

CITY COUNCIL

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APPROVED

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DENIED

Reso No. _____

File No. _____

Ord No. _____

Agenda Item No.: 10

Date: October 17, 2012

TO: Honorable Mayor and Members of the City Council

FROM: Barbara J. Redlitz, Director of Community Development

SUBJECT: Adoption of Mitigated Negative Declaration for the Cemetery Area Water Pipeline Replacement Project (ENV 10-0004)

STAFF RECOMMENDATION:

It is requested that Council adopt Resolution No. 2012-158 adopting a Mitigated Negative Declaration for the Cemetery Area Water Pipeline Replacement Project.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission has not reviewed the environmental documentation for this CIP project because the project does not include any associated land use entitlements.

PROJECT DESCRIPTION:

The proposed CIP project consists of the abandonment of approximately 17,500 linear feet (3.3 miles) of existing 12- to 24-inch diameter potable water pipeline within the East Grove, Reed, and Hogback pressure zones. Most of the abandoned pipelines currently bisect private lots and would be replaced with approximately 12,600 linear feet of new pipeline that generally would be constructed along lot lines or within public rights-of-way. In addition, an approximately 2,545-foot long, 20-inch diameter recycled water pipeline would be constructed in the western portion of the project area, but would not be activated immediately. The project also would include construction of an approximately 10-by-20-foot pressure-reducing structure along the potable water pipeline alignment in the eastern portion of the project area. The proposed project would replace aging water transmission and distribution infrastructure, increase water delivery capacity and pressure to the project area, and maintain a reliable water supply and distribution system, as well as install infrastructure to accommodate future delivery of recycled water.

LOCATION:

The approximately 32-acre project area is located in the eastern portion of the City's water service area, and is generally bound by Reed Road on the north, Cloverdale Road on the east, Mountain View Drive on the south, and Whispering Highlands Drive on the west. Oak Hill Memorial Park is included within the project area.

FISCAL ANALYSIS:

Construction plans and specifications for the project are nearly completed and the Engineer's estimate for the project is \$6,300,000 - \$7,700,000. The project construction will be funded out of CIP line item 704911, Cemetery Area Waterline bond money.

GENERAL PLAN ANALYSIS:

The proposed project area is located partially within the eastern limits of Escondido and partially within the unincorporated area of San Diego County. All properties within the project area are located within the Escondido General Plan boundary and have been assigned either an Estate II (up to 2 dwelling units per acre) or Rural 2 (up to 0.5 dwelling units per acre) land use designation. All construction would occur within existing and future rights-of-way or easements; and all the new pipelines would be placed underground. No land use entitlements or changes to residential density are proposed.

ENVIRONMENTAL REVIEW:

A proposed Mitigated Negative Declaration (City Log No. ENV 10-0004) was issued for a 30-day public review on December 13, 2011. Responses to comments received on the proposed Mitigated Negative Declaration have been incorporated into the Final Mitigated Negative Declaration. Mitigation measures required under CEQA were developed to reduce the potential for adverse impacts with respect to biological resources and cultural resources; and specific design measures related to air quality, hazards and hazardous materials, and noise have been incorporated into the design and implementation of the project.

Sections of the Final Mitigated Negative Declaration have been clarified or expanded, but no new significant impacts have been identified, no impacts increased in severity, and no new mitigation measures have been identified. As such, the Mitigated Negative Declaration document was not fundamentally or basically inadequate in nature and the conclusions do not require reevaluation or recirculation. Staff feels the Final Mitigated Negative Declaration adequately addresses all project-related issues.

PREVIOUS ACTION:

On October 21, 2009, the City Council unanimously approved a request to execute a consulting agreement with Black and Veatch Corporation in the amount of \$583,181 for engineering services to prepare construction drawings, specifications and environmental documentation for the Cemetery Area Water Pipeline Replacement Project.

BACKGROUND:

The proposed project consists of the abandonment of approximately 17,500 linear feet (3.3 miles) of existing 12- to 24-inch diameter concrete-lined steel potable water pipeline within three pressure zones (See Figure 3). The pipelines would be replaced with approximately 12,600 linear feet (2.4 miles) of new pipeline generally ranging between 12 and 24 inches in diameter and comprising steel,

ductile iron, polyvinylchloride (PVC), or high-density polyethylene (HDPE) pipe material. Numerous smaller PVC or copper pipes would be installed as laterals to maintain service to existing customers. New meters also would be constructed and, in some cases, existing meters would be relocated as part of the project. The proposed lateral lines and new meters would be constructed within existing driveways or private roadways and existing meters would be relocated from private properties to the public right-of-way. The existing pipelines would stay in service throughout the duration of construction, and would be capped and abandoned in place following implementation of the proposed replacement pipelines, or removed where necessary to provide room for the replacement pipe segments.

PUBLIC COMMENT:

The proposed Mitigated Negative Declaration was distributed for public review from December 15, 2011 to January 17, 2012. Five comment letters were received during the 30-day public review period including four from other public agencies and one from a homeowner within the project area. Comments from the agencies included the sensitivity of biological resources in the area and the need to coordinate with the County of San Diego for improvements outside the city limits. The homeowner (Mr. Steve Kirby) expressed concern about the location of the pressure reducing station that would be constructed on his property, as well as the replacement of portions of his driveway that would be affected by construction. Staff met with Mr. Kirby on his property to discuss his concerns and have been working with the design consultant to modify elements of the project plans to address his issues. All the comment letters and responses have been incorporated into the Final Mitigated Negative Declaration.

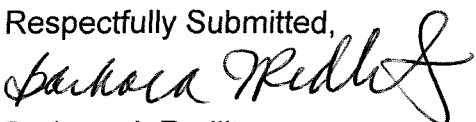
DISCUSSION:

The proposed project would replace aging water transmission and distribution infrastructure, increase water delivery capacity and pressure to the project area, and maintain a reliable water supply and distribution system, as well as install infrastructure to accommodate future delivery of recycled water. The project also would provide the added benefit of abandoning those existing water lines that currently bisect private lots and replacing them with new lines that, in most instances, would be constructed along lot boundary lines and/or within public rights-of-way. The primary objective of the increase in pressure or capacity that could result from the proposed project is to improve the flow of water to existing property owners during a wildfire-related emergency.

The Final Mitigated Negative Declaration may be viewed on the City of Escondido website at the following link:

<http://www.escondido.org/Data/Sites/1/media/PDFs/Planning/CemeteryPipeline/FinalMitigatedNegativeDeclaration.pdf>

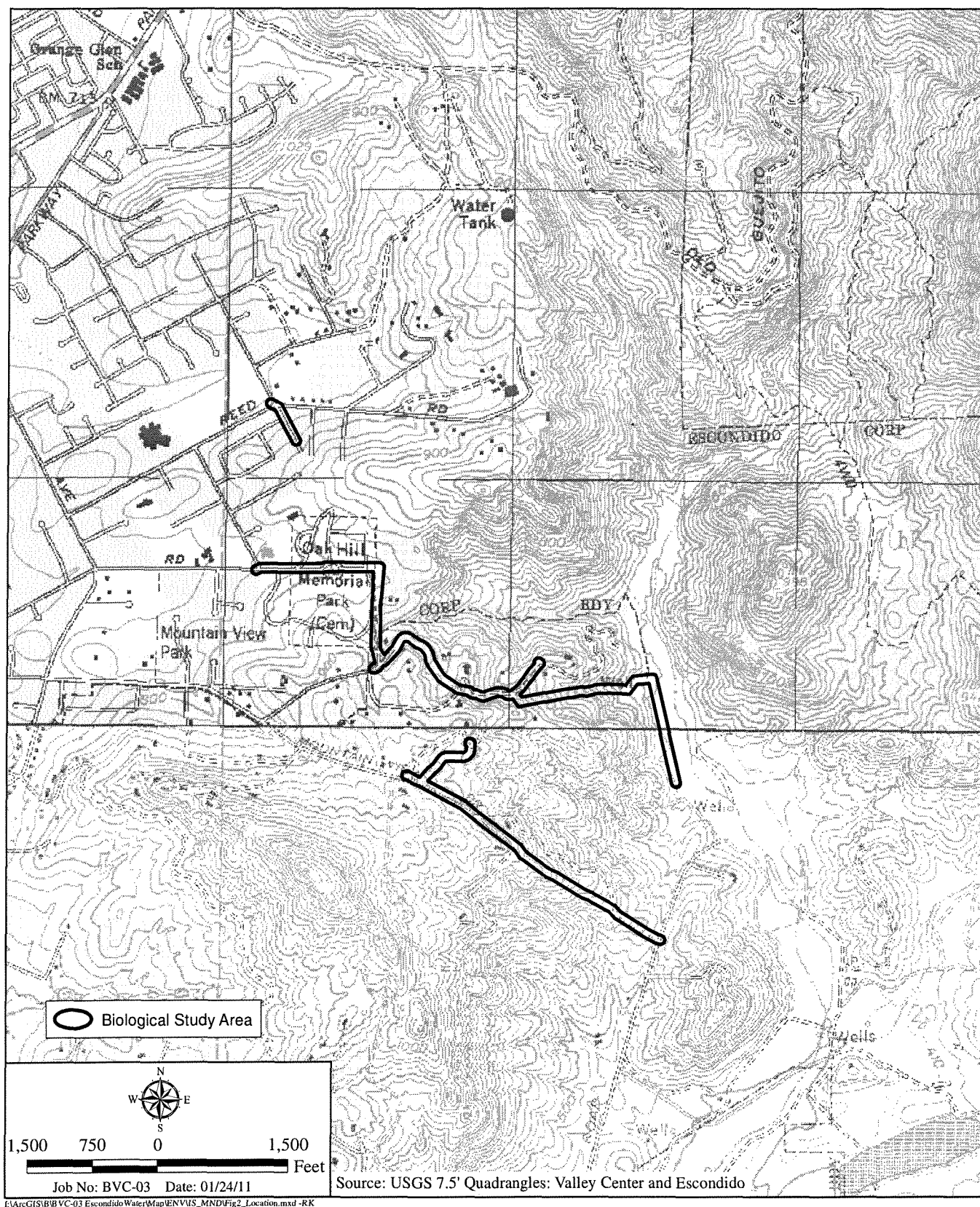
Respectfully Submitted,



Barbara J. Redlitz
Director of Community Development



Bill Martin
Principal Planner

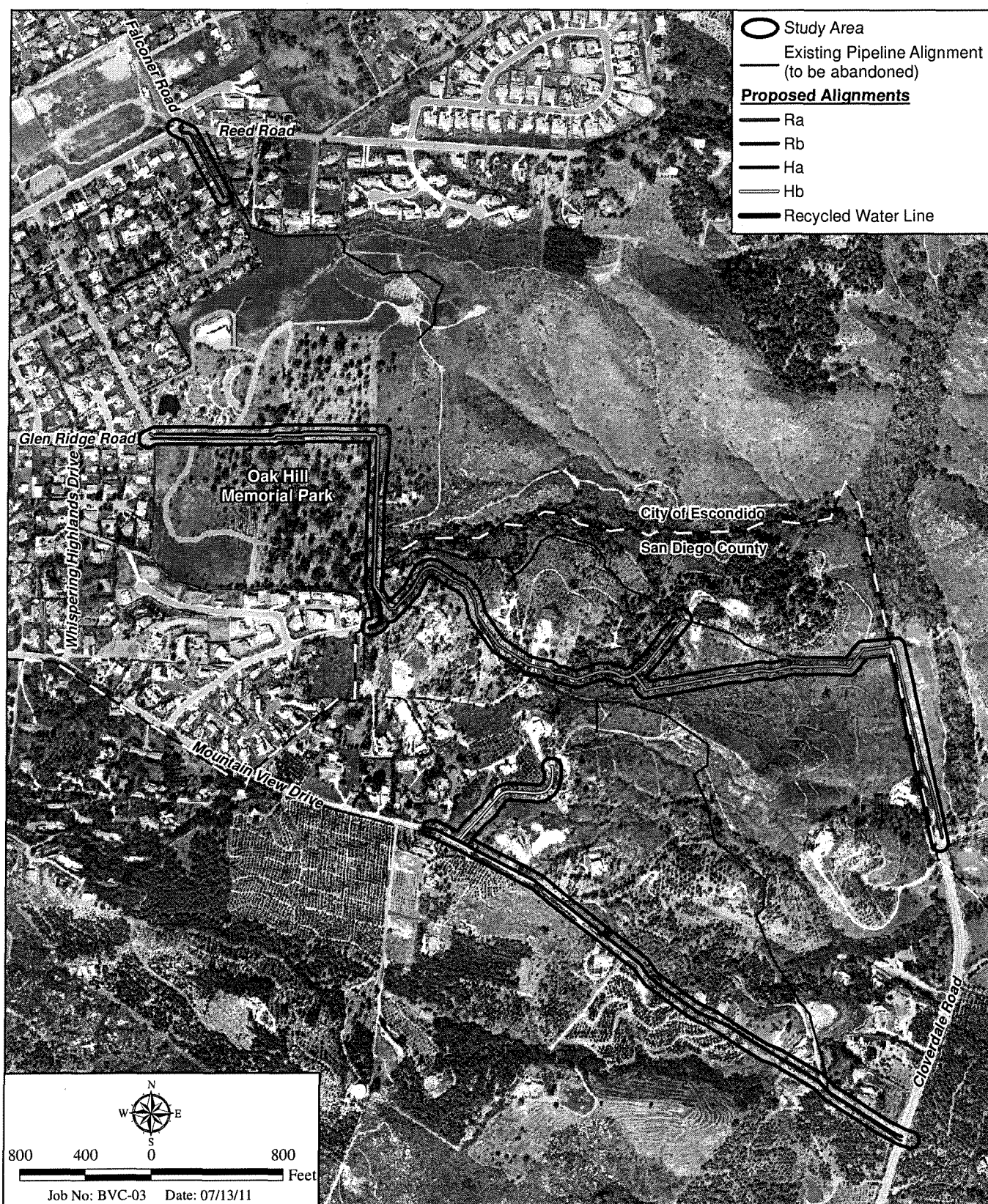


Project Location Map

CEMETERY AREA WATER PIPELINE REPLACEMENT PROJECT

HELIX

Figure 2



Aerial Photograph

CEMETERY AREA WATER PIPELINE REPLACEMENT PROJECT

HELIX

Figure 3

RESOLUTION NO. 2012-158

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
APPROVING AND ADOPTING THE FINAL
MITIGATED NEGATIVE DECLARATION FOR
THE CEMETERY AREA WATER PIPELINE
REPLACEMENT PROJECT

Case No. ENV 10-0004

WHEREAS, a Mitigated Negative Declaration has been prepared for the Cemetery Area Water Pipeline Replacement Project that consists of the abandonment of approximately 17,500 linear feet (3.3 miles) of existing 12- to 24-inch diameter potable water pipeline within the East Grove, Reed, and Hogback pressure zones that will be replaced with approximately 12,600 linear feet of new pipeline that generally would be constructed along lot lines or within public rights-of-way. In addition, an approximately 2,545-foot long, 20-inch diameter recycled water pipeline would be constructed in the western portion of the project area, but would not be activated immediately. The project also would include construction of an approximately 10-by-20-foot pressure-reducing structure along the potable water pipeline alignment in the eastern portion of the project area; and

WHEREAS, the City Council of the City of Escondido as the lead agency under the California Environmental Quality Act ("CEQA") is responsible for adoption of the Mitigated Negative Declaration; and

WHEREAS, the City Council of the City of Escondido did on October 17, 2012, hold a meeting to consider adoption of the Mitigated Negative Declaration and associated Mitigation Monitoring Report; and

WHEREAS, the City Council has reviewed and considered the Final Mitigated Negative Declaration prepared for the project, and has determined that it adequately addresses all environmental issues associated with the project; and

WHEREAS, the City Council desires at this time, and deems it to be in the best public interest, to approve and adopt the Mitigated Negative Declaration for the Cemetery Area Water Pipeline Replacement Project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California:

1. That the above recitations are true.
2. That the City Council has considered the Mitigated Negative Declaration together with all comments received during the public review process.
3. That the Mitigation Monitoring Report attached as Exhibit "A," and incorporated by this reference, addresses mitigation for potential project related impacts and that the report will sufficiently mitigate and assign on-going responsibility for carrying out mitigation responsibilities which are appropriate to address and mitigate project-related impacts.
4. That upon consideration of the staff report (a copy of which is on file in the Planning Division), public testimony presented at the City Council meeting and applicable law, the City Council finds that the project is consistent with the General Plan and hereby approves and adopts the Mitigated Negative Declaration for the Cemetery Area Water Pipeline Replacement Project.



CITY OF ESCONDIDO
PLANNING DIVISION
201 NORTH BROADWAY
ESCONDIDO, CA 92025-2798
(760) 839-4671

Resolution No. 2012-158
Exhibit A
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**MITIGATION MONITORING REPORT
CASE NO.: ENV 10-0004**

PROJECT NAME: Cemetery Area Water Pipeline Replacement Project

PROJECT LOCATION: The approximately 12,600-linear foot (lf) potable water pipeline replacement and recycled water pipeline project would be constructed in four narrow alignments within an approximately 32-acre area. The project area is in the eastern portion of the City of Escondido's Utilities Department, Water Division service area, generally bound by Reed Road on the north, Cloverdale Road on the east, Mountain View Drive on the south, and Whispering Highlands Drive on the west. Oak Hill Memorial Park (Cemetery) is located within the project area and portions of both the potable and recycled water pipelines would be constructed within the Cemetery, outside of interment areas. A pressure-reducing station in the form of a 10-by-20-foot structure on a small concrete pad would be constructed along the potable water pipeline alignment on Mountain View Drive near the intersection with Cloverdale Road, in the southeast corner of the project area.

PROJECT DESCRIPTION: The proposed project consists of the abandonment of approximately 17,500 lf (3.3 miles) of existing 12- to 24-inch-diameter concrete-lined steel potable water pipeline within the East Grove, Reed, and Hogback pressure zones. The pipelines would be replaced with approximately 12,600 lf of new pipeline comprising steel, ductile iron, polyvinylchloride (PVC), or high-density polyethylene (HDPE) pipe material, as well as PVC or copper service laterals. In addition to the potable water pipelines, an approximately 2,545-foot-long, 20-inch-diameter HDPE recycled water pipeline would be constructed in the western portion of the project area, generally parallel with one portion of the potable water pipeline. Although expected to be installed concurrent with the rest of the proposed project, the recycled water line would not be activated until some point in the future. The project also would include construction of an approximately 10-by-20-foot pressure-reducing structure located along the potable water pipeline alignment in the eastern portion of the project area. The proposed project would replace aging potable water transmission and distribution infrastructure, increase water delivery capacity and pressure to the immediate project area, and maintain a reliable water supply and distribution system. The proposed alignments intersect with approximately 57 private parcels, 47 of which are residential. The project also would abandon those existing water lines that currently bisect private lots and replace them with new lines that, in most instances, would be constructed along lot boundary lines and/or within public rights-of-way. The primary objective of the increase in pressure or capacity that could result from the proposed project is to improve the flow of water to existing property owners during a wildfire-related emergency. The existing pipelines would stay in service throughout the duration of construction, and would be capped and abandoned in place following implementation of the proposed replacement pipelines, or removed if necessary to provide room for the replacement lines.

APPROVAL BODY/DATE: Escondido City Council / October 17, 2012

PROJECT MANAGER: Bill Martin, Principal Planner

CONTACT PERSON: Bill Martin

PHONE NUMBER: (760) 839-4557

Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTING	CERTIFIED INITIAL/DATE	COMMENTS
PRIOR TO APPROVAL OF GRADING, BUILDING AND LANDSCAPE PLANS					
Project impacts to sensitive vegetation communities.	<p>Bio-1: Mitigation for impacts to non-jurisdictional coast live oak woodland (including disturbed) within the City and unincorporated County shall occur at a 2:1 ratio through creation and enhancement of suitable habitat at an approved mitigation bank in consultation with the City, County, and resource agencies (Corps, CDFG) prior to clearing, grubbing or grading (Table 1).</p> <p>Mitigation for impacts to Diegan coastal sage scrub (including disturbed) within the unincorporated County shall occur at a 1.5:1 ratio while impacts to non-native grassland within the City and unincorporated County shall be mitigated at a 0.5:1 ratio through creation and enhancement of suitable habitat or acquisition of suitable credits at an approved mitigation bank in consultation with the County and resource agencies prior to clearing, grubbing or grading (Table 1).</p>	Mitigation Measure Bio-1 Page 16	City Planning Division County Department of Planning and Land Use		
Potential indirect impacts to sensitive animal species.	Bio-2: Indirect impacts to sensitive animal species (through loss of habitat) shall be mitigated through implementation of Mitigation Measure Bio-1, above.	Mitigation Measure Bio-2 Page 18	City Planning Division County Department of Planning and Land Use		
PRIOR TO AND DURING CONSTRUCTION					
Potential direct and indirect impacts to nesting/breeding gnatcatchers and/or raptors.	<p>Bio-3: Unless a pre-grading survey is conducted within three days prior to the initial disturbance, no grubbing, clearing, or grading within 500 feet of occupied Diegan coastal sage scrub during the gnatcatcher breeding season (February 15 through August 31) or tree-nesting raptor breeding season (January 1 through September 15) shall occur. As such, all grading permits, improvement plans, and the final map shall state the same.</p> <p>If grubbing, clearing, or grading would occur during the gnatcatcher and/or raptor breeding season, a pre-grading survey shall be conducted within three days prior to grading to determine if these species occur within the areas directly impacted by grading or indirectly impacted by noise. If there are no gnatcatchers or raptors nesting (includes nest building or other breeding/nesting behavior) within this area, development shall be allowed to proceed. However, if any of these birds are observed nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until (1) all nesting (or breeding/nesting behavior) has ceased or until after September 15; or (2) a temporary noise barrier or berm shall be constructed at the edge of the development footprint to reduce noise levels below 60 dB Leq or ambient (if ambient is greater than 60 dB Leq). Alternatively, the duration of construction equipment operation could be controlled to keep noise levels below 60 dB Leq or</p>	Mitigation Measure Bio-3 Page 18	City Planning Division Qualified biologist		

Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTING	CERTIFIED INITIAL/DATE	COMMENTS
	<p>Bio-3 (cont.): ambient in lieu of or in concert with a wall or other sound attenuation barrier.</p> <p>To ensure compliance with the MBTA, clearing of native vegetation shall occur outside of the breeding season of most avian species (March 1 through July 31) unless a pre-grading survey is negative. Clearing during the breeding season of MBTA-covered species (migratory birds that are native to the U.S. or its territories) could occur if it is determined that no nesting birds (or birds displaying breeding or nesting behavior) are present within three days prior to clearing. As described above, a pre-grading survey shall be conducted to determine if breeding or nesting avian species occur within areas directly affected by grading or indirectly affected by noise. If any of these birds are observed nesting or displaying breeding/nesting behavior within the area, construction shall be postponed until (1) the nest is abandoned or the young have fledged or (2) after July 31.</p>				
Avoidance of impacts to sensitive vegetation communities.	<p>Bio-4: In areas adjacent to sensitive vegetation, the construction and staging area limits shall be clearly demarcated with temporary construction (orange blaze) fencing under the supervision of a qualified biologist to ensure that construction activity remains within the defined limits of work (refer to Figures 8a and 8b in the BTR). This fencing shall be erected prior to commencement of brushing or grading activities and shall demarcate areas where human and equipment access and disturbance from grading are prohibited adjacent to sensitive habitats. All site preparation near these interfaces shall be monitored by a qualified biologist during construction activities. A qualified biologist also shall inspect the demarcated areas during regularly scheduled construction monitoring visits.</p>	Mitigation Measure Bio-4 Page 18	Construction Manager Qualified biologist		
Avoidance of impacts to sensitive jurisdictional areas and County RPO wetlands.	<p>Bio-5: The Corps jurisdictional Waters of the U.S., CDFG jurisdictional Waters of the State, and County RPO wetlands within the BSA shall be avoided and no impacts shall occur to these jurisdictional areas and County RPO wetlands adjacent to the project alignment. The Corps and CDFG jurisdictional areas and County RPO wetlands to be avoided shall be clearly demarcated with temporary construction (orange blaze) fencing under the supervision of a qualified biologist to ensure that construction activity remains outside of these sensitive areas (refer to Figures 8a and 8b in the BTR). This fencing shall be erected prior to commencement of brushing or grading activities and shall demarcate areas where human and equipment access and disturbance from grading are prohibited adjacent to sensitive jurisdictional habitats and County RPO wetlands. All site preparation near these interfaces shall be monitored by a qualified biologist during construction activities. A qualified biologist also shall inspect the demarcated areas during regularly scheduled construction monitoring visits.</p>	Mitigation Measure Bio-5 Page 19	Construction Manager Qualified biologist		

Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTING	CERTIFIED INITIAL/DATE	COMMENTS
Potential impacts related to disturbance of unknown subsurface cultural resources due to the cultural sensitivity of the project area.	CR-1: Prior to implementation of the monitoring, a pre-excavation agreement shall be developed between the appropriate Native American Tribes and the Water Division. Due to the location of the project, both Kumeyaay and Luiseño representatives should be included.	Mitigation Measure CR-1 Page 22	City Water Division Native American representatives of Kumeyaay and Luiseño tribes		
Potential impacts related to disturbance of unknown subsurface cultural resources due to the cultural sensitivity of the project area.	CR-2: The qualified archaeologist and the Native American representatives shall attend the pre-grading meeting with the contractors to explain the requirements of the program.	Mitigation Measure CR-2 Page 23	Construction Manager Qualified archaeologist and Native American representatives		
Potential impacts related to disturbance of unknown subsurface cultural resources due to the cultural sensitivity of the project area.	CR-3: An archaeologist and Native American monitors shall be on-site during all brushing and clearing, as well as during grading, trenching, and other ground-disturbing activities that occur within the first three feet below grade, unless otherwise agreed upon by the archaeological Principal Investigator, the Native American representatives, and Water Division staff. During the initial monitoring phase, the archaeological Principal Investigator shall re-evaluate the proposed alignments and identify those disturbance areas which are either in paved roads outside of alluvial areas; on very steep slopes without bedrock outcrops; or in bedrock, and therefore less likely to contain cultural resources. Decisions will be made in the field as to which areas do not require monitoring by an archaeologist. Native American monitors, however, shall be on site during all brushing, clearing, and other ground-disturbing activities, as noted above.	Mitigation Measure CR-3 Page 23	City Water Division Qualified archaeologist and Native American monitors		
Potential impacts related to encountering unknown subsurface cultural resources during site preparation and/or construction.	CR-4: If cultural resources are encountered, the monitors shall have the authority to temporarily halt or redirect grading/trenching while the cultural resources are documented and assessed. If significant resources are encountered, appropriate mitigation measures must be developed and implemented.	Mitigation Measure CR-4 Page 23	Construction Manager Qualified archaeologist and Native American monitors		
Potential impacts related to encountering human remains during site preparation and/or construction.	CR-5: If any human remains are discovered, the County Coroner shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.	Mitigation Measure CR-5 Page 23	County Coroner Native American monitors		
Potential impacts related to recovery of artifactual materials.	CR-6: Recovered artifactual materials shall be cataloged and analyzed.	Mitigation Measure CR-6 Page 23	Qualified archaeologist		
Potential impacts related to monitoring and data recovery.	CR-7: A report shall be completed describing the methods and results of the monitoring and data recovery program.	Mitigation Measure Cul-7 Page 23	City Planning Division Qualified archaeologist		

Resolution No. 2012-158
 Exhibit A
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Phase at which the Mitigation Measures are to be implemented

NATURE OF IMPACT	MITIGATION MEASURE	IDENTIFICATION NO. LOCATION IN DOC.	RESPONSIBILITY FOR IMPLEMENTING	CERTIFIED INITIAL/DATE	COMMENTS
Potential impacts related to curation of artifacts.	CR-8: Artifacts collected (if any) shall be curated with accompanying catalog to current professional repository standards or the collection will be repatriated to the appropriate Native American Tribe(s), as specified in the pre-excavation agreement.	Mitigation Measure CR-8 Page 23	City Planning Division City Water Division Qualified archaeologist and Native American monitors		