INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION/ ENVIRONMENTAL ASSESSMENT

Ramona Municipal Water District/Barona Indian Tribe Potable and Recycled Water Infrastructure Project

Prepared for:

Barona Band of Mission Indians
and
Ramona Municipal Water District

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FINAL

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Volume 1

SUMMARY

The Barona Band of Mission Indians (Tribe) and the Ramona Municipal Water District (District) have prepared this Environmental Assessment/Initial Study for a proposed water pipeline project in San Diego County, California. The project will bring both potable and recycled water provided by the District in separate pipes across less than 1 mile of County land, then onto the Barona Indian Reservation (the "Reservation") a distance of about 6 miles, (approximately 41,900 LF) to join the Tribe's existing distribution systems. The potable water supply will serve primarily residential uses on the Barona Indian Reservation. The Tribe performs the functions of the lead agency for the portions of the project on the Reservation. The U.S. Department of Housing and Urban Development is the formal Lead Agency under the National Environmental Policy Act (NEPA) but has delegated most NEPA functions to the Tribe, which performs those functions under the supervision, control, and approval of HUD. The District is a cooperating agency under NEPA. The District is also the Lead Agency under the California Environmental Quality Act (CEQA) for the portion of the project from the District's existing facilities to the boundary of the Reservation.

This combined NEPA/CEQA document is called a Draft Initial Study/Environmental Assessment (IS/EA). It explains what this Project is, why it is being proposed, what alternatives have been considered for the Project, how the existing environment could be affected by the project, the potential impacts of each of the alternatives, and the proposed avoidance, minimization, and/or mitigation measures. It was circulated to the public for review and comment for 30 days between May 1 and June 2, 2025 and no comments were received.

Additional copies of this document and the related technical studies are available for review at the Ramona Municipal Water District, 105 Earlham St, Ramona, CA 92065. This document may also be downloaded at the following websites:

- RMWD: https://www.rmwd.org/about-us/engineering/district-projects
- Barona Tribe: http://www.Barona-nsn.gov.

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1.0 INTRODUCTION

The Ramona Municipal Water District ("District") was formed on August 15, 1956, as a municipal water district. Organized under the Municipal Water District Law of 1911, Water Code Section 71000, the District provides water, sewer, recycled water, and park services. The District boundaries encompass approximately 45,800 acres (75 square miles) in the unincorporated area of San Diego County (see Figure 1 *Vicinity Map).* The District provides services to approximately 7,000 urban parcels and 3,000 rural parcels with an approximate population of 40,000 people. The District's service area encompasses the Santa Maria Valley and surrounding hills with elevations ranging from 1,300 feet to 2,100 feet mean sea level (MSL).[1]

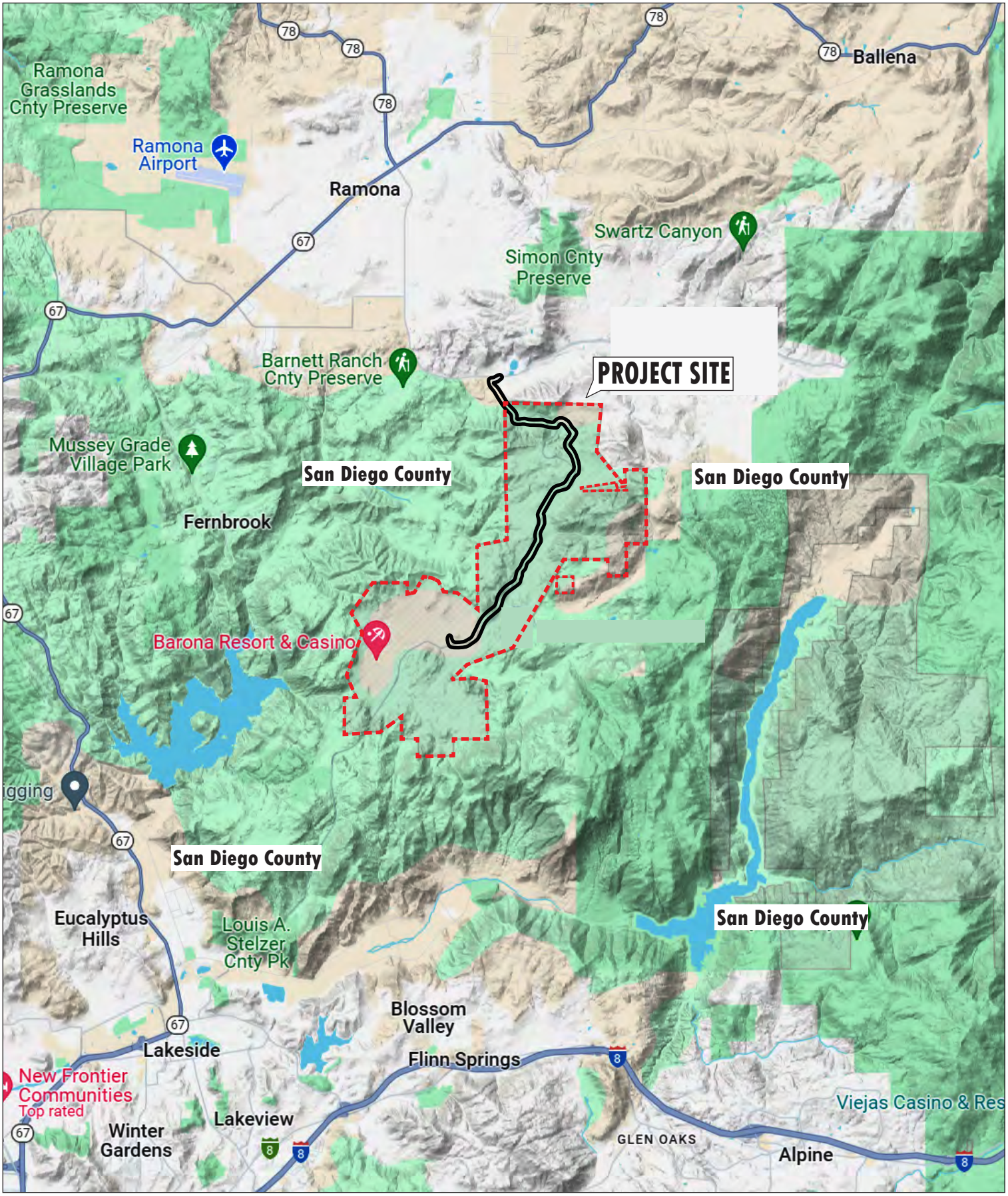
The Barona Band of Mission Indians ("Tribe") is a federally recognized tribe of Kumeyaay Indians. The Reservation is located near Lakeside, about 30 miles northeast of San Diego, and near the Cleveland National Forest (see Figure 2 *Regional Vicinity Map*). Founded in 1932, the Reservation covers more than 5,181 acres (8.10 square miles). Much of the highland valley has good farmland, and the Reservation hosts several ranches, a chapel, Tribal offices, community center, and a ballpark, created by the Tribe. The nearest community is San Diego Country Estates, which adjoins the reservation's northeast side[2]. The Tribe's current population is currently just over 600 members (adults and children); most but not all live on the Reservation.

The District and Tribe have entered into a Memorandum of Understanding ("MOU") for the purpose of establishing requirements and procedures for the preparation of a joint Environmental Assessment as required by the National Environmental Policy Act ("NEPA"), and an Initial Study/Mitigated Negative Declaration pursuant to the California Environmental Quality Act ("CEQA") for the District's and the Tribe's proposed Ramona/Barona Tribe Potable and Recycled Water Infrastructure Project ("Project"). This "Finding of No Significant Impact" (FONSI)/MND has been prepared to satisfy the requirements of NEPA for the entirety of the Project for both on-Reservation and off-Reservation sections of the pipeline, and the California Environmental Quality Act ("CEQA") for the on-Reservation and off-Reservation portions of the pipeline as well as any applicable implementing regulations and guidelines. It should be noted that while CEQA analysis is not a requirement for projects on Tribal lands, this document analyzes the whole of the project, including on-reservation portion for full public disclosure.

The primary other agreements needed for the Project are (1) a 4-party agreement for the provision of potable water service to the Barona Indian Reservation between the Metropolitan Water District of Southern California (Metropolitan), the San Diego County Water Authority (SDCWA), the District, and the Tribe, and (2) a related agreement between the District and the Tribe regarding recycled water service and related matters, both agreements to be approved by the parties and by the San Diego County Local Agency Formation Commission under California Water Code §71611.5.

The District has received a grant that is a sub-grant under a primary grant of $16,084,697 made to the San Diego County Water Authority from the California Department of Water Resources from a Proposition 1 Round 2 Integrated Regional Water Management Implementation Grant. That sub-grant supports only the recycled water pipeline part of the overall project. The District is the Lead Agency under CEQA and a cooperating agency under NEPA.

[1] About Us | Ramona Municipal Water District (rmwd.org)
[2] Barona Band of Mission Indians (barona-nsn.gov)



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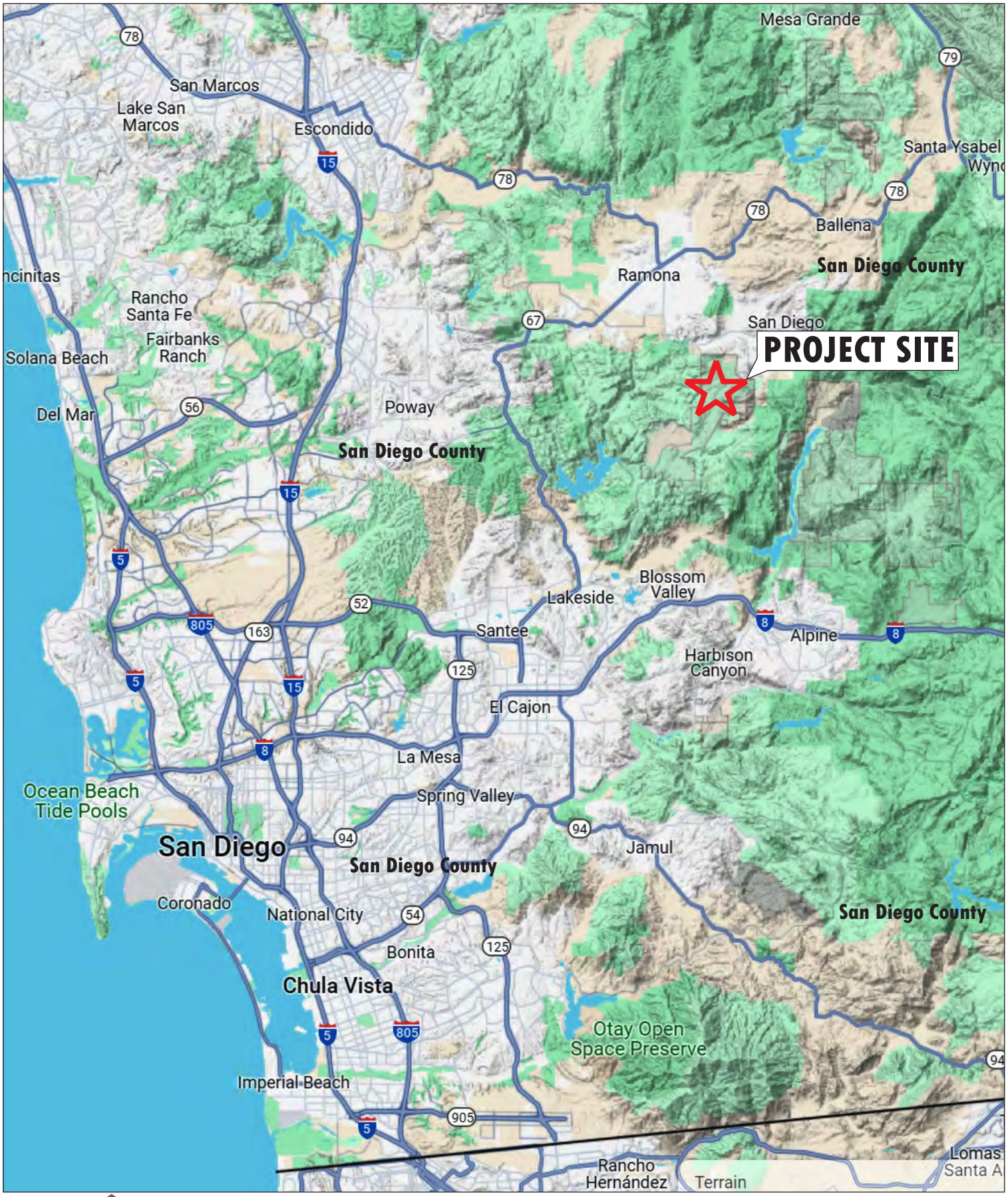
Pipeline Study Area

Reservation Boundary

VICINITY MAP

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 1



REGIONAL VICINITY MAP

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

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FIGURE 2

1.1 TRIBAL BACKGROUND

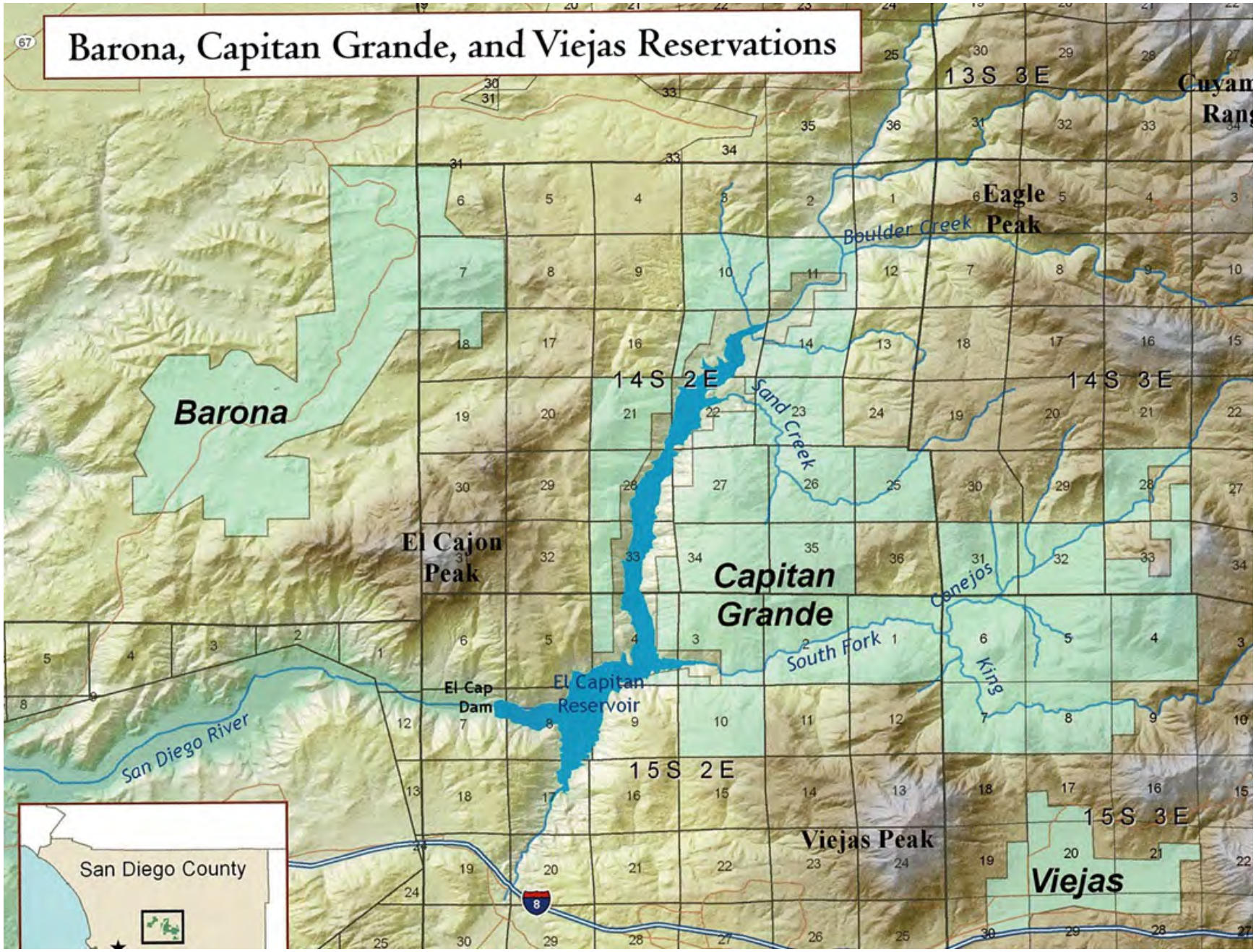
The Capitan Grande Band of Mission Indians is an aboriginal tribe, living for centuries in two villages in what is now San Diego County. The villages were on the banks of the San Diego River, the largest free-flowing river in San Diego County. The Capitan Grande people were People of the River. They used water from the river for domestic purposes and some irrigated agriculture and made use of other natural resources along the length of the river, from the mountains to the Pacific Ocean. To protect the Indian lands from encroachment by non-Indian settlers, the United States created the 15,753.4-acre Capitan Grande Indian Reservation for them in 1875, but the encroachment continued. Congress tried to protect what was left of the 1875 reservation by having the Secretary of the Interior issue a federal patent in 1896, solemnly declaring that the United States would hold the remaining parts of that reservation in trust for the Capitan Grande Band indefinitely. That lasted until 1919, when the City of San Diego announced that it needed better flood control and water storage for its benefit, and that the way to promote those ends was by building a dam on the San Diego River.

The city chose as the location for its dam a site immediately downstream of the Capitan Grande Indian Reservation. The San Diego River would back up behind the dam and flood the bottomland of the Capitan Grande Indian Reservation, and the villages, fields, cemeteries, and all usable land of the Reservation. Because the Reservation was protected by the federal patent of 1896, the city asked Congress to authorize it to override the patent and condemn the bottomland of the Capitan Grande Indian Reservation, without consulting the Capitan Grande people. Congress generously obliged in 1919 by enacting a federal statute that authorized the city not only to condemn all the land that would be flooded, but also to condemn all aliquot parts of any parcels in the Reservation that would be flooded. This meant that, if the high-water mark of what would become El Capitan Reservoir would inundate even a few square yards of a quarter quarter section of land, then the city could condemn all of the quarter quarter section. The result was that at no point would the remaining uncondemned Indian lands touch or give any access to the water behind the dam. The city refused to allow the Indians to trespass on the newly condemned land to reach the water of the new reservoir.

Actual construction of the dam was delayed because the city decided it wanted more Indian land so that it could build an even higher dam. Again, Congress obliged in 1932 and authorized the city to condemn the desired additional land, again in such a way that the Indians could gaze at the water of the new reservoir from their remaining land, but not use or cross the surrounding ring of city-owned land to get to it.

With the proceeds of the condemnation, the Secretary of the Interior purchased a substitute reservation, a smaller parcel originally of 5,120 acres, but with later additions, which became the present Barona Indian Reservation. See Figure 3 *Associated Reservations* map[3] showing the relative locations of the Captain Grande and Barona Reservations, the San Diego River, El Capitan Dam. The maximum pool elevation of water backed up behind El Capitan Dam, produced a ring of condemned, dry land owned by the city, on which the city did not permit the Indians to trespass to reach the water of their former River. The new substitute Barona Indian Reservation had scenic vistas, but no free-flowing river or water source except whatever groundwater happened to be present.

[3] Tanis C. Thorne, *El Capitan*, Malki-Ballena Press, 2012, plate 6.



LOCAL RESERVATIONS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 3

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Because the land of the substitute Barona Indian Reservation was in a fractured granite rock system, it had very little capacity to hold or store groundwater, a water storage capacity of about 0.10%.

The Barona people managed to survive for decades since 1932 with no water source other than their own scant groundwater. They did so by managing their meager groundwater sustainably, decades before sustainable groundwater management became required in California. In 1977 the U. S. Geological Survey published a report on the hydrology of the Barona, Capitan Grande, and Sycuan Indian Reservations[4]. Early development consisted solely of residences, facilities for raising about 300 head of cattle, and "an automobile-dismantling yard and Indian jewelry sales." The report noted that most of the Reservation land was a fractured granite system, with a scenic pasture atop a small alluvial depression, around which most of the residences were clustered to take advantage of shallow wells. "The thickness of the alluvial deposits in Barona Valley ranges from almost nothing to about 50 ft".[5]

Until around 2002 this limited local groundwater was barely adequate when there were only 186 homes on the Barona Indian Reservation. But in 2002 a sustained and severe drought struck all of San Diego County and the wells failed. The Tribe had to haul in water for domestic and other purposes. One hydrological study from 2000[6] estimated that the safe sustainable yield of the entire Barona Indian Reservation was in the range of 425–800-acre feet per year (afy), depending on certain assumptions and the operation of a modern wastewater treatment plant. It also noted that, outside of the small alluvial pasture, the water storage capacity of the fractured granite was only 0.10%.

Even that yield of groundwater was unreliable in the long term because of the severe drought that struck in 2002 and the population growth that had increased the number of homes on the Reservation from 186 to 262 by 2022. Young families having children caused this growth of about 5 new homes per year. Starting in 2002, the Tribe sank dozens of new wells throughout the Reservation, some to great depth, at all locations on the Reservation where it made hydrological sense to drill new wells. Only a few were productive and did not increase the total yield significantly. By 2022 all likely geological formations had been tried as new groundwater sources and had failed.

Lack of water for domestic purposes was not the only constraint for the Barona people in their quest for a water source starting in 2002. In the fires that engulfed much of eastern San Diego County in 2003, and again in 2007, the homes of over 30 families on the Barona Indian Reservation were destroyed. The limited amount of water in storage tanks on the Reservation did not begin to provide the fire flows of water needed for fire protection.

At the same time, relentless global climate change battered all of San Diego County with droughts of increasing frequency and severity, with no prospect of long-term relief. The extremely low yield of groundwater from the fractured granite geologic strata underlying the Barona Indian Reservation is confirmed by the fact that none of the Barona Indian Reservation is within any of the 500+ groundwater basins identified by the California Department of Water Resources' Bulletin 118.

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[4] U.S. Geological Survey, *Water Resources of Indian Reservations, San Diego County, California*, Open File Report 77-289, October 1977

[5] Id., P.6

[6] Ninyo & Moore, 2000

It had become clear that the Tribe needed a new source of imported water, not only for normal population growth, but for basic survival in a time of increasing fire danger, decreasing groundwater supplies, and droughts of increasing frequency, duration, and severity.

1.2 PURPOSE AND NEED

To address the lack of sufficient supply, the Tribe is actively seeking to supplement its groundwater resources by utilizing a streamlined process to obtain and pay for imported potable water service as a customer of a local water district. The District also produces recycled water in excess of what can be consumed locally and must therefore pay for disposing of excess supply. The Tribe needs recycled water to reduce the quantity of potable water used, thereby reducing reliance on groundwater.

In 2021 a feasibility study was conducted to evaluate potential potable and recycled water sources from neighboring water districts (see Appendix A: *Preliminary Design Report, Long-Term Potable and Recycled Water Service to Barona Indian Reservation, Dudek, June 2022)*. The study was initiated in response to recent projections showing the Tribe's long-term water demand exceeding the sustainable yield of the underlying groundwater basin as droughts lengthen and become more frequent.

California Water Code Section 71611.5 details guidelines for municipal water districts to provide service to Indian tribal lands. Section 71611.5(a)(2) provides that upon request by an Indian tribe and satisfaction of conditions established by the California Water Code, a district may provide water service to the requesting tribe at substantially the same terms as its existing customers without annexation. Section 71611.5(b)(3) requires that the requesting tribe "accept[], by agreement, all terms of, and payments, including service payments, to, the district and any public agency providing water to said district, as if the Indian tribe's lands were fully annexed into the district and into the service area of any other public agency, which terms and payments are also a condition of continued service by a district and by any public agency providing water to said district." Accordingly, Metropolitan, SDCWA, the District, and the Tribe must enter into a 4-party agreement for provision of potable water service, and the District and the Tribe must enter into a 2-party agreement for the provision of recycled water service. Both agreements are subject to the approval of the San Diego County Local Agency Formation Commission (LAFCO) under this statute.

The report concluded that the District would be the best possible source of potable and recycled water for the Tribe. The study found that sourcing both potable and recycled water from the District would allow the majority of required new infrastructure to be constructed on Reservation land with minimal off-Reservation construction, expense, and delay. Because the District receives imported water supplies from SDCWA and Metropolitan), a four-party agreement for water supply with the tribe, District, SDCWA, and Metropolitan is required to facilitate the requested water service. The parties have negotiated a four-party water supply agreement and intend to execute it subject to completion of the planning process and approval of the respective public agency boards and Tribal Council.

Potable Water. Available 2021 daily supply data (Table 1 *Existing Potable Water demands Average Daily, Maximum Daily, and Peaking Factors*) was used to calculate water needs for Reservation and Casino. The average daily demand (ADD) and maximum daily demand (MDD) of the Reservation and Casino were calculated based on supply data. The MDD is the highest one-day demand over the entire year. Typically, water demands peak in the summer and reach a

minimum during winter. A peaking factor, defined as the ratio of MDD to ADD, was also determined for both the Reservation and Casino. Table 1.2-1 summarizes the ADD, MDD, and peaking factors for the Reservation and Casino.

The Tribe expects average annual potable water demand to increase by 25% because of steady residential development. The number of homes on the Reservation in 2002 was 186, the number in 2022 was 282, an increase of 96 homes over a 20-year period. Meanwhile, the Tribe's ultimate potable water demand is estimated at approximately 1500 acre-feet per year (afy) when the Reservation is fully developed.

Table 1.2-1

Existing Potable Water demands Average Daily, Maximum Daily, and Peaking Factors

	ADD (afy)	MDD (afy)	Peaking Factor
Reservation	263.1	492.3	1.87
Casino	91.3	149.5	1.64
Total	354.4	641.8	N/A

Source: Preliminary Design Report Long-Term Potable and Recycled Water Service to Barona Indian Reservation

Recycled Water. San Vicente Wastewater Reclamation Plant (SVWWRP), located near the Tribe's northern Reservation boundary, currently produces 450 afy of recycled water. Approximately 250 to 300 afy is being delivered to the San Diego Country Estates Golf Course. The remaining 150 to 200 afy of recycled water is available to be supplied to the Tribe. Ultimately, the Tribe is expected to receive a recycled water supply of 150 to 200 afy from the District.

1.3 SCOPE OF THIS DOCUMENT

1.3.1 California Environmental Quality Act (CEQA)

This IS/MND has been prepared in accordance with CEQA (as amended) (Public Resources Code sections 21000 et. seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, sections 15000 et. seq.), as updated on December 28, 2018. CEQA Guidelines section 15063 describes the requirements for an IS and sections 15070-15075 describe the process for the preparation of an Mitigated Negative Declaration (MND). This IS/EA contains all of the contents required by CEQA, which includes a Project Description, a description of the environmental setting, potential environmental impacts, mitigation measures for any significant effects, consistency with plans and policies, and names of preparers.

This IS/EA evaluates the potential for environmental impacts to resource areas identified in Appendix G of the State CEQA Guidelines (as amended in December 2018). The environmental resource areas analyzed in this document are shown in Table 1.3-1.

This IS/EA has been prepared to determine the appropriate level of environmental documentation required for the proposed project pursuant to CEQA. This document will also serve as a basis for soliciting comments and input from members of the public and public agencies regarding the proposed project.

The Draft IS/EA will be circulated for a minimum of 30 days, during which comments concerning the analysis should be sent to:

Ramona Municipal Water District
Attention: Erica Wolski, General Manager, P.E.
105 Earlham Street
Ramona, CA 92065

The District's Board of Directors will consider adopting the Final IS/EA and MMRP in compliance with CEQA at a publicly noticed meeting, planned for a date to be determined.

The scope of the environmental resource areas is listed below in *Table 1.3-1* The level of significance for each resource area uses the following CEQA terminology:

- **No Impact.** No adverse environmental consequences have been identified for the resource or the consequences are negligible or undetectable.
- **Less than Significant Impact.** Potential adverse environmental consequences have been identified. However, they are not adverse enough to meet the significance threshold criteria for that resource. No mitigation measures are required.
- **Less than Significant with Mitigation Incorporated.** Adverse environmental consequences that have the potential to be significant but can be reduced to less than significant levels through the application of identified mitigation strategies that have not already been incorporated into the Proposed Project.
- **Potentially Significant.** Adverse environmental consequences that have the potential to be significant according to the threshold criteria identified for the resource, even after mitigation strategies are applied and/or an adverse effect that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an Environmental Impact Report (EIR) must be prepared to meet the requirements of CEQA.

1.3.2 National Environmental Policy Act (NEPA)

The federal nexus triggering the application of NEPA in this case is the award by Congress of Grant no. B-23-CP-CA-0319. Congress made this grant of $2,000,000, and many others, under the Community Development Fund of the Act of December 29, 2022, P.L. 117-328, 136 Stat. 5154, 5155, for "Barona Band of Mission Indians Water Infrastructure Project." This statute names the U.S. Department of Housing & Urban Development as the federal agency to administer this Fund and its grants. In addition, the United States Bureau of Reclamation has announced the award of additional grant funding.

As with most such HUD-funded projects, HUD delegates responsibility for compliance with NEPA to Responsible Entities, subject to review, oversight, and final approval by HUD for compliance with NEPA. "Responsible entities shall assume the responsibility for environmental review, decision-making, and action that would otherwise apply to HUD under NEPA. Responsible entities that receive assistance directly from HUD assume these responsibilities by execution of a grant agreement with HUD. 24 CFR section 58.4(a). Grantees that are Indian tribes are Responsible Entities". The "Responsible Entity" is, "[w]ith respect to environmental responsibilities under the programs listed in 58.1(b)(3)(ii) and (6) through (12) [in this case, (7)], an Indian tribe when it is the recipient under the program." 24 CFR section 58.2(a)(7)(ii).

The Barona Band has executed such a grant agreement with HUD for this grant and is thus the Responsible Entity regarding this grant. HUD has delegated to the Barona Band "the responsibility for environmental review, decision-making, and action that would otherwise apply to HUD under NEPA." Thus, in this case the Barona Band performs the functions of a lead agency under NEPA, although under the supervision, control, and approval authority of HUD, which remains at least the nominal lead agency.

Resources analyzed per the CEQA Guidelines, and the federal cross-cutters analyzed under NEPA are shown in Table 1.3-1 below.

Table 1.3-1

CEQA Environmental Resources Analyzed and NEPA Cross-Cutting Environmental Regulations Evaluated

California Environmental Quality Act (CEQA)[7]	Federal Cross-Cutter Analysis per the National Environmental Policy Act (NEPA)
• Aesthetics • Agricultural / Forest Resources • Air Quality • Biological Resources • Cultural Resources • Energy • Geology / Soils • Greenhouse Gas Emissions • Hazards / Hazardous Materials • Hydrology / Water Quality • Land Use / Planning • Mineral Resources • Noise • Population / Housing • Public Services • Recreation • Transportation • Tribal Cultural Resources • Utilities / Service Systems • Wildfire • Mandatory Findings of Significance	• Environmental Alternative Analysis • Archaeological and Historic Preservation Act (AHPA) • Clean Air Act • Clean Water Act • Coastal Zone Management Act • Farmland Protection Policy Act • Endangered Species Act (ESA) • Environmental Justice • Farmland Protection Policy Act • Fish and Wildlife Coordination Act (FWCA) • Floodplain Management Executive Orders 11988, 12148, 13690 • Magnuson Stevens Fishery Conservation and Management Act • Migratory Bird Treaty Act • National Historic Preservation Act (NHPA) • Protection of Wetlands • Rivers and Harbors Act, Section 10 • Safe Drinking Water Act, Sole Source Aquifer Protection • Wild and Scenic Rivers Act

[7] NEPA evaluation of these resources can be found in Section 5.3, table 5.3-1 of this document.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

2.1.1 Existing Project Facilities

The Tribe currently operates a 6-inch non-potable pipeline to irrigate the Barona Creek Golf Club, an eighteen-hole golf course surrounding Barona Resort and Casino. This pipeline, commonly referred to as the "Golf Course Line", originates southeast of the Giant San Diego Paintball Park at Well 29 and continues along Ketuull Uunyaa Way before terminating at the irrigation ponds serving the golf course.

The Tribe also operates a potable water distribution system that is supplied by well water and serves tribal residences, the Resort and Casino, school, cultural center and other facilities on the Reservation. Figure 4 represents the Reservation boundary and Proposed Project Alignment.

All elements of the Proposed Project lie within Section 35, T13S, R1E, SBB&M (off-Reservation), and T14S, R1 and 2E, SBB&M (unsectioned because formerly Mexican land grant – Rancho Barona). The Project Site includes all or a portion of the following APNs:

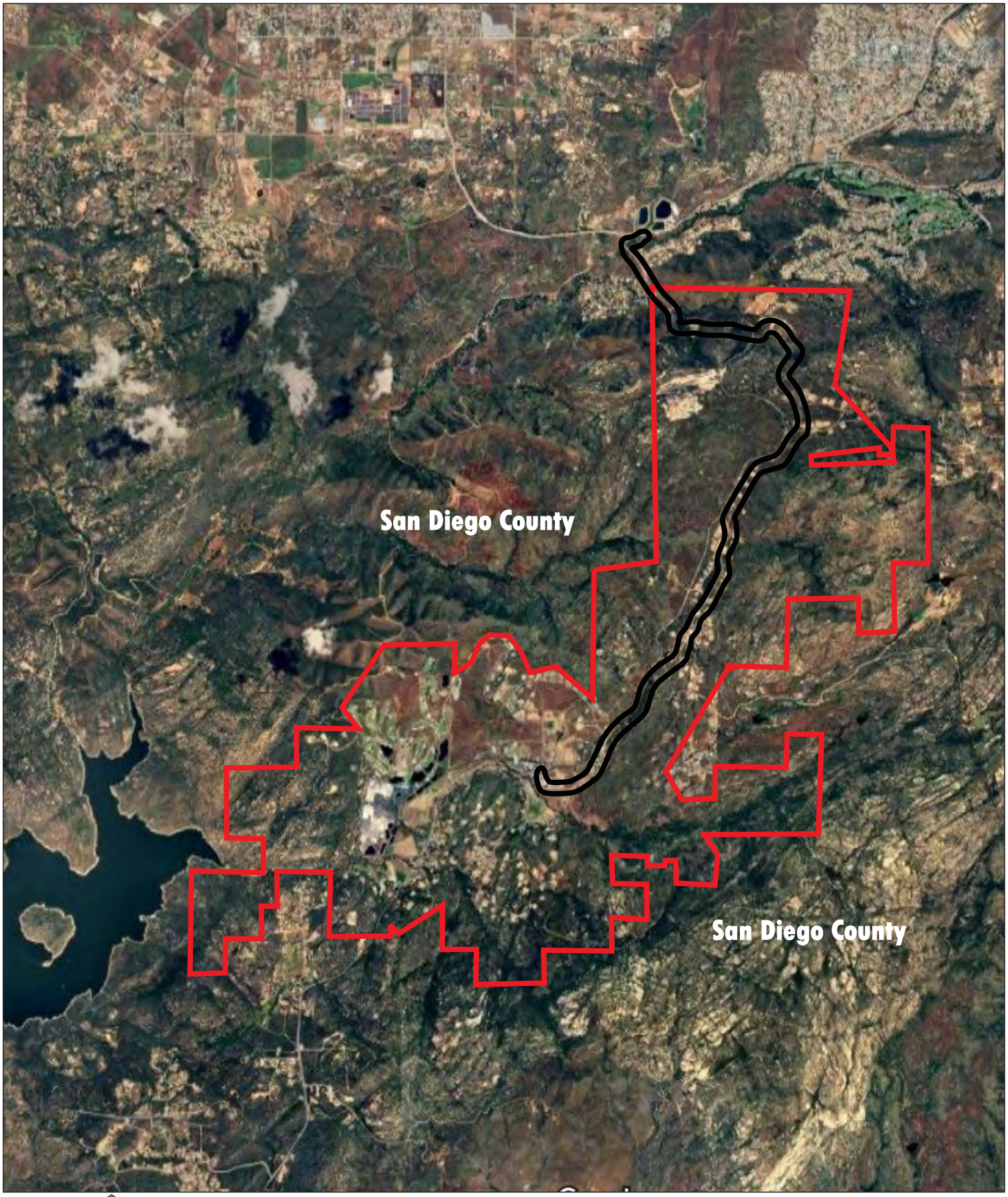
328-050-01	330-070-21	330-070-18
331-010-01	328-080-01	329-070-01
328-120-03	328-100-02	329-070-02
330-020-01	330-070-20	330-030-05

2.1.2 Proposed Off-Reservation Alignment

The 8-inch recycled water pipeline commences at the San Vicente Wastewater Reclamation Plant, at an existing District pump station located just northeast of the intersection of Vicente Meadows Road and San Vicente Road. Once the proposed 8-inch recycled water pipeline leaving the San Vicente Wastewater Treatment Plant reaches the intersection of San Vicente Road and Wildcat Canyon Road, it will share the alignment and run parallel with the proposed 12-inch potable water pipeline in Wildcat Canyon Road. A horizontal separation of 4 feet must be maintained between the recycled and potable water pipelines throughout the alignment, both off-and on-Reservation. Figure 5 depicts the portion of the Project pipelines that are off-Reservation on County lands. This portion of Wildcat Canyon Road is maintained by the San Diego County Department of Public Works (DPW) and thus subject to the County's design standards and permitting requirements. It will be necessary to obtain an Encroachment permit from the County. Approximately 3000 LF of recycled water pipeline and 2100 LF of potable water pipeline will be constructed off-Reservation.

2.1.3 Proposed On-Reservation Alignment

After crossing the Reservation boundary, the proposed recycled and potable water pipelines will run within the Wildcat Canyon Road right-of-way for approximately 0.35 miles before shifting eastward and moving off the road outside of the County right-of-way. The pipes continue to share an alignment until the recycled water line connects to the existing Golf Course Line approximately 1200 feet southeast of the Giant San Diego Paintball Park while the potable line continues overland approximately 20,200 feet until it joins the existing domestic water distribution system. See Figures 6 through 9 for on-Reservation alignment and components through the Reservation.



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LILBURN
CORPORATION

LEGEND

Pipeline Study Area

Reservation Boundary

RESERVATION BOUNDARY

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 4

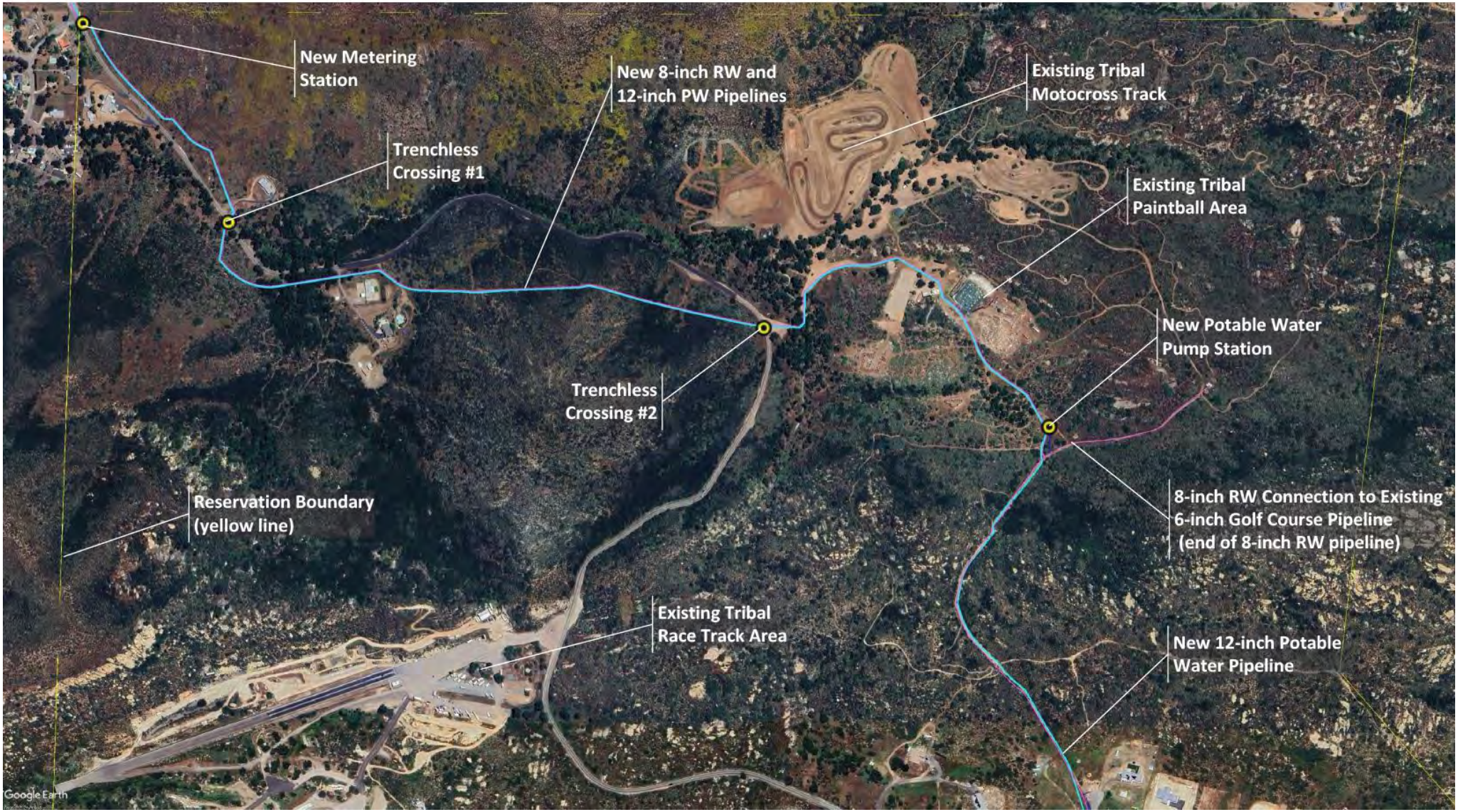


OFF-RESERVATION SEGMENT

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 5

LILBURN
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ON-RESERVATION SEGMENT, FIRST OF 4 SECTIONS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 6

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ON-RESERVATION SEGMENT, SECOND OF 4 SECTIONS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 7

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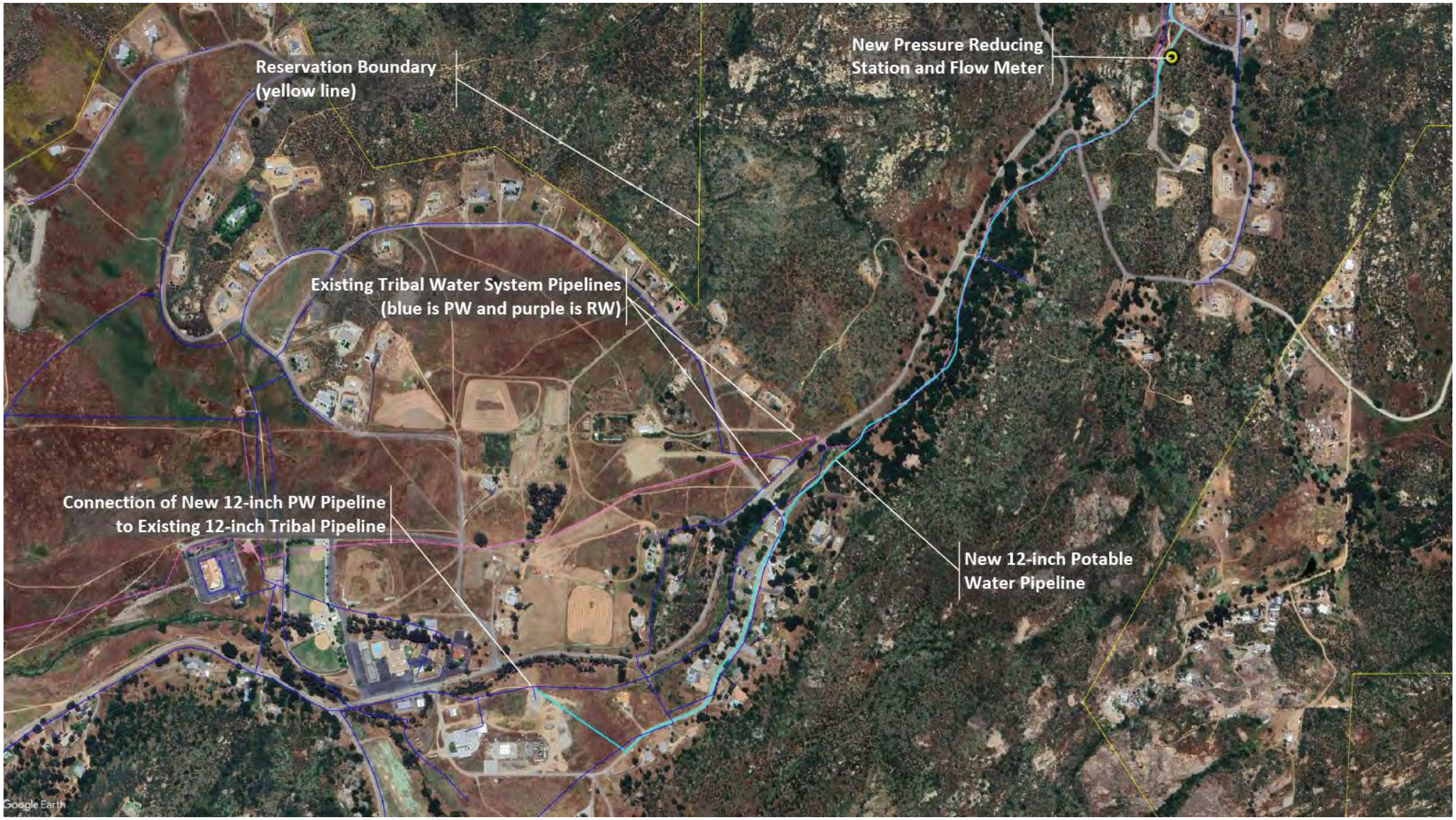


ON-RESERVATION SEGMENT, THIRD OF 4 SECTIONS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 8

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ON-RESERVATION SEGMENT, FOURTH OF 4 SECTIONS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 9

LILBURN
CORPORATION

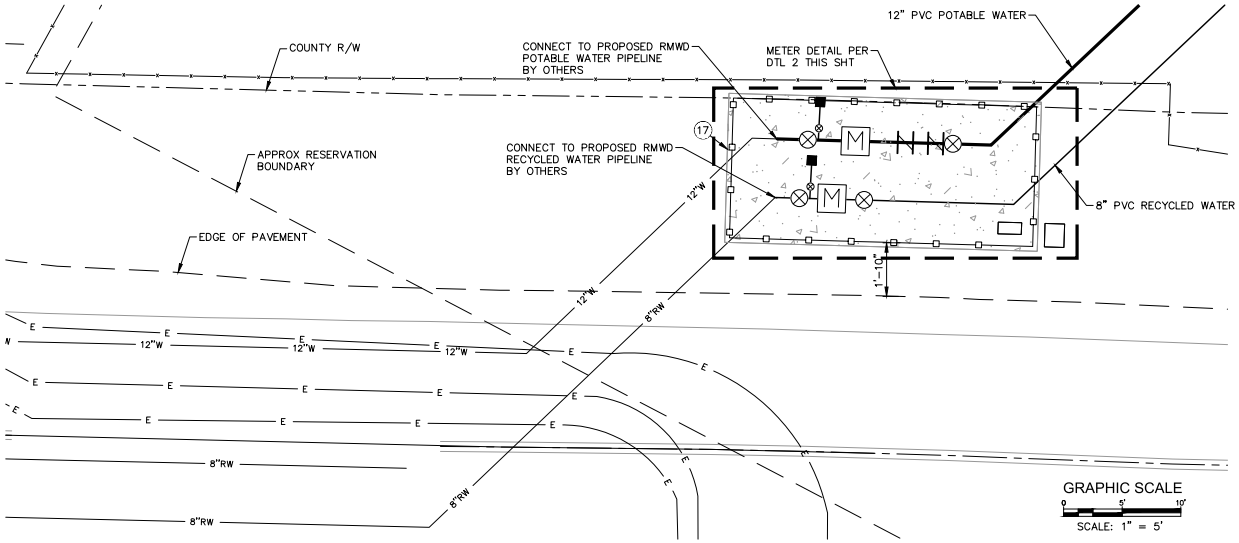
2.2 PROPOSED PROJECT/PREFERRED ACTION

The Proposed Project/Preferred Action (Project) includes a new 12”-diameter pipeline to convey potable water, and a new 8”-diameter pipeline to convey recycled water from the District’s facilities to the Reservation. The Project consists of two segments: an off-Reservation segment and an on-Reservation segment (see Table 2.2-1 for pipeline lengths by location). The off-Reservation segment consists of two (2) largely parallel new pipelines to convey water, each of which is less than one (1) mile from existing water distribution facilities within the Ramona Municipal Water District service area, by connection within a county road easement to an existing bridge over San Vicente Creek, along the county road easement to the boundary of the Barona Indian Reservation, all to be performed by the District. The on-reservation portion of the water line construction will be the responsibility of the tribe.

The Potable Water Line. The 12-inch potable water pipeline originates at the intersection of San Vicente Road and Wildcat Canyon Road, within the District’s service area. The District currently operates a 16-inch diameter water line within the San Vicente Road right-of-way, to which the new 12-inch pipeline will connect. The 12-inch pipeline will be constructed within the Wildcat Canyon Road right-of-way from the connection point south, crossing an existing bridge over San Vicente Creek, continuing south to the Reservation boundary just south of Little Klondike Road. A new water metering facility will be constructed just inside the Reservation boundary, within the road right-of-way to meter water deliveries from the District to the Reservation. The meter facility will consist of a magnetic flow meter and related equipment mounted on a 12’ x 25’ concrete pad enclosed by chain link fence (see Figure 10).

After the metering station, the 12-inch pipeline leaves the Wildcat Canyon Road right-of-way, continuing south across Reservation land. The 12-inch pipeline crosses Wildcat Canyon Road twice, using trenchless construction techniques, traversing existing Reservation roads to a point just south of the Giant San Diego Paintball Park. At this location the Tribe will construct a small booster pump station, located adjacent to an existing Reservation well site (Well 30). The pump station will be comprised of a concrete block building, approximately 35 feet by 35 feet (see Figure 11 and 11a). This building will house the existing well, the booster pumps, and the electrical equipment. There will also be an emergency diesel generator on the exterior of the building, enclosed in a 12-foot by 18-foot concrete block wall.

Leaving the small pump station, the 12-inch pipeline continues back to Reservation roads specifically Ketuull Uunyaa Way and continues south in Ketuull Uunyaa Way and other unnamed local roadways to Featherstone Canyon Way. At Featherstone Canyon Way, the 12-inch pipeline traverses open land to Barona Road and continues south to connect with an existing 12-inch pipeline within the Reservation water system, adjacent to an existing Reservation well site (Well 21). At this existing location and prior to connection with the existing Reservation distribution system, a Pressure Reducing Station (PRS) will be constructed above ground, with piping, pressure reducing valve, and other miscellaneous equipment and electrical gear connected to the nearby existing well building (see Figure 12 and 12a). The Tribe will construct all on-Reservation pipeline and related facilities.

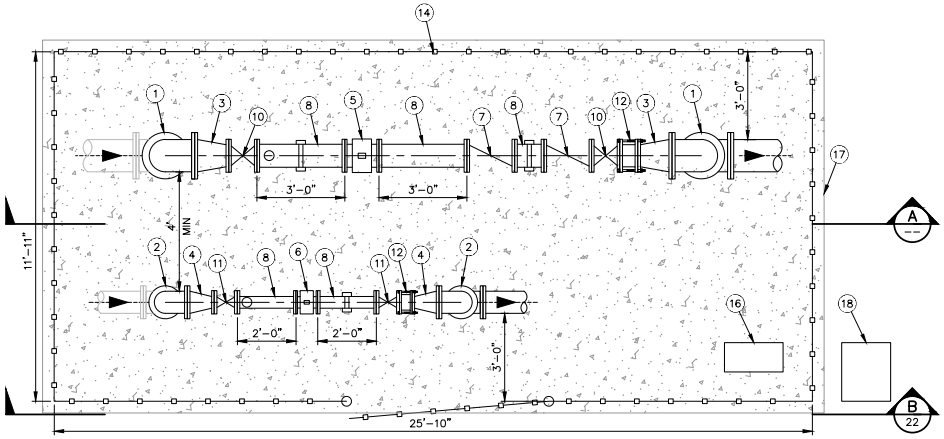


FLOW METER STATION 1
SCALE: 1" = 5'

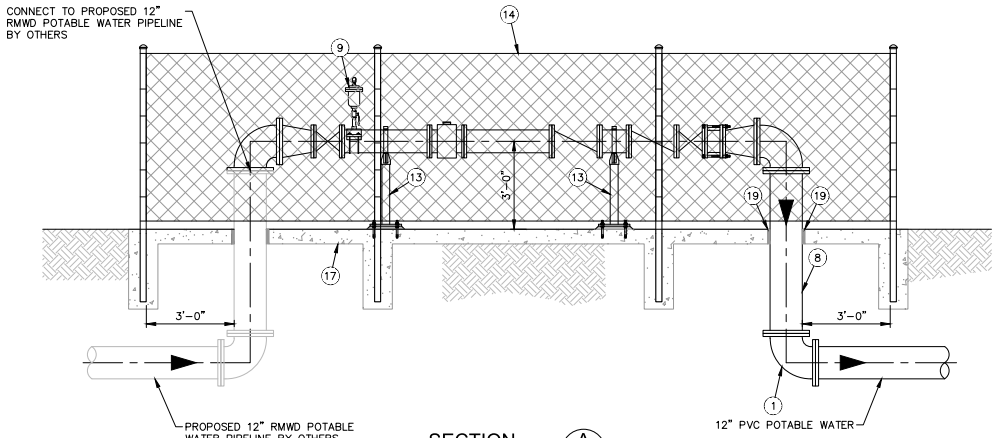
1. 12" DI 90 DEGREE BEND
2. 8" DI 90 DEGREE BEND
3. 12" x 8" DI REDUCER
4. 8" X 4" DI REDUCER
5. 8" MAG METER
6. 4" MAG METER
7. 8" CHECK VALVE
8. DI SPOOL PIECE
9. 2" AIR RELEASE VALVE
10. 8" GATE VALVE
11. 4" GATE VALVE
12. DISMANTLING JOINT
13. PIPE SUPPORT
14. CHAIN LINK FENCE
15. CHAIN LINK GATE
16. SCADA PANEL
17. CONCRETE PAD
18. SDGE METER PEDESTAL
19. GROUT

NOTES:

1. ALL WORK FOR METER SHALL REMAIN INSIDE THE COUNTY R/W.
2. CONTRACTOR TO NOT DISTURB ROAD DURING CONSTRUCTION OF METER SITE.



METER DETAIL 2
SCALE: 1/2" = 1'-0"



SECTION A
SCALE: 1/2" = 1'-0"

60% PROGRESS SET
NOT FOR CONSTRUCTION

GRAPHIC SCALE
SCALE: 1/2"=1'-0"

P:\01\Engineering\Barona Tribe of Mission Indians\13844.01 Ramona_Barona pipeline A6\E-DAD\13844 SHT PLOTTED: 6/7/2023 11:11:45 AM

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THE BASIS OF VERTICAL CONTROL FOR THIS PROJECT IS THE COUNTY OF SAN DIEGO, NAVD 88 BASED LOCALLY ON POINT NO. SMR 06 PER RECORD OF SURVEY 21467, ELEVATION 1416.45.

CONTROL FOR THIS PROJECT IS THE SYSTEM NAD 83 ZONE 6 BASED ON DIEGO POINT NO. SMR 06 PER

NO.	REVISIONS	DATE	BY

SEAL

SEAL

SCALE: AS SHOWN
DATE: JUNE, 2023
DESIGNED BY: SN/OR/SB
DRAWN BY: SN
CHECKED BY: GR
PREPARED UNDER THE DIRECT SUPERVISION OF: GREG RIPPERGER 6/7/23 DATE

RAMONA BARONA PIPELINE
PREPARED FOR
BARONA BAND OF MISSION INDIANS

DUDEK
605 Third Street Encinitas, CA 92024
760.942.5147 Fax 760.632.0164

FLOW METER

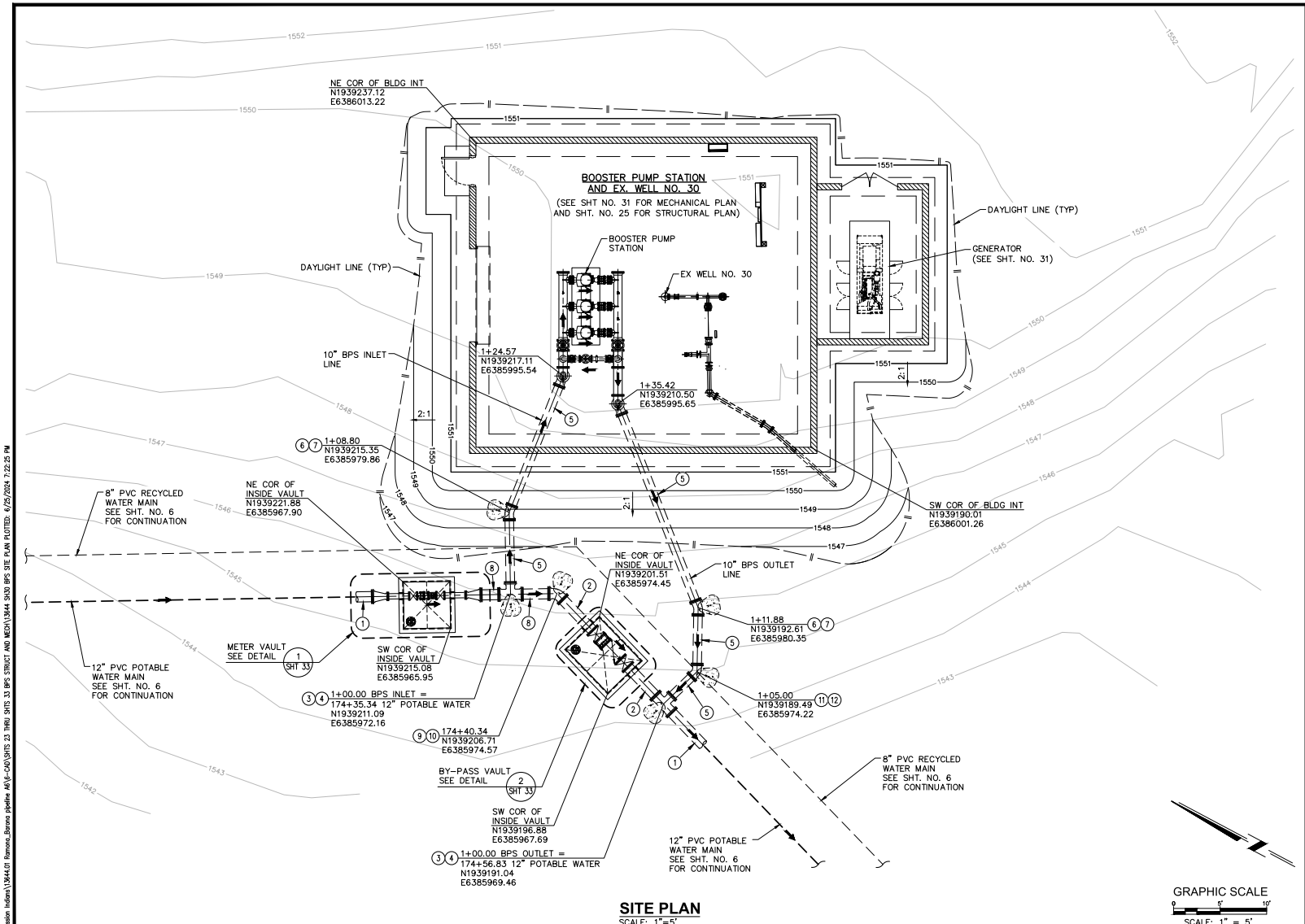
SHEET No. 21 OF 37 SHTS.

FLOW METER STATION

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 10

LILBURN CORPORATION



SITE PLAN
SCALE: 1"=5'

GRAPHIC SCALE
0 5' 10'
SCALE: 1" = 5'

CONSTRUCTION NOTES

1. 12-INCH C900 CLASS 305 DR14 PVC PIPE PER SDWAS DWGS WP-01 AND WP-02
2. 12-INCH DUCTILE IRON CL 54 PIPE SPOOL (FLG X PE)
3. 12-INCH X 10-INCH DUCTILE IRON TEE (FLG X FLG)
4. CONCRETE THRUST BLOCK (34.2 SF) PER SDWAS DWGS WT-01A, WT-01B AND WT-01C
5. 10-INCH CL 54 DUCTILE IRON PIPE
6. 10-INCH DUCTILE IRON 22.5-DEGREE BEND (MJ X MJ)
7. CONCRETE THRUST BLOCK (9.45 SF) PER SDWAS DWGS WT-01A, WT-01B AND WT-01C
8. 12-INCH CL 54 DUCTILE IRON PIPE SPOOL (PE X PE)
9. 12-INCH DUCTILE IRON 45-DEGREE BEND (MJ X MJ)
10. CONCRETE THRUST BLOCK (26.2 SF) PER SDWAS DWGS WT-01A, WT-01B AND WT-01C
11. 10-INCH DUCTILE IRON 45-DEGREE BEND (MJ X MJ)
12. CONCRETE THRUST BLOCK (18.5 SF) PER SDWAS DWGS WT-01A, WT-01B AND WT-01C

NOTES:

1. POTHOLE PRV INLET AND OUTLET PIPELINE ALIGNMENTS. REPORT ANY UTILITY CONFLICTS TO DESIGN ENGINEER PROMPTLY.
2. ALL UTILITIES TO BE PROTECTED IN PLACE UNLESS NOTED OTHERWISE.
3. PRV INLET AND OUTLET PIPELINES SHALL BE INSTALLED WITH A MINIMUM 42-INCH DEPTH OF COVER.
4. ALL DUCTILE IRON PIPE, FITTINGS, SPECIALS, ETC. SHALL BE CERAMIC EPOXY LINED (PROTECTO 401 BY U.S. PIPE OR EQUAL) AND BELOW GRADE DUCTILE IRON FACILITIES SHALL BE ZINC COATED AND ENCASED IN V-BIO POLYETHELENE.

90% PROGRESS SET
NOT FOR CONSTRUCTION

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HORIZONTAL CONTROL FOR THIS PROJECT IS THE CALIFORNIA STATE PLANE SYSTEM NAD 83 ZONE 6 BASED ON SAN DIEGO POINT NO. SMR 06 PER

NO.	REVISIONS	DATE	BY

SEAL

SEAL

SCALE: AS SHOWN
DATE: JUNE, 2023
DESIGNED BY: DG/CS
DRAWN BY: CS
CHECKED BY:
PREPARED UNDER THE DIRECT SUPERVISION OF:
GREG RIPPERGER
6/25/24 DATE

RAMONA BARONA PIPELINE
NEW SUPPLY OF POTABLE AND RECYCLED WATER
PREPARED FOR
BARONA BAND OF MISSION INDIANS

DUDEK
605 Third Street Encinitas, CA 92024
760.942.5147 Fax 760.632.0164

BPS SITE AND GRADING PLAN

SHEET No.
OF 39 SHTS.

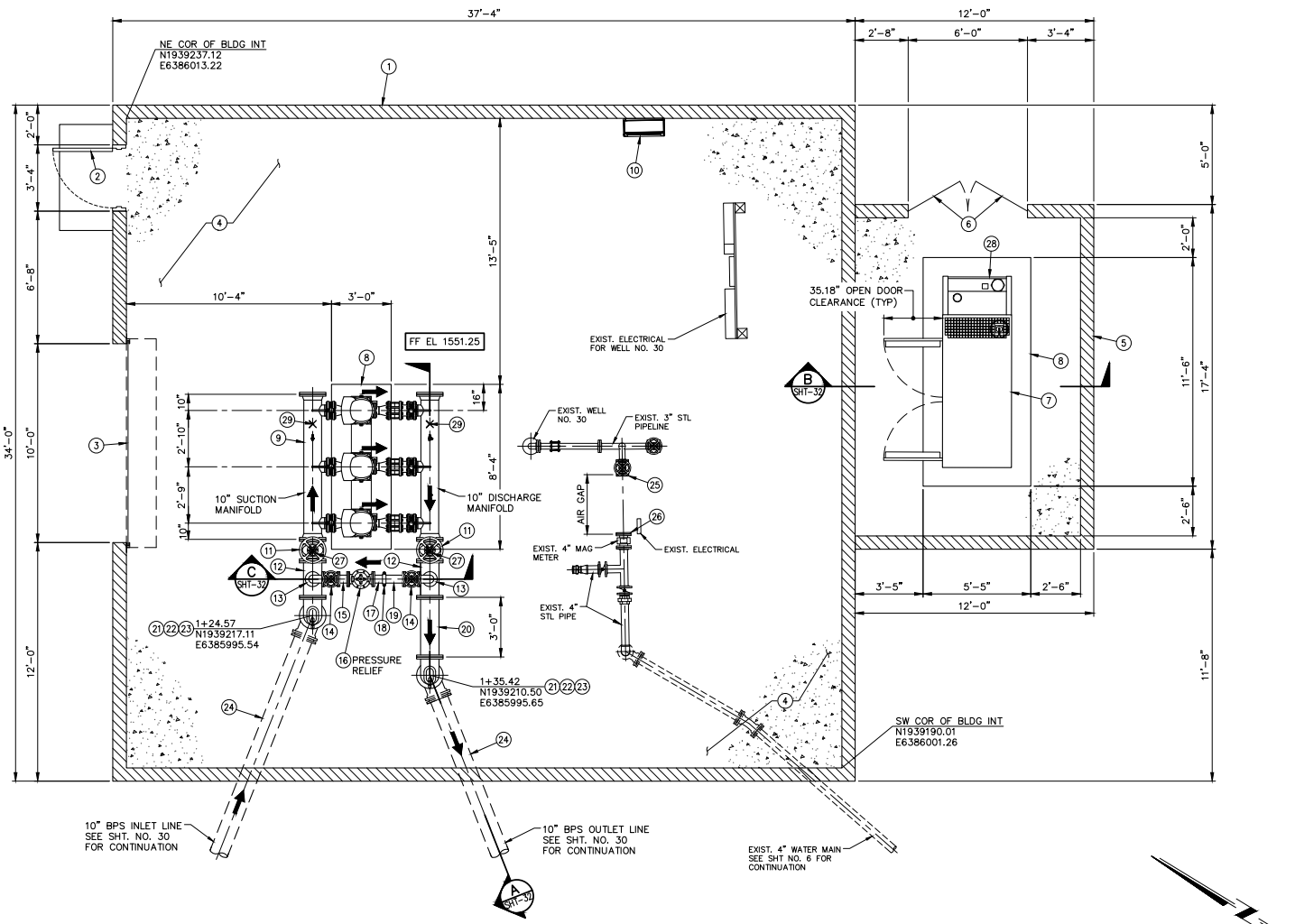
P:\101 Engineering\Barona Tribe of Mission Indians\13644.01 Ramona_Barona pipeline #6\E-CAD\SHTS 23 THRU SHTS 33 BPS STRUCT AND MECH\13644 SHSD BPS SITE PLAN PLOTTED: 6/25/2024 7:22:25 PM

BOOSTER PUMP STATION SITE

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

LILBURN CORPORATION

FIGURE 11



PLAN
SCALE: 3/8"=1'-0"

90% PROGRESS SET
NOT FOR CONSTRUCTION

GRAPHIC SCALE
0 1' 2' 4' 6'
SCALE: 3/8"=1'-0"

CONSTRUCTION NOTES

1. BOOSTER PUMP STATION BUILDING PER STRUCTURAL DWGS
2. HOLLOW METAL ACCESS DOOR PER STRUCTURAL DWGS
3. POWER OPERATED OVERHEAD COILING DOOR PER STRUCTURAL DWGS
4. NEW CONCRETE SLAB PER SHT STRUCTURAL DWGS
5. GENERATOR BLOCK WALL ENCLOSURE PER SHT STRUCTURAL DWGS
6. 6'-0" WIDE DOUBLE CHAIN LINK FENCE GATE
7. 40 KW DIESEL GENERATOR (KOHLER MODEL 40REOZK) WITH SOUND ATTENUATED ENCLOSURE (KOHLER MODEL ADV-8740)
8. CONCRETE EQUIPMENT PAD PER DTL 2 ON SHT 27
9. SKID MOUNTED PACKAGED PUMP STATION (GRUNDFOS PACKAGED TRIPLEX MODEL HYDRO MPC-E 3CRE-95-2-2, 3 X 460V 60 HZ. EACH PUMP: 25 HP RATED 450 GPM AT 170 FEET TDH AT 3600 RPM WITH A VFD FOR EACH PUMP)
10. GRUNDFOS ELECTRICAL PANEL FOR SKID MOUNTED PUMP STATION
11. 10-INCH RESILENT WEDGE GATE VALVE WITH HANDWHEEL (FLG X FLG)
12. 10-INCH X 4-INCH DUCTILE IRON TEE (FLG X FLG)
13. 4-INCH DUCTILE IRON 90-DEGREE BEND (FLG X FLG)
14. 4-INCH RESILENT WEDGE GATE VALVE WITH HANDWHEEL (FLG X FLG)
15. 4-INCH X 6-INCH LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X FLG)
16. 4-INCH PRESSURE RELIEF VALVE (CLA-VAL MODEL NO. 50-01)
17. 4-INCH CL 54 DUCTILE IRON PIPE SPOOL (FLG X GROOVE) LENGTH TO BE DETERMINED IN FIELD
18. 4-INCH STYLE 31 VICTAULIC COUPLING (OR EQUAL)
19. 4-INCH X 12-INCH LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X GROOVE)
20. 10-INCH X 3-FT LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X FLG)
21. 10-INCH DUCTILE IRON 90-DEGREE BEND WITH 2" HEAVY DUTY BOSS AT LOCATION "Y" (FLG X FLG)
22. 10-INCH DUCTILE IRON 90-DEGREE BEND (FLG X MJ)
23. 2-INCH COMBINATION AIR/VAC VALVE ASSEMBLY PER DTL 1 ON SHT 39
24. 10-INCH CL 54 DUCTILE IRON PIPE
25. 3-INCH DUCTILE IRON BLIND FLANGE
26. 4-INCH DUCTILE IRON BLIND FLANGE
27. TYPE I PIPE SUPPORT PER DTL 4 ON SHT NO. 39
28. 142 GALLON FUEL TANK (KOHLER MODEL 40/50/60 kW)
29. TYPE II PIPE SUPPORT PER DTL 4 ON SHT NO. 39

NOTES:

1. ALL UTILITIES TO BE PROTECTED IN PLACE UNLESS NOTED OTHERWISE.
2. BPS INLET AND OUTLET PIPELINES SHALL BE INSTALLED WITH A MINIMUM 42-INCH DEPTH OF COVER.
3. ALL DUCTILE IRON PIPE, FITTINGS, SPECIALS, ETC. SHALL BE CERAMIC EPOXY LINED (PROTECTO 401 BY U.S. PIPE OR EQUAL) AND BELOW GRADE DUCTILE IRON FACILITIES SHALL BE ZINC COATED AND ENCASED IN V-BIO POLYETHELENE.

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CONTROL FOR THIS PROJECT IS THE SYSTEM NAD 83 ZONE 6 BASED SAN DIEGO POINT NO. SMR 06 PER

NO.	REVISIONS	DATE	BY

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SEAL

SCALE: AS SHOWN
DATE: JUNE, 2023
DESIGNED BY: DG/CS
DRAWN BY: CS
CHECKED BY: GR
PREPARED UNDER THE DIRECT SUPERVISION OF:
GREG RIPPERGER
6/30/24
DATE

RAMONA BARONA PIPELINE

PREPARED FOR

BARONA BAND OF MISSION INDIANS

DUDEK
605 Third Street Encinitas, CA 92024
760.942.5147 Fax 760.632.0164

BPS MECHANICAL FLOOR PLAN

SHEET No. OF 39 SHTS.

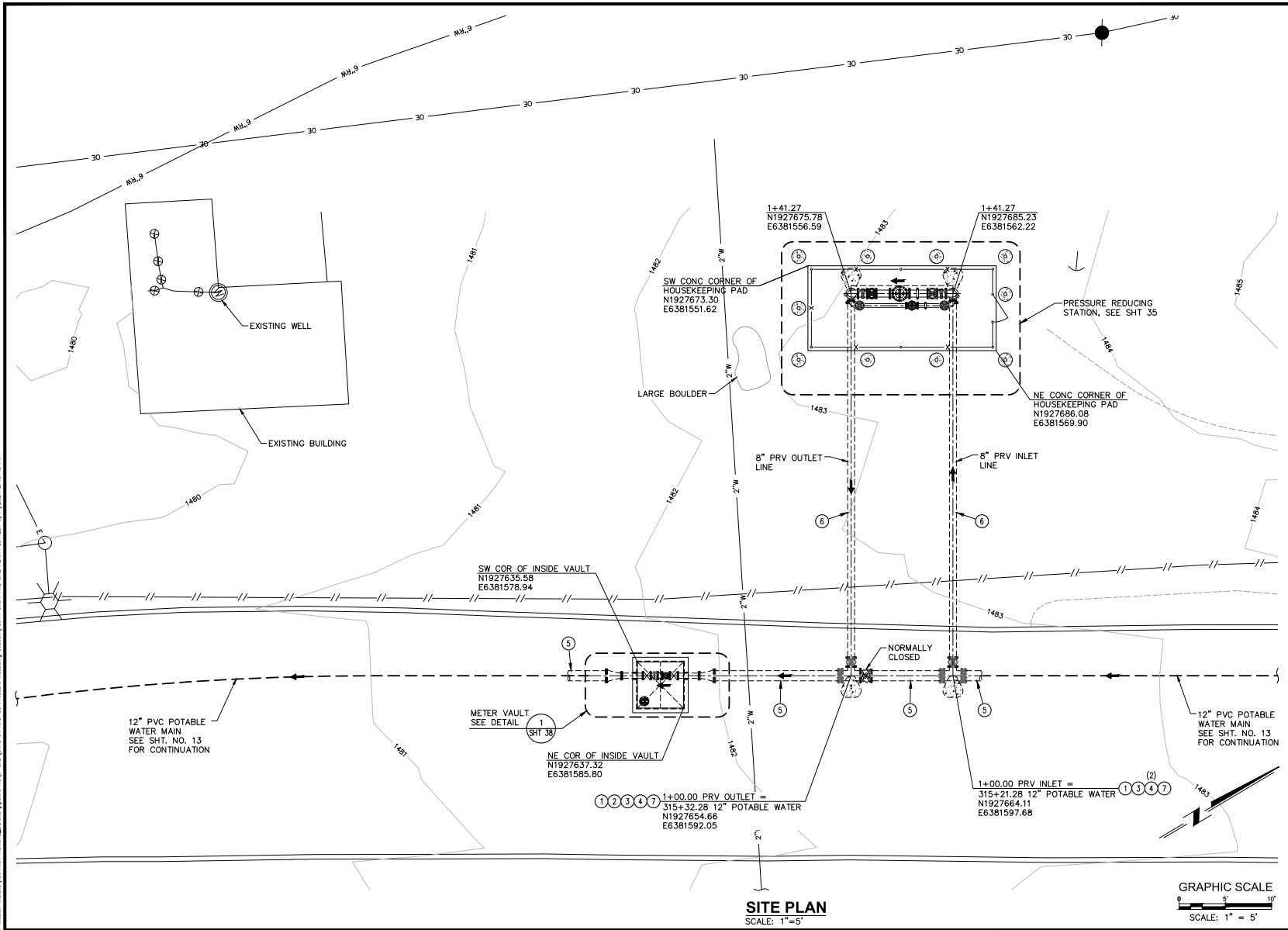
P:\101.Engineering\Barona Tribe of Mission Indians\13644.01 Ramona_Barona pipeline AEVF-CAD\SHTS 23 THRU SHTS 33 BPS STRUCT AND MECH\13644 SH31 BPS MECH FLR PLAN PLOTTED: 6/30/2024 1:47:29 PM

BOOSTER PUMP STATION EQUIPMENT

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

LILBURN CORPORATION

FIGURE 11A



SITE PLAN
SCALE: 1"=5'

GRAPHIC SCALE
0 5' 10'
SCALE: 1" = 5'

CONSTRUCTION NOTES

1. 12-INCH X 8-INCH DUCTILE IRON TEE (FLG X FLG)
2. 12-INCH RW GATE VALVE (FE X MJ) PER SDWAS DWGS WV-01, WV-03 AND WT-01C
3. 8-INCH RW GATE VALVE (FE X MJ) PER SDWAS DWGS WV-01, WV-03 AND WT-01
4. 12-INCH EBAA IRON SERIES 2100 RESTRAINED FLANGE ADAPTER OR EQUAL
5. 12-INCH C900 CLASS 305 DR14 PVC PIPE PER SDWAS DWGS WP-01 AND WP-02
6. 8-INCH C900 CLASS 305 DR14 PVC PIPE PER SDWAS DWGS WP-01 AND WP-02
7. CONCRETE THRUST BLOCK (34.2 SF) PER SDWAS DWGS WT-01A, WT-01B AND WT-01C

NOTES:

1. POTHOLE PRV INLET AND OUTLET PIPELINE ALIGNMENTS. REPORT ANY UTILITY CONFLICTS TO DESIGN ENGINEER PROMPTLY.
2. ALL UTILITIES TO BE PROTECTED IN PLACE UNLESS NOTED OTHERWISE.
3. PRV INLET AND OUTLET PIPELINES SHALL BE INSTALLED WITH A MINIMUM 42-INCH DEPTH OF COVER.
4. ALL DUCTILE IRON PIPE, FITTINGS, SPECIALS, ETC. SHALL BE CERAMIC EPOXY LINED (PROTECTO 401 BY U.S. PIPE OR EQUAL) AND BELOW GRADE DUCTILE IRON FACILITIES SHALL BE ZINC COATED AND ENCASED IN V-BIO POLYETHELENE.

90% PROGRESS SET
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CONTROL FOR THIS PROJECT IS THE
SYSTEM NAD 83 ZONE 6 BASED
SAN DIEGO POINT NO. SMR 06 PER

NO.	REVISIONS	DATE	BY

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SEAL

SCALE: AS SHOWN
DATE: JUNE, 2023
DESIGNED BY: DG/CS
DRAWN BY: CS
CHECKED BY:
PREPARED UNDER THE DIRECT SUPERVISION OF:
GREG RIPPERGER
6/14/24 DATE

RAMONA BARONA PIPELINE
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605 Third Street Encinitas, CA 92024
760.942.5147 Fax 760.632.0164

PRS SITE PLAN

SHEET No.
OF 39 SHTS.

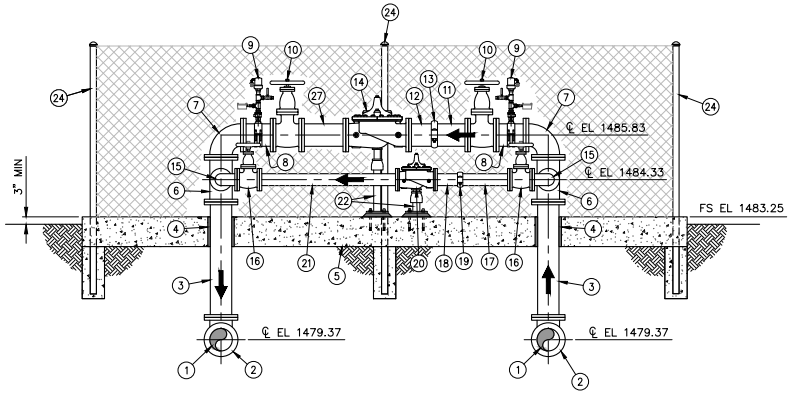
P:\101 Engineering\Barona Tribe of Mission Indians\13644.01 Ramona_Barona pipeline AG\6-CAD\SHTS 34 AND 35 Pressure Reducing Station\13644 SH34 PRS SITE PLAN PLOTTED: 6/14/2024 2:45:48 PM

PRESSURE REDUCTION SITE PLAN

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

LILBURN CORPORATION

FIGURE 12



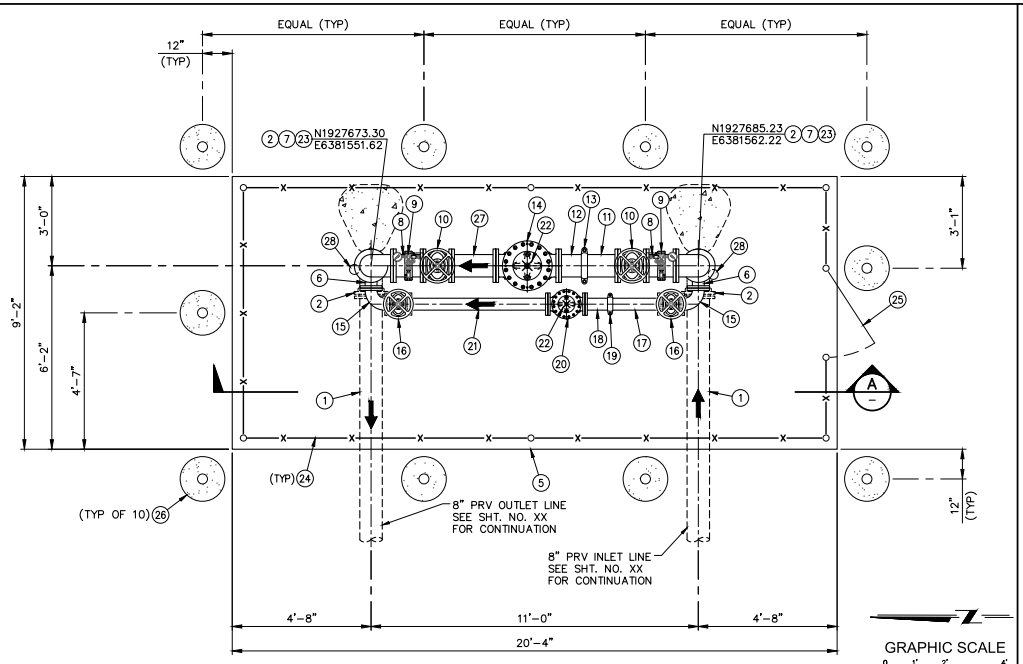
SECTION A
SCALE: 1/2"=1'-0"

NOTES:

1. ALL UTILITIES TO BE PROTECTED IN PLACE UNLESS NOTED OTHERWISE.
2. PRV INLET AND OUTLET PIPELINES SHALL BE INSTALLED WITH A MINIMUM 42-INCH DEPTH OF COVER.
3. ALL DUCTILE IRON PIPE, FITTINGS, SPECIALS, ETC. SHALL BE CERAMIC EPOXY LINED (PROTECTO 401 BY U.S. PIPE OR EQUAL) AND BELOW GRADE DUCTILE IRON FACILITIES SHALL BE ZINC COATED AND ENCASED IN V-BIO POLYETHELENE.

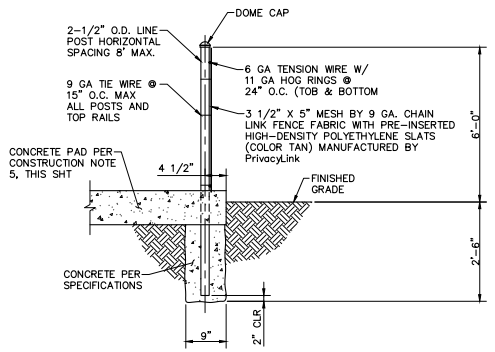
CONSTRUCTION NOTES:

1. 8-INCH C900 CLASS 305 DR14 PVC PIPE PER SDWAS DWGS WP-01 AND WP-02
2. 8-INCH DUCTILE IRON 90-DEGREE BEND (FLG X MJ)
3. 8-INCH CL 54 DUCTILE IRON PIPE SPOOL (FLG X FLG),
4. PRE-MOLDED EXPANSION JOINT MATERIAL
5. 12-INCH THICK REINFORCED 560-C-3250 CONCRETE HOUSEKEEPING PAD WITH #5 @ 12-INCH ON CENTER BOTH WAYS
6. 8-INCH X 4-INCH DUCTILE IRON TEE (FLG X FLG)
7. 8-INCH DUCTILE IRON 90-DEGREE BEND (FLG X FLG)
8. 8-INCH X 12-INCH LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X FLG)
9. COMBINATION AIR VALVE AND PRESSURE GAUGE ASSEMBLY PER DTL 1 ON SHT 39
10. 8-INCH RESILENT WEDGE GATE VALVE WITH HANDWHEEL (FLG X FLG)
11. 8-INCH X 13 5/8-INCH CL 54 DUCTILE IRON PIPE SPOOL (FLG X GROOVE),
12. 8-INCH X 10 3/8-INCH LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X GROOVE)
13. 8-INCH STYLE 31 VICTAULIC COUPLING (OR EQUAL)
14. 8-INCH PRESSURE REGULATING VALVE (CLA-VAL MODEL 90G-01ABCSKCX D/S 150 LB FLANGED GLOBE PATTERN PRESSURE REDUCING VALVE OR EQUAL, DUCTILE IRON BODY, STAINLESS STEEL TRIM, INTERIOR AND EXTERIOR EPOXY COATING, 30-300 PSI SPRING RANGE, STAINLESS STEEL PILOT SYSTEM TUBES AND FITTINGS)
15. 4-INCH DUCTILE IRON 90-DEGREE BEND (FLG X FLG)
16. 4-INCH RESILENT WEDGE GATE VALVE WITH HANDWHEEL (FLG X FLG)
17. 4-INCH X 20 1/4-INCH CL 54 DUCTILE IRON PIPE SPOOL (FLG X GROOVE),
18. 4-INCH X 10 1/8-INCH LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X GROOVE)
19. 4-INCH STYLE 31 VICTAULIC COUPLING (OR EQUAL)
20. 4-INCH PRESSURE REGULATING VALVE (CLA-VAL MODEL 90G-01ABCSKCX D/S 150 LB FLANGED GLOBE PATTERN PRESSURE REDUCING VALVE OR EQUAL, DUCTILE IRON BODY, STAINLESS STEEL TRIM, INTERIOR AND EXTERIOR EPOXY COATING, 30-300 PSI SPRING RANGE, STAINLESS STEEL PILOT SYSTEM TUBES AND FITTINGS)
21. 8-INCH X 4-FT 8-INCH LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X FLG)
22. TYPE 1 PIPE SUPPORT PER DTL 4 ON SHT 39
23. INSTALL CONCRETE THRUST BLOCK (22.75 SF) PER SDWAS DWG WT-01, SHT 1 THRU SHT 3
24. CHAIN LINK FENCE PER DTL 1 ON THIS SHT
25. 3'-0" WIDE ENTRANCE GATE
26. REMOVABLE PROTECTION POST PER SDWAS DWG WM-05
27. 8-INCH X 18-INCH LONG CL 54 DUCTILE IRON PIPE SPOOL (FLG X FLG)
28. TRACER WIRE ACCESS PORT PER SDWAS WP-01



SCALE: 1/2"=1'-0"

GRAPHIC SCALE
0 1' 2' 4'
SCALE: 1/2"=1'-0"



CHAINLINK FENCE DETAIL 1
NOT TO SCALE

90% PROGRESS SET
NOT FOR CONSTRUCTION

811 Know what's below. Call 811 before you dig

BENCHMARK:
THE BASIS OF VERTICAL CONTROL FOR THIS PROJECT IS THE COUNTY OF SAN DIEGO, NAVD 88 BASED LOCALLY ON POINT NO. SMR 06 PER RECORD OF SURVEY 21467. ELEVATION: 1416.45.

CONTROL FOR THIS PROJECT IS THE SYSTEM NAD 83 ZONE 6 BASED ON DIEGO POINT NO. SMR 06 PER

NO.	REVISIONS	DATE	BY

SEAL

SEAL

SCALE: AS SHOWN
DATE: JUNE, 2023
DESIGNED BY: DS/OB/SB
DRAWN BY: DS
CHECKED BY: GR

PREPARED UNDER THE DIRECT SUPERVISION OF:
GREG RIPPERGER
6/14/24
DATE

RAMONA BARONA PIPELINE

PREPARED FOR

BARONA BAND OF MISSION INDIANS

DUDEK
605 Third Street Encinitas, CA 92024
760.942.5147 Fax 760.632.0164

PRS MECHANICAL PLAN AND SECTION

SHEET No.
OF 39 SHTS.

P:\101.Engineering\Barona Tribe of Mission Indians\13644.01 Ramona_Barona pipeline 46\E-CAD\SHTS 34 AND 35 Pressure Reducing Station\13644 SHS PRS MECH PLAN & SECTION PLOTTED: 6/14/2024 3:00:12 PM

PRESSURE REDUCTION SITE EQUIPMENT

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

LILBURN CORPORATION

FIGURE 12A

The Recycled Water Line. The 8-inch recycled water pipeline commences at the San Vicente Wastewater Reclamation Plant, an existing District pump station located just northeast of the intersection of Vicente Meadows Road and San Vicente Road. The pipeline will traverse District property to Vicente Meadows Road and continue south in Vicente Meadows Road to San Vicente Road. The pipeline will continue west in San Vicente Road to its intersection with Wildcat Canyon Road, then continue south, parallel to the proposed 12-inch potable water pipeline, across the San Vicente Creek bridge along Wildcat Canyon Road to the Reservation boundary just south of Little Klondike Road.

The 8-inch recycled pipeline will also include a magnetic flow meter within the above new metering facility, similar to that of the potable water pipeline. The 8-inch recycled pipeline continues south, parallel to the 12-inch pipeline, over Reservation land, crossing the Wildcat Canyon Road alignment at the same two locations, also by trenchless construction techniques. Where the potable and recycled lines cross under the county road they (and a third dummy pipeline) will be encased in a larger pipe or sleeve to provide support, stability, and access. The 8-inch recycled pipeline continues to parallel the 12-inch potable pipeline in existing Reservation roads to a point just south of the Reservation paintball area, where the 12-inch pipeline pump station is located. The 8-inch pipeline is not connected to the pump station and traverses south a short distance to connect to an existing 6-inch Reservation non-potable pipeline. This connection is the termination point of the new 8-inch recycled water pipeline. The existing non-potable pipeline generally parallels the 12-inch potable pipeline alignment south, terminating at the existing Reservation golf course where the recycled water is tributary to the golf course ponds.

The overall length of the 12-inch pipeline is approximately 41,900 LF. That of the new 8-inch pipeline is approximately 21,700 LF. The two pipelines will be aligned parallel, with a separation of 4 feet depending on conditions, designed and built to District standards. Both pipelines will be of polyvinyl chloride, except downstream of the booster pump station, which will be of ductile iron pipe materials because of the greater pressure at this location and road undercrossings. See Table 2.2-1 for pipeline construction lengths and Table 2.2-2 for sizes of accessory structures to be constructed.

Summary of Project Components

Table 2.2-1: New Below Grade Pipeline Lengths

Construction	Off-Reservation (Lineal Feet / Mile)	On-Reservation (Lineal Feet / Mile)	Total (Lineal Feet / Mile)
12” Diameter Potable	2,100 / 0.39	39,800 / 7.53	41,900 / 7.93
8” Diameter Recycled	3,000 / 0.57	18,700 / 3.54	21,700 / 4.11

Table 2.2-2: New Above Grade Structures (all slab on grade)

Structure	Primary Structure	Secondary Structure
Flow Metering Station	11’11” x 25’10”	
Booster Pump Station	34’1” x 37’4”	12’0” x 17’4”
Pressure Reducing Station	20’4” x 9’2”	

Off-Reservation, Wildcat Canyon Road is maintained by the San Diego County Department of Public Works (County) and is subject to the County's design standards and permitting requirements. It will be necessary to obtain an Encroachment Permit from the County. Approximately 3000 linear feet (LF) of recycled water pipeline and 2100 LF of potable water pipeline will be constructed off-Reservation in Wildcat Canyon Road.

2.3 CONSTRUCTION METHODS

Typical pipeline construction processes are described below:

- Staging Area(s) – At various locations along the construction route, staging areas would be required to store pipe, construction equipment, and other construction-related material. Potential staging areas include vacant private and public land, and parking lots.
- Surface Preparation – Surface preparation involves removing structures (such as fences or posts), pavement, and/or vegetation from the trenching and jack and bore pit areas. Equipment may include jack hammers, pavement saws, graders, bulldozers, excavators, loaders, and trucks.
- Trench Excavation/Shoring - A backhoe, excavator, or trencher would be used to dig trenches for pipe installation. In general, trenches would have vertical side walls to minimize the amount of soil excavated. Soils excavated from the trenches, if of suitable quality, would be stockpiled alongside the trench or in staging areas for later reuse in backfilling the trench. If not reusable, the soil would be hauled off site for disposal. Disposal options include use as cover material at sanitary landfills and use as "clean fill" at other sites. In general, pipe trenches would be 3-5 feet wide and 4-10 feet deep. Deeper installations may be required under special circumstances, such as large utility or channel crossings.

  Pipeline trenches, in any given location, would be open for two to three days on average. During construction, vertical wall trenches would be temporarily "closed" at the end of each work day, by covering with steel plates or backfilled. Trenches would be backfilled with either the excavated soil or imported material. Dump trucks would be used to deliver imported, engineered backfill material to stockpiles near the trenching operation. Native soil would be reused for backfill to the greatest extent possible; however, the soil may not have the properties necessary for compatibility and stability.
- Jack and Boring – Jack and boring employs a non-steerable system that drives an open-ended pipe laterally using a percussive hammer, thereby resulting in the displacement of soil limited to the wall thickness of the pipe. For this construction method, pits would be dug on either side of the surface feature to be avoided (e. g. stream crossing or heavily traveled roadway). The pits are typically 10-15 feet wide and 10-20 feet long for the receiving pit and up to 50 feet long for the jacking pit. The depth would depend on the feature to be avoided. The boring equipment and pipe would be lowered into the pit and aligned at the appropriate depth and angle to achieve the desired exit location. A compressor would supply air to the pneumatic ramming tool to thrust the pipe forward. A cutting shoe may be welded to the front of the lead pipe to help reduce friction and cut through the soil.

  Depending on the size of the installation, spoil from inside the pipe would be removed with an auger, compressed air, water, or a combination of techniques. A seal cap would be installed on the starter pit side of the installation and spoil would be discharged into the receiver pit. Using this technique, ground surface disturbance would not occur, except at the pits.

- Bridge Crossing – A bridge boom, also known as a Snooper™ truck, will be used to hang the pipelines from the bridge crossing. While the truck is parked on the bridge or roadway, this truck provides a portable platform that can be positioned under the bridge that allows workers to attach the pipeline to the bridge without damaging the waterway or vegetated area below the bridge.
- Surface Restoration – After the pipe is installed, the ground surface of the pit areas would be restored. When pipe is installed on paved roadways, the asphalt would be patched and restored to pre-construction conditions. When the pipe is installed in dirt access roads, the dirt would be graded and compacted. In natural or vegetated areas, native plantings may be installed.

2.4 CONSTRUCTION TRIP GENERATION

During construction, the project would generate trips with construction crews and materials deliveries. Construction would generate up to approximately 25 round-trip trips per day, including 20 round trips for off hauling of material and five (5) round trips for delivery of materials. Construction would proceed at a rate of approximately 300 linear feet per day and involve approximately 18,750 cubic yards (cy) of material export, using a conservative assumption that no native fill is reused for backfill of trenches.

2.5 CONSTRUCTION SCHEDULE

Construction is anticipated to last up to 12 to 16 months. The project's maximum area of disturbance during the construction period would encompass approximately 254,500 square feet, or no more than six acres, not including staging areas. The pipelines would be installed at depths of five to six feet below ground surface with a trench width of three to five feet, except the pipelines installed using trenchless techniques. Project construction activity is anticipated to occur continuously between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday only (not on Sundays) and excluding federal holidays, which is compliant with the County of San Diego Ordinance Regulating Noise.

2.6 CONSTRUCTION BEST MANAGEMENT PRACTICES

The District and Tribe will require implementation of the following construction best management practices (BMPs) with the Project:

- Drainage / Erosion Control - During the construction, existing storm water facilities including catch basins, manholes, and ditches would be protected using erosion control measures. Design standards outlined in the San Diego County General Plan Update Final Environmental Impact Report (FEIR) for Hydrology and Water Quality and Land Use, as well as applicable regulations includes National Pollutant Discharge Elimination System (NPDES) and the County Grading Ordinance, would be implemented as applicable to the project site's stormwater drainage features.
- Groundwater Dewatering - The proposed pipe would be installed at a depth of five to six feet below ground surface. If encountered at this depth, groundwater would be controlled using standard methods including stone sumps wrapped in filter fabric and dewatering basins or baffled tanks if required.
- Traffic Controls - Construction of the proposed project may necessitate individual traffic lane closures. Traffic control requirements would require that emergency crews have access, as needed, and that the contractor coordinates the location of the work daily for routing of emergency vehicles. Traffic control would also require the contractor to make reasonable efforts,

wherever possible, to provide landowners access to their property and patrons access to businesses during execution of the work. The contractor may be required to have a County-approved traffic control plan. Refer to mitigation measures TRA-1 Traffic Control Plan.

- Air Quality / Dust Suppression – The construction contractor would be required to comply with San Diego Air Pollution Control District (SDAPCD) rules for air quality and dust suppression. The contractor is required to comply with the California Air Resources Boards (CARB) In-Use Off-Road Diesel-Fueled Fleets Regulations, which would limit vehicle idling time to five minutes, restrict adding vehicles to construction fleets that have lower than Tier 3 engines, and establish a schedule for retiring older, less fuel-efficient engines from the construction fleet.

2.7 OPERATION AND MAINTENANCE

Operationally, the on-reservation facilities downstream of the metering facility will be operated and maintained by the Tribe, and the off-reservation facilities upstream of the metering facility will be dedicated to the District and operated/maintained by the District.

The District would continue to operate its potable water system with no operational modifications. The District's recycled water system operations would be modified by the need for an additional user to call for recycled water and for the District to turn the pumps on at the SVWRP to supply recycled water to Barona. Operation and Maintenance of the off-reservation pipelines will be completed by the District or its contractors and includes maintenance of the metering station (calibration of both recycled water and potable water meters), SCADA monitoring of the metering station, inspection of pipelines crossing the bridge, valve exercising, and inspection/maintenance of pipeline and appurtenances (e.g air vacuum valves, blow offs, hydrants, etc). The two new water meters would be read per established District schedules, but at least once per month.

On-Reservation facilities will include operation and maintenance of a small water pump station, SCADA monitoring of the metering and pump station, pressure reducing station maintenance and monitoring, valve exercising, and inspection/maintenance of pipeline and appurtenances (e.g air vacuum valves, blow offs, hydrants, etc). These services would be provided by the Tribe.

2.8 PERMITS OR APPROVALS REQUIRED

The permits and approvals included in Table 2.8-1 may be required as part of this project.

Table 2.8-1: Permits and Approvals

Agency	*Permit or Approval*
San Diego County	*Encroachment Permit for work within County Right of Way*
The Metropolitan Water District of Southern California (Metropolitan), Ramona MWD, San Diego County Water Authority (SDCWA) and Tribe	*4-Party Agreement for Potable Water Supply to be Provided to the Tribe*
Metropolitan and SDCWA	*CEQA Responsible Agencies*
District and the Tribe	*Recycled Water Delivery Agreement*
San Diego County Local Agency Formation Commission (LAFCO)	*Out of Service Area agreement for the District to provide potable and recycled water to the Tribe, including provision of potable supplies pursuant to the 4-Party Agreement*
Housing and Urban Development (HUD)	*Funding for the potable water portion of the project*
California Department of Water Resources (DWR) and SDCWA	*Funding for the recycled water portion of the project through Proposition 1 grant funding*
San Diego Regional Water Quality Control Board	*Notice of Intent for coverage under the Construction Stormwater General Permit (Order WQ 2022-0057-DWQ) for the portion of the pipeline off of the reservation*

3.0 CEQA EVALUATION

The Ramona Municipal Water District ("District") and Barona Band of Mission Indians ("Tribe") have entered into a Memorandum of Understanding ("MOU") for the purpose of establishing requirements and procedures for the preparation of a joint Environmental Assessment-Initial Study/Mitigated Negative Declaration ("EA-IS/MND) for the District's and the Tribe's proposed Ramona/Barona Tribe Potable and Recycled Water Infrastructure Project ("Project"). This FONSI/MND has been prepared to satisfy the requirements of the National Environmental Policy Act ("NEPA") due to federal funding described in Section 1.3 of this document, and the California Environmental Quality Act ("CEQA") as well as any applicable implementing state and federal regulations and guidelines.

3.1 DETERMINING SIGNIFICANCE UNDER CEQA

The level of significance identifies the degree or severity of an impact with implementation of the Project. Impacts are classified as potentially significant impact, less than significant impacts with mitigation incorporated, less than significant impact, or no impact. Project impacts are the potential environmental changes to the existing physical conditions that may occur if the Project is implemented.

Major sources used in crafting significance criteria include the CEQA Guidelines; County, state, federal, or other standards applicable to an impact category; and officially established significance thresholds. Unless otherwise noted below, the District utilizes the CEQA significance thresholds in Appendix G of the CEQA Guidelines, which are set forth for each environmental factor outlined below. Pursuant to CEQA Guidelines Section 15064(b), "An ironclad definition of significant effect is not possible because the significance of any activity may vary with the setting." Principally, as stated in CEQA Guidelines Section 15382, "a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the Project, including land, air, water, flora, fauna, ambient noise, and objects of historic and aesthetic significance" constitutes a significant impact.

Evidence, based on factual and scientific data, is presented to show the cause-and-effect relationship between the Project and the potential changes in the environment. The exact magnitude, duration, extent, frequency, range, or other parameters of a potential impact are ascertained, to the extent possible, to determine whether impacts may be significant when compared to the presented criteria. The discussion considers all potential direct and reasonably foreseeable indirect, construction-related (short-term), and operational and maintenance (long-term) effects. Each section also addresses cumulative impacts (described further below) and identifies any significant and unavoidable impacts.[8]

[8] Association of Environmental Professionals, CEQA Guidelines 2024

3.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact requiring mitigation to be reduced to a level that is less than significant as indicated in the checklist on the following pages.

☐	Aesthetics	☐	Agricultural / Forest Resources	☐	Air Quality
☒	Biological Resources	☒	Cultural Resources	☐	Energy
☐	Geology / Soils	☐	Greenhouse Gas Emissions	☐	Hazards / Hazardous Materials
☐	Hydrology / Water Quality	☐	Land Use / Planning	☐	Mineral Resources
☒	Noise	☐	Population / Housing	☐	Public Services
☐	Recreation	☒	Transportation	☒	Tribal Cultural Resources
☐	Utilities / Service Systems	☐	Wildfire	☐	Mandatory Findings of Significance

3.3 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation, the following finding is made:

	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Signature Date

_____ _____

Signature Date

3.4 CEQA ENVIRONMENTAL CHECKLIST

Note that although the on-reservation portion of the proposed Project is not subject to CEQA, analysis of the whole of the Project, including on-reservation portions was considered for full public disclosure. Therefore, responses to each resource impact analysis are given for the entirety of the Project.

I. AESTHETICS

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
Except as provided in Public Resources Code Section 21099, would the project:					
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b)	Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d)	Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	☐	☐	☐	☒

SUBSTANTIATION: *(Check ☐ if project is located within the view-shed of any Scenic Route listed in the General Plan):*

San Diego County General Plan 2011 (last amended February 10, 2023)

Aesthetics refers to what is perceived as being visually pleasing or beautiful and is an inherently subjective issue. This analysis addresses definable thresholds of significance related to County policy, designated scenic resources, and known landmarks, to determine if the Project will cause significant negative aesthetic effects.

From the County of San Diego General Plan, the focus of the Conservation and Open Space Element is to direct future growth and development of the county with respect to conservation, management, and utilization of natural and cultural resources, protection and preservation of open space, and the provision of park and recreation resources.

Visual resources are one of nine specific resource groups that have specific goals and policies outlined in the General Plan Element. They are to emphasize the protection of scenic corridors and geographically extensive scenic viewsheds, and dark skies within the natural environment and the recognition and enhancement of community character within the built environment.

Urban land uses are focused in the western third of the county, while the eastern two-thirds are largely undeveloped with mountains and desert dominating the landscape. The natural features of these areas contribute to the quality of the existing visual characteristics perceived by the human eye. It is important to note that aesthetic value while focused on the open space and natural environment can include the built environment through architectural design, or historic structures, streetscapes and manufactured landscapes.

Highway corridors include land adjacent to and visible from the vehicular right of way. Scenic Highways pertain to a highway, freeway, road, or other right of way where considerable natural or otherwise scenic landscape can be seen. Scenic corridors can be classified as either State (eligible, or designated), or County (eligible or designated). According to the San Diego County General Plan there are two routes that have been designated State Scenic Highways in the County including State Route 78 through Anzo-Borrego Desert Park, and State Route 125 from State Route 94 in Spring Valley to Interstate 8 in La Mesa. County Scenic Highways are listed in *Table COS-1 County Scenic Highway System*, Chapter 5 of the San Diego County General Plan.

The San Diego County General Plan Conservation and Open Space Element addresses Astronomical Dark Skies in the county. The maintenance of dark skies in San Diego County is vital to the two world-class observatories that depend on them for astronomical research. The five criteria for a high-quality site include: (1) Elevation over 5,000 feet above sea level; (2) clear, cloud-free night sky; (3) proximity to the Pacific Ocean; (4) distance from urban areas; and (5) freedom from nearby sources of light, dust, and smoke. The Palomar and Mount Laguna Observatories both meet all of these criteria. The maintenance of dark skies in the county is vital to the operation and research being performed at these facilities.

As proposed, the Project will meet the following Goals and Policies in an effort to remain consistent with the San Diego County General Plan.

GOAL COS-11

Preservation of Scenic Resources. Preservation of scenic resources, including vistas of important natural and unique features, where visual impacts of development are minimized.

POLICIES

COS-11.1: Protection of Scenic Resources. Require the protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.

COS-11.4: Collaboration with Agencies and Jurisdictions. Coordinate with adjacent federal and State agencies, local jurisdictions, and tribal governments to protect scenic resources and corridors that extend beyond the County's land use authority but are important to the welfare of County residents.

COS-11.5: Collaboration with Private and Public Agencies. Coordinate with the California Public Utilities Commission, power companies, and other public agencies to avoid siting energy

generation, transmission facilities, and other public improvements in locations that impact visually sensitive areas, whenever feasible. Require the design of public improvements within visually sensitive areas to blend into the landscape.

COS-11.7: Underground Utilities. Require new development to place utilities underground and encourage "undergrounding" in existing development to maintain viewsheds, reduce hazards associated with hanging lines and utility poles, and to keep pace with current and future technologies.

GOAL COS-13

Dark Skies. Preserve dark skies that contribute to rural character and are necessary for the local observatories.

POLICIES

COS-13.1: Restrict Light and Glare. Restrict outdoor light and glare from development projects in Semi-Rural and Rural Lands and designated rural communities to retain the quality of night skies by minimizing light pollution.

COS-13.3: Collaboration to Retain Night Skies. Coordinate with adjacent federal and State agencies, local jurisdictions, and tribal governments to retain the quality of night skies by minimizing light pollution.

The off-Reservation portion of the Project includes an 8-inch 3,000 LF recycled water pipeline commencing at the San Vicente Wastewater Reclamation Plant, within the San Vicente Road right of way, and a 12-inch 2,100 LF potable water pipeline, within the Wildcat Canyon Road right of way, from San Vicente Road in a southeast direction to the Reservation boundary.

The on-Reservation portion for both pipelines will continue along the alignment of Wildcat Canyon Road, for approximately 0.35 miles before shifting eastward and moving off the road outside of the County right-of-way. The pipes continue to share an alignment until the recycled water line connects to the existing Golf Course Line approximately 1200 feet southeast of the Giant San Diego Paintball Park while the potable line continues overland approximately 20,200 feet until it joins the existing domestic water distribution system.

Impact Discussion:

a) ***Off-Reservation***

Less than Significant Impact. As a proposed underground water pipeline, implementation of the Project on County land will not have a permanent impact on a scenic vista. Construction equipment would be visible temporarily as the Project is being implemented. Less than significant impact can be expected.

On-Reservation

Less than Significant Impact. As a proposed underground water pipeline, implementation of the Project on Reservation land will not have a permanent impact on a scenic vista. The proposed flow meter station located within the Reservation boundary is relatively small at 11'11" x 25'10" feet surrounded by a 6' fence and a Booster Pump Station approximately 34'1" x 37'4" and about 12' in height with an attached secondary

structure at 12’0” x 17’4”. Construction equipment would be visible temporarily as the Project is being implemented. Less than significant impact can be expected.

b) ***Off-Reservation***

No Impact. The 8-inch recycled water underground pipeline construction will begin at the San Vicente Wastewater Reclamation Plant, an existing District pump station located just northeast of the intersection of Vicente Meadows Road and San Vicente Road run westward to the intersection of San Vicente Road and Wildcat Canyon Road before turning and continuing within the Wildcat Canyon right of way in a southeast direction to the Reservation boundary. Approximately 3000 LF of recycled water pipeline and 2100 LF of potable water pipeline will be constructed off-Reservation in Wildcat Canyon Road. The pipeline will continue After crossing the Reservation boundary, the proposed recycled and potable water pipelines will run within the Wildcat Canyon Road right-of-way for approximately 0.35 miles before shifting eastward and moving off the road outside of the County right-of-way. The pipelines continue to share an alignment until the recycled water line connects to the existing Golf Course Line approximately 1200 feet southeast of the Giant San Diego Paintball Park while the potable line continues overland approximately 20,200 feet until it joins the existing domestic water distribution system. The temporary construction within the existing right of way will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. According to the San Diego County General Plan there are two routes that have been designated State Scenic Highways in the County including State Route 78 through Anzo-Borrego Desert Park approximately 15 miles northeast of the Project site, and State Route 125 from State Route 94 in Spring Valley to Interstate 8 in La Mesa approximately 10.6 miles southwest of the Project site. County Scenic Highways are listed in *Table COS-1 County Scenic Highway System*, Chapter 5 of the General Plan. No impact is expected.

On-Reservation

No Impact. As with the off-Reservation temporary construction, temporary construction of the on-Reservation portion of the Project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. According to the San Diego County General Plan there are two routes that have been designated State Scenic Highways in the County including State Route 78 through Anzo-Borrego Desert Park approximately 15 miles northeast of the Project site, and State Route 125 from State Route 94 in Spring Valley to Interstate 8 in La Mesa approximately 10.6 miles southwest of the Project site.

c) ***Off-Reservation***

No Impact. As proposed, the underground water pipeline implementation of the Project on off Reservation land will not substantially degrade the existing visual character or quality of public views of the site and its surroundings. No impact is expected.

On-Reservation

No Impact. As proposed, the on-Reservation components of the underground water pipeline will not substantially degrade the existing visual character or quality of public views of the site and its surroundings. No impact is expected.

d) ***Off-Reservation***

No Impact. The proposed underground water pipeline on County land will not create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area. No impact is expected.

On-Reservation

No Impact. As is the case on County land portions of the pipeline, the proposed underground water pipelines on-Reservation will not create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area. No lighting will be installed at the metering structure. No impact is expected

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

II. AGRICULTURE AND FORESTRY RESOURCES

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

SUBSTANTIATION: *(Check ☐ if project is located in the Important Farmlands Overlay):*

San Diego County General Plan 2011 (last amended February 10, 2023); California Department of Conservation Farmland Mapping and Monitoring Program

The focus of the following discussion is related to the potential impacts to the conversion of farmland to non-agricultural uses, conflicts with Williamson Act contracts or existing zoning for agricultural use and other changes to the existing environment that could result in the conversion of farmland as set forth in Appendix G of the CEQA Guidelines.

Agricultural resources are one of nine specific resource groups that have specific goals and policies outlined in the Conservation and Open Space General Plan Element. They are to Minimize land use conflicts, preserve agricultural resources, and support the long-term presence and viability of the agricultural industry as an important component of the region's economy and open space linkage.

According to the Conservation and Open Space Element-Agricultural Resources unlike other jurisdictions across the nation, farming in San Diego County is dependent upon the region's unusual microclimates and often has very little relationship to the quality of the soils.

Much of San Diego County's climate supports a year-round growing season that facilitates successful small farms and crop diversification producing over 200 agricultural commodities including high value specialty crops, nursery products, and a variety of fruits. Only six percent of the San Diego region's soils are classified as prime agricultural soils. The small percentage of prime soils, the small farm size, and the high value of agriculture in the region highlight the uniqueness of farming in the County.

As a proposed water pipeline to be placed within an existing right of way, the Project will not conflict with any of the Goals and Policies outlined in the Conservation and Open Space Element-*Agricultural Resources* of the General Plan.

a) **Off-Reservation**

No Impact. No Farmland of Statewide Importance exists in the area of the off-Reservation portion of Wildcat Canyon Road where the pipeline is proposed to be placed. According to the California Farmland Mapping and Monitoring Program most of the land surrounding Wildcat Canyon Road and its intersection with San Vicente Road is categorized as Urban Built-up Land, Grazing Land, with a small portion of Farmland of Local Importance

As such, the water pipeline Project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. No impact is expected (see Figure 13 Important Farmland map).

On-Reservation

No Impact. No Farmland of Statewide Importance exists in the area of the on-Reservation portion of the Project where the pipeline is proposed to be placed. According to the California Farmland Mapping and Monitoring Program most of the land surrounding the Project area is categorized as Urban Built-up Land and Grazing Land.

As such, the Project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. No impact is expected (see Figure 13 Important Farmland map).

b) **Off-Reservation**

No Impact. The current zoning for the area surrounding the Proposed Project on off-Reservation land is A70, which is intended to create and preserve areas primarily for agricultural crop production. Additionally, a limited number of small farm animals may be kept, and agricultural products raised on the premises may be processed. Typically, the A70 use regulations would be applied to areas throughout the County to protect moderate to high quality agricultural land. The Project would not conflict with the current zoning as the Project is proposed to lay underground within an existing right of way thus not removing any opportunity for agricultural use on the surrounding parcels. The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. There will be no impact.

On-Reservation

No Impact. The Project would not conflict with the current land uses on Reservation land as the Project is proposed to lay underground within an existing right of way thus not removing any opportunity for agricultural use on the surrounding parcels. The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. There will be no impact.

c) **Off-Reservation**

No Impact. The Project would not cause a rezoning of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). No impact is expected.

On-Reservation

No Impact. The Project would not cause a rezoning of forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). No impact is expected.

d) **Off-Reservation**

No Impact. The Project will not result in the loss of forest land or conversion of forest land to non-forest use because it involves underground pipelines. No impact is expected.

On-Reservation

No Impact. The Project will not result in the loss of forest land or conversion of forest land to non-forest use because it involves underground pipelines. No impact is expected.

e) **Off-Reservation**

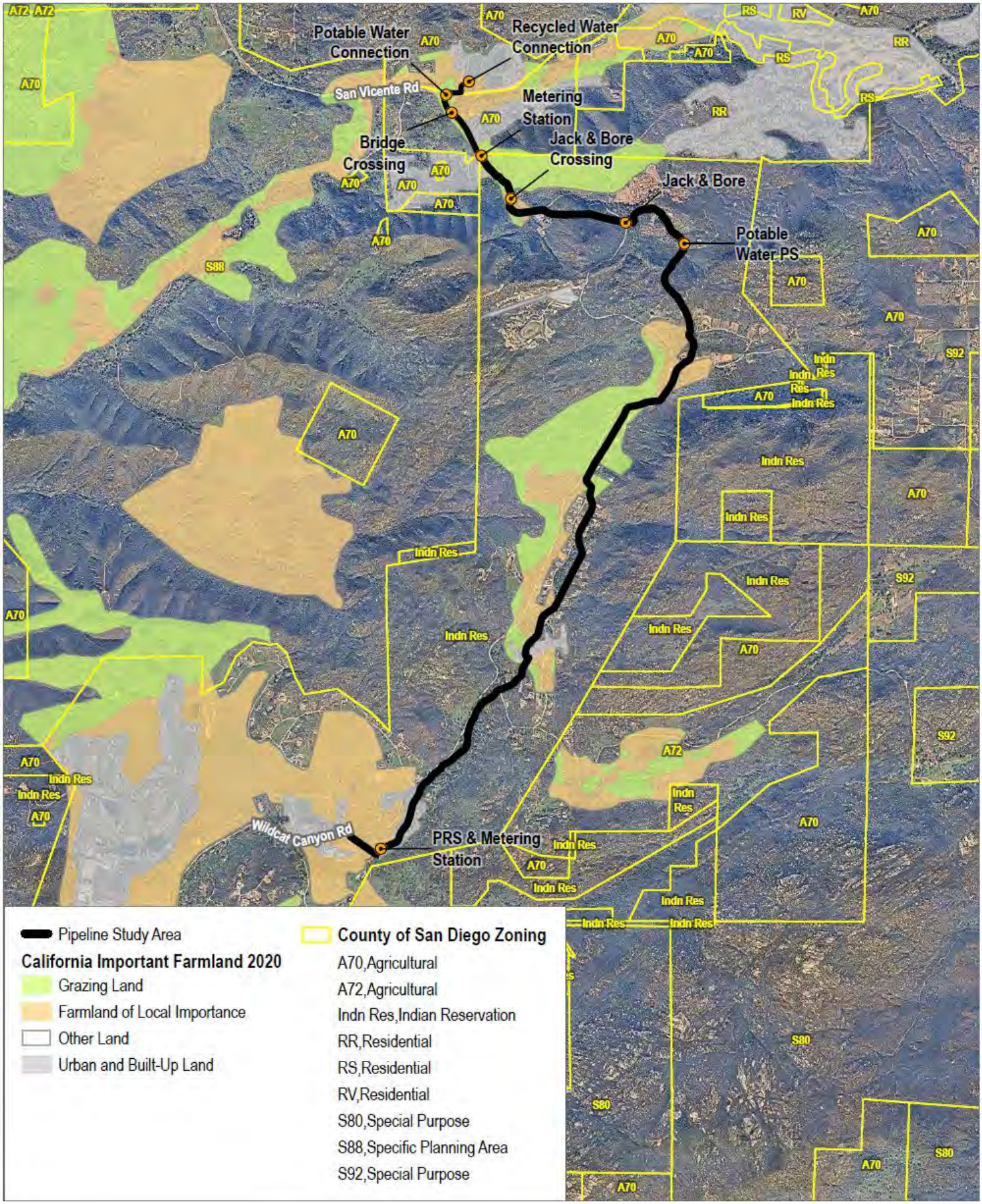
No Impact. As proposed, the Project will be constructed underground within an existing right of way and will not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. There will be no impact.

On-Reservation

No Impact. As proposed, the Project will be constructed underground within an existing right of way and will not involve other changes in the existing environment which, due

to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. There will be no impact.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.



IMPORTANT FARMLANDS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

LILBURN CORPORATION

FIGURE 13

III. AIR QUALITY

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☐	☒
c)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d)	Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

SUBSTANTIATION: *(Discuss conformity with the San Diego County Air Pollution Control District, if applicable):*

San Diego County General Plan 2011 (amended February 10, 2023); South Coast Air Quality Management District (SCAQMD); San Diego County Air Pollution Control District (SDAPCD)

The following regulatory framework applies to both the Off and On-Reservation portions of the proposed Project.

Regulatory Framework

USEPA is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for O_3, CO, NOx, SO_2, PM_{10}, $PM_{2.5}$, and lead. The USEPA has jurisdiction over emissions sources that are under the authority of the federal government including aircraft, locomotives, and emissions sources outside state waters (Outer Continental Shelf). The USEPA also establishes emission standards for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission requirements of the California Air Resources Board (CARB). The Federal Clean Air Act (CAA) was first enacted in 1955 and has been amended numerous times in subsequent years (1963, 1965, 1967, 1970, 1977, and 1990). The CAA establishes the federal air quality standards, the NAAQS, and specifies future dates for achieving compliance. The CAA also mandates that states submit and implement State Implementation Plans (SIPs) for local areas not meeting these standards. These plans must include pollution control measures that demonstrate how the standards will be met. Substantial reductions in emissions of ROG, NOx and CO are forecast to continue throughout the next

several decades. Unless new particulate control programs are implemented, PM_{10} and $PM_{2.5}$ are forecast to slightly increase.

The San Diego County Air Pollution Control District (SDAPCD) is the agency responsible for the administration and enforcement of air quality regulations in San Diego County. The SDAPCD and the San Diego Association of Governments (SANDAG) are responsible for developing and implementing the clean air plan for attainment and maintenance of the ambient air quality standards in the San Diego Air Basin (SDAB). The San Diego County Regional Air Quality Strategy (RAQS) was initially adopted in 1991 and is updated on a triennial basis. The RAQS was updated in 1995, 1998, 2001, 2004, 2009, and most recently 2022.

The San Diego APCD does not provide quantitative thresholds for determining the significance of construction or mobile source-related impacts. However, the San Diego APCD does specify Air Quality Impact Analysis (AQIA) trigger levels for new or modified stationary sources (APCD Rules 20.2 and 20.3).[9] If these incremental levels for stationary sources are exceeded, an AQIA must be performed for the proposed new or modified source. Although these trigger levels do not generally apply to mobile sources or general land development projects, for comparative purposes these levels may be used to evaluate the increased emissions which would be discharged to the San Diego Air Basin from proposed land development projects. For projects whose stationary-source emissions are below these criteria, no AQIA is typically required, and project level emissions are presumed to be less than significant.

Construction Emissions

SDAPCD Rule 20.2, New Source Review Non-Major Stationary Sources, has established Air Quality Impact Analysis (AQIA) Trigger Levels and the County has adopted the AQIA Trigger Levels as quantitative Screening Level Thresholds (SLTs) to determine whether there would be a significant impact to air quality for CEQA purposes. The SLTs are based on AQIA Trigger Levels which were identified under the NSR program. Air quality impacts related to the Proposed Project estimated in this environmental analysis (Table 3-1) would be considered significant if any of the applicable significance thresholds presented below, which are based on SDAPCD Trigger Levels, are exceeded during construction:[10]

- 100 pounds per day for PM_{10}
- 55 pounds per day for $PM_{2.5}$
- 250 pounds per day for NO_X
- 250 pounds per day for SO_X
- 550 pounds per day for CO
- 75 pounds a day for VOC

[9] Rule 20.2 - New Source Review (NSR)-Non-Major Stationary Sources (06/26/2019) (sdapcd.org)

[10] APCD Rules 20.2 and 20.3 do not have AQIA thresholds for emissions of volatile organic compounds (VOCs) and PM2.5. The use of the screening level for VOCs specified by the South Coast Air Quality Management District (SCAQMD), which generally has stricter emissions thresholds than San Diego's APCD, is recommended for evaluating projects in San Diego County.

Table III-1: CONSTRUCTION EMISSIONS (lbs/day)						
SOURCE	**ROG/VOC**	**NO_X**	**SO_X**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Excavator	0.47	2.02	0.01	4.07	0.08	0.08
Dump Truck	0.37	1.80	0.01	2.78	0.06	0.06
Water truck	0.37	1.80	0.01	2.78	0.06	0.06
Loader	0.47	2.50	0.01	3.46	0.11	0.11
Snooper Truck	0.37	1.80	0.00	2.78	0.06	0.06
Misc. Construction Equipment	0.74	3.59	0.02	5.56	0.13	0.13
Totals (lbs/day)	2.78	13.50	0.06	21.44	0.51	0.51
Screening Threshold	75	250	250	550	100	55
Significant	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Sources: Rule 20.2 - New Source Review (NSR)-Non-Major Stationary Sources (06/26/2019) (sdapcd.org)

Operational Emissions

As an underground water pipeline, operational emissions are considered to be negligible if at all and thus not evaluated further. An emergency generator is proposed for installation at the Tribe's existing Well 30 on the reservation. This generator is not subject to CEQA[11] or SDAPCD regulations; however, may be subject to federal Clean Air Act requirements.

The following addresses all thresholds related to air quality as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

No Impact. The Project would result in construction emissions and negligible operational emissions limited to maintenance vehicle trips. Construction of the off-Reservation portions of the Proposed Project would require earthmoving, and other activities such as removal of vegetation. The Project's construction activities' emissions are considered short-term, temporary emissions. Construction would be required to comply with dust and odor rules established by the SDAPCD. Based on the results of the analysis for air quality and review of the appropriate air quality plans and resources it is determined that the Project would not exceed thresholds for temporary construction emissions and would not conflict with or obstruct implementation of the applicable air quality plan. No impact is expected.

On-Reservation

No Impact. Impacts resulting from construction of the on-Reservation portions of the Proposed Project would be the same as for the on-Reservation construction portions of the Project. Temporary construction emissions would not conflict with or obstruct implementation of any applicable air quality plan. No impact is expected.

b) ***Off-Reservation***

No Impact. The proposed recycled and potable water pipelines on County land would provide and upgrade water service (potable as well as recycled) to the Barona Tribal Reservation from the District. The majority of the pipelines will be on Reservation land and serve the residents of that community. Based on the results of the CalEEMod 2022 air

[11] Although the on-reservation portion of the Project is not subject to CEQA, analysis of the whole of the project, including the on-reservation portion for full public disclosure is provided.

quality analysis and nature, size and location of the proposed pipelines the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

On-Reservation

No Impact. The majority of the pipelines will be on Reservation land and serve the residents of that community. Based on the results of the CalEEMod 2022 air quality analysis and nature, size and location of the proposed pipelines the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

c) ***Off-Reservation***

Less than Significant Impact. Sensitive receptors in the Project area off-Reservation are mainly single-family residences. Based on this analysis and underground water pipeline as proposed, construction impacts to air quality would be temporary in nature and would not continue during operation of the pipelines. Long term exposure to sensitive receptors to substantial pollutant concentrations would result in a less than significant impact.

On-Reservation

Less than Significant Impact. Sensitive receptors in the Project area on-Reservation are mainly single-family residences, with small businesses, and tribal community facilities towards the southern end of the Reservation. Based on this analysis and underground water pipeline as proposed, construction impacts to air quality would be temporary in nature and would not continue during operation of the pipelines. Long term exposure to sensitive receptors to substantial pollutant concentrations would result in a less than significant impact.

d) ***Off-Reservation***

Less than Significant Impact. Construction impacts to the environment resulting from the off-Reservation portions of the Project would be temporary in nature and would consist of trenching, digging and installing sections of the pipelines. Odors may result from exhaust from trucks entering and exiting the areas where construction activities are occurring, which would be temporary. It can be determined that the Project would not result in other emissions (such as those leading to odors adversely affecting a substantial number of people) and impacts would be less than significant.

On-Reservation

Less than Significant Impact. As with the off-Reservation portions of the proposed pipeline, construction impacts resulting from the construction of the on-Reservation portions of the Project would be temporary in nature and would consist of trenching, digging and installing sections of the pipelines. Odors may result from exhaust from trucks entering and exiting the areas where construction activities are occurring, which would be temporary. It can be determined that the Project would not result in other emissions (such as those leading to odors adversely affecting a substantial number of people) and impacts would be less than significant.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

IV. BIOLOGICAL RESOURCES

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☒	☐
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☒	☐

SUBSTANTIATION: *(Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ☐):*

San Diego County General Plan, 2011 (last amended February 10, 2023); Biological Report, April 5, 2024, rev. February 26, 2025, Alden Environmental, Inc. (Appendix B)

The County portion of the Project is within the boundaries of the County's Multiple Species Conservation Program (MSCP) Subarea Plan. San Vicente Road is the dividing line between the San Diego County Subarea and the North San Diego County Subarea. The Project would source water from the Ramona Municipal Water District and is needed because recent estimates of the Tribe's long-term water demand are projected to exceed the sustainable yield of the underlying groundwater basin.[12]

Thresholds used to evaluate potential biological resources impacts are based on applicable criteria in Appendix G of the CEQA Guidelines.

Regulatory Context

Throughout the Study Area, federal regulations are applicable. State and County regulations apply/may apply to the portion of the Study Area on County land and are not anticipated to be applicable on Reservation land. However, although the on-reservation portion of the proposed Project is not subject to CEQA, analysis of the whole of the Project to include on-reservation portions was considered for full public disclosure. Therefore, responses to each resource impact analysis are given for the entirety of the Project.

Federal Regulations

National Environmental Policy Act

The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970 and requires federal agencies to assess the environmental effects of their proposed federal actions (projects, permits, authorizations, etc.). NEPA incorporates a systematic interdisciplinary approach to identify potential environmental effects of a federal action. This results in a detailed report which may be an Environmental Impact Statement (EIS) or an Environmental Assessment (EA). The level of analysis and type of report to be prepared is determined by the federal lead responsible agency.

Federal Endangered Species Act

Administered by the USFWS, the federal Endangered Species Act (ESA) provides the legal framework for the listing and protection of species (and their habitats) that are identified as being endangered or threatened with extinction. Actions that jeopardize endangered or threatened species and the habitats upon which they rely are considered a 'take' under the ESA. Section 9(a) of the ESA defines take as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." 'Harm' and 'harass' are further defined in federal regulations and case law to include actions that adversely impair or disrupt a listed species' behavioral patterns.

The USFWS identifies critical habitat for endangered and threatened species. Critical habitat is defined as areas of land that are considered necessary for endangered or threatened species to recover. The goal is to restore healthy populations of listed species within their native habitat so they can be removed from the list of threatened or endangered species. Once an area is

[12] Preliminary Design Report, *Long-Term Potable and Recycled Water Service to Barona Indian Reservation*, Dudek, June 2022

designated as critical habitat pursuant to the federal ESA, all federal agencies must consult with the USFWS to ensure that any action they authorize, fund, or carry out is not likely to result in destruction or adverse modification of the critical habitat. There is no critical habitat designated in the Study Area.

Sections 7 and 10(a) of the federal ESA regulate actions that could jeopardize endangered or threatened species. Section 7 describes a process of federal interagency consultation for use when federal actions may adversely affect listed species. A biological assessment is required for any major construction activity if it may affect listed species. In this case, take can be authorized via a letter of biological opinion issued by the USFWS for non-marine related listed species issues. A Section 7 consultation (formal or informal) is required when there is a nexus between endangered species' use of the site and impacts to U.S. Army Corps of Engineers (Corps) jurisdictional areas. Section 10(a) allows issuance of permits for incidental take of endangered or threatened species with preparation of a Habitat Conservation Plan (HCP). The term "incidental" applies if the taking of a listed species is incidental to, and not the purpose of, an otherwise lawful activity. An HCP demonstrating how the taking would be minimized and how steps taken would ensure the species' survival must be submitted for issuance of Section 10(a) permits.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA; 16 U.S. Code Sections 703-711) includes provisions for protection of migratory birds, including the non-permitted take of migratory birds. The MBTA regulates or prohibits taking, killing, possession of, or harm to migratory bird species listed in Title 50 Code of Federal Regulations Section 10.13. Migratory birds include geese, ducks, shorebirds, raptors, songbirds, and many others (including those that are not sensitive). Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered a "take." The MBTA is an international treaty for the conservation and management of bird species that migrate through more than one country and is enforced in the United States by the USFWS. In 1962 it was updated to address how Native American tribes can collect feathers from protected birds for religious ceremonies (a practice otherwise banned by the MBTA). As a general/standard condition, the project must comply with the MBTA.

Bald and Golden Eagle Protection Act

In 1782, Continental Congress adopted the bald eagle (Haliaeetus leucocephalus) as a national symbol. During the next 150 years, the bald eagle was heavily hunted by sportsmen, taxidermists, fisherman, and farmers. To prevent the species from becoming extinct, Congress passed the Bald Eagle Protection Act in 1940. The Act was extremely comprehensive, prohibiting the take, possession, sale, purchase, barter, or offer to sell, purchase, or barter, export or import of the bald eagle "at any time or in any manner." In 1962, Congress amended the Bald Eagle Act to cover golden eagles.

Rivers and Harbors Act and Clean Water Act

Federal wetland regulation (non-marine issues) is guided by the Rivers and Harbors Act of 1899 and the Clean Water Act (CWA). The Rivers and Harbors Act deals primarily with discharges into navigable waters, while the purpose of the CWA is to restore and maintain the chemical, physical, and biological integrity of all Waters of the U.S. (WUS). Permitting for

projects filling WUS (including wetlands) is overseen by the Corps under Section 404 of the CWA. Projects could be permitted on an individual basis or be covered under one of several approved Nationwide Permits. Individual Permits are assessed individually based on the type of action, amount of fill, etc. and typically require substantial time (often longer than 6 months) to review and approve, while Nationwide Permits are pre-approved if a project meets appropriate conditions.

State of California

California Environmental Quality Act

Primary environmental legislation in California is found in CEQA and its implementing guidelines (State CEQA Guidelines), which require that projects with potential adverse effects (or impacts) on the environment undergo environmental review. Adverse environmental impacts are typically mitigated because of the environmental review process in accordance with existing laws and regulations.

California Endangered Species Act

The California ESA is like the federal ESA in that it contains a process for listing of species and regulating potential impacts to listed species. California ESA Section 2081 authorizes the CDFW to enter into a memorandum of agreement for the take of listed species for scientific, educational, or management purposes.

Native Plant Protection Act

The Native Plant Protection Act (NPPA) enacted a process by which plants are listed as rare or endangered. The NPPA regulates collection, transport, and commerce in listed plants. The California ESA follows the NPPA and covers both plants and animals designated as endangered or threatened with extinction. Plants listed as rare under NPPA were also designated rare under the California ESA.

California Fish and Game Code

California Fish and Game Code Sections 1600 through 1603 require a CDFW agreement for projects affecting riparian and wetland habitats through issuance of a Lake and Streambed Alteration Agreement (LSA).

Pursuant to California Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Raptors and owls and their active nests are protected by California Fish and Game Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW. Section 3513 states that it is unlawful to take or possess any migratory non-game bird as designated in the MBTA.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act of 1970 grants the State Water Resource Control Board (SWRCB) and its regional offices (RWQCBs) power to protect water quality and is the primary vehicle for implementation of the State's responsibilities under Section 401 of the CWA. The Porter-Cologne Act grants the SWRCB authority and responsibility to adopt plans and policies, regulate discharges to surface and groundwater, regulate waste disposal

sites, and require cleanup of discharges of hazardous materials and other pollutants. Typically, the SWRCB and RWQCB act in concert with the Corps under Section 401 of the federal CWA in relation to permitting fill of federal jurisdictional waters.

California Natural Communities Conservation Planning Act

The California Natural Communities Conservation Planning (NCCP) Act of 1991 (Section 2835) allows the CDFW to authorize interim take of species covered by plans in agreement with NCCP guidelines. A Natural Communities Conservation Program initiated by the State of California focuses on conserving coastal sage scrub, and in concert with the USFWS and the federal ESA, is intended to avoid the need for future federal and State listing of coastal sage scrub-dependent species. The County of San Diego became a participant in the NCCP in 1993 for projects located within the planning area for the Coastal Sage Scrub NCCP with the intent to "…provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and growth." The NCCP process guidelines were established as interim guidelines until formal subregional plans were approved. The South San Diego County MSCP Subarea Plan was approved in 1997. The North San Diego County MSCP Subarea Plan has not yet been adopted. Until adoption, an NCCP 4(d) take permit (Habitat Loss Permit [HLP]; see below) would be required to demonstrate compliance with the NCCP Act within the North San Diego County subarea boundaries.

County of San Diego

Habitat Loss Permit Ordinance (HLP)

The HLP Ordinance was adopted in March of 1994 in response to both the listing of the coastal California gnatcatcher as a federal threatened species and the adoption of the NCCP Act by the State. Pursuant to the Special 4(d) Rule under the federal ESA, the County is authorized to issue "take permits" for the coastal California gnatcatcher (in the form of HLPs) in lieu of Section 7 or 10(a) permits typically required from the USFWS. Although issued by the County, the USFWS and CDFW must concur with the issuance of an HLP for it to become valid as take authorization under the federal ESA.

The HLP Ordinance states that projects must obtain an HLP prior to the issuance of a grading permit, clearing permit, or improvement plan if the project would directly or indirectly impact any of several coastal sage scrub habitat types. The HLP Ordinance requires an HLP if coastal sage scrub or related habitat will be impacted, regardless of whether it is currently occupied by the coastal California gnatcatcher. An HLP is not required, for projects within the boundaries of the MSCP that have an adopted subarea plan (for the Study Area, that is the land within the boundaries of the South County Subarea) however, where the Subarea Plan is still in draft form, an HLP may be required as the County does not have take authorization for the coastal California gnatcatcher that coastal sage scrub is known to support. For the project, this would be for impacts to Diegan coastal sage scrub occurring east of Wildcat Canyon Road not on Reservation land. Based on Attachment G of the County's Protocols for Projects Requiring Habitat Loss Permits, however, the project is exempt from the HLP requirement because it is a utility facility project.

There are areas where coastal sage scrub could be impacted by pipeline trenching on Reservation land (approximately 4,600 feet in areas where the pipeline alignment is not a road right-of-way), but the HLP Ordinance does not apply to Reservation land.

HLPs are not required for projects that have separately obtained Section 7 or 10(a) permits for take of the coastal California gnatcatcher. The gnatcatcher was not found during the protocol presence/absence survey for the species in the Study Area in 2023.

Specific to coastal sage scrub, all projects that occur in low value habitat and projects in medium value habitat outside of identified preserve planning areas, cause the loss of less than 2 acres of coastal sage scrub habitat that is not occupied by California gnatcatcathers, and would not otherwise preclude design of the reserve system are exempt from the Federal and State interim habitat loss (special 4 (d) rule) approval process. Mitigation for these projects will conform with all other underlying resource protection requirements. All losses of coastal sage scrub must still be reported by the jurisdictions to the subregional accounting entity and counted toward the subarea/subregional 5 percent loss allocation

Resource Protection Ordinance

The County regulates natural resources (among other resources) as sensitive biological resources via the RPO (County 2012), the regulations of which cover wetlands, wetland buffers, sensitive plant and animal species, sensitive vegetation communities/habitat types, and habitats containing sensitive animals or plants.

Sensitive Habitat Lands are defined by the RPO as:

- Land which supports unique vegetation communities, or the habitats of rare or endangered species or sub-species of animals or plants as defined by Section 15380 of the State CEQA Guidelines (14 Cal. Admin. Code Section 15000 et seq.), including the area which is necessary to support a viable population of any of the above species in perpetuity, or which is critical to the proper functioning of a balanced natural ecosystem or which serves as a functioning wildlife corridor.

  "Unique vegetation community" refers to associations of plant species which are rare or substantially depleted. These may contain rare or endangered species, but other species may be included because they are unusual or limited due to a number of factors, for example: (a) they are only found in the San Diego region; (b) they are a local representative of a species or association of species not generally found in San Diego County; or (c) they are outstanding examples of the community type as identified by the CDFW listing of community associations.

Biological Mitigation Ordinance

The Biological Mitigation Ordinance (BMO; County 2010) is the ordinance by which the County implements the South County MSCP Subarea Plan at the project level. The BMO contains design criteria and mitigation standards that, when applied to projects requiring discretionary permits, protect habitats and species and ensure that a project does not preclude the viability of the MSCP Preserve System.

The first part of the BMO explains how mitigation for impacts is determined. The habitat and vegetation community must first be identified at the impact site and at the area proposed for mitigation. The second part sets out specific mitigation requirements for impacts to certain species. Protecting these sensitive species is required in to gain coverage of the species under the MSCP. Depending on the sensitivity of the individual species, their avoidance or mitigation

is also necessary to comply with the California Environmental Quality Act. The two parts work together and are to be applied at the same time.

A BMO for the North San Diego County MSCP Subarea Plan has not yet been adopted but would be the ordinance by which the County implements the North County Subarea Plan at the project level.

Listed/Sensitive Plant Species

Fifteen sensitive plant species (listed below) were reported within two miles of the constraints Study Area as listed below. The only federal-listed species is San Diego thorn-mint

- (*Acanthomintha ilicifolia*)
- Engelmann oak (*Quercus engelmannii*)
- Felt-leaved monardella (*Monardella hypoleuca* ssp. *lanata*)
- Gander's ragwort (*Packera ganderi*)
- Lakeside ceanothus (*Ceanothus cyaneus*)
- Long-spined spineflower (*Chorizanthe polygonoides* var. *longispina*)
- Mission Canyon bluecup (*Githopsis diffusa* ssp. *filicaulis*)
- Moreno currant (*Ribes canthariforme*)
- Orcutt's brodiaea (*Brodiaea orcuttii*)
- Parry's tetracoccus (*Tetracoccus dioicus*)
- Ramona horkelia (*Horkelia truncata*)
- San Diego milk-vetch (*Astragalus oocarpus*)
- San Diego sagewort (*Artemisia palmeri*)
- San Diego thorn-mint (*Acanthomintha ilicifolia*)
- San Miguel savory (*Clinopodium chandleri*)
- Yucaipa onion (*Allium marvinii*)

The only federal-listed species, San Diego thorn-mint, is not expected to occur within the Study Area on County land or Reservation land due to a lack of clay soils with which this species is associated.

Sensitive Plant Species with Potential to Occur

Based on the vegetation mapped and the Web Soil Survey results (that show no clay soils in the Study Area), it was determined that four sensitive plant species have potential to occur in the Study Area on County land:

- Engelmann Oak (*Quercus engelmannii*): Thirty-three Engelmann oaks were observed in the Study Area
- Parry's Tetracoccus (*Tetracoccus dioicus*): Parry's tetracoccus is a perennial shrub that likely would have been observed on County land if it were present. It was observed throughout a hillside in the Study Area on Reservation land in chaparral
- San Diego Sagewort (*Artemisia palmeri*): Was not observed, but suitable habitat is present for the species.

- San Miguel Savory (*Clinopodium chandleri*): Was not observed, but suitable habitat is present for the species.

Listed/Sensitive Animal Species

Twenty-seven sensitive animal species (listed below), four of which are federal listed (i.e., Quino checkerspot butterfly [*Euphydryas editha quino*], arroyo toad [*Anaxyrus californicus*], coastal California gnatcatcher, and least Bell's vireo [*Vireo bellii pusillus*]) were reported within two miles of the Study Area, or were observed there, as listed below. Based on the vegetation (habitats) mapped, there is some potential for all 27 of the listed/sensitive animal species to occur on County land in the Study Area.

Invertebrates

- Crotch bumble bee (*Bombus crotchii*): While not reported within two miles of the Study Area, the Crotch bumble bee (*Bombus crotchii*) is also being addressed because it was recently designated as a candidate for State listing as endangered and potential habitat is present.
- Quino checkerspot butterfly (*Euphydryas editha quino*): There is suitable habitat for this species in the project vicinity; however, the habitat within the proposed pipeline alignment is generally unsuitable and focused surveys for the species are not recommended.

Amphibians

- Arroyo toad (*Anaxyrus californicus*): Suitable habitat for this species occurs within San Vicente Creek in the County portion of the alignment; however, impacts to the creek at this location are not anticipated. There also is USFWS designated Critical Habitat for this species in San Vicente Creek. The creeks/streams within the Reservation Land are generally unsuitable for this species and it is not anticipated to occur within the pipeline alignment.
- Western spadefoot (*Spea hammondii*): The federal-proposed threatened western spadefoot, listed below, was also reported within two miles.

Reptiles

- California glossy snake (*Arizona elegans occidentalis*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- Coast horned lizard (*Phrynosoma blainvillii*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. It also is unlikely to occur within the project footprint in the County portion of the alignment as the habitat is disturbed and heavily fragmented.
- Coast patch-nosed snake (*Salvadora hexalepis virgultea*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. It also is unlikely to occur

within the project footprint in the County portion of the alignment as the habitat is disturbed and heavily fragmented.

- Coastal whiptail (*Aspidoscelis tigris stejnegeri*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. It also is unlikely to occur within the project footprint in the County portion of the alignment as the habitat is disturbed and heavily fragmented.
- Coronado skink (*Plestiodon* [*Eumeces*] *skiltonianus*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. It also is unlikely to occur within the project footprint in the County portion of the alignment as the habitat is disturbed and heavily fragmented.
- Orange-throated whiptail (*Aspidoscelis hyperythra*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- Red-diamond rattlesnake (*Crotalus ruber*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- Rosy boa (*Lichanura orcuttii* [*Charina trivirgata roseofusca*]): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- San Diego banded gecko (*Coleonyx variegatus abbottii*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- Two-striped garter snake (*Thamnophis hammondii*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. It also is unlikely to occur within the project footprint in the County portion of the alignment as the habitat is disturbed and heavily fragmented.

Birds

- Barn owl (*Tyto alba*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. In addition, coast live oak woodland and riparian forest within the County portion of the alignment provides potential habitat for this species.
- Coastal California gnatcatcher (*Polioptila californica californica*): The coastal California gnatcatcher was not found during the protocol presence/absence survey for the species conducted in 2023 (see Appendix B for the Gnatcatcher Survey Report). Furthermore, this species is not anticipated to occur along the alignment as it is at the extent of the species geographic and elevation range.

- Cooper's hawk (*Accipiter cooperii*): The Cooper's hawk was observed east of Wildcat Canyon Road southwest of its intersection with San Vicente Oaks Road. Its habitats also occur on County land in the Study Area; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. In addition, coast live oak woodland and riparian forest within the County portion of the alignment provides potential habitat for this species.
- Golden eagle (*Aquila chrysaetos*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint under the Federal ESA. Additionally, this is not anticipated to occur within or adjacent to the pipeline alignment which would occur far from potential suitable nesting areas for the species, should it occur.
- Grasshopper sparrow (*Ammodramus savannarum*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- Least Bell's vireo (*Vireo bellii pusillus*): There is suitable habitat for this species located at the northernmost extent of the project alignment, within riparian forest habitat in San Vicente Creek. No direct impacts to the San Vicente Creek are anticipated; however, construction activities could have an indirect impact to this species during the nesting season, should it be present. Pre-construction surveys and avoidance measures may be required to help ensure project construction does not impact this species in the County portion of the alignment. Suitable habitat does not occur within or adjacent to the pipeline alignment on Reservation land.
- Red-shouldered hawk (*Buteo lineatus*): The red-shouldered hawk was observed in coast live oak woodland on Reservation land. In addition, coast live oak woodland and riparian forest within the County portion of the alignment provides potential habitat for this species.
- Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*): The rufous-crowned sparrow was observed in Diegan coastal sage scrub-disturbed in the northern portion of the Reservation land. In addition, coast live oak woodland and riparian forest within the County portion of the alignment provides potential habitat for this species.
- Turkey vulture (*Cathartes aura*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- Western bluebird (*Sialia mexicana*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint. In addition, coast live oak woodland and riparian forest within the County portion of the alignment provides potential habitat for this species.

Mammals

- American badger (*Taxidea taxus*): There is suitable habitat for this species within Reservation land; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- Mule deer (*Odocoileus hemionus*): This species is known to occur within Reservation land and adjacent County lands; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.
- San Diego desert woodrat (*Neotoma lepida intermedia*): This species is known to occur within Reservation land and adjacent County lands; however, as it is not a federal listed species its presence on Reservation land would not be a constraint.

Vegetation Mapping

Fourteen vegetation communities and developed land were mapped in the Study Area and within the proposed pipeline alignment. Seven communities and developed were mapped on County land. Thirteen communities and developed were mapped on Reservation land (See Table IV-1).

A description of each community and developed land is provided below:

Riparian Forest

Riparian forest (or southern riparian forest) is found along streams and rivers. Characteristic plant species in the community include western sycamore (*Platanus racemosa*), cottonwood (*Populus* spp.), and other wetland species.

Coast Live Oak Woodland

Coast live oak woodland is dominated by coast live oak (*Quercus agrifolia*). The shrub layer is poorly developed but may include toyon (*Heteromeles arbutifolia*), currants (Ribes spp.), laurel sumac (*Malosma laurina*), or elderberry (*Sambucus exicana*). The herb component is continuous and dominated by common ripgut (*Bromus diandrus*) and several other introduced taxa. It typically occurs on north-facing slopes and in shaded ravines in the south and more exposed sites in the north.

Chamise Chaparral

A one- to three-meter-tall chaparral dominated by chamise (*Adenostoma fasciculatum*). Associated species contribute little cover. Characteristic associated plants include Arctostaphylos species, Ceanothus species, among others. Chamise chaparral is the dominant chaparral type in San Diego County.

Southern Mixed Chaparral

Southern mixed chaparral is a community of broad-leaved shrubs that, in San Diego County, is dominated by lilacs, particularly Ramona lilac (*Ceanothus tomentosus* var. *olivaceus*) and occurs on dry, rocky, often steep slopes that typically face north. Southern mixed chaparral-disturbed can be described as a community that has been altered by activity that reduces the cover of native shrubs and allows for a notable cover of bare ground and/or non-native plant species.

Diegan Coastal Sage Scrub

Diegan coastal sage scrub is comprised of low, soft-wood subshrubs dominated by species such as coastal sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), laurel sumac, black sage (*Salvia mellifera*), and white sage (*Salvia apiana*). It typically grows on sites with low moisture and is the most wide-spread coastal sage scrub in coastal southern California. Diegan coastal sage scrub-disturbed can be described as a community that has been altered by activity that reduces the cover of native shrubs and allows for a notable cover of bare ground and/or non-native plant species.

Buckwheat Scrub

Buckwheat scrub is comprised of a near monoculture of California buckwheat (*Eriogonum fasiculatum*) often associated with deerweed (*Acmispon glaber*). It often occurs in areas that have been disturbed in coastal and foothill areas of the County. Buckwheat scrub-disturbed can be described as a community that has been altered by activity that has further reduced the cover of the native shrubs and allows for a notable cover of bare ground and/or non-native plant species.

Coastal Sage-Chaparral Scrub

Coastal sage-chaparral scrub (or coastal sage-chaparral transition) is a vegetation type between coastal scrubs and chaparrals; it may be a post-fire community. It is comprised of a mix of woody chaparral and drought-deciduous sage scrub plant species such as chamise, Ceanothus species, coastal sagebrush, black sage, and lemonadeberry *(Rhus integrifolia*). Coastal sage-chaparral scrub-disturbed can be described as a community that has been altered such that the cover of native shrubs has been reduced allowing for a notable cover of bare ground and/or non-native plant species.

Non-native Grassland

Non-native grassland is comprised of at least 50 percent cover of non-native, annual grass species that may be associated with native, annual forbs (wildflowers). In San Diego County, the presence of oats (*Avena* spp.), bromes (*Bromus* spp.), filaree (*Erodium* spp.), and mustard (*Brassica* spp.) are common indicators of this community.

Disturbed Habitat

Disturbed habitat includes areas that have been physically disturbed by human activity and no longer support native or naturalized vegetation. Typically, if vegetation is present, it is almost exclusively composed of non-native plant species that take advantage of disturbance. Examples of disturbed habitat include areas that have been graded, repeatedly cleared for fuel management purposes, and/or that have experienced repeated use that prevents the growth of native habitat (e.g., parking on vegetation, creating/using trails).

Ornamental

Ornamental describes areas that have been planted with ornamental (usually non-native) plant species and are typically associated with current or past development (see Developed below). The plantings may or may not be maintained.

Table IV-1 VEGETATION COMMUNITIES MAPPED IN THE STUDY AREA		
Vegetation Community	**Study Area Acreage on County Land**	**Study Area Acreage on Reservation Land**
Riparian forest	0.90	--
Coast live oak woodland	0.71	16.87
Diegan coastal sage scrub	0.05	13.09
Diegan coastal sage scrub-disturbed	2.73	6.91
Buckwheat scrub	--	0.72
Buckwheat scrub-disturbed	--	0.33
Coastal sage-chaparral scrub	--	8.60
Coastal sage-chaparral scrub-disturbed	--	0.55
Chamise chaparral	--	5.18
Southern mixed chaparral	--	17.30
Southern mixed chaparral-disturbed	--	2.94
Non-native grassland	1.67	19.79
Disturbed habitat	4.23	29.80
Ornamental	0.13	0.01
Developed	3.71	26.62
TOTAL[1]	**14.1**	**148.7**

[1]Total rounded to the nearest 0.1 acre.

Developed

Developed includes areas that have been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported. Developed land is characterized by permanent or semi-permanent structures, pavement or hardscape, and landscaped areas that often require irrigation. Areas where no natural land is evident due to a large amount of debris or other materials being placed upon it may also be considered developed (e.g., a quarry).

a) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. Fourteen vegetation communities and developed land were mapped in the Study Area and within the proposed pipeline alignment. Seven communities and developed land were mapped on off-Reservation County land (See Table IV-1). According to the Biology Report prepared by Alden Environmental, the area of potential impact (see Appendix B, *figures 4a – 4f*) would result in no impacts to Federal listed species and no additional focused surveys for Federal listed species are currently recommended. If the USFWS lists the spadefoot toad then focused surveys for that species may be required. Additional focused surveys for sensitive species may be required, depending upon the final project alignment and regulatory agency input.

It is anticipated that impacts due to the pipeline would occur primarily within the existing roadway and adjacent disturbed areas of the off-Reservation portions of the Project. If work in the off-Reservation area would impact sensitive vegetation communities, then

additional focused surveys may be required (e.g. sensitive plant survey), depending upon the vegetation communities affected. Mitigation for impacts to sensitive vegetation communities also may be required by the County under CEQA. Mitigation typically can include in-place revegetation if impacts are temporary; off-site acquisition and preservation; or purchase of credits in an approved mitigation bank.

The Project also must also comply with the nesting bird restrictions of the MBTA. This may include pre-construction nesting bird surveys during the nesting season and possibly nest monitoring during construction. See mitigation measure **BIO-1 and BIO-2**, which when implemented would reduce impacts to a less than significant level.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[13] Fourteen vegetation communities and developed land were mapped in the Study Area and within the proposed pipeline alignment. Thirteen communities and developed land were mapped on Reservation land (See Table IV-1). According to the Biology Report prepared by Alden Environmental, the area of potential impact (see Appendix B, *figures 4a – 4f*) would result in no impacts to Federal listed species and no additional focused surveys for Federal listed species are currently recommended.

Based on the vegetation (habitats) mapped, there is potential for three federal-listed or protected animal species to occur on Reservation land in the Study Area. Since there are no riparian habitats in the Study Area on Reservation land, the federal-listed arroyo toad and least Bell's vireo are not expected to occur there.

b) ***Off-Reservation***

Less than Significant Impact. There may be constraints off-Reservation due to sensitive species that would not be considered constraints within the Reservation land. The riparian forest land within San Vicente Creek at the northern most extent of the alignment has the potential to support the federal listed as threatened Least Bell's vireo. While direct impacts to riparian forest are not anticipated (pipeline work would be limited to the attachment of the pipeline to underside of the existing bridge without touching or disturbing the creek or creekbed). Construction activities could have an indirect impact to this species during the nesting season, should it be present. Pre-construction surveys and avoidance measures as described below in mitigation measure **BIO-1** below would help to ensure Project construction does not impact this species on any portion of the alignment.

On-Reservation

Less than Significant Impact. Although suitable habitat for the threatened Least Bell's vireo is located at the northernmost extent of the project alignment off-Reservation land, no direct impacts to this species are anticipated on-Reservation land. However, construction activities could have an indirect impact to this species during the nesting season, should it be present. Pre-construction surveys and avoidance measures may be

[13] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

required to help ensure Project construction does not impact this species in the County portion of the alignment. Suitable habitat does not occur within or adjacent to the pipeline alignment on Reservation land.[14]

c) ***Off-Reservation***

Less than Significant Impact. San Vicente Creek is considered jurisdictional by USACE, CDFW, RWQCB, and the County. This creek currently flows under a bridge as part of Wildcat Canyon Road off-Reservation. It is anticipated that any project impacts from the pipeline would be limited to attaching facilities to the existing bridge, as opposed to physical work (trenching, grading, etc.) within the creek itself.

With Project design complete, the determined construction method to attach the pipeline to the underside of the bridge crossing San Vicente Creek shows no possible impact to waters under the jurisdiction of the state. CA Fish & Game Code §1602 sets forth the threshold for requiring a Lake & Streambed Alteration permit:

An entity may not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material where it may pass into any river, stream, or lake without a permit.

The Project will not encroach into or otherwise alter the streambed and will not cause anything to occur that would be prohibited by the statute.

As such, it is reasonable to expect that no direct or indirect impacts to jurisdictional resources at San Vicente Creek would occur.

Based on the proposed method of construction, it is not anticipated that a LSA is needed. If impacts to RWQCB jurisdictional resources were to occur, then a Water Quality Certification under Section 401 of the Federal CWA would be required. The actual permitting requirement would depend on the type and amount of jurisdictional resource impacts in the County (if any). The District's contractor will be required to submit a Notice of Intent for coverage under the Construction Stormwater General Permit (Order WQ 2022-0057-DWQ)[15].

On-Reservation

Less than Significant Impact. Tribal lands are not subject to State and local (County) regulation of jurisdictional/wetland resources. Federal regulations (CWA) for potential impacts to federal jurisdictional resources (should they occur) may be applicable on Tribal lands. Throughout the Study Area on Reservation land, the NHD shows stream/river features, and the NWI shows riverine features. The proposed pipeline alignment would cross Padre Barona Creek, Klondike Creek, and numerous unnamed tributaries to these creeks within the limits of the Reservation.

Subsequent to the Sackett Supreme Court decision, the Environmental Protection Agency (EPA) issued a new definition for what is to be considered a WUS. No federal regulated wetland WUS resources would be affected by the project on Reservation land. Areas are

[14] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.
[15] Construction Stormwater General Permit Order WQ 2022-0057-DWQ (ca.gov)

determined to be non-wetland WUS if there is evidence of intermittent or perennial surface flow (relative permanent water) but the vegetation and/or soils criterion are not met to make a wetland determination. Per the current Corps CWA Rule, unvegetated ephemeral drainages/streambeds are not considered to be jurisdictional WUS.

The streams and tributaries on Reservation land, within the Study Area are anticipated to be ephemeral and therefore not jurisdictional to the Corps and subject to regulation under the CWA. This is based on the historically very dry nature of the streams/tributaries and additional "traditional ecological knowledge" (TEK), provided by Tribal elders and representatives. This knowledge includes historical observations of the streams/tributaries remaining dry most of the year, year after year. The only observed water flow has been during and immediately following rain events, characteristic of ephemeral features.

d) ***Off-Reservation***

Less than Significant Impact. Currently, it is anticipated that pipeline impacts on off-Reservation County land at the northernmost end of the alignment would be within the existing roadway and adjacent disturbed/developed areas. It also is anticipated that any installed pipelines would be attached to the bottom/side of the existing bridge over San Vicente Creek and that the creek itself would not be affected. Therefore, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Impact would be less than significant.

On-Reservation

Less than Significant Impact. Throughout the Study Area on Reservation land, the NHD shows stream/river features, and the NWI shows riverine features. The proposed pipeline alignment would cross Padre Barona Creek, Klondike Creek, and numerous unnamed tributaries to these creeks within the limits of the Reservation.

It is anticipated that any installed pipelines would be attached to the bottom/side of the existing bridge crossings and that the creek itself would not be affected. Therefore, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Impact would be less than significant

e) ***Off-Reservation***

Less than Significant Impact. Were impacts to occur within the identified communities in the Biology Report, they could be considered significant and require mitigation by the County. Therefore, any conflicts with ordinances protecting biological resources, such as a tree preservation policy or other approved local, regional or state habitat conservation plan may require mitigation to reduce impact levels to less than significant.

On-Reservation

Less than Significant Impact. Reservation land is not subject to County regulations however, any conflicts with ordinances protecting biological resources, such as a tree

preservation policy or other approved local, regional or state habitat conservation plan may require mitigation to reduce impact levels to less than significant.[16]

No impacts to Federal listed species are anticipated and no additional focused surveys for Federal listed species are currently recommended. If the USFWS lists the spadefoot toad, then focused surveys for that species may be required. Additional focused surveys for sensitive species may be required, depending upon the final project alignment and regulatory agency input.

The Project also must comply with the nesting bird restrictions of the BMTA. This may include pre-construction nesting bird surveys during the nesting season and possibly nest monitoring during construction.

f) ***Off-Reservation***

Less than Significant Impact. Based on the findings presented in the Biology Report prepared by Alden Environmental there are four vegetation communities located off-Reservation on County land, that are considered sensitive and may be subject to the California NCCP Act of 1991 (section 2835). These communities are Diegan coastal sage scrub, non-native grassland, coast live oak woodland, and riparian forest (Appendix B).

It is anticipated that impacts due to pipeline implementation would occur primarily within the existing roadway and adjacent disturbed areas. Were impacts to occur within any of the identified communities, they could be considered significant and require mitigation by the County. The amount of mitigation required, if any, would depend on the extent and type and level of significance of impacts. Mitigation typically can include in-place revegetation if impacts are temporary; off-site acquisition and preservation; or purchase of credits in an approved mitigation bank.

On-Reservation

Less than Significant Impact Based on the results of the literature review, Tribal communication, field reconnaissance, vegetation mapping, and coastal California gnatcatcher surveys, no significant impacts to federal regulated biological resources are anticipated on Reservation land. While Federal listed animal species are not anticipated to be impacted by the proposed Project, the Project would still be required to comply with MBTA nesting bird restrictions. Also, no federal listed (threatened or endangered) plant or animal species are anticipated to be affected by the project within the limits of the Reservation, a USFWS Section 7 consultation is not anticipated to be required. This could change if it is later determined that a federal listed species could be affected.

IMPACTS AND POTENTIAL MITIGATION

Reservation Land

Based on the results of the literature review, Tribal communication, field reconnaissance, vegetation mapping, and coastal California gnatcatcher surveys, no significant impacts to federal-regulated biological resources are anticipated on Reservation land. Table IV-2 and *Figures 4a-f* of

[16] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

Appendix B present the anticipated permanent and temporary impacts to vegetation communities on the Reservation.

Table IV-2 IMPACTS TO VEGETATION COMMUNITIES ON RESERVATION LAND		
Vegetation Community	**Permanent Impacts(acres)[2]**	**Temporary Impacts (acres)**
Riparian forest[1]	--	--
Coast live oak woodland	--	0.924
Diegan coastal sage scrub	--	0.940
Diegan coastal sage scrub-disturbed	--	0.504
Buckwheat scrub	--	0.198
Buckwheat scrub-disturbed	--	0.020
Coastal sage-chaparral scrub	--	0.579
Coastal sage-chaparral scrub-disturbed	--	--
Chamise chaparral	--	0.415
Southern mixed chaparral	--	1.424
Southern mixed chaparral-disturbed	--	0.168
Non-native grassland	--	1.627
Disturbed habitat	0.043	3.381
Ornamental	--	--
Developed	0.004	4.983
TOTAL[3]	**0.047**	**15.16**

[1]Impacts to riparian forest are not anticipated due to the use of jack-and-bore and bridge crossing construction methods.
[2]Permanent impacts would be from a Pressure Reducing Station (Figure 4b) and a Booster Pump Station (Figure 4e).
[3]Totals rounded to nearest 0.01 acre

While federal-listed animal species are not anticipated to be impacted by the proposed project, the project would still be required to comply with MBTA nesting bird restrictions.

As noted above, the streams and tributaries located within the Study Area on Reservation land are anticipated to be ephemeral in nature; therefore, they would not be considered jurisdictional to the Corps.

Finally, since no federal-listed (threatened or endangered) plant or animal species are anticipated to be affected by the project within the limits of the Reservation, a USFWS Section 7 consultation is not anticipated to be required. This could change if it is later determined that a federal-listed species could be affected.

County Land

Based on the results of the literature review, field reconnaissance, vegetation mapping, and coastal California gnatcatcher surveys, the anticipated impacts from pipeline construction on County land, outside of the Reservation Land, would be as follows.

Vegetation Communities

There are five vegetation communities located outside of the Reservation, within the County, that are considered sensitive. These communities are Diegan coastal sage scrub, Diegan coastal sage scrub-disturbed, non-native grassland, coast live oak woodland, and riparian forest (*Figure 4f* of Appendix B). Table IV-3 and *Figure 4a* (Appendix B) present the anticipated temporary impacts to vegetation communities on County land. There would be no permanent impacts on County land.

Table IV-3
TEMPORARY IMPACTS TO VEGETATION COMMUNITIES ON COUNTY LAND (acres)

Vegetation Community	South County MSCP Subarea	North County MSCP Subarea
Riparian forest[1]	--	--
Coast live oak woodland	0.007	0.019
Diegan coastal sage scrub	--	--
Diegan coastal sage scrub-disturbed	0.011	0.020
Buckwheat scrub	--	--
Buckwheat scrub-disturbed	--	--
Coastal sage-chaparral scrub	--	--
Coastal sage-chaparral scrub-disturbed	--	--
Chamise chaparral	--	--
Southern mixed chaparral	--	--
Southern mixed chaparral-disturbed	--	--
Non-native grassland	--	0.012
Disturbed habitat	0.062	0.179
Ornamental	--	0.003
Developed	0.835	1.331
TOTAL[2]	**0.91**	**1.56**

[1]Impacts to riparian forest are not anticipated due to the use of jack-and-bore and bridge crossing construction methods.
[2]Totals rounded to nearest 0.01 acre.

Impacts are not anticipated to riparian forest due to the use of jack-and-bore and bridge-crossing construction methods. Impacts to coast live oak woodland, Diegan coastal sage scrub-disturbed, and non-native grassland, although very limited in extent and temporary (Table IV-3 and Figure *4f* of Appendix B), would still be significant because they are sensitive communities. Mitigation to compensate for the temporary impacts could include revegetating (adequately replacing) the impacted vegetation in place following construction in accordance with a County-approved Revegetation Plan.

Sensitive Species

Within the County (non-Tribal) segment (Figure 4f) there may be constraints (impacts) due to sensitive species that would not be considered constraints within the Reservation land. The riparian forest land within San Vicente Creek at the northern most extent of the alignment has the potential to support the federal-listed endangered least Bell's vireo. While direct impacts to riparian forest are not anticipated, construction activities could have an indirect impact (noise) to this species

during the nesting season, should it be present. Pre-construction surveys and avoidance measures may be required to help ensure project construction does not impact this species in the County portion of the alignment.

In addition, the project would be required to comply with California Fish and Game Code and MBTA nesting bird restrictions.

Jurisdictional Resources (Federal, State, County)

Within the County segment of the pipeline is San Vicente Creek (Figure 5), which likely would be considered jurisdictional by the Corps, CDFW, RWQCB, and the County. This creek currently flows under a bridge as part of Wildcat Canyon Road. It is anticipated that there would be no impacts from pipeline construction to jurisdictional resources associated with the creek due to the use of bridge-crossing and jack-and-bore construction methods.

Should there be impacts to San Vicente Creek then federal (Corps) and State (CDFW and RWQCB) permits may be required for this location in the County. The exact authorization required would depend upon the amount and type of jurisdictional features to be impacted within the County segment. If required, it is anticipated that Nationwide Permit (NWP) 58 (Utility Line Activities for Water and Other Substances) would be the suitable NWP for the project. The Corps NWP process also includes a cultural resources analysis with Tribal consultation. Given that the project is a Tribal project, it is anticipated that a streamlined cultural evaluation would be possible.

Impacts to CDFW jurisdictional resources may require a Lake and Streambed Alteration (LSA) agreement via California Fish and Game Code Section 1602. Impacts to RWQCB jurisdictional resources may require a Water Quality Certification under Section 401 of the federal CWA.

The actual permitting requirement would depend on the type and amount of jurisdictional resource impacts in the County (if any).

MSCP Applicability and Consistency

The South San Diego County MSCP Subarea Plan was approved in 1997. The identification of sensitive resources, potential project impacts, and potential mitigation described above for the pipeline construction in the South County Subarea are consistent with the Subarea Plan and the Biological Mitigation Ordinance 2010, the latter of which enables the County to achieve the conservation goals set forth in the Subarea Plan for the MSCP.

The North San Diego County MSCP Subarea Plan has not yet been adopted; however, this report does consider what resources are identified as sensitive in that draft Plan for pipeline construction in the North County Subarea, and the County provides mitigation for impacts to vegetation communities outside of approved MSCP Subarea Plans 2012.

CONCLUSION

Reservation Land

No significant impacts to federal regulated biological resources are anticipated on Reservation land. If the USFWS lists the western spadefoot, however, then focused surveys for that species may be required. The project must comply with the nesting bird restrictions of the MBTA. This may include pre-construction nesting bird surveys during the nesting season and possibly nest monitoring during construction.

County Land

Impacts to coast live oak woodland, Diegan coastal sage scrub-disturbed, and non-native grassland would be significant because they are sensitive communities. Mitigation to compensate for these temporary impacts could include revegetating the impacted vegetation in place following construction in accordance with a County-approved Revegetation Plan. Impacts are not anticipated to riparian forest due to the use of jack-and-bore and bridge-crossing construction methods.

The project also must comply with the nesting bird restrictions of the MBTA and California Fish and Game Code (within the County area). This may include pre-construction nesting bird surveys during the nesting season and possibly nest monitoring (and noise-impact avoidance measures for the least Bell's vireo) during construction.

Mitigation Measures

BIO-1: Nesting Bird Surveys. Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

BIO-2: Revegetation. To compensate for these temporary impacts could include revegetating the impacted vegetation in place following construction in accordance with a County-approved Revegetation Plan.

Possible impacts identified may require additional mitigation measures which if/when implemented would reduce impacts to a less than significant level.

V. CULTURAL RESOURCES

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c)	Disturb any human remains, including those outside of formal cemeteries?	☐	☒	☐	☐

SUBSTANTIATION: (Check if the project is located in the Cultural ☐ or Paleontologic ☐ Resources overlays or cite results of cultural resource review):

San Diego County General Plan, 2011 (last amended February 10, 2023)*; *Submitted Project Materials; A Section 106 (NHPA) Historic Resources Study for the Barona Long-Term Potable and Recycled Water Service Project, BFSA Environmental Services, a Perennial Company, November 15, 2023 (Appendix C); Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton

As proposed, the Project includes the construction of two roughly parallel underground water pipelines to run from the District facilities, in the county of San Diego, onto and southward through the Barona Indian Reservation to provide both recycled and potable water to the reservation and its residents. BFSA Environmental, a Perennial Company (BFSA), was contracted by the Barona Band of Mission Indians to prepare an historic resources study for the Project. As such, BFSA completed a Class I inventory of a one-mile radius around the undertaking, conducted a Class III intensive pedestrian archaeological survey of the proposed undertaking to assess the potential adverse effects to any historic resources within the Area of Potential Effect (APE), and implement NRHP eligibility testing of archaeological sites where appropriate in accordance with 36 CFR 60.4.

This section evaluates the Project's potential impacts to historical resources, unique archaeological resources, and disturbing human remains as set forth in Appendix G of the State CEQA Guidelines.

a) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. A review of the APE indicates the majority of the alignment and associated 50-foot buffer were previously disturbed by existing roads (paved and unpaved), power lines, trails, and rural residential

development. The historic resources survey was conducted on August 17 and 18 and September 28, 2023 for the entirety of the proposed Project. The survey did not identify any previously unrecorded prehistoric sites on County land. Therefore, a less than significant impact is expected in the APE for portions of the alignment on off-Reservation portions of the pipelines. However, if inadvertent discoveries of unknown archaeological or historic resources may occur, mitigation measure **CUL-1** would reduce impacts to a less than significant level.

On-Reservation

Less than Significant with Mitigation Incorporated.[17] The survey identified five previously unrecorded prehistoric bedrock milling sites (Temp-1 to Temp-5) and one prehistoric isolate (Iso-1) on Reservation land. Through a review of the APE, it was determined that Temp-1 and Iso-1 are well outside of the alignment and will not be impacted by the undertaking.

However, Temp-2 to Temp-5 are located within or directly adjacent to the APE alignment and were subjected to a focused study that included the mapping and recordation of all surface elements and the completion of subsurface tests to search for buried deposits that may be impacted by the proposed undertaking. Sites Temp-2 to Temp-5 were tested through the excavation of 20 shovel test pits (STPs), which did not identify any intact subsurface deposits. A limited artifact assemblage was recovered from sites Temp-3 and Temp-4. As a result of the testing program, it can be concluded that the prehistoric site areas that may be impacted by the undertaking do not retain any additional research potential. As such, sites Temp-2 to Temp-5 are characterized as limited use resource processing locations. Therefore, it is recommended the project be allowed to proceed while adopting a finding of "No Adverse Effect" for historic resources within the APE.

All of the resources identified during the survey are located on the Barona Indian Reservation portion of the Project and subject to federal guidelines (Section 106 of the NHPA and the NEPA). No other sites were discovered therefore, less than significant impact is expected in the APE for all portions of the alignment. However, if inadvertent discoveries of unknown archaeological or historic resources may occur, mitigation measure **CUL-1** would reduce impacts to a less than significant level.

b) ***Off-Reservation***

Less than Significant Impact. An archaeological records search was conducted by the South Coastal Information Center (SCIC) at San Diego State University (SDSU), both the on- and off-Reservation portions of the Project. The search covered all such records within a one-half mile radius around the present project. The SCIC reported no previously recorded archaeological sites within the APE boundaries on the off-Reservation portions of the proposed alignment.

In total, 27 archaeological resource studies have been conducted within one-half mile of the APE, eleven (11) of which overlap portions of the current APE boundaries. Most of these studies are focused along San Vicente Road and its intersection with Wildcat

[17] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

Canyon Road. Based upon the SCIC results, that no formally recorded sites within the APE of the proposed pipeline off-Reservation have been registered with the SCIC as a result of any previous studies.[18]

Additionally, BFSA reviewed the following historic resources:

- The NRHP Index
- The Office of Historic Preservation (OHP), Archaeological Determinations of Eligibility
- The OHP Built Environment Resource Directory
- The 1:62,500 USGS El Cajon (1893) topographic map
- The 1:24,000 USGS El Cajon Mountain (1955) topographic map

No substantial adverse changes in the significance of an archaeological resource pursuant to section 15064.5 are expected. Impacts would be less than significant.

On-Reservation

Less than Significant Impact. The most relevant archaeological resource study relating to the on-Reservation portion of the Project is the Science Applications, Inc. (1981) study[19], which consisted of a survey for the entire Barona Indian Reservation. As a result of their study, 47 prehistoric and historic archaeological sites were identified within the reservation boundaries, but the report on-file with the SCIC does not contain any maps for sites located during the survey. As such, it is possible that the sites identified during the current survey program (Temp-1 to Temp-5) correspond to those identified during the 1981 study; however, this cannot currently be confirmed. Regardless, it is clear, based upon the SCIC results, that no formally recorded sites within the APE of the proposed pipeline on-Reservation have been registered with the SCIC as a result of any previous studies.

c) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. Federal and state laws mandate that consideration be given to the concerns of contemporary Native Americans with regards to potentially ancestral human remains, associated funerary objects, and items of cultural patrimony. Consequently, an important element in assessing the significance of the property has been to evaluate the likelihood that these classes of items are present in areas that would be affected by the project.

The Historic Resources Study prepared by BFSA did not identify previously recorded sites with human remains within the Proposed Project APE on County lands off-Reservation. However, there is a potential for unidentified human remains to be present within the Proposed Project site.

Pursuant to Calif. Pub. Res. Code section 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or

[18] All studies are referenced in *A Section 106 (NHPA) Historic Resources Study for the Barona Long-Term Potable and Recycled Water Service Project (Appendix C), BFSA Environmental Services, a Perennial Company, November 15, 2023*

[19] Science Applications, Inc. 1981

cultural resources, these issues will be presented to the Planning & Development Services Director for decision. The Planning & Development Services Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe.

If present, human remains could be damaged by ground disturbing activities associated with the Proposed Project. If human remains are inadvertently discovered, mitigation measure **CUL-2** would reduce impacts to a less than significant level.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[20] The Historic Resources Study prepared by BFSA did not identify previously recorded sites with human remains within the Proposed Project APE on Reservation lands. However, there is a potential for unidentified human remains to be present within the Proposed Project site.

As is the case with off-Reservation lands, if present, human remains could be damaged by ground disturbing activities associated with the Proposed Project. If human remains are inadvertently discovered, mitigation measure **CUL-2** would reduce impacts to a less than significant level.

Mitigation Measures

CUL-1: Unanticipated discovery of previously unknown archaeological or historical materials could occur during ground-disturbing activities. If any subsurface cultural resources are encountered during earth-moving activities, all work within 50 feet shall be halted and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology to evaluate the significance of the find and recommend appropriate treatment for the resource. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash, and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, or concrete footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, metal, glass, ceramics, and other refuse. The archaeologist will evaluate the find in accordance with state and local guidelines, including those set forth in the California Public Resources Code Section 21083.2. Depending upon the nature of the find, if the discovery proves to be potentially significant under CEQA, as determined by the qualified archaeologist, additional work such as data recovery excavation, avoidance of the area of the find, documentation, testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution, or other appropriate actions may be warranted at the discretion of the qualified archaeologist. After the find is appropriately mitigated, work in the area may resume. Tribal and archaeological monitors shall be present during all earth-disturbing activities.

[20] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

CUL-2: Should human remains be identified during ground-disturbing activities related to the implementation of the Proposed Project, whether during construction, maintenance, or any other activity, State Public Resources Code Section 5097.98, CEQA Section 15064.5 and Health & Safety Code Section 7050.5 and County-mandated procedures will be followed for the treatment and disposition of those remains, as follows.

- The Property Owner or their representative shall contact the County Coroner and the County Planning and Development Services (PDS) Staff Archaeologist.
- Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Kumeyaay Native American monitor.
- If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
- The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
- The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

Mitigation Measures CUL-1 and CUL-2 would reduce impacts to a less than significant level should inadvertent discoveries of archaeological or historic resources or human remains be made during construction of the Proposed Project.

VI. ENERGY

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

SUBSTANTIATION: San Diego County General Plan, 2011 (last amended February 10, 2023)

The focus of this section is to analyze potential impacts related to Energy utilizing significance thresholds in Appendix G of the CEQA Guidelines.

Regulatory Framework

Building Energy Conservation Standards

The California Energy Conservation and Development Commission (California Energy Commission) adopted Title 24, Part 6, of the California Code of Regulations, Energy Conservation Standards for new residential and nonresidential buildings. Title 24 ensures building designs conserve energy. The requirements allow for the opportunities to incorporate updates of new energy efficiency technologies and methods into new developments. In June 2015, the California Energy Commission (CEC) updated the 2016 Building Energy Efficiency Standards. Under the 2016 Standards, residential buildings are approximately 28 percent more energy efficient than the previous 2013 Energy Efficiency Standards. The 2016 Standards improved upon the previous 2013 Standards for new construction of and additions and alterations to residential and nonresidential buildings. The CEC updated the 2019 Building Energy Efficiency Standards in May 2018. The 2019 Title 24 standards state that residential buildings are anticipated to be approximately 7 percent more energy efficient. When the required rooftop solar is factored in for low-rise residential construction, residential buildings that meet the 2019 Title 24 standards would use approximately 53 percent less energy than residential units built to meet the 2016 standards.[21]

Senate Bill 350

Senate Bill (SB) 350 was signed into law in October 2015. SB 350 establishes new clean energy, clean air and greenhouse gas reduction goals for 2030. SB 350 also establishes tiered

[21] Building Energy Efficiency Standards | California Energy Commission

increases to the Renewable Portfolio Standard: 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030.[22]

Senate Bill 100

Senate Bill 100 (SB 100) was signed into law in September 2018 and increased the required Renewable Portfolio Standards. SB 100 requires the total kilowatt-hours of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.[23]

a) ***Off-Reservation***

Less than Significant Impact. Construction of the off-Reservation portion of the Project would result in the use of energy resources during the construction phase. However, the energy use would be temporary, limited, and cease upon completion of construction. Construction would be conducted in compliance with local, state, and federal regulations (e.g., USEPA and the California Air Resources Board [CARB] engine emission standards, which require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption, and limitations on engine idling times, etc.). Compliance with these regulations would minimize short-term energy demand during the project's grading to the extent feasible.

Energy needs for the Project grading/trenching would be temporary and are not anticipated to require additional capacity or substantially increase peak or base period demands for electricity and other forms of energy. Construction equipment use and associated energy consumptions would be typical of that associated with the construction of residential projects of this size in a semi-rural setting. During Project construction, energy would be consumed in the form of electricity associated with the conveyance of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power. As such, the Project's energy consumption during the grading and construction phase would not be considered wasteful, inefficient, or unnecessary. In addition, natural gas is not anticipated to be required during construction of the Project. Any minor amounts of natural gas that may be consumed as a result of the grading and construction would be temporary and negligible and would not have an adverse effect. Therefore, impacts would be less than significant.

[22] Clean Energy and Pollution Reduction Act - SB 350 (ca.gov)
[23] SB 100 Joint Agency Report (ca.gov)

On-Reservation

Less than Significant Impact. Construction of the on-Reservation portion of the Project would result in the use of energy resources during the construction phase. Impacts would be the same as that of the construction of the off-Reservation portion.

b) ***Off-Reservation***

Less than Significant Impact. Relevant plans that pertain to the efficient use of energy include the 2019 California Energy Efficiency Action Plan, which focuses on energy efficiency. As noted, construction activities for the off-Reservation portion of the Project would be conducted in compliance with local, state, and federal regulations (e.g., USEPA and CARB engine emissions standards, limitations on engine idling times, etc.). Compliance with these regulations would reduce short-term energy demand during the project's construction to the extent feasible and increase the project's energy efficiency. Therefore, the project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Project impacts would be less than significant.

On-Reservation

Less than Significant Impact. Impacts resulting from construction of the on-Reservation portion of the Project would be the same as the impacts resulting from the construction of the off-Reservation portion of the Project.

Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

VII. GEOLOGY AND SOILS

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
	ii. Strong seismic ground shaking?	☐	☐	☒	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
	iv. Landslides?	☐	☐	☒	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

SUBSTANTIATION: *(Check ☐ if project is located in the Geologic Hazards Overlay District):*

San Diego County General Plan, 2011 (last amended February 10, 2023); San Diego County General Plan Update FEIR; A Paleontological Assessment for the Barona Long-Term Potable and Recycled Water Service Project, June 21, 2024, BFSA Environmental Services, a Perennial Company (Appendix C-1); California Soil Resource Lab. 2024, SoilWeb: An Online Soil Survey Browser; USDA Web Soil Survey

This section analyzes the Project's potential impacts related to geology and soils utilizing the thresholds in Appendix G of the CEQA Guidelines.

a) i-iv) ***Off-Reservation***

Less than Significant Impact. San Diego County is located within the seismically active Southern California Region. The nearest fault zones to the Project area are the Elsinore Fault Zone approximately 19 miles northeast of the Project area, and the Newport Inglewood-Rose Canyon Fault Zone approximately 23 miles to the southwest of the Project area.

Implementation of the Proposed Project would be required to comply with the San Diego County General Plan Update 2011 which designates land uses, which would allow development to occur in areas with geological risks such as seismically induced ground shaking, liquefaction, and landslides. However, future development would be required to comply with all relevant federal, State and local regulations and building standards, including the CBC and County required geotechnical reconnaissance reports and investigations. As no habitable structures are proposed with the Project, impacts from seismically induced fault rupture, ground shaking, liquefaction, and landslides would be less than significant.

On-Reservation

Less than Significant Impact. San Diego County is located within the seismically active Southern California Region. The nearest fault zones to the Project area are the Elsinore Fault Zone approximately 19 miles northeast of the Project area, and the Newport Inglewood-Rose Canyon Fault Zone approximately 23 miles to the southwest of the Project area.

As no habitable structures are proposed with the Project, impacts from seismically induced fault rupture, ground shaking, liquefaction, and landslides would be less than significant.

b) ***Off-Reservation***

Less than Significant Impact. Compliance with the policies and mitigation measures identified in the San Diego County General Plan Update FEIR for Hydrology and Water Quality and Land Use, as well as all applicable regulations including the NPDES, CBC, and the County Grading Ordinance, would prevent potential impacts to soil erosion or the loss of topsoil to below a significant level.

On-Reservation

Less than Significant Impact. Compliance with the policies and mitigation measures identified in the San Diego County General Plan Update FEIR for Hydrology and Water Quality and Land Use, as well as all applicable regulations including the NPDES, CBC, and the County Grading Ordinance, would prevent potential impacts to soil erosion or the loss of topsoil to below a significant level.

c) ***Off-Reservation***

Less than Significant Impact. While there are no habitable structures proposed with this Project off-Reservation land, future development under the General Plan Update would be required to comply with federal, State and local building standards and regulations, including the CBC and County-required geotechnical reconnaissance reports and investigations. Compliance with such regulations would reduce impacts associated with on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse to a less than significant level.

On-Reservation

Less than Significant Impact. No habitable structures are proposed with this Project on-Reservation land however compliance with local building standards and regulations would reduce impacts associated with on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse to a less than significant level.

d) ***Off-Reservation***

Less than Significant Impact. According to the San Diego County General Plan *Safety Element Figure S-4 Expansive Clays*[24], the Project is not at risk from being in an area that is made up of expansive soils on County land. The Project as proposed does not include construction on any habitable structures. Any damage caused by expansive soils, if any, would impact the water pipelines directly.

On-Reservation

Less than Significant Impact. Expansive soils are generally high in clays or silts that shrink or swell with variation in soil moisture content and can adversely affect the structural integrity of underground facilities including pipelines. Soils that are on-Reservation are not classified within the San Diego County General Plan Safety Element. However, according to the UC Davis on-line SoilWeb Tool (accessed 10/3/2024)[25] which covers the State of California including San Diego County and tribal lands, the Project area on-Reservation is underlain primarily by a variety of sandy loam soils which are often regarded as one of the best soils for building. It absorbs water and dries out at a steady rate. There's much less expansion and contraction with loam than with clay. Design of the proposed pipelines would still adhere to professional engineering standards, which would provide regulations related to soils and foundations, to avoid adverse effects of potential expansive soils. Therefore, impacts related to expansive soils would be less than significant.

[24] SafetyElement.pdf (sandiegocounty.gov) Figure S-4
[25] SoilWeb: An Online Soil Survey Browser | California Soil Resource Lab (ucdavis.edu)

e) ***Off-Reservation***

No Impact. The Project as proposed off-Reservation does not include construction on any habitable structures. No septic or alternative wastewater disposal systems will be required as part of this Project. There will be no impact.

On-Reservation

No Impact. The Project as proposed on-Reservation does not include construction on any habitable structures. No septic or alternative wastewater disposal systems will be required as part of this Project. There will be no impact.

f) ***Off-Reservation***

No Impact. The Regulatory setting for the Project is discussed in the *Paleontological Assessment for the Barona Long-Term Potable and Recycled Water Service Project,* prepared by BFSA (Appendix C-2), the goal of numerous laws, regulations, and statutes at federal and state levels is to protect and direct the management of historic cultural, archaeological, and paleontological resources. Paleontological resources are the remains of prehistoric life that have been preserved in geologic strata. These remains are called fossils and include bones, shells, teeth, and plant remains (including their impressions, casts, and molds) in the sedimentary matrix, as well as trace fossils such as footprints and burrows. Fossils are considered a nonrenewable resource under state and local guidelines.

The northern approximately six acres of the Project are located on county of San Diego land, while the remainder of the alignment falls within the Barona Indian Reservation. The portion of the project on unincorporated county land is subject to CEQA and County of San Diego environmental guidelines.

CEQA, patterned after the NEPA, is the overriding environmental regulation that sets the requirement for protecting California's paleontological resources. CEQA mandates that governing permitting agencies (lead agencies) set their own guidelines for the protection of nonrenewable paleontological resources under their jurisdiction.

Pursuant to CEQA, the County of San Diego has developed a comprehensive set of guidelines, practices, and criteria for evaluating the potential for developments to adversely impact significant paleontological resources, and the necessary procedures to implement in order to preserve the resources if discovered. Geologic formations mapped within unincorporated areas in the county are rated as high, moderate, low, marginal, or with no potential to yield paleontological resources. Based on the rating assignment, the County requires the following monitoring criteria, and subsequent salvage of significant paleontological resources if they are found, to adequately mitigate potentially significant impacts:

- For projects within areas of High or Moderate Paleontological Resources Potential that propose excavation equal to or greater than 2,500 cubic yards, the services of a Project Paleontologist and a Paleontological Resources Monitor are required.

- For projects within areas of High or Moderate Paleontological Potential that propose excavation of less than 2,500 cubic yards, monitoring by a Standard Monitor is required.
- For projects within areas of Low or Marginal Potential, monitoring by a Standard Monitor is required.[26]

Research indicates that all of the Project alignment overlies plutonic and metavolcanic rocks, which are not fossiliferous. The County of San Diego accords these rocks with no paleontological potential. The County does not require monitoring in rocks with no potential. Therefore, paleontological mitigation monitoring is not recommended for this portion of the project alignment.

The potential for fossils to occur in areas mapped as plutonic or metavolcanic rocks within the reservation area of the Project alignment is nil. The potential for significant fossils to occur in areas mapped as Holocene alluvial or colluvial deposits is low to nil. While the alluvial deposits become greater in age with increasing depth and, therefore, would have increasing paleontological sensitivity, it is anticipated the proposed water lines will be buried at shallow depths typical for this type of Project and would not impact sensitive deposits. Therefore, paleontological mitigation monitoring is not recommended for this portion of the project alignment.

On-Reservation

No Impact. The northern approximately six acres of the Project are located on county of San Diego land, while the remainder of the alignment falls within the Barona Indian Reservation.

CEQA, patterned after the NEPA, is the overriding environmental regulation that sets the requirement for protecting California's paleontological resources. CEQA mandates that governing permitting agencies (lead agencies) set their own guidelines for the protection of nonrenewable paleontological resources under their jurisdiction.

Research indicates that all of the Project alignment overlies plutonic and metavolcanic rocks, which are not fossiliferous. The County of San Diego accords these rocks with no paleontological potential. The County does not require monitoring in rocks with no potential. Therefore, paleontological mitigation monitoring is not recommended for this portion of the project alignment.

The potential for fossils to occur in areas mapped as plutonic or metavolcanic rocks within the reservation area of the Project alignment is nil. The potential for significant fossils to occur in areas mapped as Holocene alluvial or colluvial deposits is low to nil. While the alluvial deposits become greater in age with increasing depth and, therefore, would have increasing paleontological sensitivity, it is anticipated the proposed water lines will be buried at shallow depths typical for this type of Project and would not impact sensitive deposits. Therefore, paleontological mitigation monitoring is not recommended for this portion of the Project alignment.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

[26] Stephenson et al. 2009

VIII. GREENHOUSE GAS EMISSIONS

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

SUBSTANTIATION:
San Diego County General Plan, 2011 (last amended February 10, 2023); South Coast Air Quality Management District (SCAQMD); San Diego County Air Pollution Control District (SDAPCD)

According to CEQA Guidelines Section 15064.4, when making a determination of the significance of greenhouse gas emissions, the "lead agency shall have discretion to determine, in the context of a particular project, whether to use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use." In addition, CEQA Guidelines section 15064.7I provides that "a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts" on the condition that "the decision of the lead agency to adopt such thresholds is supported by substantial evidence."

CEQA Guidelines Section 15064.4 does not establish a threshold of significance. Lead agencies have the discretion to establish significance thresholds for their respective jurisdictions, and in establishing those thresholds, a lead agency may appropriately look to thresholds developed by other public agencies or suggested by other experts, as long as any threshold chosen is supported by substantial evidence.[27] (see CEQA Guidelines Section 15064.7[c]). The CEQA Guidelines also clarify that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impact analysis (see CEQA Guidelines Section 15064.4[b]).[28]

The Global Warming Solutions Act of 2006 requires that by the year 2020, the Greenhouse Gas (GHG) emissions generated in California be reduced to the levels of 1990. In the absence of a locally adopted numeric threshold by regional experts and agencies (e.g., SDAPCD), the project is being evaluated according to CEQA Guidelines Section 15064.7(c), which recommends considering whether a project's GHG emissions meet the California Air Pollution Control Officers Association (CAPCOA) 900 metric tons (MT) carbon dioxide equivalent (CO_2e) per year screening level threshold. The screening level threshold was developed based on various

[27] CEQA Guidelines Section 15064.7[c]
[28] CEQA Guidelines Section 15064.4[b]

land use densities and future discretionary project types to determine the size of projects that would likely have a less than cumulatively considerable contribution to climate change.

Per CEQA guidelines, new project emissions are treated as standard emissions, and air quality impacts are evaluated for significance on an air basin or even at a neighborhood level. GHG emissions are treated differently, in that the perspective is global, not local. Therefore, emissions for certain types of projects might not necessarily be considered as new emissions if the project is primarily population driven. Many gases make up the group of pollutants that are believed to contribute to global climate change. However, three gases are currently evaluated and represent the highest concentration of GHG: carbon dioxide (CO_2), Methane (CH_4), and Nitrous oxide (N_2O). SCAQMD provides guidance methods and/or Emission Factors that are used for evaluating a project's emissions in relation to the thresholds.

a) ***Off-Reservation***

Less than Significant Impact. For temporary construction activities the Proposed Project would require earthmoving, trenching and other activities such as re-paving. The Project's construction activities were screened using SCAQMD Off-Road Mobile Source Emissions Factors (2024). Emissions anticipated from the Proposed Project compared to the CAPCOA threshold are shown below in Table VIII-1.

As shown in Table VIII-1 GHG emissions related to the Proposed Project are not anticipated to exceed the CAPCOA GHG emissions threshold for Off-Reservation construction of the Project. Therefore, impacts are anticipated to be less than significant.

On-Reservation

Less than Significant Impact. As with the off-Reservation portion of the Project temporary construction activities would require earthmoving, trenching and other activities such as re-paving.

As shown in Table VIII-1 GHG emissions related to the Proposed Project are not anticipated to exceed the CAPCOA GHG emissions threshold for On-Reservation construction of the Project. Therefore, impacts are anticipated to be less than significant.

Table VIII-1: CONSTRUCTION GREENHOUSE GAS EMISSIONS			
SOURCE	**CO_2 (lbs/day)**	**CH_4 (lbs/day)**	**N_2O (g/day)**
Excavator	960.0	0.042	0.202
Dump Truck	984.0	0.034	0.492
Water truck	1968.0	0.067	0.984
Loader	872.0	0.042	0.492
Snooper Truck	984.0	0.034	0.492
Misc. Construction Equipment	984.0	0.034	0.160
Totals (lbs/g/day)	6752.00	7.08	747.83
Total lbs/day	7387.10		
CAPCOA Threshold $MTCO_2e$ Per Year	**900**		
Total $MTCO_2e$ Per Year	**554.03**		

Source: Off-Road Mobile Source Emission Factors; SCAQMD 2024
Source N2O: California Climate Action Registry General Reporting Protocol, 2009; Table A9-8-C SCAQMD Handbook; Climate Leaders EPA, Section 3, Table 2
Duration: 6 Month (150 days) Construction Period
Source: CAPCOA – California Air Pollution Control Officers Association

b) ***Off-Reservation***

Less than Significant Impact. A significant impact may occur if the Proposed Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG.

In 2006, the state passed the Global Warming Solutions Act of 2006, commonly referred to as Assembly Bill 32, which set the GHG emissions reduction goal for the State of California into law. The law requires that, by 2020, state emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources through regulation, market mechanisms, and other actions. Assembly Bill 32 directed the California Air Resources Board (CARB) to prepare and approve a Scoping Plan to achieve the maximum technologically feasible and cost-effective GHG emissions reductions from sources or categories of sources of GHGs by 2020 and to update the Scoping Plan every 5 years. The 2017 Scoping Plan identified GHG emissions reductions by emissions sector to achieve a statewide emissions level that is 40 percent below 1990 levels by 2030. CARB recommended statewide targets of no more than 6 $MTCO_2e$ per capita by 2030 and no more than two (2) $MTCO_2e$ per capita by 2050. The 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) lays out a path to achieve targets for carbon neutrality and reduce anthropogenic greenhouse gas (GHG) emissions by 85 percent below 1990 levels no later than 2045, as directed by Assembly Bill 1279.[29]

Senate Bill 375, passed in 2008, links transportation and land use planning with global warming. It requires CARB to set regional targets to reduce GHG emissions from passenger vehicles. Under this law, if regions develop integrated land use, housing, and transportation plans that meet Senate Bill 375 targets, new projects in these regions can

[29] 2022 Scoping Plan for Achieving Carbon Neutrality - Executive Summary

be relieved of certain review requirements under CEQA. Pursuant to Senate Bill 375, SANDAG prepared the region's Sustainable Communities Strategy, which is a new element of the 2050 Regional Transportation Plan. The strategy identifies how regional GHG emissions reduction targets, as established by CARB, will be achieved through development patterns, transportation infrastructure investments, and/or transportation measures or policies determined to be feasible.

The Proposed Project would comply with statewide targets and regional regulations for GHG emissions reductions because it would include installation of two underground water pipelines that would result in temporary construction emissions only. Negligible operations emissions would occur only when a maintenance vehicle would access the pipeline and its components during maintenance activities. The Project is not considered a new trip generator that would warrant a vehicle miles traveled assessment and, therefore, would not conflict with the Sustainable Communities Strategy. In addition, construction of the Proposed Project is estimated to emit a total of approximately 554 $MTCO_2e$ annually, below the 900 $MTCO_2e$ threshold from CAPCOA. The Project would not result in additional vehicular traffic and the Project's incremental contribution to cumulative GHG emissions is determined to not be cumulatively considerable. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted to reduce GHG emissions, and impact would be less than significant.

State and regional plans, policies, and regulations are generally intended to set statewide and regional policy and are not directly applicable to individual projects. Additionally, as discussed above, GHG emissions associated with construction of the Proposed Project would not be substantial and would be below CAPCOAs GHG threshold for construction. Further, the Proposed Project would not conflict with any applicable plan, policy, or regulation adopted for the purposes of reducing GHG emissions.[30]

The Proposed Project would not emit substantial amounts of GHG emissions, or otherwise hinder implementation of plans, policies, and regulations to reduce GHG emissions. Therefore, the impacts of construction of the Proposed Project would be less than significant, and no mitigation is required.

On-Reservation

Less than Significant Impact. Similar to the off-Reservation portion of the proposed pipelines, the Project would not emit substantial amounts of GHG emissions, or otherwise hinder implementation of plans, policies, and regulations to reduce GHG emissions. Therefore, the impacts of construction of the Proposed Project would be less than significant, and no mitigation is required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

[30] CAPCOA – California Air Pollution Control Officers Association

IX. HAZARDS AND HAZARDOUS MATERIALS

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or Proposed school?	☐	☐	☒	☐
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023)

This section analyzes the effects of the proposed Project related hazards and hazardous materials utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

Less than Significant Impact. During temporary construction activities of the off-Reservation portion of the Project, the Project would be involved with the transport of gasoline and other petroleum-based products associated with construction equipment. These materials are considered hazardous as they could cause temporary localized soil and water contamination. Incidents of spills or other localized contamination could occur during refueling, operation of machinery, undetected fluid leaks, or mechanical failure.

However, all storage, handling, and disposal of these materials are regulated by California Department of Toxic Substances Control, the USEPA, and the Barona Fire Department and have auto-aide agreements with, Lakeside Fire Protection District, San Diego County Fire Protection District and Central Zone agencies (Heartland Zone) to provide and receive aide in a time of need.[31]

All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, which would reduce impacts associated with the use and handling of hazardous materials during construction to less than significant.

On-Reservation

Less than Significant Impact. Similar to the off-Reservation construction, the temporary on-Reservation construction portion of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, which would reduce impacts associated with the use and handling of hazardous materials during temporary construction to less than significant.

b) ***Off-Reservation***

No Impact. Hazardous substances/materials are not Proposed to be part of the off-Reservation portion of the Project thus, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. There would be no impact.

On-Reservation

No Impact. Hazardous substances/materials are not Proposed to be part of the on-Reservation portion of the Project thus, the Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. There would be no impact.

[31] Barona Fire Department

c) ***Off-Reservation***

Less than Significant Impact. The off-Reservation portion of the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. The proposed pipelines are not within one-quarter mile of an existing or proposed school on the County portion of the Project. Given the temporary nature of the construction. All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, which would reduce impacts associated with the use and handling of hazardous materials during construction to less than significant.

On-Reservation

Less than Significant Impact. The on-Reservation portion of the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. However, the proposed pipelines on the on-Reservation portion of the Project is within a quarter mile of the Barona Indian Charter School at the south end of the Project area. Given the temporary nature of the construction. All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, which would reduce impacts associated with the use and handling of hazardous materials during construction to less than significant.

d) ***Off-Reservation***

No Impact. The off-Reservation portion of the Proposed Project will be located within the San Vicente Road and Wildcat Canyon Road right of way. The Project will not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. There would be no impact.

On-Reservation

No Impact. The on-Reservation portion of the Project will not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. There would be no impact.

e) ***Off-Reservation***

No Impact. The off-Reservation portion of the Project site is more than four and a half (4.5) miles southeast of Ramona Airport. The Project is not within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. There would be no impact.

On-Reservation

No Impact. The on-Reservation portion of the Project site is more than five (5) miles southeast of Ramona Airport. The Project is not within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. There would be no impact.

f) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. Temporary construction of the off-Reservation portion of the Project may impact usual traffic patterns and impede access to residents and business to their properties. Transportation mitigation measure **TR-1** discussed in Section XVII of this document would reduce impacts that may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Temporary impacts would be less than significant.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[32] Temporary construction of the on-Reservation portion of the Project may impact usual traffic patterns and impede access to residents and business to their properties. Transportation mitigation measure **TR-1** discussed in Section XVII of this document would reduce impacts that may impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Temporary impacts would be less than significant.

g) ***Off-Reservation***

Less than Significant Impact. The off-Reservation portion of the Project site is in a Very High Fire Hazard Severity Zone according to CalFire's Fire Zone Map Viewer[33]. Fire hazard designations are based on topography, vegetation, and weather, among other factors, with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and wildland urban interface locations. Development within or adjacent to areas designated as Very High Fire Hazard Severity Zones and/or wildland-urban interface areas has the potential to exacerbate wildfire risk, particularly if it occurs in areas with steep topography and/or prevailing winds because these conditions contribute to the spread of and make it more difficult to contain wildfires.

No habitable structures are proposed with the Project and thus would not expose people or structures, directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. California Code of Regulations, Title 24, Part 9, California Fire Code (CFC), which was revised in 2010, is based largely on the 2009 IFC. The CFC includes stringent requirements for hazardous and toxic materials and fire-resistance-rated construction, as well as rigorous provisions for Wildland-Urban Interface Fire Areas. Requirements include minimum standards for the storage, use, and handling of hazardous and toxic materials, ratings for building materials, and fuel modification of hazardous (i.e., flammable) vegetation. Also, new buildings proposed in a Wildland-Urban Interface Fire Area must conform to the requirements contained in Chapter 47 of the CFC.

The Project would comply with the International Fire Code; California Fire Code; regulations set forth in Sections 13000 et seq. of the California Health and Safety Code; and Title 14, Division 1.5, of the California Code of Regulations. The Project would comply with County ordinances and the County Consolidated Fire Code.

[32] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.
[33] Fire Hazard Severity Zones in State Responsibility Area (arcgis.com)

All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, as well as safety measures which would reduce impacts associated with the use and handling of hazardous materials, and construction equipment to less than significant.

On-Reservation

Less than Significant Impact. The on-Reservation portion of the Project, while not included in the Fire Hazard Severity Zone State Responsibility Area map is for the most part surrounded by a Very High Fire Hazard Severity Zone according to CalFire's Fire Zone Map Viewer. Therefore, on-Reservation construction should give consideration to development within or adjacent to areas designated as Very High Fire Hazard Severity Zones and/or wildland-urban interface areas having the potential to exacerbate wildfire risk, particularly if it occurs in areas with steep topography and/or prevailing winds because these conditions contribute to the spread of and make it more difficult to contain wildfires.

All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, as well as safety measures which would reduce impacts associated with the use and handling of hazardous materials, and construction equipment to less than significant

Implementation of recommended mitigation measure TRA-1 will reduce Project impacts to a less than significant level.

X. HYDROLOGY AND WATER QUALITY

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i. result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒
	ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	☐	☐	☐	☒
	iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	☐	☐	☐	☒
	iv. impede or redirect flood flows?	☐	☐	☐	☒
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023)

This section analyzes the effects of the proposed Project related to hydrology and water quality utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

No Impact. As an underground pipeline installation, the off-Reservation portions of the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Compliance with the policies and mitigation measures identified in the San Diego County General Plan Update Final Environmental Impact Report (FEIR) for Hydrology and Water Quality and Land Use, as well as all applicable regulations including the National Pollutant Discharge Elimination System (NPDES), California Building Code (CBC), and the County Grading Ordinance, would prevent potential impacts to soil erosion or the loss of topsoil for entirety of the pipeline Project to below a significant level.

Recycled water from the SVWWRP is subject to a Waste Discharge Requirements permit issued by the San Diego Regional Water Quality Control Board.

On-Reservation

No Impact. As an underground pipeline installation, the on-Reservation portions of the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. Compliance with the policies and mitigation measures[34] identified in the San Diego County General Plan Update Final Environmental Impact Report (FEIR) for Hydrology and Water Quality and Land Use, as well as all applicable regulations including the National Pollutant Discharge Elimination System (NPDES), California Building Code (CBC), and the County Grading Ordinance, would prevent potential impacts to soil erosion or the loss of topsoil for entirety of the pipeline Project to below a significant level.

San Diego RWQCB does not have jurisdiction on tribal land and the WDR does not apply to the Tribe's use of recycled water on its golf course and for other recycled water uses. The Tribe does however follow best management practices for the use of recycled water to avoid impacts to human health and the environment. There would be no impact.

b) ***Off-Reservation***

No Impact. One of the main purposes of the Project on County land is to reduce the use of limited groundwater supplies therefore the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. There would be no impact.

On-Reservation

No Impact. One of the main purposes of the Project on Reservation land is to reduce the use of limited groundwater supplies therefore the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such

[34] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

that the Project may impede sustainable groundwater management of the basin. There would be no impact.

c) ***Off-Reservation***

No Impact. The underground installation of the proposed water pipelines would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces. Proposed trenching and alteration of the ground surface would be returned to its prior to construction state. There would be no increase of run-off, flood risk, stormwater drainage systems, or cause the redirection of existing flood flows. There would be no impact.

On-Reservation

No Impact. The underground installation of the proposed water pipelines would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces. Proposed trenching and alteration of the ground surface would be returned to its prior to construction state. There would be no increase of run-off, flood risk, stormwater drainage systems, or cause the redirection of existing flood flows. There would be no impact.

D) ***Off-Reservation***

No Impact. Implementation of the Project would not increase flood hazards or result in increased risk of tsunami, seiche or release of pollutants due to Project inundation. There would be no impact.

On-Reservation

No Impact. Implementation of the Project would not increase flood hazards or result in increased risk of tsunami, seiche or release of pollutants due to Project inundation. There would be no impact.

e) ***Off-Reservation***

No Impact. As proposed, the Project would not Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. No impact would occur.

On-Reservation

No Impact. As proposed, the Project would not Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. No impact would occur.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

XI. LAND USE PLANNING

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Physically divide an established community?	☐	☐	☐	☒
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023)

This section analyzes the effects of the Project on land use and planning utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

No Impact. The off-Reservation portion of the proposed water pipeline would be underground and mostly within the existing right of way of Wildcat Canyon Road. The 8-inch recycled water pipeline commences at the San Vicente Wastewater Reclamation Plant, at an existing District pump station located just northeast of the intersection of Vicente Meadows Road and San Vicente Road. Once the proposed 8-inch recycled water pipeline reaches the intersection of San Vicente Road and Wildcat Canyon Road, it will share the alignment and run parallel with the proposed 12-inch potable water pipeline in Wildcat Canyon Road. A horizontal separation of 4 feet must be maintained between the recycled and potable water pipelines throughout the alignment. Approximately 3000 LF of 8-inch recycled water pipeline and 2100 LF of 12-inch potable water pipeline will be constructed off-Reservation.

The Project would not physically divide a community in the off-Reservation portion of the Project with its implementation. No impact is expected.

On-Reservation

No Impact. The on-Reservation portion of the proposed water pipeline would be underground and mostly within the existing right of way of Wildcat Canyon Road and the existing alignment of the Golf Course water line. These are the areas of potential impact as the proposed water pipelines are constructed. The overall length of the 12-inch pipeline on-Reservation land is approximately 39,800 LF. That of the new 8-inch pipeline is approximately 18,700 LF. The two pipelines will be aligned parallel, with a separation of 4 feet depending on conditions, designed and built to District standards. The 12-inch pipeline continues back to Reservation roads specifically Ketuull Uunyaa Way and continues south in Ketuull Uunyaa Way and other unnamed local roadways to Featherstone Canyon Way. At Featherstone Canyon Way, the 12-inch pipeline traverses

open land to Barona Road and continues south to connection with an existing 12-inch pipeline within the Reservation water system.

The Project would not physically divide a community on the on-Reservation portion of the Project with its implementation. No impact is expected.

b) ***Off-Reservation***

No Impact. The off-Reservation portion of the Proposed Project will not conflict with the San Diego General Plan Goals and Policies, Zoning Ordinance, or regulation adopted for the purpose of avoiding or mitigating an environmental effect on semi-rural/rural lands. The proposed underground water pipelines will be located within an existing right of way and will not disturb previously undisturbed land. There will be no impact.

On-Reservation

No Impact. The on-Reservation portion of the Project will not conflict with the San Diego General Plan Goals and Policies, Zoning Ordinance, or regulation adopted for the purpose of avoiding or mitigating an environmental effect on semi-rural/rural lands. There will be no impact.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

XII. MINERAL RESOURCES

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

SUBSTANTIATION: *(Check ☐ if project is located within the Mineral Resource Zone Overlay):*

San Diego County General Plan, 2011(last amended February 10, 2023), Conservation and Open Space Element: Mineral Resource Zones Map Figure C-4: Map date:2009

This section analyzes the effects of the proposed Project on mineral resources utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

No Impact. Wildcat Canyon Road north of the Barona Reservation is determined to be within an MRZ-3 zone, where mineral resources are potentially present but unknown. Implementation of the Project would not result in the loss of availability of a *known* mineral resource that would be of value to the region and residents of the state. There would be no impact.

On-Reservation

The Barona Reservation lads do not appear on San Diego County General Plan Mineral Resource Zones map.[35]

b) ***Off-Reservation***

No Impact. The installation of the proposed underground water pipelines within the existing right of way of Wildcat Canyon Road on the off-Reservation portions of the Project would not result in the loss of any available locally important resource recovery site delineated on a local general plan, specific plan or other land use plan, as no such delineations of this site are known. No impacts under this issue are anticipated and no mitigation is required.

[35] San Diego County General Plan 2011, Conservation and Open Space Element: Mineral Resource Zones Map Figure C-4: Map date:2009

On-Reservation

No Impact. The installation of the proposed underground water pipelines on the on-Reservation portions of the Project would not result in the loss of any available locally important resource recovery site delineated on a local general plan, specific plan or other land use plan, as no such delineations of this site are known. No impacts under this issue are anticipated and no mitigation is required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

XIII. NOISE

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project result in:				
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b)	Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

SUBSTANTIATION: *(Check if the project is located in the Noise Hazard Overlay District ☐ or is subject to severe noise levels according to the General Plan Noise Element ☐):*

San Diego County General Plan, 2011 (last amended February 10, 2023); Noise Analysis for the Ramona/Barona Water Pipeline Project. June 27, 2024, rev. February 11, 2025. Ganddini Group (Appendix F)

Background

The Proposed Project is located adjacent to rural mountain uses including vacant land and large lot residences, in all directions. The background noise in the general area is minimal, consistent with rural mountainous communities.

The unit of sound pressure ratio to the faintest sound detectable to a person with normal hearing is called a decibel (dB). Sound or noise can vary in intensity by over one million times within the range of human hearing. A logarithmic loudness scale, similar to the Richter scale for earthquake magnitude, is therefore used to keep sound intensity numbers at a convenient and manageable level. The human ear is not equally sensitive to all sound frequencies within the entire spectrum. Noise levels at maximum human sensitivity from around 500 to 2,000 cycles per second are factored more heavily into sound descriptions in a process called "A-weighting," written as "dBA."

L_{eq} is a time-averaged sound level; a single-number value that expresses the time-varying sound level for the specified period as though it were a constant sound level with the same total sound energy as the time varying level. Its unit of measure is the decibel (dB). The most common averaging period for L_{eq} is hourly.

Because community receptors are more sensitive to unwanted noise intrusion during more sensitive evening and nighttime hours, state law requires that an artificial dBA (A-weighted decibel) increment be added to quiet time noise levels. The State of California has established guidelines for acceptable community noise levels that are based on the Community Noise Equivalent Level (CNEL) rating scale (a 24-hour integrated noise measurement scale). The guidelines rank noise land use compatibility in terms of "normally acceptable," "conditionally acceptable," and "clearly unacceptable" noise levels for various land use types. The State Guidelines, Land Use Compatibility for Community Noise Exposure, single-family homes are "normally acceptable" in exterior noise environments up to 60 dB CNEL and "conditionally acceptable" up to 70 dB CNEL based on this scale. Multiple family residential uses are "normally acceptable" up to 65 dB CNEL and "conditionally acceptable" up to 70 CNEL. Schools, libraries and churches are "normally acceptable" up to 70 dB CNEL, as are office buildings and business, commercial and professional uses with some structural noise attenuation.

Regulatory Framework

Federal

National Environmental Policy Act

The National Environmental Policy Act (NEPA) was signed into law on January 1, 1970 and requires federal agencies to assess the environmental effects of their proposed federal actions (projects, permits, authorizations, etc.). NEPA incorporates a systematic interdisciplinary approach to identify potential environmental effects of a federal action. This results in a detailed report which may be an Environmental Impact Statement (EIS) or an Environmental Assessment (EA). The level of analysis and type of report to be prepared is determined by the federal lead responsible agency.

Federal Noise Control Act of 1972

The U.S. Environmental Protection Agency (EPA) Office of Noise Abatement and Control was originally established to coordinate federal noise control activities. After its inception, EPA's Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, establishing programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In response, the EPA published Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Levels of Environmental Noise). The Levels of Environmental Noise recommended that the day night average sound level (L_{dn}) should not exceed 55 dBA outdoors or 45 dBA indoors to prevent significant activity interference and annoyance in noise-sensitive areas.

In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at lower levels of government. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to State and local governments. However, noise control guidelines and regulations contained in EPA rulings in prior years remain in place by designated

Federal agencies, allowing more individualized control for specific issues by designated Federal, State, and local government agencies.

United States Department of Housing and Urban Development (HUD)

Noise Abatement and Control – Introduction "HUD's noise standards may be found in CFR Part 51, Subpart B. For proposed new construction in high noise areas, the project must incorporate noise mitigation features. Consideration of noise applies to the acquisition of undeveloped land and existing development as well. Noise standards set by HUD are intended to protect residential land uses from excessive environmental noise. HUD has not established specific standards for construction related noise. Construction noise thresholds established by San Diego County are used to assess construction noise impacts to potentially affected receptors.

State Regulations

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) requires lead agencies to consider noise impacts. Under CEQA, lead agencies are directed to assess conformance to locally established noise standards or other agencies' noise standards; measure and identify the potentially significant exposure of people to or generation of excessive ground borne vibration or noise levels; measure and identify potentially significant permanent or temporary increases in ambient noise levels; and measure and identify potentially significant impacts associated with air traffic.

California Noise Control Act

This section of the California Health and Safety Code finds that excessive noise is a serious hazard to the public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. It also finds that there is a continuous and increasing bombardment of noise in the urban, suburban, and rural areas. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the State to provide an environment for all Californians free from noise that jeopardizes their health or welfare. Though not adopted by law, the State of California General Plan Guidelines 2017, published by the California Governor's Office of Planning and Research (OPR) (OPR Guidelines), provides guidance for the compatibility of projects within areas of specific noise exposure. The OPR Guidelines identify the suitability of various types of construction relative to a range of outdoor noise levels and provide each local community some flexibility in setting local noise standards that allow for the variability in community preferences. Findings presented in the Levels of Environmental Noise Document (EPA 1974) influenced the recommendations of the OPR Guidelines, most importantly in the choice of noise exposure metrics (i.e., L_{dn} or CNEL) and in the upper limits for the normally acceptable outdoor exposure of noise-sensitive uses.

Local Regulations

San Diego County General Plan Noise Element

The San Diego County General Plan Noise Element includes land use planning tools to reduce future noise related land use incompatibilities. These include criteria that specify acceptable limits of noise for various land uses throughout the County. These criteria are designed to

integrate noise considerations into land use planning to prevent noise/land use conflicts. The County has adopted their own version of the State Land Use Compatibility Guidelines.

The County of San Diego General Plan includes goals regarding noise within the community. Goals applicable to the proposed project are listed below.

Goal N-1 Land Use Compatibility. A noise environment throughout the unincorporated County that is compatible with the land uses.

Goal N-2 Protection of Noise Sensitive Uses. A noise environment that minimizes exposure of noise sensitive land uses to excessive, unsafe, or otherwise disruptive noise levels.

Goal N-3 Groundborne Vibration. An environment that minimizes exposure of sensitive land uses to the harmful effects of excessive groundborne vibration.

Goal N-5 Non-Transportation-Related Noise Sources. A noise environment that provides minimal noise spillovers from industrial, commercial, agricultural, extractive, and similar facilities to adjacent residential neighborhoods.

Goal N-6 Temporary and/or Nuisance Noise. Minimal effects of intermittent, short-term, or other nuisance noise sources to noise sensitive land uses.

San Diego County Code of Ordinances

Section 36.408 Hours of Operation of Construction Equipment

Except for emergency work, it shall be unlawful for any person to operate or cause to be operated, construction equipment" between 7:00 PM and 7:00 AM, on a Sunday or a holiday. For purposes of this section, a holiday means January 1st, the last Monday in May, July 4th, the first Monday in September, the fourth Thursday in November and December 25th. A person may, however, operate construction equipment on a Sunday or holiday between the hours of 10:00 AM and 5:00 PM at the person's residence or for the purpose of constructing a residence for himself or herself, provided that the operation of construction equipment is not carried out for financial consideration or other consideration of any kind and does violate the limitations in sections 36.409 and 36.410.

Section 36.409 Sound Level Limitations on Construction Equipment

Except for emergency work, it shall be unlawful for any person to operate construction equipment or cause construction equipment to be operated, that exceeds an average sound level of 75 decibels for an eight-hour period, between 7:00 AM and 7:00 PM, when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is being received.

Section 36.410 Sound Level Limitations on Impulsive Noise

In addition to the general limitations on sound levels in section 36.404 and the limitations on construction equipment in section 36.409, the following additional sound level limitations shall apply." Except for emergency work or work on a public road project, no person shall produce or cause to be produced an impulsive noise that exceeds the maximum sound level shown in when measured at the boundary line of the property where the noise source is located or on any occupied property where the noise is received, for 25 percent of the minutes in the measurement period.

County of San Diego Guidelines for Determining Significance for Noise

The County of San Diego Guidelines for Determining Significance for Noise (2009) refers to the above discussions of the Federal, State and County guidelines, policies and ordinances (as applicable to this project). For impacts related to groundborne vibration, these guidelines refer to FTA methodology and criteria (FTA 2018).

County of San Diego Guidelines for Determining Significance for Biological Resources

The County has established 60 dBA L_{eq} as the noise impact threshold for potential impacts to the least Bell's vireo during their nesting season (San Diego County 2010).

Impacts to Sensitive Species

Riparian woodland, riparian forest, mule fat scrub, and southern willow scrub. There is suitable habitat for this species located at the northernmost extent of the project alignment, within riparian forest habitat in San Vicente Creek. No direct impacts to the San Vicente Creek are anticipated; however, construction activities could have an indirect impact to this species during the nesting season, should it be present. Pre-construction surveys and avoidance measures may be required to help ensure project construction does not impact this species in the County portion of the alignment. Suitable habitat does not occur within or adjacent to the pipeline alignment on Reservation land. According to the Noise and Vibration Analysis (Appendix F) construction equipment noise levels will exceed 60 dBA L_{eq} in least Bell's vireo habitat as mapped in the Biological Resource Study (Appendix B) prepared for the Proposed Project (Alden Environmental, Inc.). This is considered to be a temporary "indirect impact" If least Bell's vireo are present and mitigation will be required. This impact is potentially significant. Implementation of the following mitigation measure **NOI-11 through NOI-14** would reduce impacts to less than significant.[36]

> **NOI-11:** Avoid construction activities within the mapped 60 dBA L_{eq} construction noise contour (*Figure 11* of Appendix F) during the least Bell's vireo breeding season; OR
>
> **NOI-12:** If least Bell's vireo are not detected during the protocol survey, a qualified biologist shall submit substantial evidence to the City and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary as follows: 1) If this evidence indicates the potential is high for least Bell's vireo or southwestern willow flycatcher to be present based site conditions, then mitigation NOI-13 shall be implemented as specified below. 2) If this evidence concludes that no impacts to this species are anticipated, no mitigation measures will be necessary.
>
> **NOI-13:** If least Bell's vireo is detected during required pre-construction surveys, a qualified acoustical professional shall design mitigation to reduce construction noise levels to 60 dBA L_{eq} or to ambient noise levels (whichever is louder) at the edge of mapped least Bell's vireo nesting sites. Mitigation may include but is not limited to strategic placement of temporary noise barriers, berms, walls, sound blankets, or strategic placement of large trucks.

[36] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

Noise monitoring shall be conducted concurrent with implementation of any necessary noise attenuation measures and throughout construction activities within the vicinity of mapped least Bell's vireo nesting sites, to ensure that noise levels from construction activities do not exceed 60 dBA hourly average or the dBA of ambient noise level should they be greater than 60 dBA hourly average (i.e., whichever is greater). If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved until the end of the breeding season or until the fledgling birds have left the nest, whichever occurs first.

NOI-14: Where the placement of stationary equipment is necessary to perform construction activities and the equipment would result in noise levels exceeding ambient levels or 60 dBA L_{eq}, whichever is higher, in the vicinity of nest sites, noise shrouds, sound blankets or screening walls will be used to reduce sounds levels from the equipment to ambient conditions or 60 dBA, whichever is higher. A qualified noise consultant will be consulted in order to verify the effectiveness of said mitigation.

a) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. Construction noise is regulated by Sections 36.408 and 36.409 and 36.410 of the San Diego County Code as presented in section 4 of the Noise Study prepared for the Project. The threshold for determining an indirect impact to the least Bell's vireo, a protected bird species, is 60 dBA L_{eq} during the nesting season.

Worst case construction noise contours were developed using the FTA methodology. Construction noise modeling worksheets for each phase are provided in the *Long-Term Potable and Recycled Water Service to Barona Indian Reservation Focused Construction Noise and Vibration Impact Analysis* prepared by Ganddini Group Inc. (Appendix F). The noise contour maps provided in Appendix E are intended to show the extents of the worst-case hour construction scenario for the 60 dBA one-hour L_{eq} and 75 dBA L_{eq} (8-hour) noise standards and a maximum noise level (L_{25}) scenario for the impulsive noise standards of 82 and 85 dBA L_{25}. In practice, construction will likely occur along one segment of the pipeline at a time, so only receptors in the vicinity of that portion of alignment will be affected. Noise levels at any particular receptor will increase and then decrease as construction moves along the pipeline alignment.

Compliance with Established Hours for Construction

Project construction is expected to occur during normal daytime hours and is not expected to violate the established hours of construction provided in Section 36.4.08 of the County Code. This impact would not be significant.

Project Compliance with 75 dBA L_{eq} (8-hour) Noise Standard

As shown on *Figures 6-11 and in Table 7* of Appendix F, project construction has the potential to exceed 75 dBA L_{eq} (eight-hour) noise standard at existing occupied properties, including residential, commercial and civic land uses. However, the nature of the linear construction means that the construction equipment will be moving from one segment to another, and when averaged over an 8-hour day, the projected noise calculations identify that the proposed work will not exceed the 75 dBA L_{eq} (8-hour)

County requirement. (See Appendix F-1 Noise Study SoundPlan Figures) Impacts would be less than significant with implementation of **Mitigation Measures NOI-1 through NOI-9**, below.

Compliance with 82 dBA L_{25} (25 percent of the time) Noise Standard

Due to the terrain, there may be a need to utilize construction equipment that emits impulsive noise, i.e. blasting, rock excavation, and hoe ram. As shown in *Figures 6-11 and Table 6 and Table 7* of Appendix F, project construction has the potential to exceed 82 dBA L_{25} at existing residential, village and civic land uses for 25 percent of the time at agricultural, commercial or industrial land use. This impact would be significant without mitigation. Implementation of **Mitigation Measures NOI-2, NOI-5, NOI-9 and NOI-10** will reduce potential impacts to less than significant

Compliance with 85 dBA L_{25} (25 percent of the time) Noise Standard

Due to the terrain, there may be a need to utilize construction equipment that emits impulsive noise i.e. blasting, rock excavation, and hoe ram. Project construction activities have the potential to exceed 85 dBA L_{25} at agricultural, commercial or industrial land uses. This impact would be significant without mitigation. Implementation of **Mitigation Measures NOI-2, NOI-5, NOI-9 and NOI-10** will reduce potential impacts to less than significant.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[37] Compliance with established hours for construction, the 75 dBA Leq (8-hour) noise standard, the 82 dBA Lmax (25 percent of the time) noise standard, the 85 dBA Lmax (25 percent of the time) noise standard, and recommended noise mitigation measures outlined for the off-Reservation construction impacts, would ensure that impacts resulting from construction of the on-Reservation portions of the Project would be reduced to a less than significant level.

Mitigation Measures

NOI-1: All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

NOI-2: All stationary construction equipment will be placed so that emitted noise is directed away from the noise sensitive receptors nearest the Project site.

NOI-3: As applicable, all equipment shall be shut off and not left to idle when not in use.

NOI-4: To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors.

NOI-5: Jackhammers, pneumatic equipment, and all other loud portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They

[37] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks.

NOI-6: No amplified music and/or voice will be allowed on the project site.

NOI-7: Haul truck deliveries will not occur between the hours of 7:00 PM and 7:00 AM.

NOI-8: Delivery trucks shall not arrive in the vicinity before 7:00 AM and idle near sensitive receptors.

NOI-9: Noise monitoring shall be conducted by a qualified noise consultant at the property line of representative occupied land uses that are within the 75 dB L_{eq} noise contour as shown in *Figures 6-11* of Appendix F, during typical construction activities. The measurement shall be conducted over an 8-hour period in order to determine if the 75 dBA L_{eq} (8-hour) standard is violated. If after several noise measurements (3) have been conducted, it is apparent that the mix of equipment and timing of usage will not exceed 75 dBA L_{eq} (8-hour) the noise consultant shall provide a letter report documenting the noise measurements and findings and recommendations as to whether or not continued noise monitoring is necessary.

If noise monitoring does show that construction noise levels exceed the 8-hour Leq standard at occupied properties located within the 75 dBA noise contour, the contractor will implement measures to reduce construction noise levels to below 75 dBA L_{eq} (8-hour) between 7:00 AM and 7:00 PM, on any occupied property located within the 75 dBA noise contour (as measured at the property line).

- If needed, temporary noise barriers will be installed to block the line of sight between the noise source(s) and the occupied property. These barriers shall be of sufficient height to block the line of sight between the source(s) and receptor(s) based on recommendations of a competent noise professional.
- If needed, temporary barriers will be solid, with no holes or gaps, from the ground to the heigh determined by the on-site noise professional.
- For stationary equipment, temporary barriers will also be solid with no holes or gaps, except for openings that are necessary to access the equipment.

NOI-10: *Compliance with County Ordinance 36.410 - Sound Level Limitations on Impulsive Noise*

82 dBA L_{25}

Noise monitoring shall be conducted by a qualified noise consultant at the property line of representative occupied residential land uses that are within the 82 dB L_{25} noise contour as shown in *Figures 6-11* of Appendix F, during typical construction activities. Measurements shall be conducted over a 1-hour period in order to determine if the 82 dBA L_{25} standard is violated at occupied residential, village, or civic land uses. If after several noise measurements (3) have been conducted, and it is apparent that the mix of equipment and timing of usage will not exceed this standard, the noise consultant shall provide a letter report documenting the noise measurements and findings and recommendations as to whether or not continued noise monitoring is necessary.

If noise monitoring does show that construction noise levels exceed 82 dBA L_{25} standard at occupied residential, village, or civic land uses, the contractor will implement the following measures:

- If needed, temporary noise barriers will be installed to block the line of sight between the noise source(s) and the occupied property. These barriers shall be of sufficient height to block the line of sight between the source(s) and receptor(s) based on recommendations of a competent noise professional.
- If needed, temporary barriers will be solid, with no holes or gaps, from the ground to the heigh determined by the on-site noise professional.
- For stationary equipment, temporary barriers will also be solid with no holes or gaps, except for openings that are necessary to access the equipment.

85 dBA L_{25}

Noise monitoring shall be conducted by a qualified noise consultant at the property line of representative occupied residential land uses that are within the 85 dB L_{25} noise contour as shown in *Figures 6-11* of Appendix F, during typical construction activities. Measurements shall be conducted over a 1-hour period in order to determine if the 85 dBA L_{25} standard is violated at occupied agricultural, commercial or industrial land uses. If after several noise measurements (3) have been conducted, and it is apparent that the mix of equipment and timing of usage will not exceed this standard, the noise consultant shall provide a letter report documenting the noise measurements and findings and recommendations as to whether or not continued noise monitoring is necessary.

If noise monitoring does show that construction noise levels exceed 85 dBA L_{25} standard at occupied residential, village, or civic land uses, the contractor will implement the following measures:

- If needed, temporary noise barriers will be installed to block the line of sight between the noise source(s) and the occupied property. These barriers shall be of sufficient height to block the line of sight between the source(s) and receptor(s) based on recommendations of a competent noise professional.
- If needed, temporary barriers will be solid, with no holes or gaps, from the ground to the heigh determined by the on-site noise professional.
- For stationary equipment, temporary barriers will also be solid with no holes or gaps, except for openings that are necessary to access the equipment.

For impulsive noise, the measurement period shall be one-hour. During the measurement period a measurement shall be conducted every minute from a fixed location on an occupied property. The measurements shall measure the maximum sound level during each minute of the measurement period. If the sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute, it will be deemed that the maximum sound level was exceeded during that minute.

b) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated In relation to the CEQA Environmental Checklist Noise section, the County of San Diego has not established thresholds of significance concerning groundborne vibration. In the absence of County-established thresholds, groundborne vibration impacts are based on guidance from the *Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual* (FTA, September 2018) (Appendix F).

Accordingly, the off-Reservation portions of the Project would result in a significant impact if the most vibratory piece of equipment expected to be utilized on the project site is a large bulldozer (Appendix F). A large bulldozer can generate a groundborne vibration level of 0.210 at a distance of 25 feet.[38] Potential damage caused by groundborne vibration is dependent upon the distance from the source and the affected structure. There are no existing buildings extremely susceptible to vibration damage near the proposed alignment. The next most sensitive structure would be non-engineered timber and masonry buildings. The damage impact threshold for these structures is 0.2 PPV (Appendix E). If a large bulldozer is utilized within 25 feet of such a structure, there is potential for structural damage. This impact is potentially significant. Implementation of the following mitigation measure **NOI-15** would reduce impacts to less than significant.

On-Reservation

Less than Significant Impact Similarly, the on-Reservation portions of the Project would result in a significant impact if the most vibratory piece of equipment expected to be utilized on the Project site is a large bulldozer (Appendix F). A large bulldozer can generate a groundborne vibration level of 0.210 at a distance of 25 feet. Recommended mitigation measures outlined for the off-Reservation construction impacts, would ensure that impacts resulting from construction of the on-Reservation portions of the Project would be reduced to a less than significant level.

Mitigation Measures

NOI-15: The use of large bulldozers shall be avoided within 14 feet of existing structures and the use of vibratory rollers shall be avoided within 25 feet of existing structures. A small bulldozer is an acceptable alternative.

c) ***Off-Reservation***

No Impact. The closest airport to the project site is Ramona Airport which is located approximately 4.5 miles northwest of the off-Reservation portion of the Project site. Therefore, as the Project is not within two miles of a public airport or in the vicinity of a private airstrip, the Project would not expose people residing or working in the project area to excessive noise levels associated with airports.

On-Reservation

No Impact. The closest airport to the project site is Ramona Airport which is located approximately 5.0 miles northwest of the on-Reservation portion of the Project site.

[38] Long-Term Potable and Recycled Water Service to Barona Indian Reservation Focused Construction Noise and Vibration Impact Analysis, June 27, 2024, Ganddini Group Inc.

Therefore, as the Project is not within two miles of a public airport or in the vicinity of a private airstrip, the Project would not expose people residing or working in the project area to excessive noise levels associated with airports.

Implementation of recommended mitigation measures will reduce Project impacts to a less than significant level.

XIV. POPULATION AND HOUSING

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023); Long-Term Potable and Recycled Water Service to Barona Indian Reservation, June 2022, Dudek

This section analyzes the effects of the proposed Project related to population and housing utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

Less than Significant Impact. The Project would not induce substantial *unplanned* population growth in the area, either directly or indirectly on off-Reservation portions of the Project. The Project is in effect a *plan* to sustainably increase the availability of water resources (potable and recycled) to the Barona Tribe as the tribal population grows, increasing demand. Impacts resulting from implementation of the Project are expected to be less than significant.

On-Reservation

Less than Significant Impact. On-Reservation, recent projections show the Tribe's long-term water demand exceeding the sustainable yield of the underlying groundwater basin as droughts lengthen and become more frequent. The Tribe expects average annual potable water demand to increase by 25% because of steady residential development. The number of homes on the Reservation in 2002 was 186, the number in 2022 was 282, an increase of 96 homes over a 20-year period. Meanwhile, the Tribe's ultimate potable water demand is estimated at approximately 1500 acre-feet per year (afy) when the Reservation is fully developed. Implementation of the Project would not induce substantial *unplanned* population growth in the area, either directly or indirectly. The Project is in effect a *plan* to sustainably increase the availability of water resources

(potable and recycled) as the tribal population grows, increasing demand. Impacts resulting from implementation of the Project are expected to be less than significant.[39]

b) ***Off-Reservation***

No Impact. Wildcat Canyon Road on the off-Reservation portion of the Project where the proposed water pipelines would be installed provides access to eight parcels under county jurisdiction. Four are vacant and four are developed with a single-family residence each. Aside from temporary construction of the Project, none of the parcels would be impacted by the displacement of substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. There would be no impact.

On-Reservation

No Impact. The on-Reservation portion of the Project will pass single family residential parcels when within the right of way of Reservation roads specifically Ketuull Uunyaa Way and continues south in Ketuull Uunyaa Way and other unnamed local roadways to Featherstone Canyon Way and the terminus of the pipeline. Implementation of the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. There would be no impact.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

[39] As a matter of Tribal sovereignty and federal law, the Barona Band is entitled to control the use and development of the lands of the Barona Indian Reservation.

XV. PUBLIC SERVICES

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	☐	☐	☒	☐
Police Protection?	☐	☐	☒	☐
Schools?	☐	☐	☒	☐
Parks?	☐	☐	☒	☐
Other Public Facilities?	☐	☐	☒	☐

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023); Barona-nsn.gov/community; Barona Band of Mission Indians (barona-nsn.gov);

This section analyzes the effects of the proposed Project related to public services utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

Less than Significant Impact. For the 2,100 lineal feet of 12-inch potable water pipeline and 3,000 lineal feet of 8-inch recycled water pipeline on the off-Reservation portion of the Project there would be no substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services listed above.

On-Reservation

Less than Significant Impact.

Fire Protection:

Based on the nature of the Project, there would be no significant fire or emergency response hazard, nor is the Proposed Project forecast to cause a significant demand for fire protection services. San Diego County Fire Protection District (SDCFPD) has jurisdiction over the portion of the Project that is off-Reservation. SDCFPD is the closest responding agency to this area with three stations nearby, they are:

- Station 80-Ramona – approximately 4.0 miles north of the Project area
- Station 81-Ramona – approximately 2.4 miles east of the Project area

- Station 82-Ramona – approximately 3.8 miles west of the Project area

On-Reservation, the Barona Fire Protection District was established in 1998 to provide its own positive, professional, and dedicated fire service to the residents and patrons of the Barona Reservation. There are currently 20 full-time fire personnel and one administrative person. They are neighbors with Lakeside to the South and Ramona to the North and have auto-aide agreements with Lakeside Fire Protection District, SDCFPD, and Central Zone agencies to provide and receive aid when needed.

Police Protection:
The San Diego County Sheriff's Department provides law enforcement services to the 18 Indian Reservations throughout the County. The Barona Indian Reservation also employs members of the Barona Tribal Enforcement Detail who serve as a liaison with allied agencies when on Tribal lands such as the San Diego Sheriff's Department, California Highway Patrol, Local Fire Departments etc.

As an underground water pipeline, the Project is not expected to result in any unique or more extensive crime problems that cannot be handled with the existing level of police resources. Therefore, impacts to police protection resources from implementation of the Proposed Project are considered less than significant.

Schools:
The Project is not anticipated to generate any new direct demand for the area schools. As previously discussed, the Project will provide a more sustainable water source for the planned expected growth of the Barona Tribe's population on the reservation. The Project will not induce a need for additional schools on or off the Reservation. School aged children who reside along Wildcat Canyon Road and its intersection with San Vicente Road, likely attend elementary, middle, and high school within the city of Ramona. Impacts would be less than significant.

Parks:
Implementation of the Project would not induce the need for the creation of new parks or recreational facilities. Many recreational opportunities exist on and off the reservation. The need may increase in the future with expected growth on the reservation and surrounding area. However, impacts from the Proposed Project would be less than significant.

Other Public Facilities:
As an underground water pipeline to serve the residents of the Barona Tribe to the south, there would be less than significant impacts to public facilities outside of the reservation. Impacts would be less than significant.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

XVI. RECREATION

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☐	☒
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023); **Barona-nsn.gov/community**

This section analyzes the effects of the proposed Project related to recreation utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

No Impact. As a proposed water pipeline Project, there would not be an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated. There would be no impact.

On-Reservation

No Impact. As a proposed water pipeline Project, there would not be an increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated. There would be no impact.

b) ***Off-Reservation***

No Impact. The Project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. There would be no impact.

On-Reservation

No Impact. The Project does not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. There would be no impact.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

XVII. TRANSPORTATION

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☒	☐	☐
b)	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	☐	☐	☒	☐
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d)	Result in inadequate emergency access?	☐	☒	☐	☐

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023)

California Senate Bill 743 (SB 743) changes the focus of transportation impact analysis in CEQA from measuring impacts to drivers, to measuring the impact of driving. The change was made by replacing level of service (LOS) with vehicle miles travelled (VMT) and providing streamlined review of land use and transportation projects that will help reduce future VMT growth. This shift in transportation impact focus is expected to better align transportation impact analysis and mitigation outcomes with the State's goals to reduce GHG emissions, encourage infill development, and improve public health through more active transportation[40]

CEQA Guidelines Section 15064.3, subdivision (b) stipulates criteria for analyzing transportation impacts in terms of "vehicle miles traveled" for land use projects and transportation projects. VMT refers to the amount and distance of automobile travel attributable to a project.

a) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. The Proposed Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Construction of the Proposed Project in off-Reservation areas may necessitate individual traffic lane closures. To ensure the appropriate traffic controls are implemented and potential traffic impacts related to lane closures are less than significant, the Proposed Project shall implement project coordination with emergency responders and

[40] What is SB 743? (sandiegocounty.gov)

development of an approved Traffic Control Plan. Implementation of mitigation measure **TRA-1** would ensure that potential traffic impacts related to road closures and detours would be less than significant.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[41] The Proposed Project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Construction of the Proposed Project in on-Reservation areas may necessitate individual traffic lane closures. To ensure the appropriate traffic controls are implemented and potential traffic impacts related to lane closures are less than significant, the Proposed Project shall implement project coordination with emergency responders and development of an approved Traffic Control Plan. Implementation of mitigation measure **TRA-1** would ensure that potential traffic impacts related to road closures and detours would be less than significant.

b) ***Off-Reservation***

Less than Significant Impact. Construction of the Proposed Project would involve temporary trips associated with workers, delivery of construction supplies and equipment, and hauling materials to and from the site. Vehicle trips would include employees that may be onsite, and construction vehicles moving materials and equipment. These trips would be temporary and would not result in a perceivable increase in vehicle miles traveled that would exceed County thresholds of significance. Truck trips associated with operation and maintenance would be scheduled and non-scheduled (as needed). Therefore, the project would be consistent with CEQA Guidelines Section 15064.3, subdivision (b) and there would be no impact.

Based on the County of San Diego Transportation Study Guidelines the Proposed Project would qualify as "screened out" for further transportation analysis under the following conditions based on project type.

- Small Projects: Does the Project result in 110 daily trips or less? Yes

  Temporary Project construction would not generate an excess of 110 vehicle trips

- Locally Serving Retail or **Public Facility**, or Recreational? Yes

  The Project associated with a utility to serve the public would not be subject to further transportation analysis based on the operation of the pipelines. Maintenance vehicles may access components of the pipelines (booster pump station, flow meter station etc.) intermittently for maintenance throughout each year[42]

On-Reservation

Less than Significant Impact. Construction of the Proposed Project would involve temporary trips associated with workers, delivery of construction supplies and

[41] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

[42] Transportation Study Guide - FINAL - September 2022 - Updated Maps.pdf (sandiegocounty.gov)

equipment, and hauling materials to and from the site. Vehicle trips would include employees that may be onsite, and construction vehicles moving materials and equipment. These trips would be temporary and would not result in a perceivable increase in vehicle miles traveled that would exceed County thresholds of significance. Truck trips associated with operation and maintenance would be scheduled and non-scheduled (as needed). Therefore, the project would be consistent with CEQA Guidelines Section 15064.3, subdivision (b) and there would be no impact.

c) ***Off-Reservation***

No Impact. The Proposed Project would install a 12-inch potable water pipeline at approximately 41,900 LF and a new 8-inch recycled water pipeline at approximately 21,700 LF. Additional facilities include a proposed flow meter station at 11'11" x 25'10" surrounded by a 6' fence, a pressure reducing station at 20'4" x 9'2" with surrounding 6' fence, and a Booster Pump Station at approximately 34'1" x 37'4" and about 12' in height with an attached secondary structure at 12'0" x 17'4". The proposed flow meter station would be located in the County right-of-way, but the other facilities (pressure reducing station, booster pump station, etc.) would be located on Reservation land outside of the County right-of-way. The associated onsite piping, meters, hydrants and valves would not have a permanent impact on geometric roadway design. The District follows County guidelines on installation of facilities in the County right-of-way and does not include bollards surrounding fire hydrants, air release valves, and other minor appurtenances structures. All disturbed areas would be restored to original grade. The District would continue to operate its water system with no operational modifications using standard vehicles, which would not introduce incompatible uses to roadways. The Project would not result in transportation hazards. There would be no impact.

On-Reservation

No Impact. The Proposed Project would install a 12-inch potable water pipeline at approximately 41,900 LF and a new 8-inch recycled water pipeline at approximately 21,700 LF. Additional facilities include a proposed flow meter station at 11'11" x 25'10" surrounded by a 6' fence, a pressure reducing station at 20'4" x 9'2" with surrounding 6' fence, and a Booster Pump Station at approximately 34'1" x 37'4" and about 12' in height with an attached secondary structure at 12'0" x 17'4". The proposed flow meter station would be located in the County right-of-way, but the other facilities (pressure reducing station, booster pump station, etc.) would be located on Reservation land outside of the County right-of-way. The associated onsite piping, meters, hydrants and valves would not have a permanent impact on geometric roadway design. All disturbed areas would be restored to original grade. Barona would continue to operate its water system with no operational modifications using standard vehicles, which would not introduce incompatible uses to roadways. The Project would not result in transportation hazards. There would be no impact.

d) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. Construction of the Project off-Reservation would generate trips associated with construction crews and materials deliveries and may necessitate individual traffic lane closures. Lane closures and other construction activities have the potential to result in inadequate access for

emergency vehicles. Traffic control requirements would require that emergency crews have access, as needed, and that the contractor coordinates the location of the work daily for routing of emergency vehicles. Traffic control would also require the contractor to make reasonable efforts, wherever possible, to provide landowners access to their property and patrons access to businesses during execution of the work. To ensure that project construction would not interfere with emergency response times, the Proposed project would implement mitigation measure **TRA-1**. With the incorporation of traffic control measures identified in mitigation measure **TRA-1**, impacts would be less than significant. There would be no impacts resulting in the operation of the Project.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[43] Construction of the Project on-Reservation would generate trips associated with construction crews and materials deliveries and may necessitate individual traffic lane closures. Lane closures and other construction activities have the potential to result in inadequate access for emergency vehicles. Traffic control requirements would require that emergency crews have access, as needed, and that the contractor coordinates the location of the work daily for routing of emergency vehicles. Traffic control would also require the contractor to make reasonable efforts, wherever possible, to provide landowners access to their property and patrons access to businesses during execution of the work. To ensure that project construction would not interfere with emergency response times, the Proposed project would implement mitigation measure **TRA-1**. With the incorporation of traffic control measures identified in mitigation measure **TRA-1**, impacts would be less than significant. There would be no impacts resulting in the operation of the Project.

Mitigation Measure

TRA-1: Construction activities may impact access to or from adjacent land uses. Therefore, residents and businesses should be notified of potential obstructions. Blocked access to nearby properties would require advance coordination with property owners and tenants. Contractor shall submit a Traffic Control Plan to the County and the Tribe to include:

- Identification of construction staging site locations and potential road closures,
- Alternate routes of traffic detours, including emergency response contact information,
- Planned routes for construction-related vehicle traffic (haul routes), and
- Identification of alternative safe routes to maintain pedestrian safety during construction.

Implementation of recommended mitigation measure will reduce Project impacts to a less than significant level.

[43] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

XVIII. TRIBAL CULTURAL RESOURCES

Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*

a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
ii)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

SUBSTANTIATION:

San Diego County General Plan, 2011 (last amended February 10, 2023); A Section 106 (NHPA) Historic Resources Study for the Barona Long-Term Potable and Recycled Water Service Project, BFSA Environmental Services, a Perennial Company, November 15, 2023; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton

This section analyzes the effects of the proposed Project related to tribal cultural resources utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

Consultation with California Native American Tribes

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The following is a summary of AB 52 tribal notification to the tribe that requested to be notified and given the opportunity to consult.

On June 18, 2024 the District mailed notification pursuant to AB52 to the following tribe:

- Wilton Rancheria.

Requests for consultations were due to the District by July 18, 2024. No response has been received.

As proposed, the Project includes the construction of two roughly parallel underground water pipelines to run from the Ramona Municipal Water District facilities, in the county of San Diego, onto and southward through the Barona Indian Reservation to provide both recycled and potable water to the reservation and its residents. BFSA Environmental, a Perennial Company (BFSA), was contracted by the Barona Band of Mission Indians to prepare an historic resources study for the Barona Long-Term Potable and Recycled Water Service Project (Barona LTPRWS Project). As such, BFSA completed a Class I inventory of a one-mile radius around the undertaking, conducted a Class III intensive pedestrian archaeological survey of the proposed undertaking to assess the potential adverse effects to any historic resources within the Area of Potential Effect (APE), and implement National Register of Historic Places (NRHP) eligibility testing of archaeological sites where appropriate in accordance with 36 CFR 60.4.

a-i) ***Off-Reservation***

Less than Significant Impact. A review of the APE indicates the majority of the alignment and associated 50-foot buffer were previously disturbed by existing roads (paved and unpaved), power lines, trails, and rural residential development. The historic resources survey was conducted on August 17 and 18 and September 28, 2023. All of the resources identified during the survey are located on the Barona Indian Reservation portion of the project and subject to federal guidelines (Section 106 of the NHPA and the NEPA). No other sites were discovered therefore, less than significant impact is expected on the off-Reservation portion of the alignment.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[44] The historic resources survey was conducted on August 17 and 18 and September 28, 2023. The survey identified five previously unrecorded prehistoric bedrock milling sites (Temp-1 to Temp-5) and one prehistoric isolate (Iso-1). Through a review of the APE, it was determined that Temp-1 and Iso-1 are well outside of the alignment and will not be impacted by the undertaking. However, Temp-2 to Temp-5 are located within or directly adjacent to the APE alignment and required testing and significance evaluations. All of the resources identified during the survey are located on the Barona Indian Reservation portion of the project and subject to federal guidelines (Section 106 of the NHPA and the NEPA). No other sites were discovered therefore, less than significant impact is expected on the off-Reservation portion of the alignment. Mitigation measure **CUL-1** will reduce impacts of inadvertent discoveries of archaeological and historical resources to a less than significant level.

[44] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

a-ii) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. Federal and state laws mandate that consideration be given to the concerns of contemporary Native Americans with regards to potentially ancestral human remains, associated funerary objects, and items of cultural patrimony. Consequently, an important element in assessing the significance of the property has been to evaluate the likelihood that these classes of items are present in areas that would be affected by the project.

The Historic Resources Study prepared by BFSA did not identify previously recorded sites with human remains within the off-Reservation portions of the Proposed Project APE. However, there is a potential for unidentified human remains to be present within the Proposed Project site. If present, the human remains could be damaged by ground disturbing activities associated with the Proposed Project. If inadvertent discoveries of human remains occur, mitigation measure **CUL-2** below would reduce impacts to a less than significant level.

On Reservation

Less than Significant Impact with Mitigation Incorporated.[45] The Historic Resources Study prepared by BFSA did not identify previously recorded sites with human remains within the on-Reservation portions of the Proposed Project APE. However, there is a potential for unidentified human remains to be present within the Proposed Project site. If present, the human remains could be damaged by ground disturbing activities associated with the Proposed Project. If inadvertent discoveries of human remains occur, mitigation measure **CUL-2** below would reduce impacts to a less than significant level.

Mitigation Measure

CUL-1: Unanticipated discovery of previously unknown archaeological or historical materials could occur during ground-disturbing activities. If any subsurface cultural resources are encountered during earth-moving activities, all work within 50 feet shall be halted and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology to evaluate the significance of the find and recommend appropriate treatment for the resource. Prehistoric materials can include flaked-stone tools (e.g., projectile points, knives, choppers) or obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash, and charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, or concrete footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, metal, glass, ceramics, and other refuse. The archaeologist will evaluate the find in accordance with state and local guidelines, including those set forth in the California Public Resources Code Section 21083.2. Depending upon the nature of the find, if the discovery proves to be potentially significant under CEQA, as determined by the qualified archaeologist, additional work such as data recovery excavation, avoidance of the area of the find, documentation, testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution, or other

appropriate actions may be warranted at the discretion of the qualified archaeologist. After the find is appropriately mitigated, work in the area may resume.

CUL-2: Should human remains be identified during ground-disturbing activities related to the implementation of the Proposed Project, whether during construction, maintenance, or any other activity, State Public Resources Code Section 5097.98, CEQA Section 15064.5 and Health & Safety Code Section 7050.5 and County-mandated procedures will be followed for the treatment and disposition of those remains, as follows.

- The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
- Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Kumeyaay Native American monitor.
- If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
- The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
- The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

Implementation of recommended mitigation measures will reduce Project impacts to a less than significant level.

[45] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

XIX. UTILITIES AND SERVICE SYSTEMS

	Issues	*Potentially Significant Impact*	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
	Would the project:				
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b)	Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c)	Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒
e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

SUBSTANTIATION: San Diego County General Plan, 2011 (last amended February 10, 2023)

This section analyzes the effects of the proposed Project related to utilities and service systems utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

a) ***Off-Reservation***

Less than Significant Impact. The proposed water pipelines will run roughly parallel to each other as well as to Wildcat Canyon Road which runs north to south through the

Reservation. The 8-inch recycled water pipeline will begin at the San Vicente Wastewater Reclamation Plant on San Vicente Road approximately 0.23 miles east of the intersection of San Vicente Road and Wildcat Canyon Road and run westward to Wildcat Canyon Road turn southward and run parallel with the 12-inch pipeline. The potable water 12-inch pipeline will begin at the intersection of San Vicente Road and Wildcat Canyon Road within the right of way of Wildcat Canyon Road. While new sections of water pipeline are proposed to carry potable as well as recycled water to tribal residences, much of the alignment is parallel to and/or replacing existing waterline infrastructure. Implementation of the Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

On-Reservation

Less than Significant Impact. While new sections of water pipeline are proposed to carry potable water to tribal residences and facilities and recycled water to the Barona Golf Course, much of the alignment is parallel to and/or replacing existing waterline infrastructure. Implementation of the Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects

b) ***Off-Reservation***

No Impact. The purpose of the Project is to provide a sustainable water supply to the Barona Reservation while reducing the use of limited groundwater supplies. Off-Reservation water supplies would not be affected as both the District and SDCWA have sufficient water capacity to supply anticipated tribal needs. In the District's 2020 Urban Water Management Plan, water supply and use were projected at approximately 4,839 AFY in 2025 and 5,268 AFY in 2040 (see Table XIX-1). Due to water conservation regulations, the implementation of water saving technologies for residential, commercial and agricultural users, and the District's high cost of water, the District's water use continues to decline as shown in Table XIX-2 with the exception of Fiscal Year 2020-2021 during the extended drought. Due to restrictions on development by the County, the District is anticipated to have a very low development rate, approximately 0.4% and with the change from avocados and other high water use crops to grapes and olive trees, agricultural water use has significantly declined since 2007 when the Witch Creek Fire decimated many of the District's avocado groves and is projected to continue to decline. During extended multi-year droughts, the District will need to draw more heavily on SDCWA as noted in Fiscal Year 2020-2021. Section 11 of SDCWA's Urban Water Management Plan (available online here: 2020-UWMP_Final-Print-Version-July-2021-1.pdf (sdcwa.org)) discusses how the SDCWA and its member agencies respond to water shortages. In the recent Fiscal Year 2020-2021 drought, SDCWA had excess supply due to its substantial investment in alternative water supplies over the last two decades, such as the Carlsbad Desalination Plant, San Vicente Emergency Storage Project and the Imperial Irrigation District Quantification Settlement Agreement (QSA) water transfer.

The District is prepared to enter into a 4-party agreement for potable water service and the 2-party agreement for recycled water service as described in Section 1.0 (Introduction). Potable water provided by Metropolitan, SDCWA, and the District will be used only within the agreed-upon Water Service Area, of approximately 1784 acres as shows in Figure 14.

As noted above, the Tribe will have to enter into a four-party potable water supply agreement with the District, SDCWA, and Metropolitan and agree to comply with all serving public agencies' water service regulations, like any other customer. Thus, SDCWA member agencies are called on to conserve water due to a supply shortage, these requirements would also apply to the Barona reservation and are included in the water supply agreement between the District, the tribe, SDCWA and Metropolitan. Therefore, there is sufficient water supply for both the District's proposed developments and the Barona Reservation even in multiple dry years. There would be no impact.

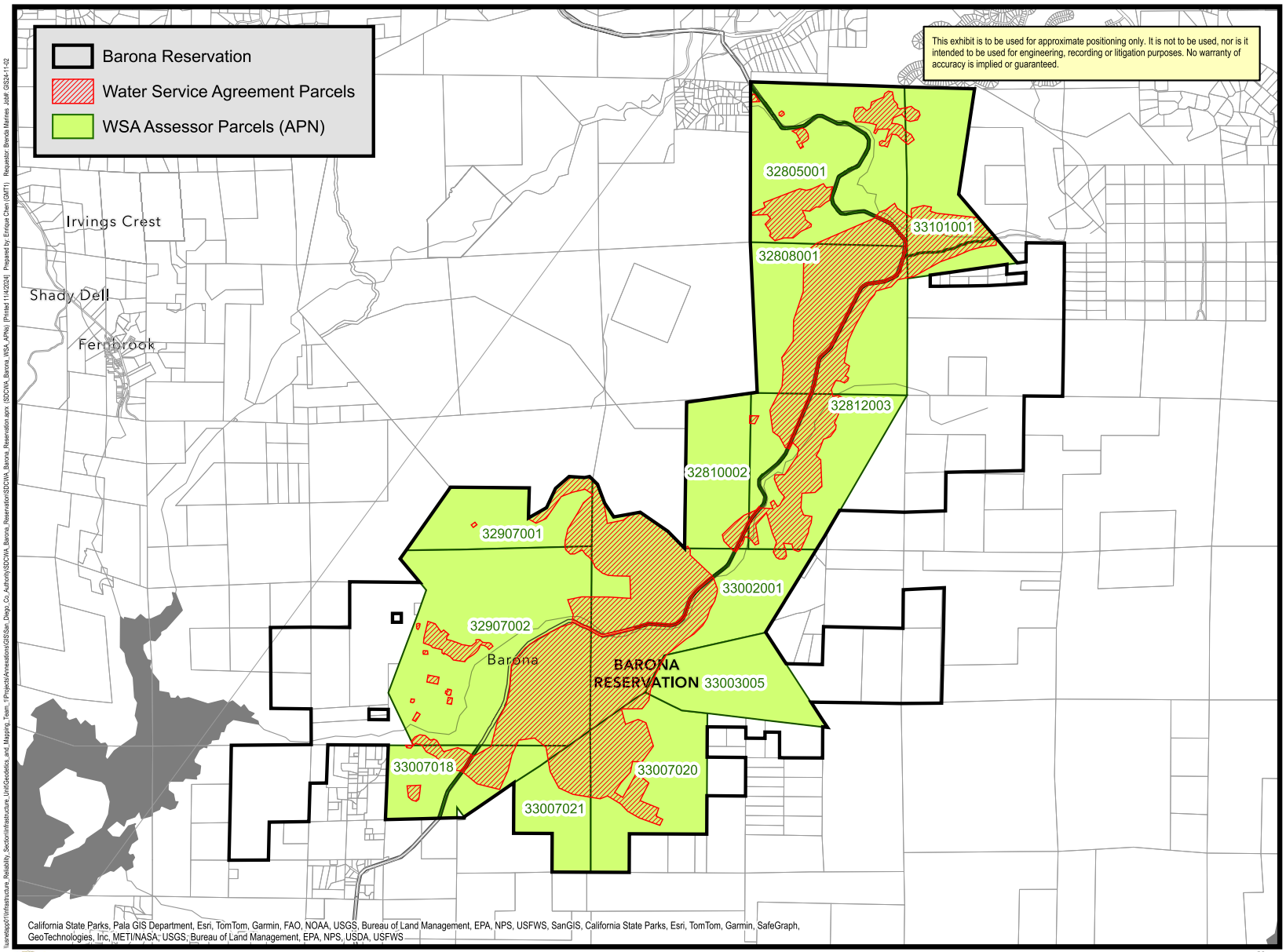
On-Reservation

No Impact. There is sufficient water supply for both the District's proposed developments and the Barona Reservation even in multiple dry years. There would be no impact.

Table XIX-1 Projected Water Supply and Use from the District's 2020 Urban Water Management Plan		
Year	**Projected Supply (AFY)**	**Projected Use (AFY)**
2025	4,839	4,838
2030	4,977	4,977
2035	5,121	5,120
2040	5,268	5,268

Table XIX-2 District Water Sales Compared to Anticipated 2025 Usage		
Fiscal Year	**Actual Water Sales (AFY)**	**Actual Use Compared to 2025 Projection (AFY)**
2018-2019	4,360	(478)
2019-2020	4,137	(701)
2020-2021	4,869	31
2021-2022	4,580	(258)
2022-2023	3,854	(987)
2023-2024	3,687	(1,151)

The 2020 UWMP is available online at 637798357567600000 (rmwd.org)



The Metropolitan Water District of Southern California
Engineering Services Group

Barona Reservation
Water Service Agreement (WSA) Parcels

WATER SERVICE AREAS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 14

LILBURN CORPORATION

c) ***Off-Reservation***

No Impact. As a proposed water pipeline, the Project would not directly generate wastewater. Residences constructed off reservation, would be subject to County of San Diego requirements for septic systems. Sewer is not available along the pipeline alignment between San Vicente Road and Little Klondike Road. The Project is not anticipated to result in new residential or other facilities off of the reservation. There would be no impact.

On-Reservation

No Impact. As a proposed water pipeline, the Project would not directly generate wastewater. Tribal residences to be constructed in the future will likely be on individual septic systems or directed to the Tribe's existing wastewater plant. There would be no impact.

d) ***Off-Reservation***

No Impact. As a proposed water pipeline, the Project would not generate solid waste. There would be no impact.

On-Reservation

No Impact. As a proposed water pipeline the Project would not generate solid waste. There would be no impact.

e) ***Off-Reservation***

No Impact. As a proposed water pipeline the Project would not affect regulations related to solid waste. There would be no impact.

On-Reservation

No Impact. As a proposed water pipeline the Project would not affect regulations related to solid waste. There would be no impact.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

XX. WILDFIRE

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☒	☐	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

SUBSTANTIATION:

County of San Diego General Plan 2011 (last amended February 10, 2023);* San Diego County General Plan, Safety Element *Fire Hazard Severity Zones Map

This section analyzes the effects of the proposed Project related to wildfire utilizing thresholds as set forth in Appendix G of the CEQA Guidelines.

The northern portion of the Proposed Project alignment that is within the County is within a San Diego County identified "Very High Fire Hazard Severity Zone" (VHFHSZ), while the portion of the Project that is on the Barona Reservation is not covered by the San Diego County General Plan Overlay as it is a Federal Responsibility Area (FRA) according to the San Diego County General Plan, Safety Element *Fire Hazard Severity Zones* Map.[46]

a) ***Off-Reservation***

Less than Significant Impact with Mitigation Incorporated. As proposed, the off-Reservation portions of the Project would not substantially impair an adopted

[46] SafetyElement.pdf (sandiegocounty.gov) Figure S-1

emergency response plan or emergency evacuation plan. Less than significant impact would occur with implementation of mitigation measure **TRA-1** discussed in Section XVII Transportation.

Emergency service providers and first responders, such as the San Diego County Sherriff, CALFIRE, and San Diego County Fire Protection District, would be notified of construction sequencing and the potential for temporary reductions to one-lane for construction with two-way traffic control, as identified in Traffic Control Plan required by mitigation measure **TRA-1** to be approved by the County of San Diego.

Emergency access could be temporarily affected by construction delays due to the reduction to one-lane. However, the proposed project would implement a Traffic Control Plan required by mitigation measure **TRA-1** to ensure that emergency vehicle access for fire responders is maintained throughout construction.

On-Reservation

Less than Significant Impact with Mitigation Incorporated.[47] As proposed, the on-Reservation portions of the Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. Less than significant impact would occur with implementation of mitigation measure **TRA-1** discussed in Section XVII Transportation.

The same impacts for emergency service providers and first responders could occur on-reservation. The Traffic Control Plan required by mitigation measure **TRA-1** will also require approval by the Tribe for the on-reservation portion of the project. The Tribe has its own police and fire departments, which will review and provide input on the Traffic Control Plan.

b) ***Off-Reservation***

Less than Significant Impact. Off-Reservation Project implementation does not include habitable structures. The Project would not cause an impact due to slope, prevailing winds, and other factors. Nor would the Project exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. As discussed in section IX Hazards and Hazardous Materials, the California Fire Code (CFC) includes stringent requirements for hazardous and toxic materials and fire-resistance-rated construction, as well as rigorous provisions for Wildland-Urban Interface Fire Areas. Requirements include minimum standards for the storage, use, and handling of hazardous and toxic materials, ratings for building materials, and fuel modification of hazardous (i.e., flammable) vegetation. Also, new buildings proposed in a Wildland-Urban Interface Fire Area must conform to the requirements contained in Chapter 47 of the CFC.

On-Reservation

Less than Significant Impact. On-Reservation Project implementation does not include habitable structures. The Project would not cause an impact due to slope, prevailing winds, and other factors. Nor would the Project exacerbate wildfire risks, and

[47] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

thereby expose Project occupants to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. As discussed in section IX Hazards and Hazardous Materials, the California Fire Code (CFC) includes stringent requirements for hazardous and toxic materials and fire-resistance-rated construction, as well as rigorous provisions for Wildland-Urban Interface Fire Areas. Requirements include minimum standards for the storage, use, and handling of hazardous and toxic materials, ratings for building materials, and fuel modification of hazardous (i.e., flammable) vegetation. Also, new buildings proposed in a Wildland-Urban Interface Fire Area must conform to the requirements contained in Chapter 47 of the CFC.

c) ***Off-Reservation***

No Impact. As an underground water pipeline Project, off-Reservation implementation would not create circumstances that would require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. The Project would provide additional water supply along Wildcat Canyon Road and on Reservation land that would include increased access to fire hydrants along the pipeline alignment. There would be no impact.

On-Reservation

No Impact. As an underground water pipeline Project, on-Reservation implementation would not create circumstances that would require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. The Project would provide additional water supply along Wildcat Canyon Road and on Reservation land that would include increased access to fire hydrants along the pipeline alignment. There would be no impact.

d) ***Off-Reservation***

No Impact. Off-Reservation Project implementation does not include habitable structures, and no circumstances exist that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. There would be no impact.

On-Reservation

No Impact. On-Reservation Project implementation does not include habitable structures, and no circumstances exist that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. There would be no impact.

Less than significant impact would occur with implementation of mitigation measure TRA-1 discussed in Section XVII Transportation.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	*Less than Significant with Mitigation Incorporated*	*Less than Significant*	*No Impact*
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

a) **Less than Significant Impact with Mitigation Incorporated.**[48] The Project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or

[48] Although not required under CEQA, the Barona Tribe is not opposed to implementation of mitigation measures that will help to reduce impacts to a less than significant level on tribal land.

prehistory. Implementation of mitigation measures recommended in sections IV, V, IX XIII, XVII, and XVIII would reduce impacts to a less than significant level.

b) **No Impact.** Due to the nature of the Project, impacts would be temporary during construction. The Proposed Project includes trenching and placing pipelines underground. Then covering to bring surface back to existing condition. No grading will be performed, and no cut and fill is proposed. Cumulative impacts would occur if the incremental effects of the project are considerable when viewed in connection with the effects of past or present projects or reasonably foreseeable future actions. No evidence has been identified that would result in the Project contributing to environmental impacts in this way.

c) **No Impact.**

All potential impacts have been thoroughly evaluated and have been deemed to be neither individually significant nor cumulatively considerable in terms of any adverse effects upon the region, the local community or its inhabitants. At a minimum, the project will be required to meet the conditions of approval for the project to be implemented. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, initial or future land uses authorized by the Project approval.

Therefore, implementation of mitigation measures recommended would reduce possible adverse impacts to a less than significant level.

4.0 FEDERAL CROSS-CUTTING ENVIRONMENTAL REGULATIONS EVALUATION

The federal nexus triggering the application of NEPA in this case is the award by Congress of Grant no. B-23-CP-CA-0319. Congress made this grant of $2,000,000, and many others, under the Community Development Fund of the Act of December 29, 2022, P.L. 117-328, 136 Stat. 5154, 5155, for "Barona Band of Mission Indians Water Infrastructure Project." This statute names the U.S. Department of Housing & Urban Development as the federal agency to administer this Fund and its grants.

As with most such HUD-funded projects, HUD delegates responsibility for compliance with NEPA to Responsible Entities, subject to review, oversight, and final approval by HUD for compliance with NEPA. "Responsible entities shall assume the responsibility for environmental review, decision-making, and action that would otherwise apply to HUD under NEPA Responsible entities that receive assistance directly from HUD assume these responsibilities by execution of a grant agreement with HUD" 24 CFR section 58.4(a). Grantees that are Indian tribes are Responsible Entities. The "Responsible Entity" is, "[w]ith respect to environmental responsibilities under the programs listed in 58.1(b)(3)(ii) and (6) through (12) [in this case, (7)], an Indian tribe when it is the recipient under the program." 24 CFR section 58.2(a)(7)(ii).

The Barona Band has executed such a grant agreement with HUD for this grant and is thus the Responsible Entity regarding this grant. HUD has delegated to the Barona Band "the responsibility for environmental review, decision-making, and action that would otherwise apply to HUD under NEPA." Thus, in this case the Barona Band performs the functions of a lead agency under NEPA, although under the supervision, control, and approval authority of HUD, which remains at least the nominal lead agency. The District is a cooperating agency.

4.1 Federal Endangered Species Act

Section 7 of the Federal Endangered Species Act (FESA) requires federal agencies, in consultation with the Secretary of the Interior, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of the critical habitat of these species. Under Section 7, a project that could result in incidental take of a listed threatened or endangered species must consult with the USFWS to obtain a Biological Opinion (BO). If the BO finds that the project could jeopardize the existence of a listed species ("jeopardy opinion"), the agency cannot authorize the project until it is modified to obtain a "non-jeopardy" opinion.

The information contained within the IS/MND and the Biological Resources Technical Study (Alden Environmental, Inc., Appendix B) may be used to support project compliance with FESA and MBTA.

Section 3.2 IV Biological Resources, describes that there are four vegetation communities located outside of the Reservation, within the County, that are considered sensitive and could be a constraint to pipeline construction. These communities are Diegan coastal sage scrub, non-native grassland, coast live oak woodland, and riparian forest. It is anticipated that impacts due to the pipeline in this County segment would occur primarily within the existing roadway and adjacent disturbed areas. The only federal-listed species, San Diego thorn-mint, is not expected to occur within the study area on County land or Reservation land due to a lack of clay soils with which

this species is associated. Were impacts to occur within these communities, they could be considered significant and require mitigation.

The riparian forest land within San Vicente Creek at the northern most extent of the alignment has the potential to support the federal listed as threatened least Bell's vireo. There is suitable habitat for this species located at the northernmost extent of the project alignment, within riparian forest habitat in San Vicente Creek. No direct impacts to the San Vicente Creek are anticipated; however, construction activities could have an indirect impact to this species during the nesting season, should it be present. Pre-construction surveys and avoidance measures may be required to help ensure project construction does not impact this species in the County portion of the alignment. Suitable habitat does not occur within or adjacent to the pipeline alignment on Reservation land.

Within the County segment of the pipeline there is the San Vicente Creek, which likely would be considered jurisdictional by USACE, CDFW, RWQCB, and the County. This creek currently flows under a bridge as part of Wildcat Canyon Road. It is anticipated that any project impacts from the pipeline would be limited to attaching facilities to the existing bridge, as opposed to physical work (trenching, grading, etc.) within the creek itself. As such, it is anticipated that no impacts to jurisdictional resources at San Vicente Creek would occur.

4.2 National Historic Preservation Act, Section 106

The purpose of the National Historic Preservation Act (NHPA) is to protect, preserve, rehabilitate, or restore significant historical, archaeological, and cultural resources. Section 106 requires federal agencies to take into account effects on historic properties. Section 106 review involves a step-by-step procedure described in detail in the implementing regulations (36 CFR Part 800).

A review of the APE indicates the majority of the alignment and associated 50-foot buffer were previously disturbed by existing roads (paved and unpaved), power lines, trails, and rural residential development. The historic resources survey was conducted on August 17 and 18 and September 28, 2023. The survey identified five previously unrecorded prehistoric bedrock milling sites (Temp-1 to Temp-5) and one prehistoric isolate (Iso-1). Through a review of the APE, it was determined that Temp-1 and Iso-1 are well outside of the alignment and will not be impacted by the undertaking. However, Temp-2 to Temp-5 are located within or directly adjacent to the APE alignment and required testing and significance evaluations. All of the resources identified during the survey are located on the Barona Indian Reservation portion of the Project and subject to federal guidelines (Section 106 of the NHPA and the NEPA). No other sites were discovered therefore, less than significant impact is expected in the APE for all portions of the alignment. If inadvertent discoveries of unknown archaeological or historic resources may occur, mitigation measure **CUL-1** would reduce impacts to a less than significant level, **Mitigation Measure CUL-2** would be implemented to ensure proper procedures would be in place if human remains were unearthed during construction activities. With implementation of **Mitigation Measures CUL-1, and CUL-2** impacts to historical resources under CEQA would be less than significant and no effects to historic properties under the NHPA for the Proposed Project are expected.

4.3 Clean Air Act

U.S. Congress adopted general conformity requirements as part of the Clean Air Act (CAA) Amendments in 1990 and the USEPA implemented those requirements in 1993 (Sec. 176 of the FCAA (42 United States Code [U.S.C.] section 7506) and 40 CFR Part 93, Subpart B). General

conformity requires that all federal actions "conform" with the State Implementation Plan as approved or promulgated by USEPA. The purpose of the general conformity program is to ensure that actions taken by the federal government do not undermine State or local efforts to achieve and maintain the national ambient air quality standards. Before a federal action is taken, it must be evaluated for conformity with the State Implementation Plan. All "reasonably foreseeable" emissions predicted to result from the action are taken into consideration. These include direct and indirect emissions and must be identified as to location and quantity. If it is found that the action would create emissions above de minimis threshold levels specified in USEPA regulations (40 CFR section 93.153(b)), or if the activity is considered "regionally significant" because its emissions exceed 10% of an area's total emissions, the action cannot proceed unless mitigation measures are specified that would bring the Proposed Project into conformance.

As described in *Section 3.2 III Air Quality*, the Project's construction activities' emissions are considered short-term, temporary emissions. Construction would be required to comply with dust and odor rules established by the SDAPCD. Based on the results of the analysis and review of the appropriate air quality plans and resources it is determined that the Project would not exceed thresholds for temporary construction emissions and would not conflict with or obstruct implementation of the applicable air quality plan. The proposed pipelines would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard

The results of the air quality modeling showed that pollutant emissions would not exceed federal General Conformity de minimis thresholds (**Appendix A**). Accordingly, the lead agency would be in compliance with the CAA.

4.4 Clean Water Act

As with the Clean Air Act, Congress acted in the Clean Water Act of October 18, 1972, 33 U.S.C. Section 1251(a), et seq (CWA) to "restore and maintain the chemical, physical and biological integrity of the Nation's waters," in initially through the United States Environmental Protection Agency (USEPA). Instead of performing this regulatory function itself, the Clean Water Act allows and encourages the USEPA effectively to delegate most of its functions to the states, which must regulate to federal standards, or more stringent standards. In this regard, Sections 402 and 404 of the CWA authorizes the delegation most of the implementation of federal permitting standards to California for the National Pollution Discharge Elimination System (NPDES) for discharge of pollutants into the "Waters of the United States." In California, the Porter-Cologne Water Quality Control Act implements these standards through state agencies such as the Water Resources Control Board and its Regional Boards.

The segment of the current Project located outside the Barona Indian Reservation is thus fully subject to such state regulation. The segment located on the Barona Indian Reservation is subject only to direct regulation by the USEPA. But the standards are the same, as is the scope of direct EPA regulation and indirect regulation through the State. Both segments are subject to certain aspects of the Clean Water Act, such as the requirement for obtaining a Section 404 permit or NPDES permit for discharge of any pollutant into "waters of the United States", with determinations of such jurisdiction to require a permit entrusted to the U.S. Army Corps of Engineers.

The two pipelines of the current Project cross San Vicente Creek off the Barona Indian Reservation and a tributary of Padre Barona Creek on the Barona Indian Reservation. This segment of San

Vicente Creek does meet the current definition of "waters of the United States" as "relatively permanent, standing or continuously flowing bodies of water" 33 C.F.R. Section 328.3(a)(3), and 40 C.F.R. Section 120.2(a)(3). The on-reservation Padre Barona Creek and its tributary are both ephemeral streams due to lack of a relatively continuous surface flow or connection to an intermittent or continuously flowing watercourse, and flow only during or in direct response to precipitation. Therefore, the CWA does not directly apply to the segment of the Project on the Barona Indian Reservation, and no permit is needed from the U.S. Army Corps of Engineers or any other federal agency under the CWA for that segment of the Project.

However, since the relevant segment of San Vicente Creek is "waters of the United States", it would normally require a permit under the NPDES or Section 404 of the CWA. The trigger for this permit requirement is discharge of any pollutant into "waters of the United States". Even though this segment of the Project thus crosses "waters of the United States," not one molecule of any pollutant should be discharged into the bed or flow of San Vicente Creek. No work will occur in the creekbed. No equipment will be located in the creekbed. The bridge over San Vicente Creek already exists. The Project will simply attach the two pipelines to the side of the existing bridge with equipment that will be located only on the bridge. Therefore, no permit is needed because there is no discharge of any pollutant. No jurisdictional determination need be sought.

4.4.1 Streambed Alteration Agreement

Similarly, no Streambed Alteration Agreement need be sought or obtained from the California Department of Fish & Game. Mere attachment of the pipelines to the existing bridge over San Vicente Creek, and operation of the pipelines, will not "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material where it may pass into any river, stream, or lake" California Fish & Game Code Section 1602.

4.5 Coastal Zone Management Act

The Coastal Zone Management Act (CZMA), passed by Congress in 1972 and managed by the National Oceanic and Atmospheric Administration's Office of Ocean and Coastal Resource Management, is designed to balance completing land and water issues in coastal zones. It also aims to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone." Within California, the CZMA is administered by the Bay Conservation and Development Commission, the California Coastal Conservancy, and the California Coastal Commission.

No portion of the Proposed Project is within the coastal zone. The Project area is located approximately 25 miles east of the Pacific Coast. Therefore, the CMZA does not apply to the Proposed Project.

4.6 Farmland Protection Policy Act

The Farmland Protection Policy Act (FPPA) requires a federal agency to consider the effects of its actions and programs on the nation's farmlands. The FPPA is intended to minimize the impact of federal programs with respect to the conversion of farmland to nonagricultural uses. It assures that, to the extent possible, federal programs are administered to be compatible with State, local, and private programs and policies to protect farmland.

As described in *Section 3.2 II Agriculture and Forestry Resources*, the Project area is located within the northern San Diego County, which contains agricultural lands. No Farmland of

Statewide Importance exists in the area of Wildcat Canyon Road where the 0.35-mile pipeline is proposed to be placed. According to the California Farmland Mapping and Monitoring Program most of the land surrounding Wildcat Canyon Road and its intersection with San Vicente Road as well as on the Barona Reservation is categorized as Urban Built-up Land, Grazing Land, with a small portion of Farmland of Local Importance

There is no designated important farmland or Williamson Act contracted lands within the Project area. The Proposed Project would be constructed within roadway rights-of-way, as well as on private or public land. The majority of the Proposed Project components would be located below-grade and ground surfaces would be restored to pre-construction conditions. The Proposed Project would not result in land use changes and would, therefore, not impact important farmland, conflict with agricultural zoning regulations, or result in other changes that would indirectly result in conversion of nearby farmland to non- agricultural use. Therefore, the Proposed Project would not adversely affect any farmland areas and the lead agency would be in compliance with the FPPA.

4.7 Executive Order 11988 – Floodplain Management

Executive Order (EO) 11988 requires federal agencies to recognize the values of floodplains and to consider the public benefits from restoring and preserving floodplains.

As described in *Section 3.2 X Hydrology and Water Quality*, compliance with the policies and mitigation measures identified in the San Diego County General Plan Update Final Environmental Impact Report (FEIR) for Hydrology and Water Quality and Land Use, as well as all applicable regulations including the National Pollutant Discharge Elimination System (NPDES), California Building Code (CBC), and the County Grading Ordinance, would prevent potential impacts to soil erosion or the loss of topsoil for both the on-Reservation and off-reservation portions of the pipeline Project to below a significant level. As such, the lead agency would be in compliance with this EO. Furthermore, examination of the current FEMA flood plain maps shows that no part of the Project is located within or near any designated floodplain. See Federal Emergency Management Administration Map Service, maps nos. 06073C1140G and 06073C1425G.

4.8 Federal Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Executive Order 13168

The MBTA and the Bald and Golden Eagle Protection Act prohibit the take of migratory birds (or any part, nest, or eggs of any such bird) and the take and commerce of eagles. EO 13168 (Sep 22, 2000) requires that any project with federal involvement address impacts of federal actions on migratory birds.

As described in *Section 3.2 IV Biological Resources*, within the off-Reservation segment (County) of the pipelines there may be constraints due to sensitive species that would not be considered constraints within the Reservation land. The riparian forest land within San Vicente Creek at the northern most extent of the alignment has the potential to support the federal listed as threatened least Bell's vireo. While direct impacts to riparian forest are not anticipated (pipelines would be attached to the existing bridge), construction activities could have an indirect impact (noise) to this species during the nesting season, should it be present. Preconstruction surveys and avoidance measures may be required to help ensure Project construction does not impact this species. The Project would have less than significant impact on nesting birds with implementation of **Mitigation Measure BIO-1** if construction cannot be avoided during nesting season. Thus, the lead agency would be in compliance with this EO.

4.9 Executive Order 11990 – Protection of Wetlands

Under EO 11990 (May 24, 1977), federal agencies must avoid affecting wetlands unless it is determined that no practicable alternative is available.

As described in *Section 3.2 IV Biological Resources*, San Vicente Creek is considered jurisdictional by USACE, CDFW, RWQCB, and the County. This creek currently flows under a bridge as part of Wildcat Canyon Road. It is anticipated that any Project impacts from the pipeline would be limited to attaching facilities to the existing bridge, as opposed to physical work (trenching, grading, etc.) within the creek itself. As such, it is reasonable to expect that no direct or indirect impacts to jurisdictional resources at San Vicente Creek would occur.

Also, impacts to CDFW jurisdictional resources may require a Lake and Streambed Alteration (LSA) agreement via California Fish and Game Code Section 1602. Impacts to RWQCB jurisdictional resources may require a Water Quality Certification under Section 401 of the Federal CWA. The actual permitting requirement would depend on the type and amount of jurisdictional resource impacts in the County (if any).

Tribal lands are not subject to State and local (County) regulation of jurisdictional/wetland resources. Federal regulations (Clean Water Act, CWA) for potential impacts to federal jurisdictional resources (should they occur) may be applicable on Tribal lands. Throughout the Study Area on Reservation land, the National Hydrography Dataset (NHD) shows stream/river features, and the National Wetlands Inventory (NWI) shows riverine features. The proposed pipeline alignment would cross Padre Barona Creek, Klondike Creek, and numerous unnamed tributaries to these creeks within the limits of the Reservation. However, as noted in Section 4.4 above, none of these on-Reservation drainages has a relatively permanent or continuous surface flow or connection to another body that has a relatively continuous surface flow, and flows only during and immediately after rain. All these on-Reservation features are therefore ephemeral, do not meet the definition of "wetland", and thus are not "waters of the United States" subject to the CWA.

There would be no impacts to wetlands and the lead agency would be in compliance with EO 11990.

4.10 Wild and Scenic Rivers Act

The Wild and Scenic Rivers Act was passed in 1968 to preserve and protect designated rivers for their natural, cultural, and recreational value.

There are no designated Wild and Scenic Rivers within the Project area, nor will any designated rivers be adversely affected by the Proposed Project. As a result, the Wild and Scenic Rivers Act does not apply to the Proposed Project

4.11 Safe Drinking Water Act – Source Water Protection

Section 1424(e) of the Safe Drinking Water Act established the USEPA's Sole Source Aquifer Program. This program protects communities from groundwater contamination from federally funded projects. Within USEPA's Region 9, which includes California, there are nine sole source aquifers. None of these sole source aquifers are located within the Project area. Therefore, the Sole Source Aquifer Program does not apply to the Proposed Project, and the lead agency would be in compliance with Section 1424(e) of the Safe Drinking Water Act.

4.12 Executive Order on Trails for America in the 21st Century

The EO on Trails for America (January 18, 2001) requires federal agencies to protect, connect, promote, and assist trails of all types throughout the United States. According to the trails map in the *San Diego County Regional Trails Plan*[49], there are no existing or proposed trails through the Barona Reservation nor are there any to the north within the County portion of the Project alignment. As a result, no adverse effects on trails would occur and the lead agency is in compliance with this EO.

4.13 Executive Order 13007 – Indian Sacred Sites

Sacred sites are defined in Executive Order 13007 (May 24, 1996) as "any specific, discrete, narrowly delineated location on federal land that is identified by an Indian tribe, or Indian individual determined to be an appropriately authoritative representative of an Indian religion, as sacred by virtue of its established religious significance to, or ceremonial use by, an Indian religion; provided that the tribe or appropriately authoritative representative of an Indian religion has informed the agency of the existence of such a site."

As discussed in *Section 3.2 XVIII Tribal Cultural Resources*, a review of the APE indicates the majority of the alignment and associated 50-foot buffer were previously disturbed by existing roads (paved and unpaved), power lines, trails, and rural residential development. The historic resources survey was conducted on August 17 and 18 and September 28, 2023. The survey identified five previously unrecorded prehistoric bedrock milling sites (Temp-1 to Temp-5) and one prehistoric isolate (Iso-1). Through a review of the APE, it was determined that Temp-1 and Iso-1 are well outside of the alignment and will not be impacted by the undertaking. However, Temp-2 to Temp-5 are located within or directly adjacent to the APE alignment and required testing and significance evaluations. All of the resources identified during the survey are located on the Barona Indian Reservation portion of the Project and subject to federal guidelines (Section 106 of the NHPA and the NEPA). No other sites were discovered therefore, no impact is expected on the on-Reservation or off-Reservation portions of the alignment.

Federal and state laws mandate that consideration be given to the concerns of contemporary Native Americans with regards to potentially ancestral human remains, associated funerary objects, and items of cultural patrimony. Consequently, an important element in assessing the significance of the property has been to evaluate the likelihood that these classes of items are present in areas that would be affected by the Project.

The Historic Resources Study prepared by BFSA did not identify previously recorded sites with human remains within the Proposed Project APE. However, there is a potential for unidentified human remains to be present within the Proposed Project site. If present, the human remains could be damaged by ground disturbing activities associated with the Proposed Project. If inadvertent discoveries of human remains occur, mitigation measure **CUL-1** and **CUL-2** would reduce impacts to a less than significant level.

4.14 Magnuson Stevens Fishery Conservation and Management Act

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) of 1976 as amended (16 U.S.C. section 1801 et seq.), is the primary act governing federal management of fisheries in federal waters, from the 3- nautical-mile state territorial sea limit to

[49] Chapter (sandiegocounty.gov)

the outer limit of the U.S. Exclusive Economic Zone. It establishes exclusive U.S. management authority over all fishing within the Exclusive Economic Zone, all anadromous fish throughout their migratory range except when in a foreign nation's waters, and all fish on the continental shelf. The Act also requires federal agencies to consult with NMFS on actions that could damage Essential Fish Habitat (EFH), as defined in the 1996 Sustainable Fisheries Act (Public Law 104-297).

The Proposed Project would not be located in or impact any U.S. federal waters regulated under the Magnuson-Stevens Act. As described in *Section 3.2 IV Biological Resources*, the Proposed Project is not expected to have adverse effect on resident or migratory fish, or fish habitat in the Proposed Project area.

4.15 Environmental Justice

The United States Environmental Protection Agency (USEPA or EPA) has a policy regarding how it works with native peoples, entitled *EPA Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples.* That Policy calls for and defines Environmental Justice and Fair Treatment of native peoples:

> *Environmental Justice* – the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.
>
> *Fair Treatment* – no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies, July 24, 2014, www.epa.gov/environmentaljustice/ [50]

In the current Project, the Barona Band of Mission Indians, as successor to the Capitan Grande Band of Mission Indians, seeks the environmental justice and fair treatment for which the EPA Policy calls. The Barona Band does not ask for free water, free transport of water, or free construction of infrastructure. It does not ask for reparations of any kind or special treatment beyond what California law already allows. But it does ask for justice, for fair treatment as it proceeds through a process in a quest for the means by which its people may live on the remaining remnant of their own land.

With the adoption of Senate Bill 1000 (SB1000) in 2016, the California Government Code Section 65302(h) regarding general plans was amended to include requirements related to incorporating environmental justice into local land use planning processes. SB1000 requires local governments to address pollution and other hazards that disproportionately impact low-income communities and communities of color within their jurisdiction as a way to proactively plan for and address environmental concerns when developing and updating components of the General Plan. These requirements are organized into two subsections [Section 65302 (h)(1) through Section 65302 (h)(2)], which are summarized below:

- 65302 (h) (1) add to the required elements of the general plan an environmental justice element, or related goals, policies, and objectives integrated in other elements, that identifies "disadvantaged communities".

[50] Environmental Justice | US EPA

- 65302 (h) (1) (A) identify objectives and policies to promote:
  - Public facilities in disadvantaged communities.
  - Food access in disadvantaged communities.
  - Safe and sanitary homes in disadvantaged communities.
  - Physical activity in disadvantaged communities.

65302 (h) (1) (A) identify objectives and policies to reduce:

  - Exposure to pollution, including improving air quality in disadvantaged communities.
  - Any unique or compounded health risks in disadvantaged communities not otherwise addressed above.

- 65302 (h) (1) (B) identify objectives and policies to promote civic engagement in the public decision-making process in disadvantaged communities.
- 65302 (h) (1) (C) identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.
- 65302 (h) (2) adoption or revision of environmental justice element, or related goals, policies, and objectives, upon the revision of two or more elements concurrently on or after January 1, 2018.[51]

The USEPA defines environmental justice as:

"The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means no group of people, including racial, ethnic, or economic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, State, local, and tribal programs and policies"[52]. Surely being forcibly dispossessed by the United States of a free-flowing river from aboriginal lands inflicts "a disproportionate share of negative environmental consequences resulting from the execution of federal programs and policies" on the tribe that, alone, was dispossessed.

Impact Analysis

For the purposes of this analysis, an impact related to environmental justice would be significant if the Proposed Project would cause impacts to minority or low-income populations that are disproportionately high and adverse, either directly, indirectly, or cumulatively.

Although construction would generate impacts (e.g., dust, traffic, and noise), such activities would be intermittent and temporary and would cease upon completion of work activities. Where potential impacts would occur, mitigation measures have been identified to reduce such effects to less-than-significant levels. Therefore, with the consideration of the benefits provided to these communities through implementation of the Proposed Project and implementation of mitigation included in this document, the Proposed Project would not result in any disproportionately high adverse impacts on minority or low-income communities. Further, the Census tract CT2010D:169.02 identified as encompassing the northern (County) portion of the Project as well

[51] 09 Environmental Justice.pdf (sandiegocounty.gov)
[52] EJScreen: Environmental Justice Screening and Mapping Tool | US EPA

as the Barona Reservation is not identified as an Environmental Justice Area.[53] Impacts would be less than significant.

[53] Environmental and Climate Justice: San Diego Region (sandiegocounty.gov)

5.0 ALTERNATIVES

5.1 ALTERNATIVES ELIMINATED

Four adjacent water districts were met with in fall 2021 including the Ramona Municipal Water District (District) to discuss their ability to provide water service to the Reservation. At that time, the District was the nearest water supplier, and the only agency of the four that was able to provide service from north of the Reservation and could provide both recycled and potable water. The District is able to provide potable water, derived from the San Diego County Water Authority (SDCWA), and recycled water, from the San Vicente Water Reclamation Plant (SVWWRP) to the Reservation. District potable water is derived through SDCWA's RAM-3 turnout, located in Poway. Title 22 tertiary recycled water is produced at the SVWWRP. Both water services are available to the Reservation at the intersection of Wildcat Canyon Road and San Vicente Road.

The Barona Reservation is bordered on the north by the District water service area. Similarly, the Reservation is bordered on the south by the Lakeside Water District (LWD), Helix Water District (HWD), and Padre Dam Municipal Water District (PDMWD). Lands to the west of the Reservation belong to the cities of San Diego and Poway, but no water services are available to the Reservation in these adjacent lands. See Figure 15 for location of the surrounding water districts in relation to the Barona Reservation.

After initial discussions with the following agencies, it was determined which one or more could potentially meet the Projects objectives and warrant further discussion, and which should be eliminated from further consideration.

Lakeside Water District

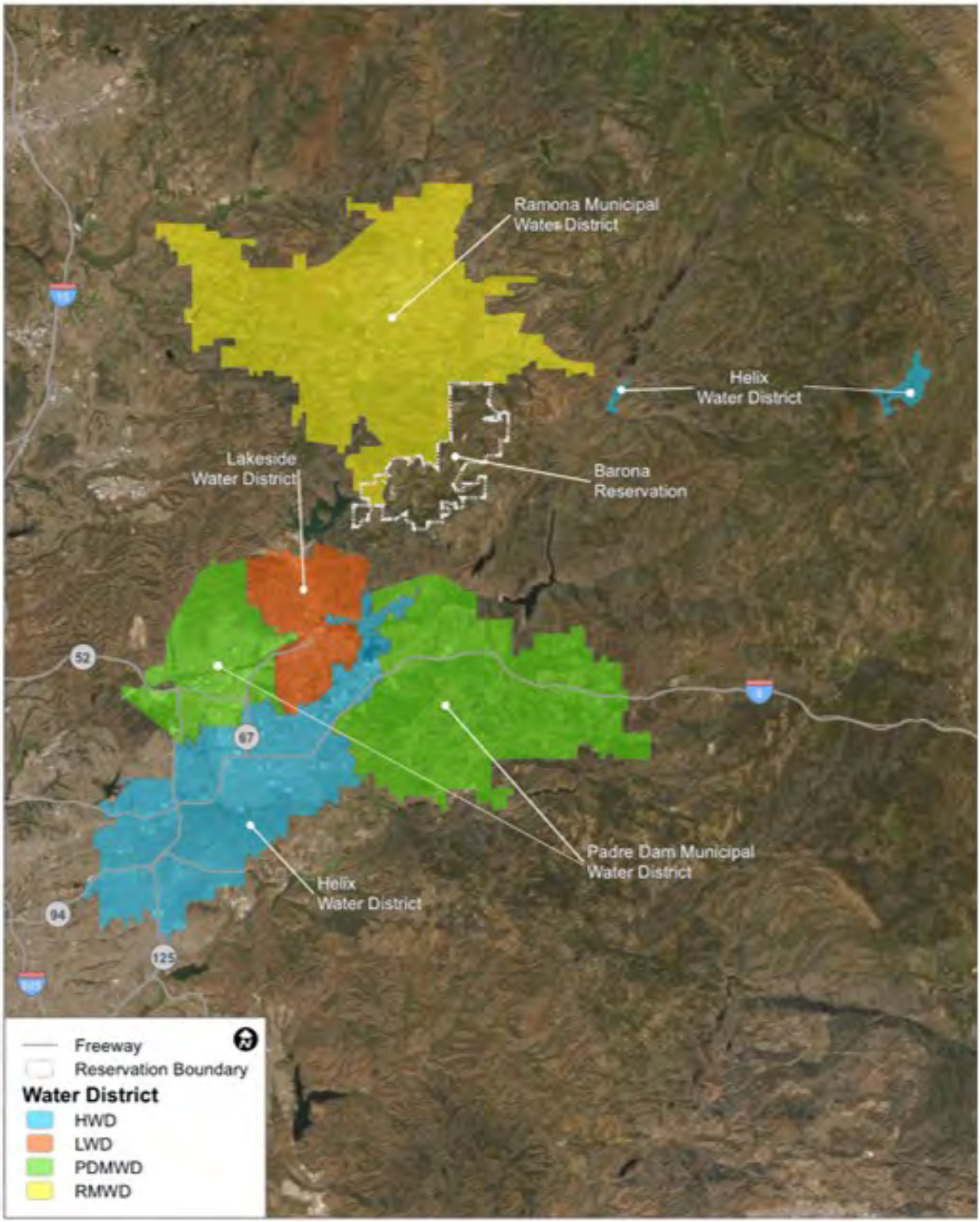
While Lakeside Water District expressed initial interest in participating in this Project, staff ultimately agreed they do not currently have the infrastructure necessary to convey water to the Tribe. This water service option was therefore eliminated.

Padre Dam Municipal Water District

Padre Dam has the water capacity to provide water to the Tribe. PDMWD does not have untreated water supplies readily available, and its recycled water is not positioned to effectively meet the Tribe's needs. As a result, treated water is the only water service option available from this agency. The closest PDMWD distribution pipeline defines an approximate 925-foot hydraulic grade differential and approximately 6.7 miles of new pipeline, the majority of which would not be constructed on Reservation property. This option does not meet the tribe's recycled water needs and would require several miles of additional off-Reservation pipeline making this option infeasible.

Helix Water District

Helix Water District (HWD) has the infrastructure required to provide water service to the Tribe. Unlike PDMWD, Helix has both potable and raw water available to the Tribe. The projected cost of raw water from HWD is lower than potable water service from PDMWD or the District. Service of raw water from the HWD requires overcoming approximately a 1,100-foot hydraulic grade and a pipeline distance of approximately 5.5 miles. Also, the infrastructure cost is projected to be significantly higher for PDMWD potable water service than raw water service from HWD, primarily a result of higher hydraulic grade difference and the longer length of pipeline. Based on



ALTERNATIVE WATER DISTRICTS

RAMONA-BARONA WATER PIPELINE PROJECT
BARONA INDIAN RESERVATION
County of San Diego, California

FIGURE 15

LILBURN
CORPORATION

this, PDMWD water service was eliminated in favor of the HWD raw water alternative. Due to infrastructure constraints (length of additional pipeline) this option was eliminated.

5.2 ALTERNATIVES EVALUATED

Two alternatives to the Project are evaluated in this section: 1) The No Project/No Action Alternative; and 2) Proposed Project Alternative. Under the No Project/No Action Alternative the Ramona/Barona Potable and Recycled Water Pipeline Project would not be constructed and the homes and businesses on the Barona Reservation would continue to operate under current conditions. Water would continue to be supplied through private on-site wells, distributed with existing on-site pipeline network and treated through individual on-site systems. The No Project/No Action Alternative would not provide a safer more reliable water supply to existing communities.

Table 5.3-1 provides a comparison between the potential environmental impacts of the Ramona/Barona Potable and Recycled Water Pipeline Project (Preferred Action) and the no Action Alternative. (No Project/No Action) with regard to the resource topics addressed in State CEQA Appendix G, Environmental Checklist, as well as the applicable federal cross-cutters. This alternatives analysis presents the environmental analysis behind choosing the Proposed Project.

No Action Alternative

NEPA requires a review of a "No Action/No Project" Alternative to determine the impact of not implementing the Project. Under this alternative, environmental impacts to the resources outlined in this document would remain similar to existing conditions. Conditions may in fact worsen as population grows within the reservation and groundwater supplies are further depleted. Recent projections show the Tribe's long-term water demand exceeding the sustainable yield of the underlying groundwater basin as droughts lengthen and become more frequent. The Tribe expects average annual potable water demand to increase by 25% because of steady residential development. This alternative would not meet the objective of providing a secure, safe and reliable supply of drinking water as well as the opportunity to access recycled water for other needs. Therefore, there would be no Project related impacts as defined in the CCR, Title 14, Division 6, Chapter 3, Section 15382.

Proposed Project/Preferred Action

The No Project/No Action Alternative would not achieve the Project objectives to improve the reliability, safety and security of the water supply. After comparison to the Alternatives listed above, the Proposed Project as described in section 2.2 remains the preferred action for the Project. The District operates a 16-inch potable water pipeline at the intersection of Wildcat Canyon and San Vicente Roads. Potable water service requires overcoming a hydraulic grade of approximately 472 feet, requiring approximately 27,800 LF of new potable water pipeline, including 2,100 LF of water line to the Reservation boundary plus 25,700 LF to connect from the boundary to the existing system. The potable water infrastructure necessary for service from the District is less costly than that from PDMWD or raw water service from HWD, primarily because of the pumping facilities required to overcome the hydraulic grade difference from these southern agencies.

Recycled water service is available to the Reservation from the District, with an existing pump station capable of overcoming the required hydraulic grade. Recycled water can be used as irrigation water for agricultural and recreational (golf course) uses. The District has identified that

a total of 150 to 200 acre-feet per year (afy) of recycled water may be available, with a potential up to 250 afy.

Considering the four agencies, the recycled water from the District is unique from the other three options. If the Tribe can use the recycled water to offset current potable water demand, it was determined to be a very beneficial alternative. But it is not potable water, so it may have uses limited to irrigation and agriculture. Recycled water is also a significantly lower cost than potable water under the other alternatives, assuming the Tribe can use the Golf Course Line. As the Tribe has beneficial uses for recycled water, this Project is highly recommended.

Comparing potable water from the District and raw water from HWD is more complicated. In addition to the cost difference between the two water sources, there are several additional factors to consider. As the cost analysis for the infrastructure identifies a strong preference for receiving water from the District, these other considerations were evaluated on a non-monetary basis. The recycled water line from the District would be constructed in the same alignment as the potable water pipeline. The Tribe will experience cost savings during design and construction for these sections of pipeline that are parallel. The overall construction for receiving service from the District is less complicated than the other alternatives due to terrain and distance. This alternative provides for the highest portion of needed facilities being constructed on Reservation land and provides the least long-term operation and maintenance cost to the Tribe.

As described in detail above at the beginning of section 1.2 the development of any additional on-Reservation water supply was rejected because with new wells drilled in years following 2002, all available groundwater is currently being accessed and is at or beyond the sustainable yield, at least during drought years.

5.3 COMPARISON OF ALTERNATIVES – ENVIRONMENTAL IMPACTS

Table 5.3-1 presents a summary of the environmental impacts of the Proposed Project, the Proposed Project with mitigation incorporated (if applicable), the No Project/No Action Alternative, and the Preferred Action Table 5.3-1 summarizes the impacts as either No impact; Less than Significant Impact; Potentially Significant Impact; or Not Applicable (N/A).

Table 5.3-1 Comparison of Alternatives

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Aesthetics				
Scenic vistas; Visual character and quality; Light and glare	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Scenic resources along a State Scenic Highway	No impact	N/A	No impact	No impact
As discussed in section 3.4-I *Aesthetics*, there are no scenic highways in the Project area. Construction would occur primarily during daytime hours and any lighting necessary for construction would be directed towards installation activities and away from adjacent land uses. During construction, aesthetics would be temporarily impaired by construction equipment; however, once construction is complete, the Preferred Action would not be visible and would not result in permanent changes to scenic vistas, visual quality, or light and glare. The No Project/ No Action Alternative would not involve construction of new structures that would impede views, change visual character, or add new substantial sources of light, and thus would not result in aesthetic impacts. The Preferred Action would have temporary visual impacts during construction; however, once construction is complete the facilities would not be visible and would not result in permanent impacts. The proposed flow meter station at 11'11" x 25'10" surrounded by a 6' fence a pressure reducing station at 20'4" x 9'2" with surrounding 6' fence, and a Booster Pump Station at approximately 34'1" x 37'4" and about 12' in height with an attached secondary structure at 12'0" x 17'4"are small and unobtrusive and would not obstruct views of the surrounding landscape. Less than significant impact can be expected.				
Agriculture and Forestry				
Convert farmland; Conflict with zoning for agricultural use; Indirect conversion of farmland	No Impact	N/A	No impact	No Impact
Loss of forest use; Conflict with zoning for forest use	No impact	N/A	No impact	No impact
The Pipelines would be constructed primarily within existing roadways and some public and privately owned properties with connections to existing small water systems including onsite improvements on privately owned properties and would not result in conversion of farmland or loss of forest land. Similarly, neither the No Project/ No Action Alternative nor the Preferred Action would impact agricultural or forest land.				
Air Quality				
Consistency with AQMP; Non-attainment criteria pollutants	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Consistency with air quality standards; Sensitive receptors	Less than Significant Impact	N/A	No impact	Less than Significant Impact

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Objectionable odors	Less than Significant Impact	N/A	No impact	Less than Significant Impact
The Project would result in construction emissions and negligible operational emissions limited to maintenance vehicle trips. Construction of the Preferred Action would require earthmoving, and other activities such as removal of vegetation. The Project's construction activities' emissions are considered short-term, temporary emissions. Construction would be required to comply with dust and odor rules established by the SDAPCD. Based on the results of the analysis for air quality and review of the appropriate air quality plans and resources it is determined that the Project would not exceed thresholds for temporary construction emissions and would not conflict with or obstruct implementation of the applicable air quality plan. Sensitive receptors in the Project area are mainly single-family residences. Based on this analysis and underground water pipeline as proposed, construction impacts to air quality would be temporary in nature and would not continue during operation of the pipelines. Long term exposure to sensitive receptors to substantial pollutant concentrations would result in a less than significant impact. Construction impacts to the environment would be temporary in nature and would consist of trenching, digging and installing sections of the pipelines. Odors may result from exhaust from trucks entering and exiting the areas where construction activities are occurring, which would be temporary. It can be determined that the Project would not result in other emissions (such as those leading to odors adversely affecting a substantial number of people) and impacts would be less than significant. In the No Project/No Action Alternative there would be no construction and conditions regarding Air Quality would remain unchanged.				
Biological Resources				
Sensitive species	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with Mitigation
Sensitive habitat; Wetlands; Wildlife corridors;	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with Mitigation
Local policies and ordinances	No Impact	N/A	No impact	No impact
Habitat Conservation Plans or Natural Community Conservation Plans	Less than Significant Impact	N/A	No impact	Less than Significant Impact

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
According to the Biology Report prepared by Alden Environmental, the Area of Potential Effect (APE) would result in no impacts to Federal listed species and no additional focused surveys for Federal listed species are currently recommended. Impacts to the Preferred Action APE would remain unchanged from the CEQA evaluation. It is anticipated that impacts due to the Preferred Action would occur primarily within the existing roadway and adjacent disturbed areas. If work would impact sensitive vegetation communities, then additional focused surveys may be required (e.g. sensitive plant survey), depending upon the vegetation communities affected. Mitigation measure **BIO-1** for Nesting Bird Surveys would reduce impacts to nesting birds to less than significant. San Vicente Creek is considered jurisdictional by USACE, CDFW, RWQCB, and the County. This creek currently flows under a bridge as part of Wildcat Canyon Road. It is anticipated that any Project impacts from the pipeline would be limited to attaching facilities to the existing bridge, as opposed to physical work (trenching, grading, etc.) within the creek itself. As such, it is reasonable to expect that no direct or indirect impacts to jurisdictional resources at San Vicente Creek would occur. The Preferred Action would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Were impacts to occur within the identified communities in the Biology Report, they could be considered significant and require mitigation. Therefore, any conflicts with ordinances protecting biological resources, such as a tree preservation policy or other approved local, regional or state habitat conservation plan may require mitigation to reduce impact levels to less than significant. The No Project/No Action Alternative would not involve construction and therefore conditions would remain unchanged with no impact to biological resources.				
Cultural Resources				
Historical resources; Archaeological resources;	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with Mitigation
Human remains	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with Mitigation
An historic resources survey was conducted on August 17 and 18 and September 28, 2023. All of the resources identified during the survey are located on the Barona Indian Reservation portion of the Project and subject to federal guidelines (Section 106 of the NHPA and the NEPA). No other sites were discovered therefore, less than significant impact is expected in the APE for all portions of the alignment. If inadvertent discoveries of unknown archaeological or historic resources occur, mitigation measure **CUL-1** would reduce impacts to a less than significant level. If present, human remains could be damaged by ground disturbing activities associated with the Preferred Action. If human remains are inadvertently discovered, mitigation measure **CUL-2** would reduce impacts to a less than significant level. There is a possibility of identifying unanticipated cultural resources during ground disturbing activities associated with the Preferred Action. The No Project/No Action Alternative would not involve construction and therefore would not have the potential to disturb previously unknown cultural resources or human remains.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Energy				
Wasteful, inefficient or unnecessary consumption of energy resources	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Conflict with state or local plans for renewable energy or energy efficiency	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Construction would be conducted in compliance with local, state, and federal regulations (e.g., USEPA and the California Air Resources Board [CARB] engine emission standards, which require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption, and limitations on engine idling times, etc.). Compliance with these regulations would minimize short-term energy demand during the Project's construction to the extent feasible. Construction of the Preferred Action would comply with required energy efficiency measures and would support the *2017 Climate Change Scoping Plan* objective to reduce energy demand by improving coordination and management of water supplies. The Preferred Action would thus not conflict with state or local plans for energy efficiency and impacts would be less than significant. The No Project/No Action Alternative would not use energy for construction or operation. Energy use would remain the same as under existing conditions. The Preferred Action would thus require more construction energy, but impacts would still be less than significant with implementation of required energy efficiency measures.				
Geology and Soils				
Geological hazards; Erosion and topsoil loss; Unstable soils; Expansive soils	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Alternative wastewater disposal systems	No impact	N/A	No impact	No impact
Paleontological Resources	Less than Significant Impact	N/A	No impact	Less than Significant Impact
The Preferred Action as well as all future development would require compliance with all relevant federal, state and local regulations and building standards, including the California Building Code (CBC) and County required geotechnical reconnaissance reports and investigations. As no habitable structures are proposed with the Project, impacts from seismically induced fault rupture, ground shaking, liquefaction, and landslides would be less than significant. Expansive soils and erosion of topsoil would not put alternate wastewater disposal systems at risk as they are not a part of the Preferred Action. Also, as stated the Paleontological Assessment of the MND indicates that the entire Project alignment overlies plutonic and metavolcanic rocks, are not fossiliferous. The County of San Diego accords these rocks with no paleontological potential. The County does not require monitoring in rocks with no potential. The No Project/No Action Alternative would result in no change to current conditions as no construction would take place.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Greenhouse Gas (GHG) Emissions				
GHG emissions	Less than Significant Impact	N/A	No Impact	Less than Significant Impact
Conflict with GHG reduction plans	Less than Significant Impact	N/A	Potentially Significant Impact	Less than Significant Impact
The Project's construction activities were screened using SCAQMD Off-Road Mobile Source Emissions Factors (2024). Emissions anticipated from the Proposed Project compared to the California Air Pollution Control Officers Association (CAPCOA) significance thresholds for greenhouse gas emissions. The Project is not considered a new trip generator that would warrant a vehicle miles traveled assessment and, therefore, would not conflict with the Sustainable Communities Strategy prepared by SANDAG per SB 375. In addition, construction of the Proposed Project is estimated to emit a total of approximately 554 $MTCO_2e$ annually, below the 900 $MTCO_2e$ threshold from CAPCOA. Therefore, impacts are anticipated to be less than significant. The No Project/No Action Alternative would not involve construction and GHG impacts of operation would not change from the existing condition.				
Hazards and Hazardous Materials				
Routine handling of hazardous materials; Listed hazardous materials sites; Airport safety hazard; Wildland fire	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Accidental release of hazardous materials;	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with Mitigation
Emergency response or evacuation plans conflict	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Hazardous materials near schools	Less than Significant Impact	N/A	No impact	Less than Significant Impact
During temporary construction activities, the Preferred Action would be involved with the transport of gasoline and other petroleum-based products associated with construction equipment. These materials are considered hazardous as they could cause temporary localized soil and water contamination. Incidents of spills or other localized contamination could occur during refueling, operation of machinery, undetected fluid leaks, or mechanical failure. The Preferred Action would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. The proposed Pipelines are not within one-quarter mile of an existing or proposed school on the County portion of the Project. However, the Barona Indian Charter School on the Reservation is within a quarter mile of the south end of the proposed Pipeline. Given the temporary nature of the construction. All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all applicable federal, state, and local requirements, which would reduce impacts associated with the use and handling of hazardous materials during construction to less than significant. All construction activities involving the transportation, usage, and disposal of hazardous materials would be subject to all				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
applicable federal, state, and local requirements, as well as safety measures which would reduce impacts associated with the use and handling of hazardous materials, during construction to less than significant. The No Action Alternative current conditions would remain unchanged. There would be no construction, and there would be no impact in this area.				
Hydrology and Water Quality				
Water quality standards or otherwise degrade water quality	No impact	No impact	No impact	No impact
Groundwater supply and recharge	No impact	N/A	No impact	No impact
Drainage alterations that cause erosion/sedimentation; flooding; exceed capacity of stormwater system; redirect or impede flood flows;	No impact	N/A	No impact	No impact
In flood hazard, tsunami, or seiche zones risk release of pollutants	No impact	N/A	No impact	No impact
Conflict with or obstruct water quality control plan or sustainable groundwater management plan	No impact	N/A	No impact	No impact
As an underground pipeline installation, the Preferred Action would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. One of the main purposes of the Preferred Action is to reduce the use of limited groundwater supplies. Therefore the Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management. The underground installation of the proposed water pipelines would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces. Proposed trenching and alteration of the ground surface would be returned to its prior to construction state. There would be no increase of run-off, flood risk, stormwater drainage systems, or cause the redirection of existing flood flows. Disturbance of drainage patterns and runoff to the stormwater drainage system would be temporary and less than significant. The Project would not have an impact related to flooding risks, or seiche, tsunami, or mudflows. The No Project/No Action Alternative would not involve construction of new facilities so would not have construction or operational impacts on water quality or drainage patterns, and there would be no impact related to flooding risks, or seiche, tsunami, or mudflows. The Preferred Action would comply with the permitting requirements of the Construction General Permit and thus would have a less than significant impact on water quality. The Preferred Action would not impact groundwater supplies, as was discussed in the hydrology and water quality section of the MND. There would be no impact related to flooding risks, or seiche, tsunami, or mudflows.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Land Use and Planning				
Divide an established community;	No impact	N/A	No impact	No impact
Conflict with an applicable land use plan	No impact	N/A	No impact	No impact
The Preferred Action would not divide an established community and would not change land use, so it would not conflict with any applicable plan, policy or regulation with jurisdiction over the Project. The No Project/No Action Alternative would not divide an established community and would not change land use; thus, no impact would occur. Once constructed, the Preferred Action would not divide an established community and would comply with applicable land use plans.				
Mineral Resources				
Loss of availability of a known, valuable mineral resource or mineral resource recovery site	No Impact	N/A	No impact	No Impact
Wildcat Canyon Road north of the Barona Reservation is determined to be within an MRZ-3 zone, where mineral resources are potentially present but unknown. Implementation of the Preferred Action would not result in the loss of availability of a *known* mineral resource that would be of value to the region and residents of the state. Impacts would be less than significant because there are no known mineral resources or mineral recovery sites in the vicinity of the Project corridor. The same would be true for the Preferred Action. Under the No Project/ No Action Alternative, no construction would occur thus no impacts would occur.				
Noise				
Excessive noise; Permanent increase in noise levels; Temporary increase in noise levels; Ground-borne vibration	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with Mitigation
Aircraft noise	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Construction noise from the Preferred Action is similar to the discussion in the MND with recommended mitigation presented. There would be temporary noise exposure to any single receptor limited to a few days at most. Construction noise associated with proposed pipeline that may impact nearby residents' impacts are considered potentially significant, so noise control measures would be employed to ensure that impacts are less than significant. Operation of the Preferred Action would not generate perceptible noise. The No Project/No Action Alternative would not entail construction of new facilities and would thus have no temporary or permanent noise impacts. The impacts from temporary construction noise and vibration for the Preferred Action would be less than significant with implementation of recommended mitigation discussed in the MND; there would be no operational noise impacts, and impacts associated with aircraft noise would be less than significant.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Population and Housing				
Population growth	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Displacement of housing or people	No impact	N/A	No impact	No impact
Implementation of the Preferred Action would not induce substantial *unplanned* population growth in the area, either directly or indirectly. The Project is in effect a *plan* to sustainably increase the availability of water resources (potable and recycled) as the tribal population grows, increasing demand. Impacts resulting from implementation of the Project are expected to be less than significant. The Preferred Action would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. The No Project/No Action Alternative would not include new facilities and would not induce population growth. There are no impacts associated with either alternative.				
Public Services / Recreation				
Fire protection services; Police protection services	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Schools; Other services-libraries	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Recreational facilities	Less than Significant Impact	N/A	No impact	Less than Significant Impact
The Project would not require additional or unusual fire or police protection resources or change existing demand for public services. The Preferred Action does not propose new recreational facilities that would impact the environment. Impacts to public services or recreation associated with the Preferred Action would be temporary during construction and would be considered less than significant. There would also be no impacts from the No Project/No Action Alternative or the Preferred Action.				
Transportation				
Circulation system performance; Emergency access	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with mitigation
Consistency with CEQA Guidelines section 15064.3 subdivision (b) (VMT); Traffic hazards	No impact	N/A	No impact	No impact

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Construction would require lane closures for pipeline construction and would generate only minimal vehicle trips for construction workers. To ensure that potential traffic impacts are less than significant, the Preferred Action would implement transportation mitigation measures, including notifying emergency service providers and schools, implementing a traffic control plan, and avoiding high volume intersections. The buried pipelines would not result in traffic hazards. The No Project/ No Action Alternative involves no construction and would not impact traffic circulation, emergency access, VMT, alternative transportation facilities, or create traffic hazards. The Preferred Action would implement mitigation recommended in the MND to minimize construction impacts on congestion, traffic, and emergency vehicle access. The Preferred Action would not have a permanent impact involving VMT or traffic hazards.				
Tribal Cultural Resources				
Tribal Cultural Resources	Potentially Significant Impact	Less than Significant Impact	No impact	Potentially Significant / Less than Significant with Mitigation
No Comments were received in response to the tribal notification letter send June 18, 2024. Although no tribal cultural resources have been identified in the Project area, there is always the potential for undiscovered resources to be encountered during construction. To reduce the potential impacts on tribal cultural resources, the Preferred Action would implement mitigation measures including archaeological monitoring and best practices in the event of an unanticipated discovery of cultural resources and/or human remains during Project construction. Implementation of cultural resources mitigation measures would reduce impacts to less than significant. The No Project/No Action Alternative would not impact tribal cultural resources because it would not involve ground-disturbing activities.				
Utilities and Service Systems				
Construction of new utilities causing environmental effects	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Sufficient water supply	Less than Significant Impact	N/A	No impact	Less than Significant Impact
Wastewater treatment capacity	No impact	N/A	No impact	No impact
Solid waste capacity; Solid waste compliance	Less than Significant Impact	N/A	No impact	Less than Significant Impact
The Preferred Action includes new water lines but construction would not have significant environmental effects; no new wastewater, stormwater, power, or telecommunications facilities would be required. The District has determined that it has sufficient water supplies to serve the new service connections associated with the Project. The Preferred Action would not require wastewater treatment capacity. Construction would generate a minimal amount of excess soils that would be reused onsite to the extent feasible; there would be no long-term solid waste generated by the Preferred Action therefore impacts would be less than significant. The No Project/ No Action Alternative would not include construction of any facilities and would have no additional demands for water, wastewater or solid waste facilities.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Wildfire				
Impair an adopted emergency response or evacuation plan	Potentially Significant / Less than Significant with Mitigation	Less than Significant Impact	No Impact	Potentially Significant / Less than Significant with Mitigation
Exacerbate wildfire risk due to slope, prevailing winds, or other factors	Less than Significant Impact	N/A	No Impact	Less than Significant Impact
Exacerbate wildfire risk due to required installation or maintenance of associated infrastructure	No Impact	N/A	No Impact	No Impact
Expose people or structures to risks resulting from runoff, post-fire slope instability, or drainage changes	No Impact	N/A	No Impact	No Impact
The County portion of the Preferred Action is in a Very High Fire Hazard Severity Zone, therefore standard fire safety practices would be used during construction. The Project would not cause an impact due to slope, prevailing winds, and other factors. Nor would the Project exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire. Thus, no impacts are expected related to exacerbation of wildfire risk. The No Project/No Action Alternative would involve no construction and would thus have no impacts associated with exacerbation of wildfire risk and would not impact emergency response or evacuation plans. The Preferred Action construction could impede emergency access vehicles, mitigation measure **TRA-1** is recommended in order to reduce possible access impacts to a less than significant level. The Preferred Action is not expected to result in significant impacts associated with exacerbation of wildfires.				
Federal Cross-Cutters				
Federal Endangered Species Act	**Comply**	**Comply**	**No Impact**	**Comply**
According to the Biology Report prepared by Alden Environmental, the area of potential effect would result in no impact to Federal listed species and no additional focused surveys for Federal listed species are currently recommended. If the USFWS lists the spadefoot toad then focused surveys for that species may be required. Additional focused surveys for sensitive species may be required, depending upon the final Project alignment and regulatory agency input. The Preferred Action is not expected to result in direct or indirect impacts on special-status plant species. Mitigation measure **BIO-1** would minimize potential impacts on protected nesting birds. The No Project/ No Action Alternative would involve no construction and thus would not impact sensitive species. The Preferred Action would not jeopardize listed species.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
National Historic Preservation Act, Section 106	**Comply**	**Comply**	**No impact**	**Comply**
The Cultural Resources survey identified five previously unrecorded prehistoric bedrock milling sites (Temp-1 to Temp-5) and one prehistoric isolate (Iso-1). Through a review of the APE, it was determined that Temp-1 and Iso-1 are well outside of the alignment and will not be impacted by the undertaking. However, Temp-2 to Temp-5 are located within or directly adjacent to the APE alignment and require testing and significance evaluations. All of the resources identified during the survey are located on the Barona Indian Reservation portion of the Project. The Preferred Action would implement mitigation measures in the event of unanticipated discovery of cultural resources or human remains. The No Project/ No Action Alternative would not affect undisturbed soils or historical resources. The Preferred Action would conduct a cultural resources assessment, implement mitigation measures to reduce impacts to a less than significant level.				
Clean Air Act	**Comply**	**N/A**	**No impact**	**Comply**
The results of the air quality modeling showed that temporary construction pollutant emissions would not exceed federal General Conformity *de minimis* thresholds and impacts were less than significant; the Preferred Action would be in compliance with the Federal Clean Air Act (CAA). The No Project/ No Action Alternative would result in no changes to existing emission and air quality. For the Preferred Action, impacts to air quality from construction emissions is expected to comply with the CAA.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Clean Water Act	**Comply**	**N/A**	**No Impact**	**Comply**
The two pipelines of the current Project cross San Vicente Creek off the Barona Indian Reservation and a tributary of Padre Barona Creek on the Barona Indian Reservation. This segment of San Vicente Creek does meet the current definition of "waters of the United States" as "relatively permanent, standing or continuously flowing bodies of water" 33 C.F.R. Section 328.3(a)(3), and 40 C.F.R. Section 120.2(a)(3). The on-reservation Padre Barona Creek and its tributary are both ephemeral streams due to lack of a relatively continuous surface flow or connection to an intermittent or continuously flowing watercourse, and flow only during or in direct response to precipitation. Therefore, the CWA does not directly apply to the segment of the Project on the Barona Indian Reservation, and no permit is needed from the U.S. Army Corps of Engineers or any other federal agency under the CWA for that segment of the Project.				
Coastal Zone Management Act	**N/A**	**N/A**	**N/A**	**N/A**
No portion of the Preferred Action area, the No Project/ No Action Alternative Area, nor the Preferred Action area are within the coastal zone. Therefore, the Coastal Zone Management Act does not apply.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Farmland Protection Policy Act (FPAA)	**Comply**	**N/A**	**No impact**	**Comply**
Neither the Preferred Action, No Project/ No Action Alternative, nor the Preferred Action are located in areas currently under agricultural production. The Project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. The Proposed Project and Alternatives would not conflict with State, local, and private programs and policies to protect farmland and would be in compliance with the FPAA.				
Executive Order 11988 – Floodplain Management	**Comply**	**N/A**	**No impact**	**Comply**
The Preferred Action pipelines would be located underground and would not interfere with floodplain management or expose people or structures to a significant flooding risk. As such, the Project would be in compliance with Executive Order 11988. Likewise, the No Project/ No Action Alternative and the Preferred Action would not expose people or structures to significant flood-related risk.				
Federal Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Executive Order 13168	**Comply**	**Comply**	**No impact**	**Comply**
The Preferred Action would have less than significant impact on protected birds with implementation of mitigation if construction cannot be avoided during the nesting season. The No Project/ No Action Alternative would involve no construction and would not be expected to affect protected birds. The Preferred Action with the incorporation of mitigation to protect nesting birds, would have a less than significant impact.				
Executive Order 11990 – Protection of Wetlands	**Comply**	**N/A**	**No impact**	**Comply**
The Preferred Action does not involve construction within federally protected wetlands as defined by Clean Water Act (CWA) Section 404. The Proposed Project would utilize trenchless crossing of the San Vicente Creek in order to avoid direct impacts to wetlands. Similarly, the Preferred Action would involve trenchless crossing of San Vicente Creek by attaching the pipelines to the underside of the bridge from the bridge deck. Impacts to CDFW jurisdictional resources may require a Lake and Streambed Alteration (LSA) agreement via California Fish and Game Code Section 1602. Impacts to RWQCB jurisdictional resources may require a Water Quality Certification under Section 401 of the Federal CWA. The actual permitting requirement would depend on the type and amount of jurisdictional resource impacts in the County. The No Project/No Action Alternative would not involve construction and would not impact federally protected wetlands.				
Wild and Scenic Rivers Act	**N/A**	**N/A**	**N/A**	**N/A**
There are no designated Wild and Scenic Rivers within the Project area. Implementation of the Preferred Action, as well as the No Project/ No Action alternative would result in no impact.				

Issue Areas	Proposed Project (CEQA)		Alternatives (NEPA)	
	MND Findings	With Mitigation	No Project/ No Action	Preferred Action
Safe Drinking Water Act – Source Water Protection	**N/A**	**N/A**	**N/A**	**N/A**
There are no sole-source aquifers in the project area. Implementation of the Preferred Action, as well as the No Project/ No Action alternative would result in no impact.				
Executive Order on Trails for America in the 21st Century	**N/A**	**N/A**	**N/A**	**N/A**
There are no trails in the Project area. Implementation of the Preferred Action, as well as the No Project/ No Action alternative would result in no impact.				
Executive Order 13007 – Indian Sacred Sites	**N/A**	**N/A**	**N/A**	**N/A**
Implementation of the Preferred Action, as well as the No Project/ No Action alternative would result in no impact. No part of the Preferred Action would be located on or impact any federal land that is identified as an Indian sacred site.				
Magnuson-Stevens Fishery Conservation and Management Act	**N/A**	**N/A**	**N/A**	**N/A**
The Preferred Action is not located in, nor would it impact any U.S. federal waters regulated under the Magnuson-Stevens Act. The Proposed Action is not expected to have an adverse effect on Essential Fish Habitat, migratory fish, wildlife species, or fish habitat in a protected area. Similarly, the No Project/ No Action Alternative would not affect Essential Fish Habitat or waters regulated under the Magnuson-Stevens Act.				
Environmental Justice	**Comply**	**N/A**	**Comply**	**Comply**
The Preferred Action alignment of the water pipelines would be located within approximately 3,000 feet within the right of way on San Vicente Road and Wildcat Canyon Road which is within the County of San Diego. According to the County of San Diego General Plan - *Chapter 9 Environmental Justice Element*, this area which is immediately south of Ramona is not considered Environmental Justice Area. However, the majority of the Project alignment would be located on the Barona Reservation. The United States Environmental Protection Agency (USEPA or EPA) has a policy regarding how it works with native peoples, entitled *EPA Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples.* That Policy calls for and defines Environmental Justice and Fair Treatment of native peoples. The Preferred Action would have short-term construction impacts but would achieve the long-term goal of supplying a safer, more reliable water supply to this community. The No Project/ No Action Alternative would have no impacts but would result in no benefits to the community. Therefore, the Preferred Action would have short-term impacts but would result in long-term benefits to the community.				

6.0 CUMULATIVE IMPACTS

6.1 REGULATORY FRAMEWORK

According to the CEQA guidelines section 15130; where a lead agency is examining a Project with an incremental effect that is not "cumulatively considerable," a lead agency need not consider that effect significant but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable. As defined in Section 15355, a cumulative impact consists of an impact which is created as a result of the combination of the project together with other projects causing related impacts.[54] Under NEPA the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions shall be addressed (40 CFR section 1508.7)[55]

6.2 PROPOSED/PREFERRED ACTION

The Preferred Action for the entirety of the Project includes trenching and placing pipelines underground, then covering to bring surface back to existing condition. No grading will be performed, and no cut and fill is proposed. All soil to remain onsite. Cumulative impacts would occur if the incremental effects of the Project are considerable when viewed in connection with the effects of past or present projects, and reasonably foreseeable future actions. No evidence has been identified that would result in the Project contributing to environmental impacts in this way. Impacts would be minimal and temporary.

6.3 NO ACTION ALTERNATIVE

Under the No Action Alternative, the Project would not be implemented, and there would be no change to current conditions, thus no cumulative impact with past or present projects, and reasonably foreseeable future actions.

There would be no significant cumulative impacts based on incremental effects of the Project when viewed in connection with the effects of past projects. No mitigation measures are necessary.

[54] Association of Environmental Professionals, 2024 CEQA Guidelines
[55] Report - Considering Cumulative Effects Under NEPA (doe.gov)

7.0 CONSTRUCTION IMPACTS

The proposed water pipelines off-Reservation will run roughly parallel to each other as well as to Barona Road which runs north to south through the Reservation. The 8-inch recycled water pipeline will begin at the San Vicente Wastewater Reclamation Plant on San Vicente Road approximately 0.23 miles east of the intersection of San Vicente Road and Wildcat Canyon Road and run westward to Wildcat Canyon Road turn southward and run parallel with the 12-inch pipeline. The potable water 12-inch pipeline will begin at the intersection of San Vicente Road and Wildcat Canyon Road within the right of way of Wildcat Canyon Road passing by several residential parcels zoned A70 under the jurisdiction of San Diego County and travel southeastward approximately 0.37 miles to the northern boundary of and onto the Barona Indian Reservation. After approximately 0.35 miles of the on-Reservation portion of the Project the pipelines would turn eastward towards the Giant San Diego Paintball Park before turning south and southwest to the proposed terminus near the intersection of Wildcat canyon Road and Barona Road across from the Barona Indian Charter School, just north of the Barona Fire Department. This alignment traverses vacant lands scattered local farmland and residential development (more concentrated in the south end) for approximately 500 residents.

Project construction activities include trenching and placing pipelines underground, then covering to bring the ground surface back to existing condition. No grading will be performed, and no cut and fill is proposed. All soil excavated is to remain onsite and used for backfilling. Equipment used for both the on-Reservation and off-Reservation sections of the pipeline installation will be similar and will include excavators, dump truck, water truck, and front loaders. For the bridge installation of the pipeline, a snooper truck will be needed which is a truck with a crane that has a working platform attached to the arm that allows work from the bridge.

The Project as proposed would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. However, temporary construction activities may impact businesses and residents where the pipeline is being installed within the right of way. Mitigation Measure TRA-1 from section 3.4-XVII is recommended in order to reduce these impacts to a less than significant level.

8.0 LIST OF PREPARERS

Table 8.1 List of Preparers of this Environmental Assessment and Initial Study			
Name	Agency or Company	Title	Responsibilities
Art Bunce	Bunce Law	Attorney	Representative of Project applicant
Erica Wolski	Ramona Municipal Water District	General Manager	Lead Agency for CEQA
Sheilla Alvarez	Barona Band of Mission Indians	Director of Government Affairs	Responsible Agency for CEQA U.S. Department of Housing and Urban Development as delegated to Barona Band of Mission Indians, Lead Agency for NEPA
Cheryl Tubbs	Lilburn Corp.	Principal	QA/QC EA/IS-MND
Anthony DeLuca	Lilburn Corp.	Project Manager	Preparation of the EA/IS-MND
Andrew Garrison	BFSA Environmental Services, a Perennial Company	Project Archaeologist	Section 106 Historic Resources Study, Archaeological investigation and report preparation
Jenni Stropes	BFSA Environmental Services, a Perennial Company	Principal Historian	Paleontological investigation and report preparation.
Brian Lohstroh	Alden Environmental, Inc.	Biologist	Biological investigation and report preparation.
Roma Stromberg	Ganddini Group, Inc.	Senior Associate	Preparation of the Noise Study

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10.0 MITIGATION MEASURES

Section IV Biological Resources:

- **BIO-1:** Nesting Bird Surveys. Nesting bird nesting season generally extends from February 1 through September 15 in southern California and specifically, March 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to Project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage, and expected types, intensity, and duration of the disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.
- **BIO-2:** Revegetation. To compensate for these temporary impacts could include revegetating the impacted vegetation in place following construction in accordance with a County-approved Revegetation Plan.

Section V Cultural Resources

CUL-1: Unanticipated discovery of previously unknown archaeological or historical materials could occur during ground-disturbing activities. If any subsurface cultural resources are encountered during earth-moving activities, all work within 50 feet shall be halted and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology to evaluate the significance of the find and recommend appropriate treatment for the resource. Prehistoric materials can include flaked-stone tools (e.g., Projectile points, knives, choppers) or obsidian, chert, or quartzite toolmaking debris; culturally darkened soil (i.e., midden soil often containing heat-affected rock, ash, charcoal, shellfish remains, and cultural materials); and stone milling equipment (e.g., mortars, pestles, handstones). Historical materials might include wood, stone, or concrete footings, walls, and other structural remains; debris-filled wells or privies; and deposits of wood, metal, glass, ceramics, and other refuse. The archaeologist will evaluate the find in accordance with state and local guidelines, including those set forth in the California Public Resources Code Section 21083.2. Depending upon the nature of the find, if the discovery proves to be potentially significant under CEQA, as determined by the qualified archaeologist, additional work such as data recovery excavation, avoidance of the area of the find, documentation, testing, data recovery, reburial, archival review and/or transfer to the appropriate museum or educational institution, or other appropriate actions may be warranted at the discretion of the qualified archaeologist. After the find is appropriately mitigated, work in the area may resume.

- **CUL-2:** Should human remains be identified during ground-disturbing activities related to the implementation of the Proposed Project, whether during construction, maintenance, or any other activity, State Public Resources Code Section 5097.98, CEQA Section 15064.5 and Health & Safety Code Section 7050.5 and County-mandated procedures will be followed for the treatment and disposition of those remains, as follows.

- The Property Owner or their representative shall contact the County Coroner and the PDS Staff Archaeologist.
- Upon identification of human remains, no further disturbance shall occur in the area of the find until the County Coroner has made the necessary findings as to origin. If the human remains are to be taken offsite for evaluation, they shall be accompanied by the Diegueño Native American monitor.
- If the remains are determined to be of Native American origin, the NAHC shall immediately contact the Most Likely Descendant (MLD).
- The immediate vicinity where the Native American human remains are located is not to be damaged or disturbed by further development activity until consultation with the MLD regarding their recommendations as required by Public Resources Code Section 5097.98 has been conducted.
- The MLD may with the permission of the landowner, or their authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

Section IX Hazards and Hazardous Materials

- **See Mitigation Measure TRA-1**

Section XIII Noise:

- **NOI-1:** All equipment, whether fixed or mobile, will be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.
- **NOI-2:** All stationary construction equipment will be placed so that emitted noise is directed away from the noise sensitive receptors nearest the Project site.
- **NOI-3:** As applicable, all equipment shall be shut off and not left to idle when not in use.
- **NOI-4:** To the degree possible, equipment staging will be located in areas that create the greatest distance between construction-related noise and vibration sources and existing sensitive receptors.
- **NOI-5:** Jackhammers, pneumatic equipment, and all other loud portable stationary noise sources will be directed away and shielded from existing residences in the vicinity of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They should reach up from the ground and block the line of sight between equipment and existing residences. The shielding should be without holes and cracks.
- **NOI-6:** No amplified music and/or voice will be allowed on the project site.
- **NOI-7:** Haul truck deliveries will not occur between the hours of 7:00 PM and 7:00 AM.
- **NOI-8:** Delivery trucks shall not arrive in the vicinity before 7:00 AM and idle near sensitive receptors.

- **NOI-9:** Noise monitoring shall be conducted by a qualified noise consultant at the property line of representative occupied land uses that are within the 75 dB L_{eq} noise contour as shown in *Figures 6-11* of Appendix F, during typical construction activities. The measurement shall be conducted over an 8-hour period in order to determine if the 75 dBA L_{eq} (8-hour) standard is violated. If after several noise measurements (3) have been conducted, it is apparent that the mix of equipment and timing of usage will not exceed 75 dBA L_{eq} (8-hour) the noise consultant shall provide a letter report documenting the noise measurements and findings and recommendations as to whether or not continued noise monitoring is necessary.

  If noise monitoring does show that construction noise levels exceed the 8-hour Leq standard at occupied properties located within the 75 dBA noise contour, the contractor will implement measures to reduce construction noise levels to below 75 dBA L_{eq} (8-hour) between 7:00 AM and 7:00 PM, on any occupied property located within the 75 dBA noise contour (as measured at the property line).

  - If needed, temporary noise barriers will be installed to block the line of sight between the noise source(s) and the occupied property. These barriers shall be of sufficient height to block the line of sight between the source(s) and receptor(s) based on recommendations of a competent noise professional.
  - If needed, temporary barriers will be solid, with no holes or gaps, from the ground to the heigh determined by the on-site noise professional.
  - For stationary equipment, temporary barriers will also be solid with no holes or gaps, except for openings that are necessary to access the equipment.

- **NOI-10:** Noise *Compliance with County Ordinance 36.410 - Sound Level Limitations on Impulsive Noise*

  82 dBA L_{25}

  Noise monitoring shall be conducted by a qualified noise consultant at the property line of representative occupied residential land uses that are within the 82 dB L_{25} noise contour as shown in *Figures 6-11* of Appendix F, during typical construction activities. Measurements shall be conducted over a 1-hour period in order to determine if the 82 dBA L_{25} standard is violated at occupied residential, village, or civic land uses. If after several noise measurements (3) have been conducted, and it is apparent that the mix of equipment and timing of usage will not exceed this standard, the noise consultant shall provide a letter report documenting the noise measurements and findings and recommendations as to whether or not continued noise monitoring is necessary.

  If noise monitoring does show that construction noise levels exceed 82 dBA L_{25} standard at occupied residential, village, or civic land uses, the contractor will implement the following measures:

  - If needed, temporary noise barriers will be installed to block the line of sight between the noise source(s) and the occupied property. These barriers shall be of sufficient height to block the line of sight between the source(s) and receptor(s) based on recommendations of a competent noise professional.
  - If needed, temporary barriers will be solid, with no holes or gaps, from the ground to the heigh determined by the on-site noise professional.

- For stationary equipment, temporary barriers will also be solid with no holes or gaps, except for openings that are necessary to access the equipment.

85 dBA L_{25}

Noise monitoring shall be conducted by a qualified noise consultant at the property line of representative occupied residential land uses that are within the 85 dB L_{25} noise contour as shown in *Figures 6-11* of Appendix F, during typical construction activities. Measurements shall be conducted over a 1-hour period in order to determine if the 85 dBA L_{25} standard is violated at occupied agricultural, commercial or industrial land uses. If after several noise measurements (3) have been conducted, and it is apparent that the mix of equipment and timing of usage will not exceed this standard, the noise consultant shall provide a letter report documenting the noise measurements and findings and recommendations as to whether or not continued noise monitoring is necessary.

If noise monitoring does show that construction noise levels exceed 85 dBA L_{25} standard at occupied residential, village, or civic land uses, the contractor will implement the following measures:

- If needed, temporary noise barriers will be installed to block the line of sight between the noise source(s) and the occupied property. These barriers shall be of sufficient height to block the line of sight between the source(s) and receptor(s) based on recommendations of a competent noise professional.
- If needed, temporary barriers will be solid, with no holes or gaps, from the ground to the heigh determined by the on-site noise professional.
- For stationary equipment, temporary barriers will also be solid with no holes or gaps, except for openings that are necessary to access the equipment.

For impulsive noise, the measurement period shall be one-hour. During the measurement period a measurement shall be conducted every minute from a fixed location on an occupied property. The measurements shall measure the maximum sound level during each minute of the measurement period. If the sound level caused by construction equipment or the producer of the impulsive noise exceeds the maximum sound level for any portion of any minute, it will be deemed that the maximum sound level was exceeded during that minute.

- **NOI-11:** Avoid construction activities within the mapped 60 dBA L_{eq} construction noise contour (*Figure 11* of Appendix F) during the least Bell's vireo breeding season; OR
- **NOI-12:** If least Bell's vireo are not detected during the protocol survey, a qualified biologist shall submit substantial evidence to the City and applicable resource agencies which demonstrates whether or not mitigation measures such as noise walls are necessary as follows: 1) If this evidence indicates the potential is high for least Bell's vireo or southwestern willow flycatcher to be present based site conditions, then mitigation NOI-13 shall be implemented as specified below. 2) If this evidence concludes that no impacts to this species are anticipated, no mitigation measures will be necessary.
- **NOI-13:** If least Bell's vireo is detected during required pre-construction surveys, a qualified acoustical professional shall design mitigation to reduce construction noise levels to 60 dBA L_{eq} or to ambient noise levels (whichever is louder) at the edge of mapped least Bell's vireo

nesting sites. Mitigation may include but is not limited to strategic placement of temporary noise barriers, berms, walls, sound blankets, or strategic placement of large trucks.

Noise monitoring shall be conducted concurrent with implementation of any necessary noise attenuation measures and throughout construction activities within the vicinity of mapped least Bell's vireo nesting sites, to ensure that noise levels from construction activities do not exceed 60 dBA hourly average or the dBA of ambient noise level should they be greater than 60 dBA hourly average (i.e., whichever is greater). If the noise attenuation techniques implemented are determined to be inadequate by the qualified acoustician, then the associated construction activities shall cease until such time that adequate noise attenuation is achieved until the end of the breeding season or until the fledgling birds have left the nest, whichever occurs first.

- **NOI-14:** Where the placement of stationary equipment is necessary to perform construction activities and the equipment would result in noise levels exceeding ambient levels or 60 dBA L_{eq}, whichever is higher, in the vicinity of nest sites, noise shrouds, sound blankets or screening walls will be used to reduce sounds levels from the equipment to ambient conditions or 60 dBA, whichever is higher. A qualified noise consultant will be consulted in order to verify the effectiveness of said mitigation.
- **NOI-15:** The use of large bulldozers shall be avoided within 14 feet of existing structures and the use of vibratory rollers shall be avoided within 25 feet of existing structures. A small bulldozer is an acceptable alternative.

Section XVII: Transportation:

- **TRA-1:** Construction activities may impact access to or from adjacent land uses. Therefore, residents and businesses should be notified of potential obstructions. Blocked access to nearby properties would require advance coordination with property owners and tenants. Contractor shall submit a Traffic Control Plan to the County and the Tribe to include:
  - Identification of construction staging site locations and potential road closures,
  - Alternate routes of traffic detours, including emergency response contact information,
  - Planned routes for construction-related vehicle traffic (haul routes), and
  - Identification of alternative safe routes to maintain pedestrian safety during construction.

Section XVIII Tribal Cultural Resources:

- **See Mitigation Measures CUL-1 and CUL-2**

Section XX Wildfire:

- **See Mitigation Measures TRA-1**