneficial use.

24.3.8.5 Response to Comment No. 8-5

The comment asserts that the Draft Program EIR failed to consider the degradation of marine life caused by the entrainment and impingement of marine life at the seawater intake used in the seawater desalination process. Please see Response to Comment 8-4. While it is clear that the desalination facility will have a discharge, it is less clear whether the facility would have an intake structure for the reasons identified in Response to Comment 8-4. The potential impacts associated with the discharge have been described in Section 6.8.2. Additionally, as described throughout the Draft Program EIR, any specific components of the Master Plan will require further environmental review. In the case of a desalination facility, this review would evaluate any impacts...
associated with the desalination feedwater, whether it is from a power plant cooling water discharge or from a new intake structure.

**24.3.8.6 Response to Comment No. 8-6**

The comments in this section address differences between brine discharges that combine with a high volume power plant cooling discharge (seawater source), and one that combines with a wastewater treatment plant discharge (freshwater source). The Program EIR does focus on the proposed Encina desalination plant, since it is a current proposal; siting options at other power plants or in combination with wastewater outfalls are considered conceptually, and are not under active consideration for the foreseeable future.

The comment is correct in noting that the addition of brine to an existing outfall will alter the zone of dilution of the existing discharge, and each proposed site will require detailed investigation to determine whether such changes are beneficial or adverse. If a site specific investigation concludes that addition of the brine discharge could be potentially adverse, the analysis would then extend to formulation of mitigation strategies.

Mixing brine effluent with wastewater does not necessarily cause an adverse effect requiring mitigation. At balanced dilution ratios and in certain locations, the brine may actually reduce the zone of dilution and impacts of the freshwater discharge on the marine environment. The Program EIR has not evaluated site specific impacts to marine life from brine discharged in ocean outfalls; rather the potential for such effects has been reported, and the need for site specific investigations to evaluate clearly defined proposed uses and volumes has been acknowledged.

**24.3.8.7 Response to Comment No. 8-7**

The comment asserts that the use of the Encina Power Plant’s discharged cooling water for desalination should require the Water Authority to be proportionately responsible for water intake impacts associated with the Encina Power Plant’s sea water intake. We disagree. Please see Response to Comments 8-1, 8-4 and 8-5. The Encina Power Plant is currently permitted to intake ocean water. The desalination plant will not require any change to that intake permit nor will it require the power plant to intake more water. The desalination plant would use the cooling water before it is discharged to the ocean thereby having no effect on the amount of water currently used by the Encina Power Plant.
24.3.8.8 Response to Comment No. 8-8

The comment asserts that the mitigation measures do not reduce the impacts to marine resources to less than significant levels because the comment asserts that the mitigation only addresses brine discharge and not impacts associated with the cooling water intake. Please see Response to Comments 8-4, 8-5 and 8-7. The comment further cites an EPA conducted symposium on technologies for protecting aquatic life from cooling water intake structures and identifies closed cycle cooling or dry cooling.

First and foremost, since the desalination facility would be using the cooling water discharge at the power plant site, without modification to the power plant’s intake structure, no Clean Water Act Section 316(b) analysis would be required. If the power plant were to undergo any modification that may affect either the amount of intake water or the structure itself, such a modification would likely require 316(b) studies. However, it is important to note that the California Energy Commission (CEC) would have jurisdiction over major modifications to the power plants identified in the Draft Program EIR. The CEC recently studied and approved a proposal to modify the Moss Landing Power Plant located adjacent to Monterey Bay (CEC Docket 99-AFC-4). In the processing of that project, a working group involving the affected agencies, the applicant and other interested parties were employed to study and make recommendations regarding the effects of entrainment, impingement, and Best Available Technology. The CEC determined for that project that the use of closed cycle cooling and dry-cooling was not required by 316(b) because these technologies were not feasible.

While the CEC’s findings in the Moss Landing case are not precedent, nor would they be strictly applicable to any modification at the Encina or South Bay Power Plants, the case is illustrative of the point that there is not hard and fast legal requirement that would...
preclude the power plants from continuing to use once-through cooling and provide the discharge to the desalination facility.

As discussed throughout the Draft Program EIR, subsequent environmental review of any Master Plan component prior to construction is required. All effects of a desalination facility will be evaluated fully at that time when the design of the facility is known.

24.3.8.9  Response to Comment No. 8-9

The comment concludes that there are potential impacts to marine life that require mitigation associated with the intake and discharge of the desalination facility. Please see Response to Comments 8-1, 8-4, 8-5, 8-6 and 8-8.

24.3.8.10  Response to Comment No. 8-10

The comment suggests that the Draft Program EIR must look at energy conservation, use of alternate renewable energy sources and minimizing peak energy use to obtain favorable energy rates. CEQA does not require an economic analysis of electricity rates. However, the Draft Program EIR did evaluate and conclude that although the project facilities would use power and therefore would increase the demand for electric and natural gas utility services, this increased demand was not considered to be a significant impact because, due to the long-term planning nature of the Master Plan, it is reasonable to anticipate electric and natural gas utilities would engage in concurrent long term planning to meet the relatively modest demands of the Master Plan facilities. The need for wastewater services and sewer lines at new water treatment plants will be determined by site specific conditions and engineering development and will therefore be evaluated at the project-specific stage.

24.3.8.11  Response to Comment No. 8-11

The comment suggests that issues pertaining to Environmental Justice need to be examined in the Program EIR. Environmental justice is a Federal goal established in 1994 in Executive Order 12898. It encourages fair treatment and meaningful involvement of all people regardless of race, color, national origin or income, from the early stages of decision making and planning through construction, operations and maintenance. Environmental Justice is a California State goal established in Senate Bill 115 (Government Code Section 65040.12(c)) and enforced by the Governor’s Office of Planning and Research. As defined by SB 115, Environmental Justice is "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation and enforcement of environmental laws and policies."

In selecting sites for industrial utility facilities such as water treatment plants, pipelines, pump stations, storage tanks, or a desalination plant, the Water Authority is required to avoid, minimize or mitigate disproportionately high and adverse health and environmental effects, including social and economic effects, on minority and low income populations. The Water Authority’s position is that the facilities collectively improve water supply diversification and reliability to all residents of San Diego, which is critical to meeting the future water supply needs of people of all races, cultures and incomes.

For example, siting of desalination plants within the fence line of existing coastal power plants would not affect beach access or increase environmental impact to the coastal natural resources. Further, these locations do not unfairly burden low-income populations since residents along the California coast, including those adjacent to existing power plants, are consistently in the upper socioeconomic brackets. Collocation siting options being considered by the Water Authority include existing power generating plants at Encina Power Plant located in Carlsbad, the South Bay Power Plant located in Chula Vista, and the San Onofre Nuclear Generating Station near San Clement. These power plants are located in communities with above
average median household incomes ($65,145 in Carlsbad, $49,065 in Chula Vista, and $75,600 in San Clemente).

CEQA review of project-specific locations and conditions will be undertaken for every component of the Master Plan prior to consideration for approval by the Water Authority. One element of the project-specific assessment is the evaluation of whether the location or operation proposed may have any disproportionate impact on minority or other disadvantaged communities. The Water Authority is committed to providing high-quality and reliable water supplies at affordable rates to ensure that all those served in the region have equal access to safe, clean water. The Water Authority is equally committed to siting, building and operating its facilities in a manner that does not unfairly burden any segment of the population with disproportionate environmental effects.

24.3.8.12 Response to Comment No. 8-12

The comment requests that impacts of light and glare should be addressed, including effects of night lighting on sensitive habitat areas. The Program EIR evaluated the effects of facility lighting on neighboring properties, and concluded that potential light impacts could be readily mitigated with standard practices including use of shading, low level and directional lighting, and similar design and operational methods. Project-specific CEQA evaluations of lighting needs for worker safety and security at individual facilities will include assessment of potential environmental constraints, including effects on adjacent habitat areas, if any. The project-specific analyses will also include selection of the appropriate mitigation strategies to eliminate or substantially reduce any potential adverse effects of lighting.

24.3.8.13 Response to Comment No. 8-13

The comment suggests that water conservation should be evaluated as an alternative to enhanced water supply to serve the needs of the San Diego region over the next 20 to 30 years. The Master Plan does not reject water conservation as a vital component of meeting the region’s future water needs, rather, conservation is a foundation of the Master Plan, and is assumed to increase over the next 20 to 30 years to total nearly 95,000 ac-ft annually. This underlying assumption, in conjunction with assumed improvements in groundwater management and local surface water management, is the basis upon which the projected needs for future water supplies were subsequently developed. See also response to Wildlife Agencies letter, Comment Number 2-1, which provides an overview of the Water Authority’s water conservation programs to clarify the importance of water conservation in the Water Authority’s water supply planning process.

This comment is correct: as population increases, the per capita water use stays essentially the same for the 25-year period from 2005 to 2030. This accomplishment is achieved through the aggressive conservation measures the Water Authority has implemented and will be implementing through the year 2020. Without implementation of these aggressive conservation measures, the per capita use would increase over this period.

The Water Authority will soon have in place an aggressive conservation program that provides incentives for weather-based irrigation controllers for both residential and commercial users. Simply switching from non-drought tolerant landscaping (e.g., turf) to drought tolerant plants does not decrease water use unless improved irrigation hardware and a change in behavior on how and when to irrigate, or ‘irrigation management’ techniques, also takes place. While there is some opportunity to reduce unused turf, most of the region already has fairly limited turf. The most recent annual report of the Water Authority’s Residential Survey Program reveals that of all the sites that participated in this program, 20 percent had no turf and of those sites with turf, only about 33 percent of the landscape was turf. A breakdown appears in sites participating in the Professional Assistance for Landscape Management Program (PALM) for commercial landscapes.
See Section 18.2.2 Setting: Regional Planning in San Diego of Draft Program EIR for discussion on land use plans and how they were considered in formulating the Master Plan.

Page 19-13 of the Draft Program EIR acknowledges that the Water Authority is continuing to work with its member agencies to overcome obstacles to further expand the level of recycled water development. The Water Authority was an active participant in the drafting of the DWR Recycled Water Task Force report and the recommendations contain therein. The Water Authority will continue to play an active role in monitoring and supporting legislation that helps to increase use of recycled water and promote funding opportunities for its development.

24.3.8.14 Response to Comment No. 8-14

The comment asserts that the increase in urban runoff is an indirect cumulative impact associated with the Master Plan. It is not. Urban runoff is directly related to development, over which the Water Authority has no jurisdiction or control. As discussed in detail in Section 18.2 of the Draft Program EIR, the Master Plan efforts of the Water Authority are in response to projected growth within the region. The Water Authority cannot speculate on what form, how or where such growth would occur. Specific development proposals that may affect urban runoff should and would be addressed by the local land use agency approving the development proposal. The Water Authority has no ability to require a specific development proposal to implement mitigation measures relating to urban runoff. Such authority rests with the local land use authority. The Water Authority encourages implementation of measures to reduce adverse environmental effects associated with urban runoff.

The comment also asserts that the Draft Program EIR should address the increased load on landfills from landscape green waste. For the same reasons stated above, such speculation is not warranted nor
required by CEQA. Local land use agencies would be responsible for addressing the cumulative impacts on landfills due to green waste at either the General Plan stage or at the specific development proposal stage.
24.3.9 Responses to Letter No. 9 – San Diego County Archaeological Society, Inc.

24.3.9.1 Response to Comment No. 9-1

Section 13.2.3 will be modified as described below to note that some local governments have local registers of historical resources.

13.2.3 Local

The cities of Carlsbad, Chula Vista, El Cajon, Escondido, La Mesa, Lemon Grove, Poway, San Diego and San Marcos each have historical societies that are concerned with the locally historical resources of their cities. Each locality may have ordinances or guidelines related to cultural resources. These generally require that if a project has the potential to affect a historical resource, the significance and/or uniqueness of that resource must be determined. Certain jurisdictions within the County as well as the County itself are “Certified Local Governments” and have local registers of cultural and historical resources that are administered through boards or commissions. Resources listed by these boards, such as the City of San Diego’s Historical Resources Board and the County’s Historic Site Board, have already been determined to be historically significant.

24.3.9.2 Response to Comment No. 9-2

The suggested clarifications will be added to the Cultural Resources Mitigation Measure 1 in the Final Program EIR as follows:

Cultural Resources Mitigation Measure 1:

On-site cultural resource surveys shall be conducted by a qualified archaeologist prior to construction of a new facility.

a) The purpose of this survey will be to more precisely locate and map significant cultural resources.
b) Any resources discovered by the qualified archaeologist as a result of the survey shall be evaluated as to their cultural and historical significance and appropriate mitigation measures identified.

c) The qualified archaeologist shall recommend archaeological field monitoring when excavation occurs in areas where subsurface resources are considered to possibly exist. The monitoring may include participation by a Native American monitor.

d) In the event that unanticipated cultural resources are encountered during Proposed Project construction, all earthmoving activity shall cease until the services of a qualified archaeologist are retained. The archaeologist shall examine the findings, assess their significance, and offer recommendations for procedures deemed appropriate to either further investigate or mitigate adverse impacts to those cultural resources that have been encountered (e.g., excavate the significant resource). These additional measures shall be implemented.

e) If human bone or bones of unknown origin is found during Proposed Project construction, all work shall stop in the vicinity of the find and the County Coroner and the Water Authority shall be contacted immediately. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission who shall notify the person it believes to be the most likely descendant. The most likely descendant shall work with the Water Authority to develop a program for reinterment of the human remains and any associated artifacts. No additional work shall take place within the immediate vicinity of the find until the identified appropriate actions have been completed.
Any collections of artifacts resulting from the surveys and monitoring, as well as the associated records, shall be curated at an appropriate institution in San Diego County that meets the standards of the State of California Guidelines for the Curation of Archaeological Collections.
24.3.10 Responses to Letter No. 10 – Poseidon Resources Corporation

The comment requests that the Program EIR acknowledge the contractual arrangements that exist between Poseidon Resources, Cabrillo Power, and the City of Carlsbad as a result of their efforts to develop a desalination plant at the Encina Power Station since 1998. This comment is noted. The comment does not raise specific environmental issues, and no further response is required. We do note that the Water Authority has initiated a project-specific EIR on this proposed desalination project, and it is the intent that all site-specific issues will be fully addressed in that EIR.
3. Poseidon and Cabrillo have entered into a lease and easement agreement that provides Poseidon with the exclusive right to develop, construct and operate a seawater desalination facility at the Encina Generating Station.

4. All aspect of the development, permitting, design, construction and initial operation of desalination facility will require the prior approval of Cabrillo.

Thank you for the opportunity to comment on the draft Regional Water Facilities Master Plan Program Environmental Impact Report. We look forward to a cooperative working relationship with the Authority.

Sincerely,

[Signature]

Peter MacLaggan
Senior Vice President

Cc: Ken Weinberg
    Robert Yamada
    David Lloyd
    Jim Elliott
24.3.11 Responses to Letter No. 11 – Cabrillo Power I LLC

The comment requests that the Program EIR acknowledge the contractual arrangements that exist between Poseidon Resources, Cabrillo Power, and the City of Carlsbad as a result of their efforts to develop a desalination plant at the Encina Power Station since 1998. Further, Cabrillo Power notes that the desalination plant cannot be considered as a stand alone facility, rather, it will be integrally connected to the power plant cooling discharge, and for security purposes, is likely to be operated by Cabrillo Power staff. Development of the desalination plant collocated with the power plant will require active coordination and participation between the Water Authority, the power plant owner, and their contractual partners.

These comments are noted. The comment does not raise specific environmental issues, and no further response is required. We do note that the Water Authority has initiated a project-specific EIR on this proposed desalination project, and it is the intent that all site-specific issues will be fully addressed in that EIR.
should clearly acknowledge that the permitting, engineering, construction and operation of a desalination facility at the Encina Power Station would require the active participation and prior approval of Cabrillo and Poseidon. We expect to provide substantial review and oversight of the permitting, engineering and operations of the proposed desalination facility in order to ensure that it does not adversely impact the Encina Generating Station.

We do not allow the general public access to our facilities, for a number of business, safety, and security issues, and this policy has been tightened with the current security alert status and the events of September 11, 2001. We must protect our facilities from any risks to provide a safe and secure supply of electricity to the San Diego region. We do not want to jeopardize this security by release of confidential information related to safety and security, including the internal layout and operation of our facilities.

Poseidon is very familiar with our site access, safety and security protocol and can assist the Authority with the necessary arrangements for access to the proposed construction site and to various locations within the generating station for the purpose of data collection for the environmental review for the proposed project. Please continue to work directly with Poseidon concerning the Authority's needs to inspect or enter the secure areas of our facilities.

Thank you for the opportunity to comment on the draft Regional Water Facilities Master Plan Program Environmental Impact Report. We look forward to a cooperative working relationship with the Authority.

Sincerely,

CABRILLO POWER I LLC

[Signature]

David Lloyd
Secretary
24.3.12 Responses to Letter No. 12 – Department of Health Services

The Water Authority appreciates and acknowledges Department of Health Services’ review. No response is required.
24.3.13 Responses to Letter No. 13 – California Coastal Commission

24.3.13.1 Response to Comment No. 13-1

During the course of development of the draft PEIR, the San Diego County Water Authority actively participated in and closely monitored the proceedings of the AB 2717 State Desalination Task Force and the development of its Water Desalination Findings and Recommendations. The Water Authority is also very familiar with the California Coastal Commission’s draft Seawater Desalination Report. The proceedings of the State Desalination Task Force, including the initial identification of the key policy considerations and potential environmental issues of concern have provided the Water Authority with a high level understanding regarding the potential issues that the CCC and other regulatory agencies would need to address for environmental review of specific project proposals.

The Regional Water Facilities Master Plan provides a roadmap for the development of future water supply options and related distribution and storage facilities and does not authorize any specific construction. The PEIR notes throughout that project specific subsequent environmental review efforts, including those for the proposed seawater desalination projects, would be subject to subsequent environmental review and regulatory permitting efforts.

During the course of subsequent environmental review for specific components of the Master Plan, a determination would be made as to whether an action constitutes a “project” under Section 21065 of the California Environmental Quality Act (CEQA). Once an action has been determined to be a “project” compliance with CEQA becomes mandatory. Section 21001.1 of CEQA states that public agency projects are not exempt from environmental review and that public projects be subject to the same level of environmental review as private projects.
24.3.13.2 Response to Comment 13-2

All facilities included in the Regional Water Facilities Master Plan, including any desalination plant, would be carried out by the Water Authority, a California public agency. Therefore, all facilities included and evaluated in the PEIR, including the seawater desalination projects would be public projects. Although the method of procurement of facilities may vary among the projects, including the potential that some of the projects may be procured through design/build, design/build/operate, or similar contractual arrangements, none of the procurement methods would change the nature of the project from an environmental standpoint.

The Water Authority acknowledges the Coastal Commission’s concern about the impact of international trade agreements on the ability of state and local governments to apply environmental regulations to certain multinational corporations, however, the extent of such impact, if any at all, is presently speculative. Speculative impacts cannot be evaluated.

Public agencies such as the Water Authority have a clear legal mandate to fully comply with all applicable laws and regulations, and cannot enter into contractual agreements that circumvent that mandate. The only desalination facilities contemplated by the Water Authority and considered in the PEIR are those that would be developed independently by the Water Authority, or under contractual agreement in partnership with one or more private entities. In every case, development of such facilities will be inescapably subject to all applicable State and federal environmental regulations, and project environmental review will include a transparent public process to ensure consideration of a wide range of public interests. All California public agency projects, even those that may include a significant element of private sector involvement, will go through full
environmental review and any applicable regulatory permitting processes.

24.3.13.3 Response to Comment 13-3

One of the benefits of co-locating seawater desalination facilities with coastal power plants utilizing seawater for once-through cooling is that they can avoid any changes to existing (baseline) impingement and entrainment conditions. The process of desalinating seawater at such a co-located facility involves diversion of a portion of the discharge water that has already gone “once-through” the power station. Assuming a constant once-through cooling flow such as at the Encina Power Station, co-located seawater desalination facilities do not change existing entrainment or impingement conditions. This is one of the primary reasons the Master Plan identifies co-located seawater desalination facilities as a preferred water supply alternative to meet long-term demands in the San Diego region.

The Water Authority acknowledges that development of a new ocean water intake may trigger compliance with new Clean Water Act 316(a) and (b) requirements expected to be finalized by the U.S. Environmental Protection Agency in February 2004 and implemented by the RWQCB.

At such time as project specific environmental review for a seawater desalination facility proceeds, additional analysis and/or data collection may become necessary subject to final and applicable requirements of the relevant regulatory agencies.

Habitat types within the intertidal and nearshore environments would range from highly scoured exposed hard bottom and intermittent sand covered low and high relief substrate and marine species that are able to persist in the high-energy surfzone and nearshore environment. The intertidal zone also supports common rocky intertidal assemblages of plants and invertebrates including snails, limpets and barnacles. In some areas along the San Diego coastline, the subtidal rocky substrate is relatively uncolonized by marine organisms due to their location in a high wave energy zone with intermittent sand burial. Further offshore, beyond the surfzone, the open coastal environs would include low and high relief ephemeral hard bottom sea floor substrate. Subtidal reefs off the San Diego coastline are known to support an assemblage of surfgrass, giant kelp, understory kelps and other macroalgae. Surfgrass can be nursery habitat for juvenile lobsters and provides habitat for a number of invertebrates and fish. Common shallow water habitat fish species in the nearshore may include California halibut, barred sand bass, stingray, various perch, tomsmelt and northern anchovy.

As discussed above, collocated seawater desalination facilities do not cause a change in existing baseline entrainment and impingement conditions associated with currently operating coastal power stations. Both water supply alternatives evaluated in the PEIR (Alternative 1 - Conveyance of Supplies from the North, or MWD with Pipeline 6 and Alternative 3 – Conveyance of Supplies from the East, or RCRCF) would be located in upland areas away from the coastline and would therefore avoid any effects on coastal resources in the nearshore or open ocean aquatic habitats.

The following text will be added to the Final PEIR in sections 3.20.3; 3.21.1.3; 3.21.3.3; 3.21.4.3; 3.21.5.3; and 6.3.7.
24.3.13.4 Response to Comment 13-4

The Water Authority is a public agency that has a mandate and fundamental responsibility to comply with all relevant and applicable federal and state regulations for all of its efforts and activities. The Water Authority is neither aware of, nor could it support, the efforts of other potential business partners, whether private or public, to attempt to circumvent compliance with all applicable environmental rules and regulations.
24.3.13.5 Response to Comment 13-5

The following Coastal Act references will be added to Section 6.6 the FPEIR:

6.6.11 Coastal Act

The following Coastal Act policies may be applicable.

30230. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this
section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.
24.4 PUBLIC HEARING MINUTES

Three individuals offered comments at the Public Hearing held at the Water Authority on September 25, 2003. Each comment was in favor of desalination as a water supply source and no comments were made regarding potential environmental issues. These oral comments are noted and no further response is required. A transcript of the hearing is presented at the end of this section.
PLANNING AND ENVIRONMENTAL COMMITTEE MEETING

SAN DIEGO, CALIFORNIA

SEPTEMBER 25, 2003

REPORTED BY SHELLEY LYNN SCHNIEPP, CSR NO. 5487
MR. SAUNDERS: Welcome to the September meeting of the Planning and Environmental Committee. We're going to start our business with the roll call.

Item No. 2, additions to the agenda. Seeing none, I'll move on to Item 3, public comment. This is an opportunity for members of the public to address the committee on matters of jurisdiction. Seeing none.

Seeing none, we'll move on to the chair's report. I have one item to report out. The Planning and Environmental Committee conducted a public hearing on the draft subsequent San Vicente Pipeline EIR on the evening of September 17th, and I do want to thank the board members and committee members that attended. We had eight committee members and 14 board members, and I also want to thank the staff for setting up the meeting and allowing the public an opportunity to come and speak after work. I thought that worked out very well.

The hearing started with an open house. We had an opportunity for the board members and staff to mingle and discuss the project with the public and to learn a little bit more, have the public learn more about the project before the public hearing.

There were 32 people that attended, 12 presented oral comments and, in general, those concerns were associated around traffic and noise and air pollution around the Beeler Canyon shaft. Those that spoke, in general, preferred the nonmining alternative.
Staff is evaluating the comments and will present responses back in November. I do understand that the staff has looked at beneficial opportunity materials to keep them on site. However, I do want to ask staff to go back and make sure we haven't missed any opportunities to keep the material on site. For every cubic feet of material that we can leave on site one less cubic feet of material that has to be exported off the site. It certainly appears to be an opportunity to develop a win/win there in the canyon. So I really would like staff to make sure we haven't missed any opportunities.

Once again, I do want to thank those that attended the hearing and that concludes the chair's report.

Moving on, any other director comments?

MS. JAESCKE: I would like to thank our conservation action committee for their display. Hope you had an opportunity to visit it. We have actually 21 groups that are represented which I think is quite astounding.

I would like you to take a look at the lovely corsage that Vicky has on. Can you stand up. Vicky has been wonderfully helpful and we congratulate you.

MR. SAUNDERS: Any other director comments?
Seeing none, we'll move on to Roman No. I, the consent calendar. We have five items on the consent calendar,
director or member of the public to remove an item for discussion.

I have a motion. Is there a second? Any discussion, any comments?

MR. IRVIN: Mr. Chairman, I want to take note of the fact that two of those items on the calendar are to accept money and it isn't often you get the opportunity to accept money. One is for over a million dollars and I think that's admirable. I congratulate our staff on wrapping that up.

MR. SAUNDERS: Thank you, Director Irvin. I want to compliment staff in seeking out funding. We should make this more of a habit, taking in more money than we're spending.

Director Howard.

MR. HOWARD: Mr. Chairman, thank you. I must abstain on No. 4 on the consent calendar. It's a contract with my agency.

MR. SAUNDERS: No further discussion, I have a motion by Director Ball. All those in favor say I. Any opposed. The consent calendar passes.

Moving on to Roman Numeral II, action items and discussion. The first item, we have a public hearing for the Regional Water Facilities Master Plan Environmental Impact Report. First off, I would like to thank the public for being here for the Proposed Regional Water Facilities Master Plan EIR. Before we open up the public hearing, I would like to take a
minute to briefly review the afternoon's procedures so
we know what to expect.

The primary purpose of this hearing is to
receive comments regarding the Program Environmental
Impact Report or Program EIR. This has been prepared
in accordance with the Environmental Quality Act. The
committee and staff are here to receive comments on
adequacy and completeness of the issues addressed in
the Program EIR.

Just briefly a little bit about the format
today. If you desire to present comments on the
Program EIR, you should pick up either a speaker form
or written comment form located in the back of the
entrance to the lobby. They look like this in the
back. Those in the audience wishing to provide oral
comments need to fill out the speaker form. Staff
members will collect them and bring them up to the
front. Speakers will be limited to three minutes each.
You may not assign a portion of your time to another
speaker.

When I call your name, please approach the
podium. You will see some lights on the podium:
green, yellow and red. The green light will turn on
when you begin. When you have 30 seconds remaining,
the yellow light will turn on. At that time I would
ask you to wrap it up and conclude your presentation.
At the end of the three minutes, the red light will be
illuminated and we'll ask you to stop.
When you approach the podium, please state
your name and address before making any comments. I
will be calling you two at a time in the order the
forms were received. The Authority has a court
reporter here to make a transcript of the meeting so
that your oral comments will be reported accurately.
For this reason, I ask that you speak very slowly and
clearly so that all your comments can be recorded
accurately.

With that, ladies and gentlemen, I would
like to open the public hearing for the San Diego
County Water Authority Regional Water Facilities Master
Plan Project. The purpose is to receive public
comments in accordance with the provisions of the
California Environmental Quality Act.

At this time I would like Jeff Garvey, the
project engineer, to summarize the project.

MR. GARVEY: Thank you, Mr. Chair. Members
of the hearing panel, each of you were previously
mailed a copy of the Draft Program Environmental Impact
Report or Program EIR prepared for this project.

Using some slides, I would like to briefly
describe the major aspects of the project.

The Regional Water Facilities Master Plan
is actually a program of projects intended to achieve
the water authority's long-term goal of a diversified
and more reliable water supply.

Even with significant improvements in
conservation, recycling and ground water development as
shown in the charts, a program of projects is still
needed to achieve this goal. The Master Plan is the
road map for that program.

Three alternatives were considered in
development of the Master Plan. Alternative 1 is to
get more supply for MWD by building a new large
pipeline to the north.

Alternative 2 is to get a new supply from
the ocean to the west by building sea water
desalinization facilities.

Alternative 3 is to build a new Colorado
River conveyance facility to convey transfer supplies
from the east.

In December of 2002, the Draft Master Plan
Report included the board's designation of sea water
desalinization as the preferred alternative. This
alternative and the whole set of individual projects
that make it up are collectively referred to as the
proposed project in the Program EIR.

This table which is a copy of Table 2-1
from the Program EIR is a copy in the handouts which
have been distributed and lists the specific projects
included in the proposed project, and these projects
are also shown on the map in your handout which is a
copy of Figure ES-1 from the Program EIR.

The projects generally can be described as
falling into five categories. First, rehabilitation of
existing facilities. Second, expansion of internal
system capacity. Third, addition of regional water
treatment plant capacity. Fourth, addition of 100,000
acre feet of seasonal and carryover storage, and fifth,
sea water desalinization.

The general environmental impacts of the
Master Plan Program are considered in the Program EIR
which will now be discussed by Kelly Geech.

MS. GEECH: Before I cover the individual
environmental impact areas, I would like to go over the
purpose of the Program EIR. The Program EIR is
intended to provide the board, other agencies and the
public with a comprehensive environmental analysis of
the Master Plan and also provide an opportunity for
input into the decision making process.

It also develops program-wide mitigation
measures to reduce or eliminate potential impacts from
the project.

It also assists the water authority and
other agencies in determining future CEQA documents
that may be needed to implement future project
components.

It also serves as a starting point for
future site-specific environmental findings.

With that in mind, I would like to briefly
go over the environmental impacts expected from the
proposed project at a programatic level analysis.

For land use, proposed project facilities
would be compatible with adopted land use plans. There
exists a potential for proposed facilities to conflict
with sensitive land uses and existing rights of way.

For water resources, there is a potential
to degrade downstream water quality during construction
of facility and the potential to impact marine waters
from sea water desalinization operation.

For biology, project facility may have
potential permanent and temporary loss of sensitive
native habitat with resultant impact to wildlife.

For the next three impacts, traffic, noise
and air quality, all three issue areas would have
temporary increased levels of impacts during
construction of the proposed project facilities.

For utilities and public service, proposed
project facilities may temporarily impact public
services and have the potential to permanently relocate
existing utilities.

For aesthetics, proposed project facilities
may temporarily or permanently change some (inaudible.)

Geology. Proposed project facilities may
potentially encounter adverse geologic conditions at
some sites.

For cultural and paleontology, there is
potential to disturb unspecified cultural and
paleontological resources.

For public safety and hazards, there is a
temporary increase in risk of fire during construction.
There is also an increased risk of hazardous materials spills during construction and operation of some of the project facilities.

Agriculture. Some proposed project facilities may potentially impact agriculture resources.

The last issue area is recreation. Some facilities may potentially disrupt or displace recreational facilities during construction.

For all of the impact areas I just covered, the analysis in the Program EIR finds that with implementation of feasible mitigation measures outlined in the documents, all impacts will be less than significant.

The administrative actions on the project are as follows: On February 10, 2003, a notice of preparation was prepared and sent to the state clearinghouse.

On March 5th of this year, a public scoping meeting was held at the Mission Valley branch of the San Diego library.

On August 14th, a notice of completion was sent to the state clearinghouse and a draft EIR was distributed for public review and comments.

On August 17, a public notice was published in the San Diego Union-Tribune newspaper.

Today, September 25th, we're holding a public hearing on the project.
On Monday, September 29th, the public comment period closes for this project.

And in December of 2003, the staff will present recommendations for certification of the final EIR.

Required actions on the project. The San Diego County Water Authority board of directors will be asked to make a determination under CEQA by certifying the final EIR and the board will also be asked to approve the proposed project outlined in 2-1, approve the final Master Plan document and adopt a mitigation monitoring plan.

Finally, it is important to know the approval of the proposed project and certification of the final program EIR later this year will not authorize the construction of any project. The proposed project and its components will serve as a road map.

The board maintains the flexibility to adjust individual project schedules and maintains the option to approve or disapprove individual projects that comprise the overall program.

Proposed project facilities will undergo additional future environmental review and approval as specific projects roll out of that program.

Mr. Chair, this concludes our report.

MR. SAUNDERS: Thank you. At this time, this is the opportunity for members of the board to ask
any questions of the staff.

(Inaudible speaker): Thank you. I'd like
to ask staff, is it because this will not be either
physical or it's only a project approval that you don't
need any mitigation?

MS. GEECH: There is mitigation that's
outlined in the Program EIR, but they're very general.
In other words, as an example, looking at traffic, we
will require these future projects as they roll out to
have a detailed traffic plan, but right now our
requirement for the mitigation at this level of
analysis is to require those projects to happen.

MR. SAUNDERS: Any other questions of
staff? If not, we'll move now to the public comment
portion of the public hearing.

Once again, if you wish to speak, there are
request forms available in the back. Please hand them
to staff. Raise your hand if anybody wants to speak.
Please limit your presentation to three minutes, and
with that, I would call the first two that are wishing
to speak, John Christianson and Patty Chris.

MR. CHRISTIANSON: Good afternoon. My name
is John Christianson. I live at 3715 Long View Drive
in Carlsbad. I've been following seawater
desalinization for years. It is my opinion that sea
water desalinization is a long-term solution not only
to the problems that we have in San Diego County, but
to large parts of the rest of the world.
Whatever we do here can basically be boilerplated effectively to help solve problems elsewhere. I was a little more than dismayed this morning when I read an editorial in the San Diego Union-Tribune. I will just read the first paragraph and the concluding paragraph.

First paragraph reads, the 30 days which the County Water Authority Board gave its staff to settle rather sudden disputes with the site and resources about a regional desalinization plant in Carlsbad are over. The disputes are not.

Last paragraph, somewhere lurks a deal, a deal that produces a desal plant that is in the public's financial interest and as transparent as the law allows. That doesn't leave businesses wondering when the Authority will turn on a dime and a deal. That leaves the full financial risk of getting a plant up and running and a fair return on its investment to Poseidon. That leaves rate payers, such as myself, with more water, not a sheath of legal briefs and bills.

I know there is a difference between the way the public sector conducts business and the way the private sector conducts business.

There is also a saying, the devil is in the details. I would encourage you not to get hung up on the details and to have a long-term outlook for sea water desalinization in San Diego County.
Back to my previous comment, there's other proposals out there and I think they can be viewed as short-term fixes, but if we want to fix the problem permanently, it is my opinion that the permanent solution rests with desalting the biggest reservoir on the earth, which just happens to be a few miles from where most of us live, so let's not get hung up in the details. Let's just do it. Thank you.

MS. CHRIS: Good afternoon. I'm Patty Chris. I'm representing the San Diego Industrial Environmental Association. We are an organization of manufacturing companies.

Whenever I ask my companies the question, what are the most important things to sustain your operations keeping you in San Diego, and I always get the same answer: water and energy.

Just this past May, IEA organized a manufacturing summit with the county's office of trade and commerce. The need for reliable and cost effective water supply was stated over and over again, company after company.

There was also a great deal of support for identifying alternative sources of water, including recycled water use and moving forward with the desalinization plant in Carlsbad.

We're still finalizing the follow-up manufacturing summit action plan with the section that is dedicated to water and I will forward it to this
board. Hopefully we're going to finish it up by the end of this week.

I just wanted to state, in summary, I'm here today to support that you move this comprehensive planning effort forward through the Master Facilities Plan and we hope it will be accomplished in an expeditious manner. Thank you.

MR. SAUNDERS: Our next speaker from the San Diego Chamber, Angelica (inaudible.)

(INAUDIBLE SPEAKER NAME): Mr. Chairman and board members, my name is Angelica Villa Granada. I represent the San Diego Regional Chamber of Commerce, 402 West Broadway.

I'm here today to tell you that the Chamber encourages the goal of the Master Plan to decrease our dependence on a sole supply of imported water.

We appreciate very much the long-term planning authorities that the Authority has embarked upon to ensure a safe and reliable water supply for the region.

The Chamber has from the beginning been a strong champion of the proposed water of transfer from the Imperial Valley and we would like to reaffirm support today.

We believe the transfer is needed more than ever and we, therefore, strongly support your negotiations and all other efforts now and in the future to implement the CEQA which is key to making the
transfer happen.

The Chamber is also a strong supporter of the diversification of our water supply including conservation, water reclamation, ground water development and sea water desalinization and surface water development project.

We very much support the continued development of the proposed Carlsbad desalinization plant. We believe desalinization is an important new potential alternative that is critical to our future water and we're encouraged seeing the public and private sector making this a successful project.

As a business organization, we need to look at the bottom line. We, therefore, encourage you to build conservation of costs and price stability into your working model as you develop the plan.

One more thing, we would like to remind you that the San Diego Tijuana region is uniquely linked economically. In order to continue the close of (inaudible) water reliability for both San Diego and Mexico is key and we would like to ask you not to lose sight of that as the Master Plan unfolds.

We, therefore, encourage you to consider the (inaudible) aquaduct as part of your long-term strategy.

In closing, the Chamber very much appreciates the work you and your staff have put into developing this plan and we look forward to your

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continued efforts to refine the plan as you consider all the different alternatives.

We would also like to thank you for your determination to negotiate a satisfactory settlement of the QESA and we appreciate the partnership with the Water Authority. Please call on us whenever you need us to help move San Diego's water agenda forward.

Thank you very much.

MR. SAUNDERS: I have no other speaker slips. Is there anyone else wishing to comment on the project at this time? Seeing none, this public hearing on the Draft Program Environmental Impact Report for Proposed Regional Water Facilities Master Plan Project is now closed. Written comments will be accepted through September 29th, 2003. Staff will evaluate and respond to all comments on the Draft Program Environmental Impact Report received during this public hearing and through the public comment period. San Diego County Water board of directors is scheduled to hear the full final EIR in December.

With that, I'd like to thank you for attending and I have one board member that wants to make a final comment.

MR. POCKLINGTON: I am not on your committee. This is the first time I've seen on Table 2, Item 16, additional San Vincente dam raised (inaudible). How much of additional acre feet would you recede by raising that dam to its full length?
MR. GARVEY: The goal would be to try to get 100,000 acre feet above and beyond what would be provided by the emergency storage project. It's not clear that all of that can be realized, but we'll try to get as close to that as we could.

MR. POCKLINGTON: I'd like to, and I've talked on this subject before. This past year, the Metropolitan criticized us for not fully utilizing all our reservoirs here. I would like to see, when we get to that point where you start considering raising to that height, a comparison in cost because you could gain 138,000 acre feet of water with El Capitan and Loveland by connecting them to the pipeline. We need a cost comparison on that before we make a final determination on raising it.

MR. GARVEY: I think staff agrees with that. The feasibility for that study for that project will include a detailed consideration of those alternatives.

MR. POCKLINGTON: My understanding, the planning session starts in 2005, construction in 2008. Is that correct?

MR. GARVEY: The planning activities for that particular project are actually starting right now. The construction is intended to be complete by 2024.

MR. POCKLINGTON: Design in 2005?

MR. GARVEY: Yes.
MR. SAUNDERS: Once again, I want to reiterate what staff pointed out, this is just a road map. Each project will come before the board with more detail, studies and CEQA requirements and a detailed Environmental Impact Report for those projects that are required.

With that, this public hearing is closed. As I mentioned, the comments are all due through September 29th, 2003.
STATE OF CALIFORNIA
:
ss.
COUNTY OF SAN DIEGO

I, Shelley Lynn Schniepp, Certified Shorthand Reporter, Certificate No. 5487, do hereby certify:
That the foregoing proceedings were reported by me in shorthand and transcribed; that the foregoing is a true record.

I do further certify that I am a disinterested person and am in no way interested in the outcome of this action or connected with or related to any of the parties in this action or to their respective counsel.

In witness whereof, I have hereunto set my hand this 1st day of October, 2003.

Shelley Lynn Schniepp
CSR No. 5487
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