APPENDIX A

Notice of Preparation and Comment Letters

City of Vista

PLANNING DEPARTMENT
600 Eucalyptus Avenue, Vista, CA 92084

(760) 726-1340 FAX: (760) 639-6132
Web Site: www.cityofvista.com

NOTICE OF PREPARATION
ENVIRONMENTAL IMPACT REPORT
FOR CITY OF VISTA AND BUENA SANTIATION DISTRICT
2007 SEWER MASTER PLAN UPDATE
July 27, 2007

The City of Vista (City) is the lead agency in the preparation of an Environmental Impact Report (EIR) for the 2007 Sewer Master Plan Update (Master Plan Update) in accordance with Section 15168 of the California Environmental Quality Act (CEQA) Guidelines.

This notice is issued pursuant to Section 15082 of the State CEQA Guidelines. It is intended to inform those persons and organizations that may be concerned with the environmental effects of the project. Those public agencies with specific statutory responsibilities are requested to indicate their specific role in the project approval process.

Because of the time limits mandated by state law, responses should be sent at the earliest possible date, but no later than 30 days after receipt of this notice. Please send your response to:

City of Vista
Planning Department
600 Eucalyptus Avenue
Vista, CA 92084

Attn: Elaine Blackburn, Principal Planner
Phone: 760-726-1340 x 1268
Fax: 760-639-6101
E-mail: eblackburn@cityofvista.com

This notice also serves as notice of a public scoping meeting for the project. The meeting will be held on Monday, August 6th, at 7:00 pm at the City of Vista Council Chambers, 600 Eucalyptus Avenue. All interested parties are encouraged to attend.

ENVIRONMENTAL DOCUMENT

The environmental document prepared is a combined programmatic and project level Environmental Impact Report (EIR). The EIR is intended to allow the City to examine the environmental effects of the proposed 2007 Sewer Master Plan Update (Master Plan Update) and to take steps to avoid unnecessary environmental impacts.

PROJECT LOCATION

The project is located in the northern part of San Diego County within in the Cities of Vista, Oceanside, Carlsbad, San Marcos, and unincorporated portion of the County of San Diego. See accompanying *Figures 1 and 2*. Project components are located both within and outside the City of Vista and Buena Sanitation District boundaries as shown in these figures.

PROJECT DESCRIPTION

The City of Vista and Buena Sanitation District provide sewer service for the City of Vista and outlying areas within the Buena Vista Creek drainage basin, as well as portions of the San Luis Rey and Agua Hedionda Creek basins. The City of Vista is responsible for maintenance, operations, and management of both the Vista and Buena sewer collection systems. The City of Vista City Council is the decision making body for both the City of Vista Sanitation District and the Buena Sanitation District.

The City's Sanitation District has approximately 190 miles of sewer collection pipes that drain west to the Buena Vista Pump Station on Jefferson Street in the City of Oceanside, where it is pumped via the Vista-Carlsbad Interceptor to the Encina Water Pollution Control Facility (EWPCF) in the City of Carlsbad. Some of the City's infrastructure dates back to the 1920s.

The Buena Sewer Collection System has approximately 85 miles of sewer collection pipes and serves a large portion of the Agua Hedionda Creek drainage basin that includes areas within Vista and the County of San Diego. The system drains to the Buena Creek Pump Station where it is pumped via the Buena Interceptor to the EWPCF.

This EIR addresses the environmental impacts associated with the 2007 Master Plan Update, which is an update to *The City of Vista and Buena Sanitation District Infrastructure Review Summary and Wastewater Master Plan Update* prepared in July 2001/2003. The purpose of the 2007 Master Plan Update is to update and identify a prioritized Capital Improvement Program (CIP) that addresses the capacity and condition related improvement projects necessary to ensure safe and reliable operation of the existing sewer system. The CIP recommends improvement projects over a 20-year planning period.

In order to minimize the potential for system overflows and interruptions associated with structurally unsound elements of the existing sewer system, the 2007 Master Plan Update identifies a combination of capacity replacement and non-capacity related rehabilitation and replacement projects that constitute the updated CIP program. Capacity restoration would be provided through installation of larger replacement pipes, and by reducing extraneous defect flows. Rehabilitation and replacement projects include projects related to age, material, minimum size, and condition of the existing system. Non-capacity-related CIP projects entail increased operations and maintenance to improve the system and/or replacement of pipelines.

Capacity-Related CIP Projects

A total of 20 capacity related replacement projects were identified in the 2007 Master Plan Update. These projects are divided by District and listed in order of priority based on ability to convey sewage and defect flows without overflow. Several capacity-related CIP projects are also in need of repair based on age, material, and condition. *Table 1* below prioritizes and describes each pipeline improvement, and identifies the need for each project component. All capacity related projects will be rehabilitated via pipeline replacement.

TABLE 1 – Capacity Related CIP Projects

Project Name/Descriptor	Approximate Length (ft)	Reason for Inclusion	Description
Buena Sanitation District Project Components			
Buena Outfall Force Main Phase III	7,200	Capacity Related	This project is required to divert 3.75 MGD of sewage flow from the Buena Sanitation District to Vallecitos Interceptor. Construct 24" of Force main and 18" and 15" of Gravity Sewer in Palomar Airport Road and west of El Camino Real to divert flows to Vallecitos Interceptor.
B5	4,844	Capacity and Condition Related	Upsize and realign existing 18", 15", and 8" sewer lines along Oleander Avenue, Watson Way, Lantana Way, and Brooktree Lane and between Green Oak Road and Lupine Hills Drive to 24", 21", and 18".
B2	3,019	Capacity and Condition Related	Upsize existing 15" and 8" sewer lines along Watson Way and Sycamore Avenue and between Watson Way and the intersection of Thibodo Road /Plumosa Avenue o 21", 18", and 15".
B1	4,944	Capacity Related	Upsize existing 21", 18", and 12" sewer lines along Green Oak Road and between the Buena lift station and Grand Avenue to 27", 24", and 15".
B4	4,724	Capacity and Condition Related	Upsize existing 12" sewer line along Robelini Drive and Buena Creek Road and between intersection of Sycamore Avenue/Robelini Drive and Lakeside Road to 15".
OV2	14,036	Capacity and Condition Related	Upsize existing 24", 21", 18" Buena Interceptor to 27", 24", and 21".
B3	918	Capacity and Condition Related	Upsize existing 10" sewer line along El Valle Opulento and between El Valle Opulento and El Copa Lane to 15".
Vista Sanitation District Project Components			
V1	8,130	Capacity and Condition Related	Upsize existing 12", 10", and 8" sewer lines along Sunset Drive, Vista Way, Huff Street, Grapevine Road, Date Street, and Durian Street between intersection of Via Centre/Sunset Drive and Cedar Road and Hill Drive to 15" and 12".
V10	2,830	Capacity and Condition Related	Upsize existing 10" and 8" sewer lines along Cananea Street and Calera Street to 15" and 12".

TABLE 1 – Capacity Related CIP Projects

Project Name/Descriptor	Approximate Length (ft)	Reason for Inclusion	Description
V8	6,250	Capacity and Condition Related	Upsize existing 8" sewer line along Santa Fe Avenue, Postal Way, and Service Place and between Escondido Avenue and Service Place to 15" and 12".
V2	4,026	Capacity and Material Related	Upsize existing 33", 30", 24", 21", and 12" sewer lines along Hacienda Drive, Vista Village Drive and south of Lado De Loma Drive to 42", 36", 27", 21", 18" and 15".
V7	4,927	Capacity and Condition Related	Upsize existing 15", 12", 8", and 6" sewer lines Santa Fe Avenue, Mercantile Street, and Pala Vista Drive between Main Street and Rincon Street to 18", 15", and 12".
V6	1,910	Capacity and Material Related	Upsize existing 10" sewer line along Melrose Drive between Hacienda Drive and County Complex to 15".
V3	5,500	Capacity and Condition Related	Upsize existing 10" and 8" sewer lines along Melrose Drive between Hacienda Drive and Olive Avenue to 15" and 12".
V4	3,347	Capacity Related	Upsize existing 18" along Santa Fe Avenue, Broadway, Citrus Avenue, Main Street and Vista Village Drive between Santa Fe Avenue and Intersection of Vista Village Drive/Escondido Avenue/Hillside Terrace/Vista Way to 24" and 21".
V11	1,853	Capacity Related	Upsize 18" and 8" sewer line along Vista Way and Vale Terrace and between Townsite Drive and intersection of Bel Air Drive/Williamston Street to 21", 18", and 15".
V9	3,979	Capacity Related	Upsize existing 18" and 15" sewer lines along Santa Fe Avenue between Orange Street and intersection of Los Angeles Drive/Townsite Drive to 24" and 18".
V5	3,037	Capacity Related	Upsize existing 12", 10", and 8" sewer lines along Citrus Avenue, Eucalyptus Avenue, and Escondido Avenue and between intersection of Broadway/Citrus Avenue and Avalon Drive to 18", 15", and 12".
OV1	2,837	Capacity and Material Related	Upsize existing 36" Vista-Carlsbad Interceptor to 42".
R1	1,431	Capacity Related	Upsizing existing undersized 12" sewer line west of Melrose Drive and between the Raceway Pump Station and Faraday to 15".
TOTAL	89,742 ft (17 miles)		

Non-Capacity-Related CIP Projects

The lead agencies must address looming age, material, and condition related replacements or rehabilitation in order to ensure the integrity of the existing sewer system. *Table 2* below presents the total length of pipelines being replaced and/or rehabilitated based on existing conditions, size, age, and materials. All ductile iron pipe (DIP) and non VCP/PVC pipes are proposed for rehabilitation or replacement as well as pipes that are over 45 years old. City/District standards also require a replacement of all 6" pipes with 8" pipes. The 2007 Master Plan Update proposes approximately 451,624 feet of condition related rehabilitation or replacement. This number includes the capacity related projects that are also considered condition related as presented in *Table 1* above. *Figure 2* provides a graphic showing all condition related project components.

TABLE 2 – Condition Related CIP Projects

Project Type	Length (ft)
Minimum Size	123,701
Condition Related	239,555
Age Related	38,426
Material Related Force Main	6,274
Material Related Gravity Main	43,668
TOTAL	**451,624 ft (85.5 miles)**

Operations and Maintenance

Since sewage carries a variety of waste products, regular maintenance is required to assure that the flow is maintained. Operation and maintenance of the sewer system typically consists of routine patrolling, emergency repair, and periodic pipeline dewatering to allow for interior inspections or repairs. Sewer flow is also maintained via cleansing and flushing activities with a variety of tools. The Wastewater Maintenance Division of the City of Vista cleans all sewer mains twice annually to reduce the potential for sewer spills. Video inspections are performed on all new sewer mains and on selected sections of the existing mains annually. The pipes are accessed through regular spaced openings, which are covered and commonly referred to as clean outs and manholes. Manholes are large enough to allow large equipment and personnel to enter the system. Operations and maintenance activities also include no-dig rehabilitations such as epoxy coatings, polyurethane coatings, slip liners, and cured-in-place resin compound liners. Maintenance for elements of the proposed 2007 Master Plan Update includes activities similar to those performed throughout the existing sewer collection system.

POTENTIALLY SIGNIFICANT EFFECTS

Potential issues and impacts to the existing environment include those listed below. No determinations have yet been made as to the significance of these potential impacts. Such determinations will be made in the EIR. These issues along with an analysis of the project alternatives including the no project and alternative pipeline location scenarios, cumulative effects, and potential for growth inducement, will be analyzed and discussed in the EIR.

Environmental Issue Area	*Potential Issues or Impacts*
Aesthetics	▪ The proposed project could impact the existing visual quality of the project site and its surroundings ▪ Duration of visibility of construction materials, equipment and debris may impact views.
Air Quality	▪ Project construction will produce short-term air emissions (fugitive dust and vehicle equipment exhaust). ▪ Violation of air quality standards during construction and operation.
Biological Resources	▪ Project construction could have an impact to sensitive biological resources such as candidate, sensitive or special status species. ▪ The project could have an impact on riparian or wetland habitat or on migratory fish or wildllife. ▪ Potential Inconsistency with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approval conservation plan.
Cultural Resources	▪ Potential project components may pass through sites with archaeological or historical value.
Geology and Soils	▪ Exposure by people or structures to risk of ground shaking, liquefaction, seismic ground failure, landslides, unstable soils, lateral spreading, expansive soil, and rupture of known earthquake fault.
Hazards and Hazardous Materials	▪ Pre-existing soil contamination and proposed replacement and rehabilitation activities could affect construction workers and the public. ▪ Potential release of fuel, hydraulic fluid, and lubricants during construction.
Hydrology and Water Quality	▪ Project construction could affect surface water flow and erosion rates causing subsequent downstream sedimentation and reduced surface water quality. ▪ Stormwater runoff from access road and temporary work areas may degrade surface water quality. ▪ Construction of permanent structures/facilities may alter drainage patterns, which may result in increased runoff, erosion, siltation and flooding offsite. ▪ Accidental release of hazardous materials during construction may affect surface water and ground water quality.
Land Use and Planning	▪ Consistency with planned land uses of an agency with jurisdiction over the project. ▪ Conflict with adjacent land uses.
Noise	▪ Construction would generate noise in excess of that allowable in the affected jurisdiction.
Transportation and Circulation	▪ Potential for construction related traffic impacts resulting in increased delay and congestion along designated roadways.
Utilities and Service Systems	▪ The proposed project could result in increased demand on water and sewage treatment, solid waste services, and energy use.

Level of Environmental Review

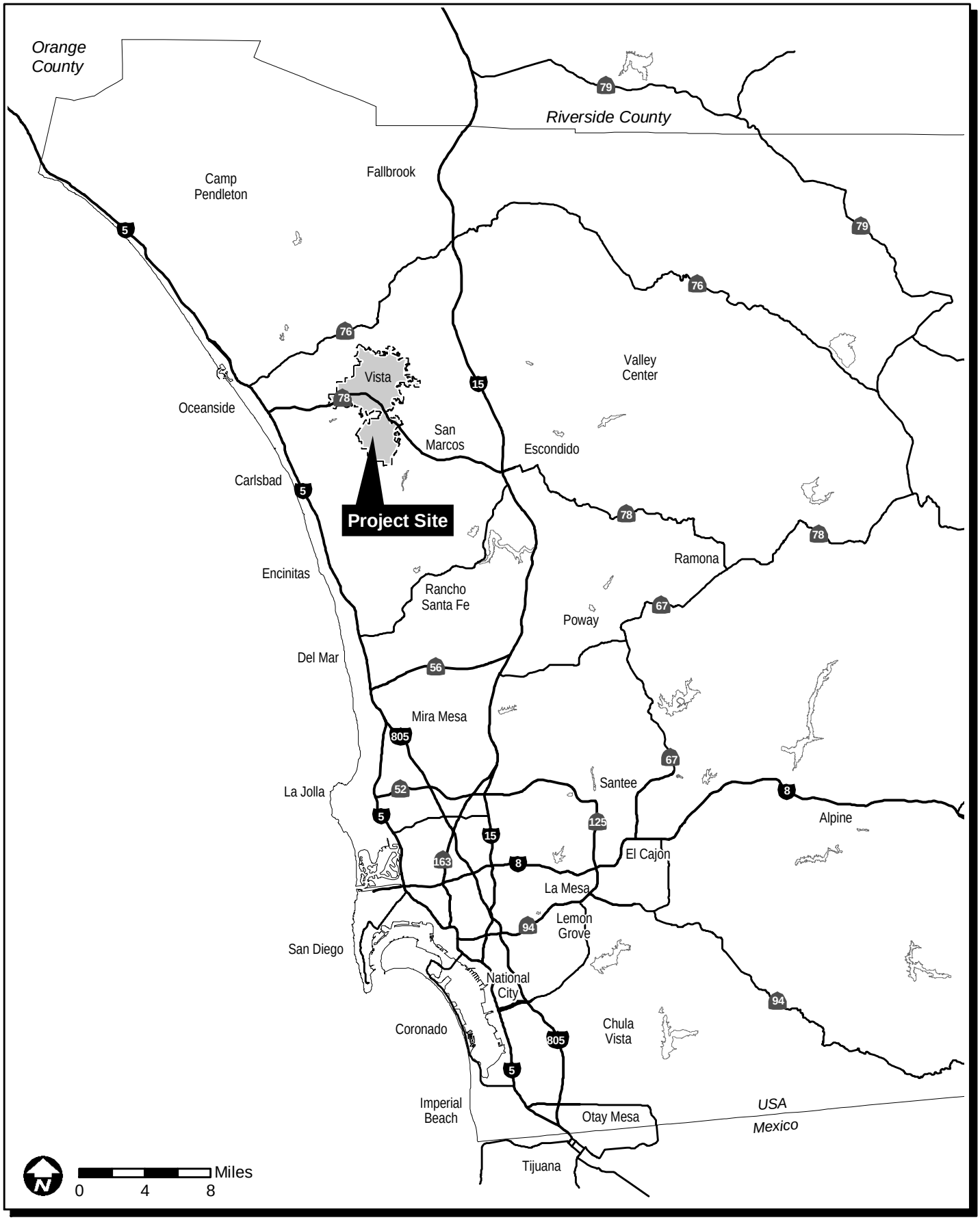
Under CEQA, a program EIR is prepared for a series of actions that can be characterized as one large project, with each action related as logical parts in the chain of contemplated actions. (CEQA Guidelines §15168(a).) Typically, such a project involves actions that are closely related geographically (Cal. Code of Regs., Title 14, § 15168(a)(1)), for agency programs (§ 15168(a)(3)), or as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways (§ 15168(a)(4)). Program EIRs generally analyze broad environmental effects of

the program with the acknowledgment that site-specific environmental review may be required for particular aspects of portions of the program when those aspects are proposed for implementation (§ 15168(a)). A project EIR, in contrast, examines the environmental impacts of a specific development project, reviewing all phases of the project, including planning, construction, and operation (CEQA Guidelines §15161.) No further environmental review under CEQA is typically required following preparation of a project EIR.

The majority of the components of the 2007 Master Plan Update will be analyzed at the program level, and it is the intention of the City to address the highest prioritized projects at the project level. Once the EIR is adopted for the 2007 Master Plan Update, analysis and mitigation would sufficiently address the environmental impacts associated with all project-level components. Subsequent (or second-tier) activities within the program would be evaluated to determine whether an additional CEQA document needs to be prepared for program level components.

Construction Schedule

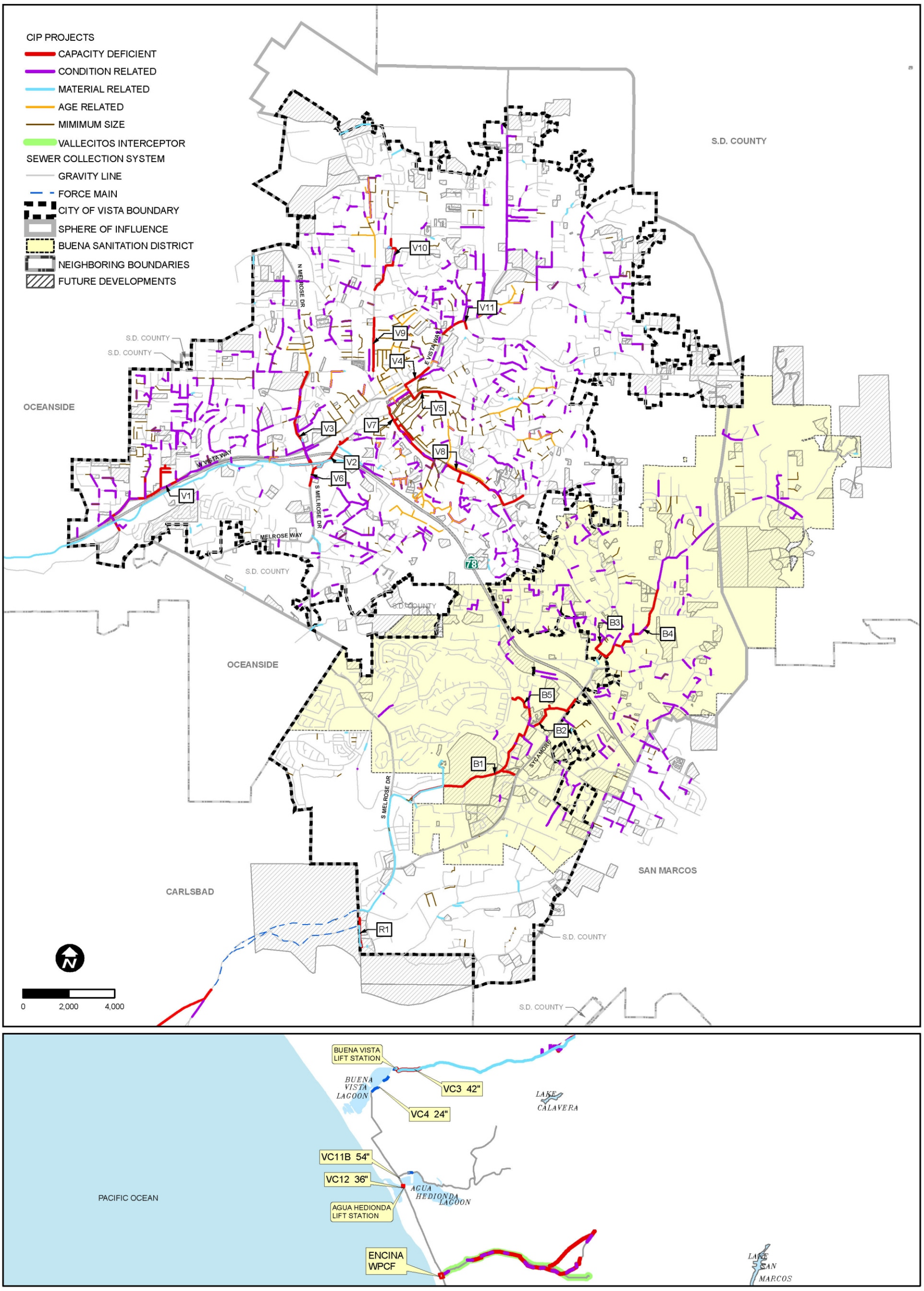
The timing for construction of individual project of the proposed program is varied.



City of Vista & Buena Sanitation District 2007 Sewer Master Plan Update - NOP

Regional Map

FIGURE 1



SOURCE: CITY OF VISTA

City of Vista & Buena Sanitation District 2007 Sewer Master Plan Update - NOP

Project Compoments

FIGURE 2

State of California – The Resources Agency ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201

October 11, 2007

Mrs. Elaine Blackburn
City of Vista
600 Eucalyptus Ave
Vista, CA 92084

Comments on the Notice of Preparation of a Draft Environmental Impact Report for the City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update

Dear Mrs. Elaine Blackburn:

The Department of Fish and Game (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update dated September 14, 2007. The Department has identified potential effects of this project on wildlife and sensitive habitats. The comments provided herein are based on the information provided in the NOP, our knowledge of sensitive and declining vegetation communities, and our participation in regional conservation planning efforts.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act, Sections 15386 and 15381, respectively. The Department is responsible for the conservation, protection, and management of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning Program (NCCP) in which the City of Vista (City) is currently participating in through the preparation of a Multiple Habitat Conservation Program (MHCP) draft Subarea Plan (SAP).

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Guidelines Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq.) and Fish and Game Code Section 1600 et seq.

The proposed project is a Capital Improvement Program that combines a programmatic and project level Environmental Impact Report. The project area is located in the northern part of San Diego County within the Cities of Vista, Oceanside, Carlsbad, San Marcos, and unincorporated portion of the County of San Diego. The City of Vista and Buena Sanitation District provide sewer service for the outlying areas within the Buena Vista Creek drainage basin

as well as portions of the San Luis Rey and Agua Hedionda Creek basins. The project addresses the needs of sewage system replacement related to capacity and condition of the current infrastructure. Approximately 17 miles would be replaced for purposes of capacity rehabilitation and an additional 85.5 miles would be replaced for purposes related to condition rehabilitation. Maintenance locations (manholes) for the updated sewage system would be similar to existing locations.

Issue areas in the DEIR that may be influenced by the SAP and its Implementing Agreement include Land Use, Landform Alteration/Visual Quality, Traffic/Circulation, Biological Resources, Drainage/Urban Runoff/Water Quality, Noise, and Cumulative Effects. In addition, the environmental document should describe why the proposed project, irrespective of other alternatives to the project, is consistent with and appropriate in the context of the SAP.

The Department offers the following general comments and recommendations to assist the County in avoiding, minimizing, and adequately mitigating project-related impacts to biological resources and to ensure that the project is consistent with all applicable environmental requirements.

1. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether intermittent or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. Mitigation measures to compensate for impacts to mature riparian corridors must be included in the DEIR and must compensate for the loss of function and value of a wildlife corridor.

   a) The project area supports aquatic, riparian, and wetland habitats; therefore, a jurisdictional delineation of the creeks and their associated riparian habitats should be included in the DEIR. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by the Department.[1] Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.

   b) Unless the proposed project avoids (*e.g.*, spans the riparian corridor), it will require a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and

[1] Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

Game Code, prior to the commencement of any activity that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed. The Department's issuance of a SAA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the project. To minimize additional requirements by the Department pursuant to Section 1600 et *seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the SAA.[2]

2. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of a 2081 permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a 2081 permit. For these reasons, the following information is requested:

   a) Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.

   b) Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.

3. To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish and wildlife, we recommend the following information be included in the DEIR.

   a) A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.

   b) A range of feasible alternatives to ensure that alternatives to the proposed project are fully considered and evaluated; the alternatives should which avoid or otherwise minimize impacts to sensitive biological resources particularly wetlands (as the proposed project would result in significant impacts to wetland/riparian habitat within Lemon Creek).

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[2] A notification package for a SAA may be obtained by writing to: Department of Fish and Game, 4949 Viewridge Avenue, San Diego, CA 92123, by calling (858) 636-3160, or by accessing the Department's web site at www.dfg.ca.gov/1600 .

Specific alternative locations should be evaluated in areas with lower resource sensitivity where appropriate.

Biological Resources within the Project's Area of Potential Effect

4. To provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. The DEIR should include the following information.

   a) Per CEQA Guidelines, § 15125(c), information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis should be placed on resources that are rare or unique to the region.

   b) A thorough assessment of rare plants and rare natural communities, following the Department's May 1984 Guidelines (Attachment 1, revised May 2000) for Assessing Impacts to Rare Plants and Rare Natural Communities.

   c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 322-2493 or www.dfg.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.

   d) An inventory of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, Section 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

5. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR.

   a) A discussion of impacts associated with increased lighting, noise, human activity, changes in drainage patterns, changes in water volume, velocity, and quality, soil erosion, and /or sedimentation in streams and water courses on or near the project site, with mitigation measures proposed to alleviate such impacts should be included.

b) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated and provided. A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater.

c) The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.

d) A cumulative effects analysis should be developed as described under CEQA Guidelines, § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

6. The DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities (Attachment 2) from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.

7. The DEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

8. For proposed preservation and/or restoration, the DEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

9. In order to avoid impacts to nesting birds, the DEIR should require that clearing of vegetation, and when biologically warranted construction, occur outside of the peak avian breeding season which generally runs from March 1through September 1 (as early as January for some raptors). If project construction is necessary during the breeding season, a qualified biologist should conduct a survey for nesting birds, within three days prior to the work in the area, and ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer shall be a minimum width of 300 feet (500 feet for raptors), shall be delineated by temporary fencing, and shall remain in effect as long as construction is occurring or until the area is no longer active. No project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project.

10. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.

11. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Dan Schrimsher (858) 467-6926.

Sincerely,

Michael J. Mulligan
Deputy Regional Manager

Enclosure(s) 2
- Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities
- Sensitivity of Top Priority Rare Natural Communities in Southern California

cc: U.S. Fish and Wildlife Service (David Zoutendyk)
State Clearinghouse

Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California
THE RESOURCES AGENCY
Department of Fish and Game
December 9, 1983
Revised May 8, 2000

The following recommendations are intended to help those who [illegible] review environmental documents determine when a botanical survey [illegible] considered qualified to conduct such surveys, how field surveys [illegible] conducted, and what information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:

a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.

3. Botanical consultants should possess the following qualifications:

a. Experience conducting floristic field surveys;
b. Knowledge of plant taxonomy and plant community ecology;
c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
e. Experience with analyzing impacts of development on native plant species and communities.

4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:

a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project

area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits during different parts of the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.

c. Conducted in a manner that is consistent with conservation ethics. Collection [illegible] of rare, threatened, or endangered species, or suspected rare, threatened, or endangered [illegible] only when such actions would not jeopardize the continued existence of the population [illegible] in accordance with applicable state and federal permit requirements. A collecting permit from the [illegible] Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document that identifications were made in habitat whenever possible, but especially when the population cannot withstand [illegible] of voucher specimens.

d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.

e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.

5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:

a. Project description, including a detailed map of the project location and study area.
b. A written description of biological setting referencing the community nomenclature used and a vegetation map.
c. Detailed description of survey methodology.
d. Dates of field surveys and total person-hours spent on field surveys.
e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.
f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.
g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.
h. Recommended measures to avoid impacts.
i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.
j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).
k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.
l. Name of field investigator(s).
m. References cited, persons contacted, herbaria visited, and the location of voucher specimens.

Sensitivity of Top Priority Rare Natural Communities in Southern California

Sensitivity rankings are determined by the Department of Fish and Game, California Natural Diversity Data Base and based on either number of known occurrences (locations) and/or amount of habitat remaining (acreage). The three rankings used for these top priority rare natural communities are as follows:

S1.# Fewer than 6 known locations and/or on fewer than 2,000 acres of habitat remaining.

S2.# Occurs in 6-20 known locations and/or 2,000-10,000 acres of habitat remaining.

S3.# Occurs in 21-100 known locations and/or 10,000-50,000 acres [illegible]

The number to the right of the decimal point after the ranking refers to the [illegible] natural community regardless of the ranking. For example:

S1.1 = very threatened
S2.2 = threatened
S3.3 = no current threats known

Sensitivity Rankings (February 1992)

Rank	Community Name
S1.1	Mojave Riparian Forest
	Sonoran Cottonwood Willow Riparian
	Mesquite Bosque
	Elephant Tree Woodland
	Crucifixion Thorn Woodland
	Allthorn Woodland
	Arizonan Woodland
	Southern California Walnut Forest
	Mainland Cherry Forest
	Southern Bishop Pine Forest
	Torrey Pine Forest
	Desert Mountain White Fir Forest
	Southern Dune Scrub
	Southern Coastal Bluff Scrub
	Maritime Succulent Scrub
	Riversidean Alluvial Fan Sage Scrub
	Southern Maritime Chaparral
	Valley Needlegrass Grassland
	Great Basin Grassland
	Mojave Desert Grassland
	Pebble Plains
	Southern Sedge Bog
	Cismontane Alkali Marsh
S1.2	Southern Foredunes
	Mono Pumice Flat
	Southern Interior Basalt Flow Vernal Pool

S2.1

Venturan Coastal Sage Scrub
Diegan Coastal Sage Scrub
Riversidean Upland Coastal Sage Scrub
Riversidean Desert Sage Scrub
Sagebrush Steppe
Desert Sink Scrub
Mafic Southern Mixed Chaparral
San Diego Mesa Hardpan Vernal Pool
San Diego Mesa Claypan Vernal Pool
Alkali Meadow
Southern Coastal Salt Marsh
Coastal Brackish Marsh
Transmontane Alkali Marsh
Coastal and Valley Freshwater Marsh
Southern Arroyo Willow Riparian Forest
Southern Willow Scrub
Modoc-Great Basin Cottonwood Willow Riparian
Modoc-Great Basin Riparian Scrub
Mojave Desert Wash Scrub
Engelmann Oak Woodland
Open Engelmann Oak Woodland
Closed Engelmann Oak Woodland
Island Oak Woodland
California Walnut Woodland
Island Ironwood Forest
Island Cherry Forest
Southern Interior Cypress Forest
Bigcone Spruce-Canyon Oak Forest

S2.2

Active Coastal Dunes
Active Desert Dunes
Stabilized and Partially Stabilized Desert Dunes
Stabilized and Partially Stabilized Desert Sandfield
Mojave Mixed Steppe
Transmontane Freshwater Marsh
Coulter Pine Forest
Southern California Fellfield
White Mountains Fellfield

S2.3

Bristlecone Pine Forest
Limber Pine Forest

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maureen F. Gorsen, Director
5796 Corporate Avenue
Cypress, California 90630

Arnold Schwarzenegger
Governor

October 5, 2007

Ms. Elaine Blackburn
City of Vista
Planning Department
600 Eucalyptus Avenue
Vista, California 92084

NOTICE OF PREPARATION (NOP) FOR CITY OF VISTA AND BUENA SANITATION DISTRICT 2007 SEWER MASTER PLAN UPDATE PROJECT (SCH# 2007091072)

Dear Ms. Blackburn:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "In order to minimize the potential for system overflows and interruptions associated with structurally unsound elements of the existing sewer system, the 2007 Master Plan Update identifies a combination of capacity replacement and non-capacity related-rehabilitation and replacement projects that constitute the updated Capital Improvement Program (CIP). Capacity restoration would be provided through installation of larger replacement pipes, and by reducing extraneous defect flows. Rehabilitation and replacement projects include projects related to age, material, minimum size, and condition of the existing system. Non-capacity –related rehabilitation pipeline projects entail increased operations and maintenance to improve the system and/or replacement of pipelines."

Based on the review of the submitted document DTSC has the following comments:

1) The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances.

2) The EIR should identify any known or potentially contaminated sites within the proposed project area. For all identified sites, the EIR should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

   - National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).

Printed on Recycled Paper

- Site Mitigation Program Property Database (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control.

- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.

- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.

- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.

- Leaking Underground Storage Tanks (LUST) / Spills, Leaks, Investigations and Cleanups (SLIC): A list that is maintained by Regional Water Quality Control Boards.

- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.

- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

3) The EIR should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.

4) All environmental investigations, sampling and/or remediation for the site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found should be clearly summarized in a table.

5) Proper investigation, sampling and remedial actions overseen by the respective regulatory agencies, if necessary, should be conducted at the site prior to the new development or any construction. All closure, certification or remediation approval reports by these agencies should be included in the EIR.

6) If any property adjacent to the project site is contaminated with hazardous chemicals, and if the proposed project is within 2,000 feet from a contaminated site, then the proposed development may fall within the "Border Zone of a Contaminated Property." Appropriate precautions should be taken prior to construction if the proposed project is within a Border Zone Property.

7) If buildings or other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should be conducted for the presence of other related hazardous chemicals, lead-based paints or products, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

8) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.

9) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

10) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.

11) If the site was used for agricultural or related activities, onsite soils and groundwater might contain pesticides, agricultural chemical, organic waste or other related residue. Proper investigation, and remedial actions, if necessary, should be conducted under the oversight of and approved by a government agency at the site prior to construction of the project.

12) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.

13) Envirostor (formerly CalSites) is a database primarily used by the California Department of Toxic Substances Control, and is accessible through DTSC's website. DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489 for the VCA.

If you have any questions regarding this letter, please contact
Ms. Eileen Khachatourians, Project Manager, at (714) 484-5349.

Sincerely,

Greg Holmes
Unit Chief
Southern California Cleanup Operations Branch - Cypress Office

cc: See next page

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044

Mr. Guenther W. Moskat, Chief
Planning and Environmental Analysis Section
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

CEQA # 1858

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

Notice of Preparation

RECEIVED
2 0 2007
COMMUNITY DEVELOPMENT

September 14, 2007

To: Reviewing Agencies

Re: City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update
SCH# 2007091072

Attached for your review and comment is the Notice of Preparation (NOP) for the City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Elaine Blackburn
City of Vista
600 Eucalyptus Avenue
Vista, CA 92084

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Project Analyst, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2007091072
Project Title City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update
Lead Agency Vista, City of

Type NOP Notice of Preparation

Description The purpose of the 2007 Master Plan Update is to update and identify a replacement prioritized Capital Improvement Program (CIP) that addresses the capacity and condition related improvement projects necessary to ensure safe and reliable operation of the existing sewer system. The CIP recommends improvement projects over a 20-year planning period.

Lead Agency Contact

Name Elaine Blackburn
Agency City of Vista
Phone 760-726-1340 ext 1268 **Fax** 760-639-6101
email eblackburn@cityofvista.com
Address 600 Eucalyptus Avenue
City Vista **State** CA **Zip** 92084

Project Location

County San Diego
City Vista, Oceanside, Carlsbad, San Marcos
Region
Cross Streets
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 78
Airports
Railways
Waterways
Schools
Land Use

Project Issues

Reviewing Agencies Resources Agency; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Department of Health Services; Native American Heritage Commission; Caltrans, District 11; Integrated Waste Management Board; State Water Resources Control Board, Division of Loans and Grants; State Water Resources Control Board, Division of Water Rights; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 9

Date Received 09/14/2007 **Start of Review** 09/14/2007 **End of Review** 10/15/2007

Note: Blanks in data fields result from insufficient information provided by lead agency.

NOP Distribution List

County: SAN DIEGO

SCH# 2007051072

Resources Agency

- ■ **Resources Agency**
  Nadell Gayou
- ☐ **Dept. of Boating & Waterways**
  David Johnson
- ☐ **California Coastal Commission**
  Elizabeth A. Fuchs
- ☐ **Colorado River Board**
  Gerald R. Zimmerman
- ■ **Dept. of Conservation**
  Sharon Howell
- ☐ **California Energy Commission**
  Paul Richins
- ☐ **Cal Fire**
  Allen Robertson
- ■ **Office of Historic Preservation**
  Wayne Donaldson
- ■ **Dept of Parks & Recreation**
  Environmental Stewardship Section
- ☐ **Reclamation Board**
  DeeDee Jones
- ☐ **S.F. Bay Conservation & Dev't. Comm.**
  Steve McAdam
- ■ **Dept. of Water Resources**
  Resources Agency
  Nadell Gayou
- ☐ _____
  Conservancy

Fish and Game

- ☐ **Depart. of Fish & Game**
  Scott Flint
  Environmental Services Division
- ☐ **Fish & Game Region 1**
  Donald Koch
- ☐ **Fish & Game Region 1E**
  Laurie Harnsberger
- ☐ **Fish & Game Region 2**
  Banky Curtis
- ☐ **Fish & Game Region 3**
  Robert Floerke
- ☐ **Fish & Game Region 4**
  Julie Vance
- ■ **Fish & Game Region 5**
  Don Chadwick
  Habitat Conservation Program
- ☐ **Fish & Game Region 6**
  Gabrina Gatchel
  Habitat Conservation Program
- ☐ **Fish & Game Region 6 I/M**
  Gabrina Gatchel
  Inyo/Mono, Habitat Conservation Program
- ☐ **Dept. of Fish & Game M**
  George Isaac
  Marine Region

Other Departments

- ☐ **Food & Agriculture**
  Steve Shaffer
  Dept. of Food and Agriculture
- ☐ **Depart. of General Services**
  Public School Construction
- ☐ **Dept. of General Services**
  Robert Sleppy
  Environmental Services Section
- ■ **Dept. of Health Services**
  Veronica Malloy
  Dept. of Health/Drinking Water

Independent Commissions,Boards

- ☐ **Delta Protection Commission**
  Debby Eddy
- ☐ **Office of Emergency Services**
  Dennis Castrillo
- ☐ **Governor's Office of Planning & Research**
  State Clearinghouse
- ■ **Native American Heritage Comm.**
  Debbie Treadway
- ☐ **Public Utilities Commission**
  Ken Lewis
- ☐ **Santa Monica Bay Restoration**
  Guangyu Wang
- ☐ **State Lands Commission**
  Jean Sarino
- ☐ **Tahoe Regional Planning Agency (TRPA)**
  Cherry Jacques

Business, Trans & Housing

- ☐ **Caltrans - Division of Aeronautics**
  Sandy Hesnard
- ☐ **Caltrans - Planning**
  Terri Pencovic
- ☐ **California Highway Patrol**
  Shirley Kelly
  Office of Special Projects
- ☐ **Housing & Community Development**
  Lisa Nichols
  Housing Policy Division

Dept. of Transportation

- ☐ **Caltrans, District 1**
  Rex Jackman
- ☐ **Caltrans, District 2**
  Marcelino Gonzalez
- ☐ **Caltrans, District 3**
  Jeff Pulverman
- ☐ **Caltrans, District 4**
  Tim Sable
- ☐ **Caltrans, District 5**
  David Murray
- ☐ **Caltrans, District 6**
  Marc Birnbaum
- ☐ **Caltrans, District 7**
  Cheryl J. Powell
- ☐ **Caltrans, District 8**
  Dan Kopulsky
- ☐ **Caltrans, District 9**
  Gayle Rosander
- ☐ **Caltrans, District 10**
  Tom Dumas
- ■ **Caltrans, District 11**
  Mario Orso
- ☐ **Caltrans, District 12**
  Ryan P. Chamberlain

Cal EPA

Air Resources Board

- ☐ Airport Projects
  Jim Lerner
  - ☐ Transportation Projects
    Ravi Ramalingam
  - ☐ Industrial Projects
    Mike Tollstrup
- ■ **California Integrated Waste Management Board**
  Sue O'Leary
- ■ **State Water Resources Control Board**
  Regional Programs Unit
  Division of Financial Assistance
- ☐ **State Water Resources Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- ■ **State Water Resouces Control Board**
  Steven Herrera
  Division of Water Rights
- ■ **Dept. of Toxic Substances Control**
  CEQA Tracking Center
- ☐ **Department of Pesticide Regulation**

Regional Water Quality Control Board (RWQCB)

- ☐ **RWQCB 1**
  Cathleen Hudson
  North Coast Region (1)
- ☐ **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- ☐ **RWQCB 3**
  Central Coast Region (3)
- ☐ **RWQCB 4**
  Teresa Rodgers
  Los Angeles Region (4)
- ☐ **RWQCB 5S**
  Central Valley Region (5)
  - ☐ **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - ☐ **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- ☐ **RWQCB 6**
  Lahontan Region (6)
  - ☐ **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- ☐ **RWQCB 7**
  Colorado River Basin Region (7)
- ☐ **RWQCB 8**
  Santa Ana Region (8)
- ■ **RWQCB 9**
  San Diego Region (9)

☐ **Other** _____

Last Updated on 09/11/07

STATE OF CALIFORNIA Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
www.nahc.ca.gov
ds_nahc@pacbell.net

RECEIVED
COMMUNITY DEVELOPMENT

September 24, 2007

Ms. Elaine Blackburn
City of Vista
600 Eucalyptus Avenue
Vista, CA 92084

Re: SCH# 2007091072; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update; San Diego County, California

Dear Ms. Blackburn:

Thank you for the opportunity to comment on the above-referenced document. The California Environmental Quality Act (CEQA) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR per CEQA guidelines § 15064.5(b)(c). In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE),' and if so, to mitigate that effect. To adequately assess the project-related impacts on historical resources, the Commission recommends the following action:

√ Contact the appropriate California Historic Resources Information Center (CHRIS). Contact information for the 'Information Center' nearest you is available from the State Office of Historic Preservation in Sacramento (916/653-7278). The record search will determine:

- If a part or the entire (APE) has been previously surveyed for cultural resources.
- If any known cultural resources have already been recorded in or adjacent to the APE.
- If the probability is low, moderate, or high that cultural resources are located in the APE.
- If a survey is required to determine whether previously unrecorded cultural resources are present.

√ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
- The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.

√ Contact the Native American Heritage Commission (NAHC) for:

- A Sacred Lands File (SLF) search of the project area and information on tribal contacts in the project vicinity who may have information on cultural resources in or near the APE. Please provide us site identification as follows: USGS 7.5-minute quadrangle citation with name, township, range and section. This will assist us with the SLF.
- Also, we recommend that you contact the Native American contacts on the attached list to get their input on the effect of potential project (e.g. APE) impact. In many cases a culturally-affiliated Native American tribe or person will be the only source of information about the existence of a cultural resource.

√ Lack of surface evidence of archeological resources does not preclude their subsurface existence.

- Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5 (f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.

√ Lead agencies should include provisions for discovery of Native American human remains or unmarked cemeteries in their mitigations plans.

- CEQA Guidelines §15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the Initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American groups, identified by the NAHE, to ensure the appropriate and dignified treatmentof Native American human remains and any associated grave goods.
- Health and Safety Code §7050.5, Public Resources Code §5097.98 and CEQA Guidelines §15064.5(d) mandate procedures to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

√ Lead agencies should consider avoidance, as defined in CEQA Guidelines §15370 when significant cultura resources are discovered during the course of project planning or execution.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: Native American Contact List

Native American Contacts
San Diego County
September 24, 2007

Pala Band of Mission Indians
Robert H. Smith, Chairperson
12196 Pala Mission Road, PMB 50 Luiseno
Pala , CA 92059 Cupeno
(760) 891-3500
(760) 742-1411 Fax

San Luis Rey Band of Mission Indians
Carmen Mojado, Co-Chair
1889 Sunset Drive Luiseno
Vista , CA 92081
(760) 724-8505

Pauma & Yuima
Christobal C. Devers, Chairperson
P.O. Box 369 Luiseno
Pauma Valley , CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

San Luis Rey Band of Mission Indians
Mark Mojado, Cultural Resources
1889 Sunset Drive Luiseno
Vista , CA 92081 Cupeno
(760) 724-8505
(760) 586-4858 (cell)

Rincon Band of Mission Indians
Angela Veltrano, Rincon Culture Committee
P.O. Box 68 Luiseno
Valley Center , CA 92082
council@rincontribe.org
(760) 749-1051
(760) 749-8901 Fax

Cupa Cultural Center (Pala Band)
Shasta Gaughen, Assistant Director
35008 Pala-Temecula Rd.PMB Box 445 Luiseno
Pala , CA 92059
cupa@palatribe.com
(760) 742-1590
(760) 742-4543 - FAX

San Luis Rey Band of Mission Indians
Russell Romo, Chairman
12064 Old Pomerado Road Luiseno
Poway , CA 92064
(858) 748-1586

La Jolla Band of Mission Indians
ATTN: Rob Roy,Environmental Director
22000 Highway 76 Luiseno
Pauma Valley , CA 92061
lajolla-sherry@aol.com and
(760) 742-3790
(760) 742-1704 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2007091072; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update; San Diego County, California.

Native American Contacts
San Diego County
September 24, 2007

Charles Devers, Chair
Cultural Committee; Pauma & Yuima Reservation
P.O. Box 369 Luiseno
Pauma Valley , CA 92061
(760) 742-1289
(760) 742-4543 FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed SCH#2007091072; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR) for City of Vista and Buena Sanitation District 2007 Sewer Master Plan Update; San Diego County, California.