

STAFF REPORT



ITEM NO. 12
CITY OF OCEANSIDE

DATE: July 9, 2008
TO: Honorable Mayor and City Councilmembers
FROM: Water Utilities Department
SUBJECT: **ADOPTION OF A RESOLUTION CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE INTEGRATED WATER UTILITIES MASTER PLAN AND ADOPTION OF THE INTEGRATED WATER UTILITIES MASTER PLAN AND ASSOCIATED FINANCIAL PLAN**

SYNOPSIS

Staff and the Utilities Commission recommend that the City Council adopt a resolution certifying the Final Program Environmental Impact Report for the Integrated Water Utilities Master Plan, adopt the Integrated Water Utilities Master Plan and adopt the associated Financial Plan.

BACKGROUND

As part of the California Environmental Quality Act (CEQA) compliance process, the City was required to develop a Program Environmental Impact Report (PEIR) for the Integrated Water Utilities Master Plan. On June 20, 2007, the City Council approved a professional services agreement with RECON Environmental, Inc., of San Diego, to prepare the PEIR. The final PEIR was completed in April 2008. Staff requests that the City Council adopt a resolution certifying the Final Program Environmental Impact Report (Exhibit A).

On January 19, 2005, the City Council approved a professional services agreement with Carollo Engineers to prepare the draft Integrated Water Utilities Master Plan (IWUMP), which is an update of the 1999 water and wastewater master plans. The IWUMP contains separate volumes for the Water Master Plan, the Wastewater Master Plan, the Reclaimed Water Master Plan, the Sanitary Sewer Management Plan, the Information Technology Master Plan and the Financial Plan. The draft master plans are complete and available for review in the Water Utilities Department.

The 1999 Financial Plan was updated as part of the project. The Utilities Commission advertised for volunteers from all customer groups to serve on a Citizens Advisory Committee (CAC). The CAC met from May 2006 until June 2007. Its task was to conduct a thorough review of the IWUMP that defines the operational and maintenance

requirements of the water and wastewater systems, the capital improvements necessary to meet known new health, security, safety and legal requirements and to support planned Oceanside growth for the next 20 years. The CAC then participated in the development of a financing plan needed to support the early years of the IWUMP.

The CAC's findings and recommendations are found in the Oceanside Water Utilities Department Citizens Advisory Committee Report dated June 4, 2007, and in the proposed Integrated Water Utilities Master Plan Financial Plan. The draft Financial Plan was revised by adding a new section with updated revenue requirements for 2008-2009 and revised projections for 2007-2008 operating and capital project expenditures. A copy of the IWUMP summary and the updated Financial Plan summary were distributed to Council on June 18, 2008.

ANALYSIS

Final Program Environmental Impact Report on the Integrated Water Utilities Master Plan

The attached Candidate Findings regarding the Final Program Environmental Impact Report (PEIR) on the Integrated Water Utilities Master Plan analyzed the following issues:

1. Biological resources
2. Landform alteration/visual aesthetics
3. Air quality/odor
4. Traffic circulation
5. Noise
6. Paleontology
7. Hazards and public safety
8. Cultural resources

The PEIR identifies specific projects for mitigation at the project implementation stage and sets criteria for subsequent mitigation that would reduce significant effects to below a significant level. The appropriate environmental mitigation for each issue is described in the Mitigation Monitoring and Reporting Program that is attached to the proposed PEIR resolution.

Integrated Water Utilities Master Plan

The Integrated Water Utilities Master Plan is comprised of detailed analyses of the City of Oceanside's existing and future land use, projected population, water and wastewater demands, water supply, distribution and storage, recycled water and groundwater recharge, wastewater collection system, treatment plants and lift stations, ocean outfall and groundwater basin. The IWUMP provides a detailed plan for the City of Oceanside's Water Utilities Department for the next twenty years. Below are summaries of the individual components of the IWUMP.

Water Master Plan

The Water Master Plan evaluates the existing system, current and potential sources of water, and regulatory compliance. Current and future water supplies based on land use and population in the City, historic demands, and regional population growth projections are reviewed. Computer modeling was used to analyze distribution facilities needed to meet growth projections. The plan proposes phased improvements including upgrades to existing facilities and the construction of new facilities required to meet the future needs of the City. The phase I water capital projects and estimated costs are:

Pipeline replacements for fire flow	\$22.6 million
Reservoir expansion and upgrades for system storage	\$17.9 million
Weese Treatment Plant expansion and upgrades	\$33.1 million

Wastewater Master Plan

The Wastewater Master Plan evaluates the existing system, including design criteria and capacity of the collection, treatment and disposal systems. Computer modeling was used to determine the need for expanded or new facilities, such as major interconnecting sewers, lift stations, and wastewater treatment plants. Existing and future regulatory compliance requirements were considered for proposed capital improvement projects. The plan proposes phased improvements including upgrades to existing facilities and the construction of new facilities required to meet the future needs of the City. The Wastewater phase I capital projects and estimated costs are:

Collection system upgrades	\$5.7 million
Lift station upgrades	\$13.5 million
La Salina Wastewater Treatment Plant upgrades	\$10.9 million
Land Outfall replacement	\$18.3 million

Recycled Water Master Plan

The Recycled Water Master Plan reviews the existing recycled water system and the current regulations regarding the treatment and use of recycled water. Potential recycled water users and their demand were identified as well as a distribution system to serve new customers. Alternative treatment technologies and cost analyses for each phase of the proposed plan is included. Phase I of the Recycled Water Master Plan is the expansion of the San Luis Rey recycled water facility at a cost of \$4.6 million.

Sanitary Sewer Management Plan

The Sanitary Sewer Management Plan was prepared in response to regulatory requirements that jurisdictions effectively manage sanitary sewer systems and reduce overflows. The plan reviews the existing sanitary sewer management program, evaluates the City's compliance with current and proposed regulations, identifies areas where the system is not in compliance with state regulations and the City's zero-spill

policy, and proposes measures to bring the City into compliance with all regulations. The phase I sanitary sewer projects and costs are:

Televise sewer lines	\$1.8 million
Add vactor truck and crew	\$510,000

Information Technology Master Plan

The Information Technology Master Plan evaluated existing methods and procedures to collect, disseminate and store information throughout the department. An inventory of current software and hardware systems was performed. Staff was interviewed to determine technology needs. Recommendations on streamlining workflow processes by upgrading software and hardware are included in this plan. Phase I of the Information Technology Master Plan consists of technology upgrades at a cost of \$1.3 million.

Financial Plan

The Financial Plan identifies current and future revenue needs to support operations and maintenance of the systems and capital projects required for system improvements and expansion for the next 20 years. It includes a methodology to set and adjust equitable rates and fees. After intensive review by a Citizens Advisory Committee and the Utilities Commission, the following recommendations are included in the Financial Plan:

- Implementation of the capital improvement projects as listed in the IWUMP.
- Implementation of fiscal policies including 125 percent debt coverage; exclusion of buy-in fee revenue from the debt coverage calculation; maintenance of a minimum operating fund balance of 45 days.
- Adoption of annual user rate, buy-in fee, and pass-through charge increases that will provide the necessary funding to recover the rising costs of wholesale water, operation and maintenance of the systems, planned projects as described in the IWUMP and to meet debt coverage required by City bond covenants.

Conservation Master Plan and Strategic Plan

On June 25, 2008, a workshop was held to present the Integrated Water Utilities Plan. During this workshop staff received direction from the City Council to develop a comprehensive Conservation Master Plan and Strategic Plan for the Water Department's water portfolio encompassing the next 20 to 25-years. When completed, staff will bring these plans before City Council for their approval.

FISCAL IMPACT

The Integrated Water Utilities Master Plan provides a twenty-year plan to meet the water and wastewater system requirements of Oceanside. The documents are based on assumptions about land use, population growth, water and wastewater demands, and other variables which will affect the City's capital improvement and fixed asset

replacement funding. The Financial Plan, developed in conjunction with the IWUMP, is a multiyear funding strategy for both utilities that considers operating and maintenance costs, debt service obligations, capital improvement needs, current and future rates and system buy-in fees. Any increases in user rates and system buy-in fees must comply with the Proposition 218 requirement that the City must mail a notice at least 45 days in advance to all utility bill customers with a public hearing date and the amount of the rate increases. Customers then have 45 days to submit a written protest of the rate increases.

COMMISSION OR COMMITTEE REPORT

The Citizens Advisory Committee on the Integrated Water Utilities Master Plan and Financial Plan approved staff's recommendation at its June 4, 2007 meeting. The Utilities Commission reviewed and approved the CAC's and staff's recommendation at its meeting on July 10, 2007.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

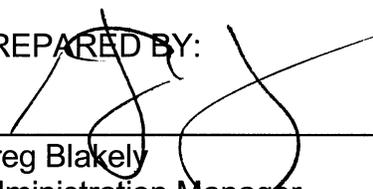
INSURANCE REQUIREMENTS

Does not apply.

RECOMMENDATIONS

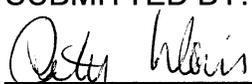
Staff and the Utilities Commission recommend that the City Council adopt a resolution certifying the Final Program Environmental Impact Report for the Integrated Water Utilities Master Plan, adopt the Integrated Water Utilities Master Plan and adopt the associated Financial Plan.

PREPARED BY:



Greg Blakely
Administration Manager

SUBMITTED BY:



Peter A. Weiss
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Lonnie Thibodeaux, Water Utilities Director

Teri Ferro, Financial Services Director



Exhibit A: Proposed Resolution adopting the IWUMP PEIR (with Findings and Mitigation Monitoring Program)

1 on the project. The Final Program Environmental Impact Report and Mitigation and
2 Monitoring and Reporting Program have been determined to be accurate and adequate
3 documents which reflect the independent judgment of the City Council.

- 4 4. The documents that constitute the record of the proceedings upon which this decision is
5 based are located in the City of Oceanside Planning Department, 300 North Coast
6 Highway, Oceanside, California 92054.

7 NOW, THEREFORE, the City Council of the City of Oceanside does resolve as
8 follows:

- 9 1. The Final Program Environmental Impact Report and Mitigation and Monitoring and
10 Reporting Program for the Integrated Water Utilities Master Plan IS CERTIFIED,
11 effective as of this day.
- 12 2. Pursuant to Public Resources Code Section 21081.6 the City Council adopts the
13 Mitigation Monitoring and Reporting Program (MMRP) attached as Exhibit "B" and
14 finds and determines that said program is designed to ensure compliance with the
15 mitigation measures during project implementation.
- 16 3. Pursuant to Public Resources Code Section 21081, the City Council hereby adopts the
17 Environmental Findings for the Integrated Water Utilities Master Plan Environmental
18 Impact Report attached as Exhibit "A".

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4. Notice is HEREBY GIVEN that the time within which judicial review must be sought on this decision is governed by the provisions of the California Environmental Quality Act and California Code of Civil Procedure section 1094.6.

PASSED and ADOPTED by the City Council of the City of Oceanside, California this _____ day of _____, 2008 by the following vote:

AYES:

NAYES:

ABSENT:

ABSTAIN:

Mayor of the City of Oceanside

ATTEST:

APPROVED AS TO FORM:

City Clerk


City Attorney

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA CERTIFYING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE INTEGRATED WATER UTILITIES MASTER PLAN

Findings
Regarding the Final Program Environmental Impact Report
for the City of Oceanside
Integrated Water Utilities Master Plan Update
April 2008
(SCH No. 2007101147)

The Integrated Water Utilities Master Plan (IWUMP) Update is a comprehensive program for the phased and orderly development of water utilities for the future needs of the City of Oceanside. The IWUMP contains separate volumes for the Water Master Plan, the Recycled Water Master Plan, the Wastewater Master Plan, the Sanitary Sewer Management Plan, the Information Technology Master Plan, and the Financial Plan.

The Final Program Environmental Impact Report (PEIR) evaluates the environmental effects resulting from implementation of the Water, Recycled Water, and Wastewater Master Plans. Each of these plans consists of the individual improvement projects to construct new facilities and modify or expand existing facilities that would be needed for implementation. Individual projects are not proposed for implementation as part of the IWUMP, but would be individually implemented as subsequent projects. The PEIR is intended to allow streamlined review of subsequent projects within the scope of the PEIR with subsequent environmental review pursuant to the California Environmental Quality Act (CEQA) §21157.1 and CEQA Guidelines §15177.

The City of Oceanside is the lead agency under CEQA for preparation of this Final PEIR, since the project is proposed by the City's Water Utilities Department. The project does not require discretionary approval from any other public agency, so there are no responsible agencies as defined in CEQA.

The following Findings are made by the Oceanside City Council relative to the conclusions of the Final PEIR dated April 2008 for the Oceanside Integrated Water Utilities Master Plan Update (SCH Number 2007101147) in Oceanside, California. Findings have been prepared for those environmental effects of the project which will be mitigated by measures incorporated into the project. These Findings have been prepared pursuant to the State CEQA Guidelines, Section 15091(a), which states:

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

The following Findings are made pursuant to Section 21081 of CEQA and Title 14 of the California Code of Regulations, Sections 15091 and 15093 (CEQA Guidelines).

A. Public Resources Code Section 21081(a)(1)

The City Council, having reviewed and considered the information contained in the Final PEIR for the project and in the public record, finds (pursuant to Section 21081(a)(1) of the Public Resources Code and Section 15091(a)(1) of the CEQA Guidelines) that changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the significant environmental effects as identified in the Final PEIR. With respect to the environmental issues of (1) biological resources, (2) landform alteration/visual aesthetics, (3) air quality/odor, (4) traffic circulation, (5) noise, (6) paleontology, (7) hazards and public safety, and (8) cultural resources, the PEIR identifies specific projects in the PEIR for mitigation at the project implementation stage and sets criteria for subsequent mitigation that would reduce significant effects to below a significant level.

The City Council, having reviewed and considered the information contained in the Final PEIR for the project and the public record, has adopted a mitigation monitoring and reporting program that is fully enforceable through permit conditions, agreements, and other measures. The City of Oceanside Planning Department, 300 North Coast Highway, Oceanside, California, 92054, is the custodian of the environmental documents, including the mitigation monitoring and reporting program, used to approve the IWUMP and to certify the PEIR.

The City Council certifies that these Findings are based on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings concerning the environmental impacts identified and analyzed in the Final PEIR, and are supported by substantial evidence.

1) Biological Resources

- a) Impact 4.2-1: The Final PEIR concludes that direct or indirect impacts to sensitive habitats and species are significant. Table 1-1 and Section 4.2 of the PEIR identify 21 projects in the Water Master Plan, 12 projects in the Recycled Water Master Plan, and 11 projects in the Wastewater Master Plan that, because of the presence or proximity of sensitive biological resources to the proposed project site, could significantly affect biological resources.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.2-1 will reduce direct or indirect impacts to sensitive habitats and species to a less than significant level. Accordingly, the significant impacts related to biological resources would be reduced a level less than significant.

- b) Impact 4.2-2: The Final PEIR concludes that short-term impacts to wildlife corridors during construction of new or replacement facilities are significant. Table 1-1 and Section 4.2 of the PEIR identify 21 projects in the Water

Master Plan, 12 projects in the Recycled Water Master Plan, and 11 projects in the Wastewater Master Plan near sensitive biological resources.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.2-1 will reduce temporary impacts to wildlife corridors to a less than significant level. Accordingly, the significant impacts related to biological resources would be reduced a level less than significant.

2) Landform Alteration/Visual Aesthetics

- a) Impact 4.3-1: The Final PEIR concludes that grading or designs which alter the existing visual character are significant. Table 1-1 and Section 4.3 of the PEIR identify five projects in the Water Master Plan and five projects in the Recycled Water Master Plan that would construct or modify prominent aboveground structures and therefore have a potential for a significant effect on views or viewsheds near the project site.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.3-1 will reduce impacts to visual quality and viewsheds to a less than significant level. Accordingly, the significant impacts related to visual aesthetics would be reduced a level less than significant.

3) Air Quality/Odor

- a) Impact 4.5-1: The Final PEIR concludes that odors caused by dismantling odor-reduction equipment during improvement at lift stations are significant. Table 1-1 and Section 4.5 of the PEIR identify one lift station project in the Wastewater Master Plan that would result in a short-term significant odor effect.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.5-1 will reduce impacts from odor to a less than significant level. Accordingly, the significant impacts related to air quality and odor would be reduced a level less than significant.

4) Traffic Circulation

- a) Impact 4.6-1: The Final PEIR concludes that construction-related increases in traffic are significant. Table 1-1 and Section 4.6 of the PEIR identify 16 projects in the Water Master Plan, 11 projects in the Recycled Water Master Plan, and 11 projects in the Wastewater Master Plan that would be located in roadways with a potential to impact traffic circulation during construction activities.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.6-1 will reduce impacts to traffic circulation from short-term construction to a less than significant level. Accordingly, the significant impacts related to traffic circulation would be reduced to a level less than significant.

5) Noise

- a) Impact 4.7-1: The Final PEIR concludes that because the recycled water treatment facility and pump station have not been designed, potential noise effects from construction and operation are significant. Table 1-1 and Section 4.7 of the PEIR identify two projects in the Recycled Water Master Plan with a potential for noise impacts.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.7-1 will reduce impacts to noise. Accordingly, the significant impacts related to noise would be reduced a level less than significant.

6) Paleontology

- a) Impact 4.8-1: The Final PEIR concludes that the impacts to paleontological resources from construction projects in undisturbed areas are significant. Table 1-1 and Section 4.8 of the PEIR identify seven projects in the Water Master Plan, 12 projects in the Recycled Water Master Plan, and three projects in the Wastewater Master Plan with a potential to affect significant paleontological resources during construction.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.8-1 will reduce impacts to paleontological resources to a less than significant level. Accordingly, the significant impacts related to paleontology would be reduced a level less than significant.

7) Hazards and Public Safety

- a) Impact 4.9-1: The Final PEIR concludes that potential exposure to contaminated soils during trenching for new or upgraded pipeline is significant. Table 1-1 and Section 4.9 of the PEIR identify one project in the Water Master Plan, eight projects in the Recycled Water Master Plan, and three projects in the Wastewater Master Plan with the potential to have a significant effect from contamination at or near the project site.

Finding: For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measure 4.9-1 will reduce impacts from hazardous materials to a less than significant level. Accordingly, the significant impacts related to hazards would be reduced to a level less than significant.

8) Cultural Resources

- a) Impact: The Final PEIR concludes that the potential to affect known or unknown cultural resources during ground disturbing activities is significant. Table 1-1 and Section 4.10 of the PEIR identify seven projects in the Water Master Plan, 12 projects in the Recycled Water Master Plan, and three projects in the Wastewater Master Plan with the potential to impact cultural resource sites, including encountering human remains in previously undisturbed areas.

Finding: For the projects identified as having the potential to affect known or unknown significant cultural resources, the PEIR requires and, if cultural resources are discovered, testing for importance and appropriate mitigation. For the reasons stated in the Final PEIR, the City Council finds that implementation of Mitigation Measures 4.10-1, 4.10-2, and 4.10-3 will reduce impacts to significant cultural resources to a less than significant level. Accordingly, the significant impacts related to cultural resources would be reduced to a level less than significant.

B. Public Resources Code Section 21081(a)(2)

The City Council, having reviewed and considered the information contained in the Final PEIR for the project and the public record, finds there are no changes or alterations to the IWUMP to avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency and not the City of Oceanside.

C. Public Resources Code Section 21081(a)(3)

The City Council, having reviewed and considered the information contained in the Final PEIR for the project and the public record, finds that mitigation criteria established for the review of subsequent projects within the scope of the PEIR would reduce to a level below significance the potential significant impacts of such projects. Further, the City Council finds that there are no additional mitigation measures or alternatives that would reduce or eliminate significant impacts identified in the PEIR. Therefore, findings pursuant to CEQA §21081(a)(3) are not required.

D. Public Resources Code Section 21081(b)

The City Council, having reviewed and considered the information contained in the Final PEIR for the project and the public record, finds there are no unavoidable adverse environmental effects associated with the proposed project. Consequently, pursuant to Section 15093 of the CEQA Guidelines, the City Council is not required to make a Statement of Overriding Considerations to approve the project as proposed in the Final PEIR.

Mitigation Monitoring and Reporting Program for the City of Oceanside Integrated Water Utilities Master Plan Final Program Environmental Impact Report

Consistent with the requirements of Section 21081.6 of the California Environmental Quality Act (CEQA), this Mitigation Monitoring and Reporting Program has been prepared to assure the implementation of mitigation measures for projects within the scope of the Program Environmental Impact Report (PEIR) for the City of Oceanside's (City) Integrated Water Utilities Master Plan (IWUMP) (SCH No. 2007101147). Because the IWUMP contains all of the City's anticipated future improvement projects, this program includes procedures for assuring that appropriate mitigation measures are required of each project that is within the scope of the PEIR and that, for projects within the scope of the PEIR, mitigation measures are incorporated into each project consistent with the requirements of the PEIR.

According to the State CEQA Guidelines Section 15097 (c), reporting generally consists of a written compliance review that is presented to the decision making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. Monitoring is generally an ongoing or periodic process of project oversight. This program identifies at a minimum: the entity responsible for the monitoring, what is to be monitored, how the monitoring shall be accomplished, and the monitoring and reporting schedule.

The responsibility for implementing mitigation for projects within the scope of the PEIR shall be the City's Director of Planning. To ensure that all projects are properly evaluated with respect to environmental requirements, it shall be the responsibility of the Director of the Water Utilities Department to assure that all engineers, project managers, or other personnel responsible for preparing projects for implementation consult with the Director of Planning as early in the design process as possible.

The City avoids environmentally-sensitive areas when siting construction staging areas and considers feasible facility and alignment alternatives for projects to avoid and/or minimize biological impacts. As a further step, mitigation may include redesign or consideration of alternate designs of a project, and some mitigation measures may need to be included in the project's engineering design. Therefore, efficiency in the implementation of a project will usually require that environmental evaluation begin at the same time, or just after, the decision to begin the process of readying a project for implementation.

Prospective projects are brought by the Water Utilities Department to the Director of Planning to determine appropriate mitigation for projects within the scope of the PEIR based on the mitigation criteria in Chapter 4 of the PEIR. If for any project the Initial Study or any additional study identifies significant impacts on the environment requiring mitigation for any topic or issue not identified in Chapter 4 of the PEIR, then that project shall be determined not to be within the scope of the PEIR, and separate environmental review of the project shall be

conducted in accordance with CEQA. Program- and project-level design features assumed for compliance with local, state, and federal regulations and planning guidelines.

The PEIR includes mitigation measures to reduce or eliminate potential environmental impacts of the IWUMP. The Mitigation Monitoring and Reporting Program (MMRP) for the proposed project assigns responsibility for monitoring mitigation measures incorporated into the project. Under this program, the City has responsibility for documenting the project monitoring and reporting program in accordance with Section 15097 of CEQA. Reporting consists of establishing and maintaining a record that a mitigation measure is being or has been implemented and involves the following steps:

1. The Planning Department distributes MMRP forms to the appropriate offices.
2. Responsible entities verify intent to comply by initialing and dating the appropriate measure in this MMRP.
3. Responsible parties provide the Planning Department with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented.

A record of the MMRP will be maintained at the City of Oceanside Planning Department, 300 North Coast Highway, Oceanside, California 92057.

This PEIR indicates that the project has the potential to create significant impacts on: biological resources, landform alteration/visual aesthetics, air quality/odor, traffic circulation, noise, paleontology, hazards and public safety, and cultural resources. Mitigation required to reduce impacts to a level less than significant is included in the Table below. Mitigation measure numbers (i.e., 4.2-1) correspond to the mitigation measures in the PEIR. Tables referenced in mitigation measures (e.g., Table 1-1, Table 4.2-1) are included in the Final PEIR.

Mitigation Measures

Verification of
Compliance

Initials Date

Biological Resources

Mitigation Measure 4.2-1: General Mitigation

In all cases, mitigation identified in the City's MHCP subarea plan, when adopted, shall take precedence in the event that any mitigation measure included in this PEIR is found to be inconsistent with the subarea plan's requirements.

- a) Prior to completion of final design plans and prior to any grading or construction, site specific biological surveys of the area of potential impact must be performed for CIP projects resulting in impacts to biological resources (see Table 1-1). The assessment shall identify all features of the project, including, as applicable, soil and material storage areas, construction staging areas, and parking areas. _____
- b) Environmental review of future CIP projects shall include a biotechnical report on the results of the survey and include recommendations for mitigation of impacts appropriate to the project and the resources affected. Table 4.2-1 shows mitigation standards for impacts to natural vegetation and habitat as currently included in the City's draft MHCP subarea plan. In general, significant adverse impacts identified in project-specific biological review can be mitigated by incorporating one or more of the following measures into project approvals: _____
- avoidance of impacts through project relocation or redesign (in all cases, avoidance is preferred to other means of mitigation), with monitoring of construction to assure avoidance of sensitive resources if necessary;
 - protection of remaining habitat on-site through dedication of a conservation easement;
 - enhancement or restoration of affected habitat at a ratio in accordance with applicable City standards or agreement with the resource agencies; and
 - purchase or preservation of equivalent off-site habitat in an appropriate area for long-term preservation (this may include preserve areas identified in an adopted preserve area under the Natural Communities Conservation Program).

Riparian/Wetland Habitats:

Regardless of the mitigation recommendations in biotechnical reports prepared under the City's CEQA process, mitigation requirements in federal or state wetland and riparian permit or agreement conditions shall take precedence.

Prior to any ground disturbing activity with the potential to affect riparian areas or wetland habitats, the City shall ensure that avoidance and minimization measures are implemented. Project specific mitigation for unavoidable impacts shall be finalized prior to project implementation and shall include the following:

- a) Direct impacts to riparian and wetland habitats shall require mitigation at a ratio ranging from 1:1 to 4:1 or higher, depending on the quality of habitat affected and whether or not restoration is implemented prior to project construction. Impacts to these habitats shall require coordination with USFWS and CDFG regarding the issuance of Section 404 federal permits and Section 1602 state Streambed Alteration Agreements. Such permits or agreements contain mitigation requirements. _____
- b) For projects affecting riparian areas identified as occupied habitat for least Bell's vireos, clearing must occur in the non-breeding season for vireos (prior to March 15 or after September 15). _____

Coastal Sage Scrub:

Prior to any ground disturbing activity with the potential to affect coastal sage scrub, the City shall perform one or more of the following:

- a) Acquisition and preservation of habitat, dedication of lands, management agreements, habitat restoration, payment of fees, transfer of development rights, or other measures approved in writing by CDFG and USFWS. _____
- b) For projects within the scope of this PEIR, ratios for compensation of impacts to coastal sage scrub, whether occupied by the gnatcatcher or not, shall be accomplished at a ratio of from 2:1 to 3:1, depending on factors identified for each project, such as quality of habitat impacted, location of impact and mitigation, and whether the habitat is occupied by gnatcatchers. _____
- c) Mitigation by off-site land acquisition must meet criteria as outlined in the draft MHCP subarea plan. This includes: _____
 - the site shall contain existing coastal sage/maritime succulent scrub of sufficient size and habitat quality to match or exceed the value of the area to be affected;
 - the site shall be located adjacent to or in close proximity to publicly owned/preserved natural lands or planned natural open space;
 - the site shall contribute to the implementation of the MHCP/NCCP and the City's conservation planning goals;
 - the site shall contain sensitive plant and animal taxa in numbers approximating those that would be affected; and
 - the site shall be predominantly undisturbed in nature.
- d) For projects affecting coastal sage scrub identified as occupied habitat for coastal California gnatcatchers, clearing must occur in the non-breeding season for gnatcatchers (prior to February 15 or after August 15). _____
- e) If mitigation takes place through the establishment of an endowment, the City shall either utilize the approved habitat management program in place for adjacent preserve lands or prepare and implement a perpetual management, maintenance, and monitoring plan for all off-site biological conservation easement areas. _____

It is anticipated that the City's subarea plan and implementing agreement will contain guidelines for mitigation of impacts for projects within and outside of preserve areas. Upon adoption of the subarea plan, any requirements affecting projects within the scope of this PEIR shall apply, regardless of conditions and requirements stated in this PEIR.

Sensitive Plant and Wildlife Species:

Upon completion of final design plans and prior to any ground disturbing activity with the potential to affect sensitive species, the City shall require the following:

- a) For projects with a potential for indirect noise impacts from construction or operation on sensitive bird species, the project biological report must include an assessment of noise impacts and appropriate mitigation, such as surveys for nesting sites, seasonal restrictions on construction, adequate buffer areas, or project design features. _____
- b) For projects affecting seasonally detectable plant species listed by the U.S. or State of California, or covered or conserved by the City's subarea plan when adopted, surveys for such species shall be conducted at the appropriate time of year for the most optimal detection (generally, the blooming period). _____
- c) For projects affecting any habitat identified as containing sensitive plant or animal taxa, seasonal restrictions on habitat disturbance shall be applied according to recommendations in the biological survey for the project and the subarea plan. _____
- d) For all projects in areas of biological sensitivity, including areas within the wildlife corridor planning zone as shown on Figure 4.2-2 and identified in the City MHCP Subarea Plan, the limits of construction disturbance must be marked prior to the commencement of construction with single-strand wire, chain-link fencing, high-visibility plastic construction fencing, or high-visibility construction tape. Equipment laydown areas, vehicle turn-around areas, pads for the placement of large equipment, and similar areas designated for construction activity shall be included within the marked disturbance area. _____
- e) Restoration of on-site areas disturbed by construction shall be restored to an appropriate native vegetation by reseeding or replanting as appropriate to the location and prior conditions. _____
- f) For projects affecting listed species such as least Bell's vireo, coastal California gnatcatcher, or southwestern willow flycatcher, pre-construction biological surveys shall include surveys for the listed species conducted according to USFWS and CDFG protocols. _____

Landform Alteration/Visual Aesthetics

Mitigation Measure 4.3-1 - Visual Quality and Public Viewsheds

Prior to the approval of future individual projects, the City shall ensure that site specific design conditions are implemented to reduce impacts to the view quality and viewsheds. The recommended measures shall avoid, minimize, or reduce impacts to viewsheds and the character of the visual setting to below a level of significance. The conditions shall include techniques to protect the natural areas and provide screening of facilities, such as siting equipment and facilities to minimize changes in the natural topography, placing equipment and facilities partially or completely underground, constructing facility exteriors with paint colors and materials that compliment the natural surroundings, and landscaping. _____

Air Quality/Odor

Mitigation Measure 4.5-1: Short-term Construction Impacts

Proposed facility improvements shall be constructed in a manner that does not increase odor at the property boundary or surrounding offsite properties. The City Engineer shall verify that design and control measures are sufficient to reduce odors to a less than significant level.

Traffic Circulation/Parking

Mitigation Measure 4.6-1: Short-term Construction

- a) Prior to construction of proposed facilities, the contractor shall submit a Traffic Control Plan to the City for review and approval. The plan shall be consistent with the Caltrans Traffic Manual, Chapter 5, and shall include the following information:
- Signage posted in areas designated as temporary traffic control zones; and
 - Speed limits to be observed within control zones.
- b) During construction of pipelines, the City shall implement traffic management measures, as deemed necessary and applicable by a properly licensed engineer:
- Temporary traffic lanes shall be marked, and barricades and lights shall be provided at excavations and crossings.
 - Pipeline construction activities shall affect the least number of travel lanes possible, with both directions of traffic flow being maintained at all times, to the extent feasible.
 - Pipeline construction shall avoid the morning and evening peak traffic periods to the extent feasible.
 - Construction within any major intersection shall be restricted to only one-half of an intersection at any one time in order to maintain one lane of traffic flow in each direction. Pipeline crossings of freeways, light rail, and railroad tracks shall be constructed using methods that provide minimal disruption to freeway, light rail, and railroad operations, to the extent feasible.
 - Construction across on- and off-street bikeways shall be done in a manner that allows for safe bicycle access, or bicycle traffic will be safely re-routed.
 - Private driveways located within construction areas shall remain open to maintain the access to the maximum extent feasible.
- c) During construction of water transmission pipelines, the City shall notify all affected fire, police, and paramedic departments/services, as well as any affected public transportation agencies, of the schedule and duration of activities.
- d) The City shall coordinate all traffic-control plans within the project area so that projects in the vicinity operate under staggered construction schedules so that conflicts can be minimized.

Noise

Mitigation Measure 4.7-1: Nearby Receptors

At the time final design is available and prior to approval of the following CIP projects, the city engineer shall ensure that proposed improvements shall not cause the limits in the Noise Control Ordinance to be exceeded. This will require completion of a noise assessment that reviews design and projects noise levels at the project boundary for the construction of the El Corazon satellite recycled water treatment facility west of El Camino Real and north of Oceanside Boulevard.

Geology and Soils/Paleontology

Mitigation Measure 4.8-1: Paleontological Sensitivity

- a) For major construction projects in undisturbed areas identified in Table 1-1, the following program for the discovery and recovery of paleontological resources during grading and earthwork shall be implemented by the City:
- b) Prior to issuance of a grading permit, the applicant shall provide written verification to the Planning Director that a qualified paleontologist or paleontological monitor have been retained to implement the monitoring program. A qualified paleontologist is defined as an individual with a Ph.D. or M.S. degree in paleontology or geology and who is recognized as an expert in the application of paleontological procedures and techniques, such as screenwashing of materials and identification of fossil deposits. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials and who is working under the direction of a qualified paleontologist. All persons involved in the paleontological monitoring program shall be approved by the Planning Director prior to any pre-construction meeting.
- c) The paleontologist or paleontological monitor shall attend pre-construction meetings to consult with grading and excavation contractors. The requirement for paleontological monitoring shall be noted on the final grading plan.
- d) During the original cutting of previously undisturbed deposits, the paleontologist or paleontological monitor shall be on-site full-time in areas of highly sensitive formations (Santiago Formation); on a half-time basis in areas of moderately sensitive formations (unnamed Pleistocene lagoonal and terrace deposits); and on a part-time basis in areas of low-sensitivity formations (Quaternary alluvium) to perform periodic inspections of excavations and, if necessary, to salvage exposed fossils. In the event that fossils are discovered in moderate or low sensitivity formations, it may be necessary to increase the per day field monitoring time. Conversely, if fossils are not being found in these rock units, the monitoring time shall be reduced. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the abundance of fossils.
- e) In the event that well-preserved fossils are found, the paleontologist or paleontological monitor shall have the authority to divert, direct, or temporarily halt grading activities in the area of discovery to allow evaluation and recovery of exposed fossils in a timely manner. At the time of discovery, the paleontologist or paleontological monitor shall immediately notify the Planning Director of such finding. Due to the potential for the recovery of

small fossil remains such as isolated mammal teeth, it may be necessary in certain instances to set up a screen-washing operation on-site. The Planning Director shall approve salvaging procedures to be performed before construction activities are allowed to resume.

- f) All collected fossil remains shall be cleaned, repaired, sorted, and cataloged following standard professional procedures. The collection, along with copies of all pertinent field notes, photographs, and maps, should be donated (with the applicant's permission) to a scientific institution with a research interest in the materials, such as the San Diego Natural History Museum. Donation of fossils should be accompanied by financial support for initial specimen storage.
- g) A final paleontological monitoring summary report shall be submitted to and approved by the Planning Director prior to issuance of a building permit. The report, with appropriate graphics, shall summarize the results, analyses, and conclusions of the paleontological monitoring program, even if negative. At a minimum, the summary report shall include a discussion of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

Hazards and Public Safety

Mitigation Measure 4.9-1: Contaminated Soils

Prior to approval of the final design of facilities and alignment of pipelines, the Director of the City Water Utilities Department shall ensure that a hazardous materials assessment identifies the presence/absence of hazardous materials. In addition, design or other remediation measures shall be implemented to avoid potentially significant effects to the human or physical environment. All construction activities shall be conducted in a manner that avoids contamination or exposure of hazardous materials. This mitigation measure shall be implemented through development of a hazardous materials control plan subject to review and approval by City Staff.

Cultural Resources

Mitigation Measure 4.10-1: Archaeological Resources

- a) Step 1 - Initial Evaluation: Prior to approval of any future project, City Staff shall review each non-exempt CIP project to determine if a survey for cultural resources has been conducted and if archaeological or historic sites have been recorded within the area of potential impact for the project.
 - If the project site has been previously surveyed and no cultural resources are recorded, and there is no potential for subsurface cultural resources, no further action shall be required. The results of this research shall be summarized in the environmental document or letter to the file.
 - If the project has been previously surveyed and cultural resources are recorded in the project area of potential impact, a survey shall be required to determine the current condition of the cultural resources. The results shall be summarized in the environmental document.

- If the project has not been previously surveyed, an intensive survey and initial evaluation for the potential of significant subsurface archaeological resources shall be required to be prepared to the satisfaction of the City for any activity which involves excavation or building demolition. The initial evaluation shall consist of a pedestrian survey and a records search at the South Coastal Information Center. The results shall be summarized in the environmental document.
 - If the project site is surveyed and no cultural resources are recorded, and there is no potential for subsurface cultural resources, no further action shall be required. The results of this research will be summarized in the environmental document or letter to the file.
- b) Step 2 – Testing: If cultural resources exist on the project site, further evaluation of those resources that will be potentially impacted by construction of the project shall be required.
- If the project can be redesigned to avoid impacts the cultural resource, no additional work shall be necessary.
 - If the project cannot be redesigned and impacts to cultural resources will occur, a testing program is required to determine the extent and characteristics of the surface and subsurface components of the resource. The testing program shall be performed by a professional archaeologist meeting current City of Oceanside qualifications. Before commencing the testing, a treatment plan shall be submitted for City approval that reviews the initial evaluation results and includes a research design. The research design shall include a discussion of field methods, research questions against which discoveries shall be evaluated for significance, collection strategy, laboratory and analytical approaches, and curation arrangements. All tasks shall be in conformity with current practices in the field of archaeology

If human remains or sacred religious objects are discovered during the testing phase, any project activity that would impact the remains or objects shall be stopped, and the County Coroner or Native American Heritage Commission shall be contacted immediately. No activity that would impact the remains or objects shall be resumed until disposition of the remains or objects satisfactory to these agencies has been implemented.

The results of the testing phase shall be submitted in writing to the City and shall include the research design, testing results, significance evaluation, and recommendations for further treatment. Final determination of significance shall be made in consultation with City Staff, and with the Native American community, if the finds are prehistoric. If no significant resources are found and site conditions are such that there is no potential for further discoveries, then no further action is required. If no significant resources are found but results of the initial evaluation and testing phase indicates there is still a potential for resources to be present in portions of the property that could not be tested, then mitigation monitoring is required. If significant resources are discovered during the testing program, then data recovery shall be undertaken prior to construction. City Staff must concur with evaluation results before the next steps can proceed.

- c) Step 3 - Data Recovery: For any site determined to be significant, a Data Recovery Program shall be prepared, approved by City

Staff, and carried out to mitigate impacts before any activity which could potentially disturb significant resources begins. The Data Recovery Program shall also be performed by a professional archaeologist meeting current Oceanside qualifications. Before data recovery is initiated, a treatment plan shall be submitted for City approval that reviews the testing phase results and includes a research design. The research design shall include a discussion of field methods, research questions against which discoveries shall be evaluated, collection strategy, laboratory and analytical approaches, and curation arrangements. As with the testing phase, all tasks shall be in conformity with current practices in the field of archaeology.

- At the completion of the data recovery work a report shall be submitted to the City detailing the field recovery results, their evaluation based on the research design, and discussion of the results as it fits into a regional context. Final determination of impact mitigation shall be made in consultation with City Staff.
- If human remains or sacred religious objects are discovered during the data recovery phase, the same procedures discussed above shall be implemented.

Mitigation Measure 4.10-2: Historic Resources

- a) If a potential Historic Area as defined in the City of Oceanside Municipal Code (Chapter 14A) is identified as a result of the initial review or the survey and evaluation, it shall be evaluated to determine its potential significance under CEQA and City of Oceanside criteria. The evaluation shall be done by an individual qualified under City of Oceanside criteria to perform historic architectural evaluations. _____
- b) If a Historic Area is determined to be potentially significant under CEQA or City of Oceanside guidelines, the project shall be redesigned to avoid the resource. If this is not possible, the Oceanside Historical preservation Advisory Commission shall be consulted to determine the appropriate level of recordation for the resource. The recommended recordation shall be preformed by a City of Oceanside qualified individual. _____

Mitigation Measure 4.10-3: Human Remains

If human remains are discovered during survey, testing, or data recovery, work shall halt in that area and the following procedures set forth in the California Public Resources Code (Sec. 5097.98) and State Health and Safety Code (Sec. 7050.5) will be taken:

- a) There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: _____
 - The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and
 - If the coroner determines the remains to be Native American:
 - i. The Coroner shall contact the Native American Heritage Commission within 24 hours.
 - ii. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descended from the deceased Native American
 - iii. The most likely descendent may make recommendation

to the landowner or the person responsible for the excavation work for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or

- b) Where the following conditions occur, the landowner or his authorized representative shall reburial the Native American remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:
- The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.
 - The descendent identified fails to make a recommendation; or
 - The landowner or his authorized representative reject the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.
