

Notice is hereby given that the Rainbow Municipal Water District Board of Directors will hold Closed Session at 11:00 a.m. and Open Session at 1:00 p.m. Tuesday, August 30, 2022 at the District Office located at 3707 Old Highway 395, Fallbrook, CA 92028. At any time during the session, the Board of Directors Meeting may adjourn to Closed Session to consider litigation or to discuss with legal counsel matters within the attorney client privilege.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL: Gasca___ Hamilton___ Mack___ Moss___ Stewart___**
3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**
4. **INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

CHAIR TO READ ALOUD - "If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.

*Those who have joined by dialing a number on their telephone, will need to press *6 to unmute themselves and then *9 to alert us that they would like to speak.*

A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."

5. **ORAL/Written COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING CLOSED SESSION AGENDA ITEMS (Government Code § 54954.2).**

Under Oral Communications, any person in attendance wishing to address the Board regarding Closed Session agenda items should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. Any person attending the meeting remotely wishing to address the Board regarding Closed Session agenda items may email or mail in their comments to the Board Secretary one hour before the Closed Session scheduled start time to be read to the Board prior to their adjournment to Closed Session or may speak to the Board by calling (760) 728-1178, listening for "Thank you for calling Rainbow Municipal Water District", dialing Extension 429, and entering pin 8607 at the Closed Session scheduled start time. Once all public comment is heard, this call will be disconnected, and the Board will adjourn to Closed Session. To participate in the Open Session portion of the meeting, please follow the instructions provided at the top of Page 1 of this agenda. Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

6. **CLOSED SESSION**
 - A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))
* Three Items
 - B. Appointment, Employment; Evaluation of Performance – General Manager (Government Code §54957(B)(1))

(*) - Asterisk indicates a report is attached.

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Time Certain: 1:00 p.m.

8. REPEAT CALL TO ORDER

9. PLEDGE OF ALLEGIANCE

10. REPEAT ROLL CALL

*11. BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 22-24 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)

(A majority of the RMWD Board of Directors invoked AB361 at their October 26, 2021 meeting and to comply with AB361, the Board must reconsider the circumstances of emergency at all subsequent meetings.)

12. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

13. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)

14. REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE

CHAIR TO READ ALOUD - *"If at any point, anyone would like to ask a question or make a comment and have joined this meeting with their computer, they can click on the "Raise Hand" button located at the bottom of the screen. We will be alerted that they would like to speak. When called upon, please unmute the microphone and ask the question or make comments in no more than three minutes.*

*Those who have joined by dialing a number on their telephone, will need to press *6 to unmute themselves and then *9 to alert us that they would like to speak.*

A slight pause will also be offered at the conclusion of each agenda item discussion to allow public members an opportunity to make comments or ask questions."

15. ORAL/Written COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS NOT ON THIS AGENDA (Government Code § 54954.2).

Under Oral Communications, any person in attendance wishing to address the Board regarding matters not on this agenda should indicate their desire to speak by filling out and submitting a "Speaker's Slip" to the Board Secretary before the meeting begins. Any person attending remotely wishing to address the Board regarding matters not on this agenda should indicate their desire to speak or may email or mail their comments to the Board Secretary one hour before the Open Session scheduled start time. All written public comments received will be read to the Board during the appropriate portion of the meeting. No action will be taken on any oral communications item since such item does not appear on this Agenda, unless the Board of Directors makes a determination that an emergency exists or that the need to take action on the item arose subsequent to posting of the Agenda (Government Code §54954.2). Speaking time shall generally be limited to three minutes unless a longer period is permitted by the Board President.

16. EMPLOYEE RECOGNITIONS

- A. Excellence Coin Awards
 - 1. Bernardo Nunez
 - 2. Dawn Washburn

(*) - Asterisk indicates a report is attached.

***17. PUBLIC HEARING**

A. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-23 TO CERTIFY A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE DISTRICT'S WATER AND SEWER FACILITIES PLAN (DISTRICT WIDE)

(District has prepared a Program Environmental Impact Report (PEIR) for its Water and Sewer Facilities Plan. The PEIR analyzes the District's reasonably foreseeable projects and maintenance and construction activities to meet the requirements of the California Environmental Quality Act.)

***18. APPROVAL OF MINUTES**

A. July 26, 2022 - Regular Board Meeting

***19. BOARD OF DIRECTORS' COMMENTS/REPORTS**

Directors' comments are comments by Directors concerning District business, which may be of interest to the Board. This is placed on the agenda to enable individual Board members to convey information to the Board and to the public. There is to be no discussion or action taken by the Board of Directors unless the item is noticed as part of the meeting agenda.

- A. President's Report (Director Hamilton)
- B. Representative Report (Appointed Representative)
 - 1. SDCWA
 - A. Summary of Board Meeting July 28, 2022
 - 2. CSDA
 - 3. LAFCO
 - 4. Santa Margarita River Watershed Watermaster Steering Committee
 - 5. ACWA
- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)
 - 1. Board Seminar/Conference/Workshop Training Attendance Reports
- D. Directors Comments
- E. Legal Counsel Comments
 - 1. Attorney Report: Government Claims Act

20. COMMITTEE REPORTS

- A. Budget and Finance Committee
- B. Engineering and Operations Committee
- C. Communications and Customer Service Committee

CONSENT CALENDAR ITEMS

21. NOTICE OF COMPLETION AND ACCEPTANCE OF RAPID AERIAL WATER SUPPLY (RAWS) AT THE PALA MESA TANK SITE (DIVISION 3)

(Rapid Aerial Water Supply was a collaborative project between the District, North County Fire Protection District, and Cal Fire San Diego Unit which included the installation of an open-top steel tank for use by aircrews fighting fires. All facilities have been constructed per plan with no change orders.)

***22. DISCUSSION AND POSSIBLE ACTION TO APPROVE AND EXECUTE JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION COUNTY OF SAN DIEGO TRACT NO. 5354-4 (VTM5354R2, PDS2019-LDMJIP-50070, PA-5C) FOR CITRO DEVELOPMENT (DIVISION 4)**

(As part of the project, the developer (Tri Pointe Homes) will be constructing significant water and sewer infrastructure and paying capacity fees. In order to construct a subdivision in San Diego County, an agreement must be signed by the affected parties/agencies and the developer. Execution of this agreement falls under the purview of the Board of Directors.)

(*) - Asterisk indicates a report is attached.

23. **CONSENT TO THE OMISSION OF SIGNATURES FROM THE FINAL MAP FOR COUNTY OF SAN DIEGO TRACT NO. 5354-4, AND MAKE A FINDING THAT THE FINAL MAP WILL NOT UNREASONABLY INTERFERE WITH THE FREE AND COMPLETE EXERCISE OF THE DISTRICT'S EASEMENTS (DIVISION 4)**
(The District holds an easement within the boundaries of Tract No. 5354-4 which will not be affected by the recording of the Final Map for Tract No. 5354-4. The Final Map may not be recorded without a signature omission letter from the District stating that the Final Map will not unreasonably interfere with the free and complete exercise of the District's Easements.)

BOARD ACTION ITEMS

- *24. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A CONTRACT CHANGE ORDER WITH HOCH CONSULTING FOR DESIGN OF THE HUTTON & TURNER PUMP STATIONS IN THE AMOUNT OF \$299,061 & EXTEND THE CONTRACT THROUGH FEBRUARY 24, 2023 (DIVISION 1)**
(The Board approved a design contract with Hoch Consulting on January 26, 2021 in the amount of \$166,148 for the replacement of the temporary pumps which supply the Hutton and Turner tanks with permanent pump stations. A change order is needed to complete the design for the Hutton and Turner pump stations and include a design for a third pump station known as Dentro De Lomas pump station.)
- *25. **CONSIDER APPROVAL OF A CONTRACT CHANGE ORDER FOR THE CASS ARRIETA CONTRACT WITH TRI-POINTE HOMES FOR \$80,000, AND AN AMENDMENT TO THE PARTICIPATION AGREEMENT FOR THE RICE CANYON TANK TRANSMISSION MAIN PROJECT (DIVISION 5)**
(Hard rock excavation has completely exhausted the remaining contingency and an additional Participation Agreement Amendment is needed to increase the total maximum project cost from \$5,502,373 to a not to exceed amount of \$5,582,373. This change is a \$80,000 cost increase, which includes outstanding expenses related to hard rock, projected expenditures and replenishment of 15% of the project's contingency.)
- *26. **DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-16 UPDATING AND AMENDING ADMINISTRATIVE CODE SECTION 5.02.010 – CENTRALIZED PURCHASING**
(The update to the RMWD Administrative Procurement Code is necessary due to the acceptance of federal funding.)
- *27. **DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE REQUEST REQUESTING AN ADJUSTMENT IN WATER USAGE (Division 1)**
(Discussion and possible action to approve a variance request for an adjustment following a missed meter read.)
28. **DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT; EMPLOYMENT; EVALUATION OF PERFORMANCE; OR COMPENSATION OF THE GENERAL MANAGER**
(The Board may take action regarding the appointment, employment, performance or compensation of the General Manager.)
29. **BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS**

BOARD INFORMATION ITEMS

30. **GRANT PROGRAM UPDATE**
31. **DATA CONFERENCE UPDATE**

(*) - Asterisk indicates a report is attached.

***32. REVIEW AND DISCUSS THE RENEWABLE ENERGY BILL CREDIT TRANSFER PROGRAM AND POTENTIAL OPPORTUNITIES FOR RAINBOW MUNICIPAL WATER DISTRICT (DISTRICT WIDE)**
(Various programs were evaluated to determine the eligibility and availability of SDG&E solar programs including the Net Energy Metering (NEM) and Renewable Energy Bill Credit Transfer (RES-BCT) programs. Renewable Energy Bill Credit Transfer (RES-BCT) program, which allows public agency renewable generation at one site to offset SDG&E bills at other sites was determined to be the best option, however the program has been fully subscribed for years and shows no sign of reopening.)

***33. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**

- A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
- B. Operations Comments**
 - 1. Operations Report
- C. Engineering Comments**
 - 1. Engineering Report
 - 2. As-Needed Services Expenditures Summary
 - 3. RMWD Sewer Equivalent Dwelling Units (EDU's) Status
- D. Human Resource & Safety Comments**
 - 1. Human Resources Report
- E. Finance Comments**
 - 1. Board Information Report
 - A.** Budget vs. Actuals
 - B.** Fund Balance & Developer Projections
 - C.** Treasury Report
 - D.** Five Year Water Purchases Demand Chart
 - E.** Water Sales Summary
 - F.** Check Register
 - G.** Directors' Expenses Report
 - H.** Credit Card Breakdown
 - I.** RMWD Properties

34. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

35. ADJOURNMENT - To Tuesday, September 27, 2022 at 1:00 p.m.

ATTEST TO POSTING:

Pam Moss
Pam Moss
Secretary of the Board

8-22-22 @ 12:45 p.m.
Date and Time of Posting
Outside Display Cases

(*) - Asterisk indicates a report is attached.

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 22-24 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)

BACKGROUND

On September 16, 2021, Governor Newsom signed Assembly Bill 361 (“AB 361”), which incorporated into California state law some aspects of the teleconferencing rules that have applied by Executive Order to local public agencies during the COVID-19 pandemic. Notably, because AB 361 included an urgency measure, the law was immediately effective as of the date of the Governor’s signature. AB 361 provides that it sunsets on January 1, 2024.

Benefits

Benefits of operating under AB 361 during the COVID-19 pandemic, as opposed to under the normal open meeting laws, include the following:

- Agendas need not be posted at all teleconference locations;
- Each teleconference location need not be identified in the notice and agenda of the meeting;
- Each teleconference location need not be accessible to the public; and
- A quorum of the members of the legislative body do not need to participate in the meeting from locations within the boundaries of the territory over which the public agency exercises jurisdiction.

Requirements

Following are requirements for invoking AB 361 the first time that a public agency does so:

1. There must be a “proclaimed state of emergency,” as there is currently, in that the Governor’s State of Emergency Declaration, issued on March 4, 2020, has not been lifted, and
2. One of the following three circumstances must exist:
 1. State or local officials have imposed or recommended measures to promote social distancing.
 2. The meeting is held to determine, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to health or safety of attendees.
 3. The majority of the legislative body has voted that, as a result of the emergency, meeting in person would present imminent risk to the health or safety of attendees.

If a public agency wishes to consider invoking AB 361 for subsequent meetings, the following is required:

1. The proclaimed state of emergency must remain active; or
2. State or local officials have imposed or recommended measures to promote social distancing; and
3. Not later than 30 days after teleconferencing for the first time under the AB 361 rules, *and every 30 days thereafter*, the Legislative body shall make the following findings by majority vote:
 - The legislative body has reconsidered the circumstances of emergency, and at least one of the following circumstances exist:
 1. The state of emergency continues to directly impact the ability of the members to meet safely in person; or
 2. State or local officials continue to impose or recommend measures to promote social distancing.

If a public agency invokes AB 361, the following notice and public participation requirements apply:

Notice Requirements

- Each notice of the meeting and agenda must identify the means by which members of the public may access the meeting and offer public comment by a call-in option or an internet-based service option (does not need to be both).

Public Participation Requirements

- Cannot require public comments to be submitted in advance of the meeting (although the agency may provide this as an option along with the call-in or internet-based service option).
- Public must be able to attend via call-in option or internet-based service option (does not need to be both).
- Public must be able to address the legislative body “directly” via call-in option or internet-based service option.
- The public agency must provide an opportunity for the public to address the Legislative body and “offer comment in real time.”
- If there is a disruption that prevents the public agency from broadcasting the meeting using the call-in option or internet based service option, or if there is a disruption within the public agency’s control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the body “shall take no further action on items appearing on the agenda until public access to the meeting via the call-in option or internet-based service option is restored.”
- Timing of Public Comment Period
 - If a legislative body does not provide a timed public comment period, but takes public comment separately on each agenda item, it shall allow a “reasonable amount of time per agenda item to allow public members the opportunity to provide public comment,” including time for members of the public to register to provide comment or otherwise be recognized for the purpose of providing public comment.

- If a legislative body provides a timed general public comment period that does not correspond to a specific agenda item, it shall not close the public comment period or the opportunity to register until the timed general public comment period has lapsed.
- If a legislative body provides a timed public comment period for each agenda time, it shall not close the public comment period or the opportunity to register until the timed public comment has elapsed.

DESCRIPTION

Continuing Legislative Findings

On October 26, 2021, the Board of Directors approved a Resolution authorizing virtual meetings in accordance with Assembly Bill 361. The Board of Directors approved a Resolution renewing the virtual meeting authorization pursuant to AB 361 on July 26, 2022. In order to continue virtual meetings, AB 361 requires that the Board adopt the legislative findings discussed above every 30 days, for as long as the Board wishes to continue virtual meetings.

ENVIRONMENTAL

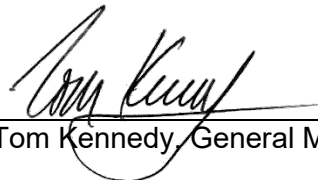
In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a "project" as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

1. Adopt the attached Resolution No. 22-24 renewing virtual meetings in accordance with Assembly Bill 361.
2. Do not invoke AB 361 and provide staff with direction.

STAFF RECOMMENDATION

Staff supports direction.



Tom Kennedy, General Manager

August 30, 2022

RESOLUTION NO. 22-24

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
RENEWING REMOTE TELECONFERENCE MEETINGS
IN ACCORDANCE WITH ASSEMBLY BILL 361 (AB361)**

WHEREAS, COVID-19 (also known as the “Coronavirus Disease”) is a respiratory disease that has spread across the globe, with thousands of confirmed cases in California; and

WHEREAS, according to data from Johns Hopkins University, the COVID-19 pandemic has caused the death of more than 68,796 Californians as of October 1, 2021; and

WHEREAS, social distancing measures decrease the chance of spreading COVID-19; and

WHEREAS, the Rainbow Municipal Water District is committed to preserving and fostering public access, transparency, observation, and participation in meetings of the Board of Directors and Committee meetings; and

WHEREAS, all meetings of the Board of Directors and Standing Committees are open and public as required by the Ralph M. Brown Act, Government Code sections 54950 – 54963, so that any member of the public may attend, observe, and participate in a meaningful way; and

WHEREAS, Government Section 54953 (b) (3) of the Brown Act allows a local legislative body to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, as long as the following requirements are met:

1. Each teleconference location from which a member is participating is noticed on the agenda;
2. Each teleconference location is accessible to the public;
3. Members of the public must be able to address the body at each teleconference location;
4. At least one member of the legislative body must be physically present at the location specified in the meeting agenda; and

5. During teleconference meetings, at least a quorum of the members of the local body must participate from locations within the local body's territorial jurisdiction; and

WHEREAS, the Brown Act, as amended by AB 361 (2021), at Government Code section 54953(e) *et seq.*, allows for remote observation and participation in meetings by members of a legislative body and members of the public without compliance with the requirements of Government Code section 54953(b)(3), subject to certain conditions; and

WHEREAS, the initial required condition is a declaration of a state of emergency by the Governor pursuant to the California Emergency Services Act at Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state and within the boundaries of the Rainbow Municipal Water District, caused by conditions as described in Government Code section 8558; and

WHEREAS, the Governor's Proclamation of a State of Emergency includes area within the boundaries of the Rainbow Municipal Water District; and

WHEREAS, Government Code Section 54953(e)(3)(A-B) added by AB 361 provides an alternative to having public meetings in accordance with Government Code Section 54953(b)(3) when the Rainbow Municipal Water District has reconsidered the circumstances of the COVID-19 state of emergency and that the following circumstances exist:

1. The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of Board of Directors and the members of the Standing Committees to meet safely in person; and
2. The State of California and the County of San Diego continue to recommend measures to promote social distancing.

WHEREAS, Government Code Section 54953(e) *et seq.* further requires that state or local officials have imposed or recommended measures to promote social distancing or the legislative body finds that meeting in person would present an imminent risk to the health or safety of attendees; and

WHEREAS, such conditions now exist in the Rainbow Municipal Water District's territorial boundaries in that (i) State and Local officials recommend social distancing measures and (ii) emergency conditions evidenced by COVID-19 and its variants create ongoing COVID-19 cases, hospitalizations, and deaths, such that COVID-19 continues to pose an imminent risk to the public; and

WHEREAS, the Rainbow Municipal Water District affirms that it will allow for observation and participation by Board Members, Committee members and the public via Zoom in an effort to protect the constitutional and statutory rights of all attendees; and

WHEREAS, on October 26, 2021, the Board of Directors approved a Resolution authorizing virtual meetings in accordance with Assembly Bill 361; and

WHEREAS, the Board of Directors approved a Resolution renewing the virtual meeting authorization pursuant to AB 361 on July 26, 2022; and

WHEREAS, Government Code Section 54953 (e)(3) requires that the Rainbow Municipal Water District review the need and make findings for continuing the teleconferencing as authorized by AB 361 at least once every thirty days until the Governor terminates the state of emergency.

NOW, THEREFORE, THE RAINBOW MUNICIPAL WATER DISTRICT HEREBY FINDS, DECLARES, AND RESOLVES AS FOLLOWS:

Section 1. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. The Rainbow Municipal Water District finds that the state of emergency conditions related to COVID-19 as set forth in the Governor’s Proclamation of Emergency are on-going.

Section 3. The Rainbow Municipal Water District further finds that state and county officials recommend social distancing conditions to prevent imminent risk to in-person meeting attendees.

Section 4. The Rainbow Municipal Water District hereby recognizes and affirms the existence and conditions of a state of emergency as proclaimed by the Governor and by state and local officials; and the Rainbow Municipal Water District affirms, authorizes, and proclaims the existence of a local emergency throughout its territorial boundaries.

Section 5. The Rainbow Municipal Water District finds that the state of emergency as a result of COVID-19 continues to directly impact the ability of members of the Board, Committees and the public to meet safely in person, and that COVID-19 continues to pose an imminent health risk to the public.

Section 6. The Rainbow Municipal Water District hereby authorizes the Board of Directors and Committee members to conduct their meetings without compliance with Government Code section 54953(b)(3), and to instead comply with the remote meeting requirements as authorized by Government Code section 54953(e) *et seq.*

Section 7. The Board President and Board Secretary are authorized and directed to take all actions reasonably necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings remotely in accordance with Government Code section 54953(e) *et seq.*, and other applicable provisions of the Brown Act, for all Board of Directors and Standing Committee meetings.

Section 8. This Resolution shall renew the virtual meeting authorization adopted by the Board of Directors on July 26, 2022. This renewed virtual meeting authorization shall take effect immediately upon its adoption and shall be effective until either (i) thirty days after the adoption of this Resolution, or (ii) such time as the Rainbow Municipal Water District adopts a Subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors and Standing Committees may continue to meet remotely, without compliance with Government Code section 54953(b)(3), but otherwise as permitted by Government Code section 54953(e) *et seq.*

PASSED AND ADOPTED at a meeting of the Board of Directors of the Rainbow Municipal Water District held on the 30th day of August 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Hayden Hamilton, Board President

ATTEST:

Dawn M. Washburn, Board Secretary

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-23 TO CERTIFY A PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE DISTRICT'S WATER AND SEWER FACILITIES PLAN (DISTRICT WIDE)

BACKGROUND

The District routinely undertakes sewer and water conveyance and storage construction and maintenance activities to manage and support the water supply and sewer systems managed by the District. Such projects are identified in the District's capital improvement plans. The California Environmental Quality Act (CEQA) allows a public agency to prepare a single, "Program" Environmental Impact Report for a series of actions that are geographically related or that are individual activities carried out under the same authorizing statutory and regulatory authority and having generally similar environmental effects that can be managed in similar ways. A Program EIR has the advantage of streamlining CEQA review by simplifying later environmental review for activities within the program and by allowing the agency to consider broad programmatic issues, such as the cumulative environmental effects of its activities, and overall project alternatives, at an early stage of the planning process. When appropriate, a Program EIR may also be used to avoid the preparation of multiple EIRs on a series of actions.

The current practice at the District has been to handle CEQA requirements on a project-by-project basis. This practice has led to delays in constructing projects and unforeseen expenses. The PEIR is intended to streamline the environmental process for District projects by avoiding duplicative analyses, saving the District time and money and also ensuring a consistent approach for all District activities.

On June 25, 2019 Rainbow Municipal Water District (RMWD) Board of Directors approved a professional services agreement with HELIX Environmental to prepare a Program Environmental Impact Report (PEIR).

The PEIR analyzes the District's reasonably foreseeable projects and maintenance and construction activities, discloses the potential environmental impacts of such activities, and where appropriate identifies standard recommended mitigation measures capable of reducing and avoiding impacts to below a level of significance. The PEIR includes technical reports on biological resources, cultural resources, and paleontological resources. Field surveys were conducted to support the aforementioned reports. Significant public outreach has also been performed as part of the PEIR development process to engage various stakeholders, including neighboring Native American Tribes.

The approach described in the original Request for Proposals involved an analysis of planned Capital Improvement Program (CIP) projects. However, District staff took an innovative and holistic approach to expand the coverage of the PEIR to include not only CIP projects, but all water and sewer pipelines, so that if future repairs could rely on the PEIR.

District's staff's innovative approach to streamline CEQA reviews was described in a presentation to the Engineering and Operations (E&O) Committee and Board of Directors in April 2021. In order to analyze potential biological impacts from the District's activities, District staff, working with HELIX Environmental and Omnis Consulting identified the subset of projects that could, as a result of their proximity to sensitive resources, result in a potentially significant impact to special status species, sensitive vegetation communities, or jurisdictional waters. The PEIR recommends standard mitigations measures to be used to address such impacts. The PEIR also identifies, based on the results of field work and discussion with District staff, the subset of District activities that could be designed or implemented in a manner that is not expected to result in potentially significant impacts to biological resources.

This approach has resulted in early engagement with the California Department of Fish and Wildlife and is anticipated to provide greater certainty with respect to CEQA reviews and permitting for individual projects. The approach was well received by both the E&O Committee and Board of Directors; however, due to the need for advanced planning, it also expanded the scope of service for the consultant and need for a time extension to complete the project.

The Draft PEIR was released for public review on May 25, 2022 through July 8, 2022. Prior to releasing the Draft PEIR, District staff engaged neighboring Native American Tribes to share the cultural resources technical report and to offer consultation. Letters were also mailed out to stakeholders to inform them of the 45-day public review of the Draft PEIR. A notice was advertised in the Daily Transcript on May 25, 2022. The Draft PEIR was also uploaded to the State Clearinghouse and was posted on the District's website. A presentation was given to the Engineering and Operations Committee on August 3, 2022. A description of the PEIR document and comments received will be presented in the next section. This project is a District-wide project and includes all five Divisions.

DESCRIPTION

Pursuant to State CEQA Guidelines section 15168, the PEIR evaluates the broad programmatic implementation of the Water and Sewer Plan (Project), which includes 28 water system projects, 10 sewer system projects, maintenance activities, and 400 miles of District pipelines (PEIR Document is posted at <https://www.rainbowmwd.com/engineering-services>). The PEIR provides a comprehensive consideration of potential environmental effects, including cumulative impacts, mitigation measures, and alternatives, than would be provided if each project was analyzed individually. The PEIR streamlines the CEQA process and provides a roadmap for future CEQA reviews and project implementation.

In accordance with State CEQA Guidelines section 15082, on May 27, 2021, the District sent to the Office of Planning and Research State Clearinghouse and each responsible and trustee agency a Notice of Preparation (NOP) stating that a PEIR (State Clearinghouse Number 2021050602) would be prepared. The NOP was also published in the Daily Transcript. Four comment letters were received in response to the NOP. Pursuant to Public Resources Code section 21083.9 and State CEQA Guidelines sections 15082(c) and 15083, the District held an online noticed scoping meeting on June 16, 2021 to solicit comments on the scope of the environmental review of the proposed Project. No comments were submitted during the scoping meeting.

The Draft PEIR was prepared, incorporating comments received in response to the NOP. The Draft PEIR concluded that the Program would not result in significant impacts to aesthetics; air quality; agriculture and forestry; greenhouse gases; land use and planning; mineral resources, population and housing, public services, recreation, or utilities and service systems.

The Draft PEIR identified potentially significant impacts and recommended mitigation measures for the remaining resource areas analyzed in the Draft PEIR. No significant, un-mitigable impacts associated with implementation of the Project have been identified.

In accordance with State CEQA Guidelines section 15085, a Notice of Completion was prepared and filed with the Office of Planning and Research on May 25, 2022; and as required by State CEQA Guidelines section 15087(a), the District provided Notice of Availability of the Draft PEIR to the public at the same time that the District submitted the Notice of Completion to the Office of Planning and Research, on May 25, 2022. During the public comment period, copies of the Draft PEIR and technical appendices were available for review and inspection at the District's offices, and on the District's website. Pursuant to State CEQA Guidelines section 15087(e), the Draft PEIR was circulated for a 45-day review period from May 25, 2022 through July 8, 2022.

Outreach to Native American Tribes was conducted in Fall 2021 and Spring 2022. Feedback from Tribes included a request to be consulted with on future projects. In addition, local Tribes were provided with the Draft PEIR two weeks prior to public circulation. No additional comments from Tribes were received.

The District received three written comment letters on the Draft PEIR within the noticed comment period. Letters were received from the California Department of Fish and Wildlife, the California Department of Transportation, and the County of San Diego. Pursuant to Public Resources Code section 21092.5, the District provided copies of its responses to commenting public agencies at least ten (10) days prior to its consideration of the Final PEIR. No comments received by the District and no additional information submitted to the District have produced substantial new information requiring recirculation of the PEIR or additional environmental review of the Project under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5.

The Final PEIR consists of the Draft PEIR (including appendices), all written comment letters received on the Draft PEIR within the noticed comment period, written responses to all written comment letters received within the noticed comment period on the Draft PEIR, minor clarifications to the Draft PEIR, and the Mitigation, Monitoring and Reporting Program (MMRP). The MMRP identifies the timing and entities responsible for implementing the mitigation measures recommended in the PEIR, thus ensuring the mitigation measures identified in the PEIR are implemented. This MMRP identifies the party responsible for implementing the measure, the timing for the implementation of each measure, and the procedure for documenting the mitigation efforts.

The PEIR complies with CEQA in all respects.

If the PEIR is certified, subsequent future activities would be reviewed to determine whether it was fully covered within the PEIR. A written checklist would be used to document the evaluation of the individual project and/or activity to determine whether the environmental effects were analyzed in the PEIR. If the District finds that no new effects would occur and no new mitigation measures would be required, the District can approve the activity as being covered within the scope of the PEIR and no new environmental document would be required. The District must incorporate all mitigation measures developed in the PEIR into subsequent activities.

It is worth noting that the project was completed within the approved budget that included one change order in the amount of \$65,140 for the increase in project scope.

A presentation was also given to the Engineering and Operations Committee on August 3, 2022. The Committee unanimously recommended Option 1.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Two: Asset Management. The PEIR will streamline the CEQA process for projects aimed at maintaining, repairing, and replacing existing infrastructures in a timely manner.

Strategic Focus Area Four: Fiscal Responsibility. Streamline process of addressing projects in the PEIR versus individual projects will save District staff time, effort, and cost.

ENVIRONMENTAL

Summary of Environmental Findings

As described in Resolution No. 22-23 and its attached Findings of Fact, the District has determined that, based on all of the evidence presented, including but not limited to the PEIR, written and oral testimony given at meetings and hearings, the submission of testimony from the public, organizations and regulatory agencies, and the whole of the administrative record, which is incorporated by reference herein, that all environmental impacts associated with the Project would either be less than significant and do not require mitigation, or potentially significant but will be avoided or reduced to a level of insignificance through the identified mitigation measures.

No comments made at the public hearing conducted by the Board, or any additional information submitted to the Board has produced any substantial new information requiring recirculation or additional environmental review of the Final PEIR under CEQA. No new significant environmental impacts were identified, no substantial increase in the severity of any environmental impacts would occur, and no feasible Project alternative or mitigation measure considerably different from others previously analyzed was identified that would clearly lessen the significant environment impacts of the Project.

BOARD OPTIONS/FISCAL IMPACTS

Adoption of Resolution No. 22-23 Certifying the PEIR and MMRP and approving the Water and Sewer Facilities Plan has no fiscal impact to PN: 300007.

Option 1:

- Adopt Resolution No. 22-23 Certifying the PEIR and MMRP and approving the Water and Sewer Facilities Plan.

Option 2:

- Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering and CIP Program
Manager

8/30/2022

RESOLUTION NO. 22-23

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE RAINBOW MUNICIPAL WATER DISTRICT
CERTIFYING A FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT
FOR THE RAINBOW MUNICIPAL WATER DISTRICT'S
WATER AND SEWER FACILITIES PLAN**

WHEREAS, the Rainbow Municipal Water District ("District"), prepared a Program Environmental Impact Report ("PEIR"), State Clearinghouse Number 2021050602, to evaluate the potential environmental effects of and potential alternatives to the Rainbow Municipal Water District Water and Sewer Facilities Plan pursuant to the California Environmental Quality Act ("CEQA"), Public Resources Codes Section 21000 et seq., and the State CEQA Guidelines, title 14 California Code of Regulations, Sections 1500 et seq. ("CEQA Guidelines"); and

WHEREAS, the District contacted the Native American Heritage Commission ("NAHC") on March 25, 2021 for a Sacred Lands File search and list of Native American consultation contacts for the Project area; and

WHEREAS, the NAHC responded to the District on June 8, 2021, that the result of the Sacred Lands File check was positive and indicated that the Pala Band of Mission Indians, the Rincon Band of Luiseño Indians, the San Luis Rey Band of Mission Indians, and the Kwaaymii Laguna Band of Mission Indians could be contacted by the District for additional information related to the positive Sacred Lands File search results; and

WHEREAS, on May 27, 2021, the District sent consultation notification letters to the identified representatives within culturally-affiliated Tribal governments who have been designated to initiate and conduct formal government-to-government consultation, including the La Jolla Band of Luiseno Indians, Pala Band of Mission Indians, Pauma Band of Luiseno Indians, Pechanga Band of Luiseno Indians, Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, San Pasqual Band of Diegueño Mission Indians; and

WHEREAS, the District circulated a Notice of Preparation (NOP) of the PEIR on May 27, 2021, and a copy of the NOP was published in The Daily Transcript and submitted to the State Clearinghouse on May 27, 2021; and

WHEREAS, the District held a duty noticed online Scoping Meeting on June 16, 2021 at 12:00 pm and allowed for two modes of remote public participation, as well as public participation by telephone; and

WHEREAS, the District held a 30-day public review period for the NOP ending on June 25, 2021 and received comments during the scoping period from Native American Heritage Commission (NAHC), the California Department of Fish and Wildlife (CDFW), the California Department of Transportation (Caltrans), and the County of San Diego (County); and

WHEREAS, on August 5, 2021, the District sent follow-up emails to the identified representatives of the above-referenced Tribal governments; and

WHEREAS, the District initiated formal Tribal consultation in September 2021 with the Pala Band of Mission Indians, Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and San Pasqual Band of Diegueno Mission Indians; and

WHEREAS, on May 24, 2022, the District posted with the State Clearinghouse a Notice of Completion of the Draft PEIR and Notice of Availability of the Draft PEIR, identifying a 45-day review period on the Draft PEIR, from May 25, 2022 to July 8, 2022, uploaded to the State Clearinghouse a copy of the Draft PEIR, and made the Draft PEIR available on the District's website; and

WHEREAS, on May 24, 2022 the District mailed letters to stakeholders to inform them of the 45-day public review of the Draft PEIR and advertised the public comment period in the Daily Transcript on May 25, 2022; and

WHEREAS, written comments were received during the public comment period and a written response was prepared to written comments, which responses employ a good faith, reasoned analysis to describe and address the disposition of environmental issues raised by the comments; and

WHEREAS, on August 3, 2022 District staff gave an information presentation on the Final PEIR to the District's Engineering and Operations Committee; and

WHEREAS, the Final PEIR, including responses to comments, was distributed to commenting agencies and members of the public on August 19, 2022; and

WHEREAS, the District made the Final PEIR available on the District's website on August 19, 2022; and

WHEREAS, the Final PEIR has been prepared pursuant to CEQA and the State CEQA Guidelines and includes the following:

1. Draft PEIR;
2. Comments received on the Draft PEIR;
3. Responses to Comments on the Draft PEIR;
4. Final PEIR;
5. The resolution of the RMWD Board of Directors certifying the Final PEIR;
6. The Environmental Findings, Statement of Facts in Support of Findings, attached hereto as Exhibit A; and
7. The Mitigation Monitoring and Reporting Program, attached hereto as Exhibit B.

WHEREAS, the District Board of Directors conducted a duly noticed public meeting concerning the certification of the Final PEIR on August 30, 2022 and heard evidence from all persons interested in testifying concerning the certification of the Final PEIR; and

WHEREAS, the District Board of Directors has reviewed and considered the Final PEIR and has considered the oral and written comments on the Final PEIR and the response thereto.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED, by the District Board of Directors:

1. The foregoing recitals are true and correct.
2. The Final PEIR was presented to the District Board of Directors and the District Board of Directors has reviewed and considered the information contained in the Final PEIR prior to approving the District Water and Sewer Facilities Plan;
3. The Final PEIR reflects the independent judgment and analysis of the District Board of Directors;
4. The Final PEIR has been completed in compliance with CEQA, the State of California CEQA Guidelines, and is hereby certified as adequate and complete;
5. The District has selected the District Water and Sewer Facilities Plan as the preferred project and adopted the Final PEIR; and
6. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any remaining provisions of the Resolution;
7. The Resolution shall take effect from and after its adoption.

PASSED AND ADOPTED at a meeting of the Board of Directors of the Rainbow Municipal Water District held on the 30th day of August 2022 by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Hayden Hamilton, Board President

ATTEST:

Dawn M. Washburn, Board Secretary

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT
REGARDING THE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT
FOR THE
RAINBOW MUNICIPAL WATER DISTRICT WATER AND SEWER FACILITIES PLAN
State Clearinghouse No. 2021050602**

I. CERTIFICATION

Rainbow Municipal Water District (“District”) hereby certifies the Program Environmental Impact Report (“PEIR”) for the Water and Sewer Facilities Plan (“Project”) (State Clearinghouse No. 2021050602), which consists of the Final EIR; Draft EIR; Draft EIR comments, responses, and revisions; Mitigation Monitoring and Reporting Program (“MMRP”); and Technical Appendices. In accordance with California Environmental Quality Act (“CEQA”) Guidelines §15090, the District, as Lead Agency for the Project, certifies that:

- (1) The Final EIR has been completed in compliance with CEQA;
- (2) The Final EIR was presented to the District, and the District has received, reviewed, and considered the information contained in the Final EIR and in the administrative record prior to approving the Project;
- (3) The Final EIR reflects the District’s independent judgment and analysis.

The District has exercised independent judgment in accordance with Public Resources Code §21082.1(c) in retaining its own environmental consultant and directing the consultant in preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

In accordance with Public Resources Code §21081 and CEQA Guidelines §15091, the District has made one or more specific written findings regarding significant impacts associated with the Project. Those findings are presented below, along with the rationale behind each of the findings. Concurrent with the adoption of these findings, District adopts the MMRP.

II. PROJECT OBJECTIVES AND DESCRIPTION (PEIR Section 3.0)

The Project identifies a plan of improvements necessary for the systems to adapt to future conditions, while providing reliable service to the District’s customers.

Specific key objectives of the Project are to:

1. Implement improvements, repairs, and replacements needed to bring existing facilities up to current design, safety, and regulatory standards.
2. Address system deficiencies under current demand and flow conditions.
3. Meet future water demand and flow conditions in the short term (2030) and long term (2050).

The categories of improvements considered in the overall Program include Capital Improvement Program (CIP) projects, other District pipeline (ODP) projects, and maintenance projects.

The proposed CIP includes projects that are recommended to address existing and forecasted capacity deficiencies, improve system reliability, redundancy, and operating efficiencies, and conduct strategic system maintenance and replacement programs. Proposed new developments to be served by the District would be required to construct their own onsite sewer system and connection to the District's existing system. Water system CIP projects fall into various improvement categories including hydraulic capacity; pressure regulation; fire flows; and operations, redundancy, and reliability. The water system CIP consists of 28 projects. The 10 proposed sewer system CIP projects include replacements, rehabilitations, and other improvements. The CIP projects are listed within Table 3-1, CIP Projects, of the PEIR.

The PEIR addresses on a broad level the totality of the District's water and sewer pipelines, including 336 miles of water pipelines and 76 miles of sewer pipelines.

The PEIR also covers maintenance projects are minor activities that the District may undertake as part of general operations.

Legal Requirements

Public Resources Code section 21002 states that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" Section 21002 further states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Pursuant to section 21081 of the Public Resources Code, the District may only approve or carry out a project for which an EIR has been completed that identifies any significant environmental effects if the District makes one or more of the following written finding(s) for each of those significant effects accompanied by a brief explanation of the rationale for each finding: (1) changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment; (2) those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency; or (3) specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

While CEQA requires that lead agencies adopt feasible mitigation measures or alternatives to substantially lessen or avoid significant environmental impacts, an agency need not adopt infeasible mitigation measures or alternatives. (Pub. Res. Code §21002.1(c) [if "economic, social, or other conditions make it infeasible to mitigate one or more significant effects on the environment of a project, the project may nonetheless be carried out or approved at the discretion of a public agency"]; see also State CEQA Guidelines §15126.6(a) [an "EIR is not required to consider alternatives which are infeasible"].) CEQA defines "feasible" to mean "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." (Pub. Res. Code §21061.1.) The State CEQA Guidelines add "legal" considerations as another indicia of feasibility. (State CEQA Guidelines §15364.) Project objectives also inform the determination of "feasibility." (*Jones v. U.C. Regents* (2010) 183 Cal. App. 4th 818, 828-829.) "[F]easibility' under CEQA encompasses 'desirability' to the extent that desirability is based on a reasonable balancing of

the relevant economic, environmental, social, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 401, 417; see also *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 715.) “Broader considerations of policy thus come into play when the decision making body is considering actual feasibility[.]” (*Cal. Native Plant Soc’y v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1000 (“*Native Plant*”); see also Pub. Res. Code §21081(a)(3) [“economic, legal, social, technological, or other considerations” may justify rejecting mitigation and alternatives as infeasible] (emphasis added).)

Environmental impacts that are less than significant do not require the imposition of mitigation measures. (*Leonoff v. Monterey County Board of Supervisors* (1990) 222 Cal.App.3d 1337, 1347.)

Summary of Environmental Findings

At a regular meeting assembled on August 30, 2022, the Board determined that, based on all of the evidence presented, including but not limited to the PEIR, written and oral testimony given at meetings and hearings, the submission of testimony from the public, organizations and regulatory agencies, and the whole of the administrative record, which is incorporated by reference herein, that all environmental impacts associated with the Project would either be less than significant and do not require mitigation, or potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures.

No comments made at the public hearing conducted by the Board or any additional information submitted to the Board has produced any substantial new information requiring recirculation or additional environmental review of the Final PEIR under CEQA. No new significant environmental impacts were identified, no substantial increase in the severity of any environmental impacts would occur, and no feasible Project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the significant environment impacts of the Project, as defined in State CEQA Guidelines section 15088.5, were rejected.

III. FINDINGS REGARDING ENVIRONMENTAL IMPACTS WHERE IT CAN BE SEEN WITH CERTAINTY THERE IS NO POTENTIAL FOR IMPACTS, AND FOR ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

Consistent with Public Resources Code section 21002.1 and section 15128 of the State CEQA Guidelines, the PEIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. State CEQA Guidelines section 15091 does not require specific findings to address environmental effects that an EIR identifies as “no impact” or a “less than significant” impact. Nevertheless, the Board finds that the following potential environmental impacts of the Project are less than significant and therefore do not require the imposition of Mitigation Measures.

Aesthetics (PEIR Section 5.1)

1. Scenic Vistas (PEIR Section 5.1)
2. Threshold: Would the Project have a substantial adverse effect on a scenic vista?

Finding: Less than significant impact.

Explanation: While there are a number of scenic vistas and scenic resources throughout the District's service area, the majority of Project improvements include replacement, rehabilitation, or repairs to existing facilities. Many of the improvements would occur underground and would not be visible following completion of the Project. Aboveground components would generally occur at existing facilities and would not introduce new, large structures or be of such scale that would block or impede views of scenic vistas. Construction of Project improvements would result in temporary visual changes in the immediate vicinity of the improvement sites associated with staging of equipment and materials and the presence of construction workers; however, construction activities would be temporary and would not be of such scale that would block or impede views of scenic vistas. Impacts associated with scenic vistas would be less than significant.

3. Scenic Resources (PEIR Section 5.1)

Threshold: Would the Project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Finding: No impact.

Explanation: There are no officially designated state scenic highways within or near the District's service area. There are two eligible state scenic highways within the District's service area: the portion of I-15 from SR 76 near the San Luis Rey River to SR 91, near Corona; and SR 76 from I-5 (near Oceanside) to SR 79 near Lake Henshaw (Caltrans 2021). Several Project improvements are located within close proximity to I-15 and SR 76; however, as discussed, I-15 and SR 76 are not officially designated state scenic highways. No impact to scenic resources within a state scenic highway would occur.

4. Visual Character (PEIR Section 5.1)

Threshold: In nonurbanized areas, would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?

Finding: Less than significant impact.

Explanation: The District's service area consists largely of undeveloped agricultural land with interspersed rural residential properties. The majority of Project improvements include replacement, rehabilitation, or repairs to existing facilities. Visual impacts associated with the Project would be temporary during construction of each individual improvement and would not occur simultaneously at a given location (though they may occur simultaneously at different locations throughout the District's service area). For pipeline projects, impacts associated with the visual character or quality of public views would be temporary during construction and likely not noticeable following completion of construction activities. Therefore, aesthetic impacts associated with the visual character or quality of public views would be less than significant.

5. Light and Glare (PEIR Section 5.1)

Threshold: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant impact.

Explanation: Proposed improvements primarily include underground pipelines, which would not result in sources of light or glare. Aboveground facilities may result in the placement of minor lighting at their respective sites for security purposes; however, the lighting would be minimal and would not create substantial sources of light and glare that would affect day or nighttime views in the area. In addition, most improvements would occur at existing facilities where lighting, if required, would already be present. During nighttime construction, any required lighting would be directed to work areas and would occur for a limited duration during the construction period of a given improvement. As such, nighttime construction lighting, should it occur, would not create substantial sources of light and glare that would affect day or nighttime views in the area. Impacts would be less than significant.

Agricultural and Forestry Resources (PEIR Section 5.2)

1. Farmland, Agricultural Zoning, Forestland Zoning, Loss of Forest Land, and Conversion (PEIR Section 5.2)

Threshold: Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?

Threshold: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Threshold: Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC section 1220[g]), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g])?

Threshold: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Threshold: Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Finding: No impact.

Explanation: The District's service area contains land designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, Grazing Land, Urban and Built-Up Land, and Other Lands. Williamson Act contract lands are scattered throughout the service area. Project improvements would occur along existing pipeline alignments, at existing pump stations and lift stations, and at other existing District-owned properties and thus, would not alter, remove, or convert existing land uses. No conversion of Prime Farmland, Unique Farmland, Farmland of Statewide Importance, forest land, timberland, or timberland zoned Timberland Production would occur as a result of the Project. No conflicts with Williamson Act contracts or conversions of agricultural or forest land uses would occur as a result of the Project. No impact would occur.

Air Quality (PEIR Section 4.1)

1. Consistency with Air Quality Plans (PEIR Section 4.1.4.1)

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Finding: Less than significant impact.

Explanation: Projects that propose development consistent with the growth anticipated by the local jurisdictions' general plans would be consistent with the Attainment Plan and the San Diego County Regional Air Quality Strategy (RAQS), as these plans rely on population projections provided by SANDAG. The Project would meet the projected buildout demand and provide repairs as needed. The projects would not generate additional population and no unplanned growth would be served by the projects. Therefore, the Project would not result in population growth that would exceed the population projections accounted for in the Attainment Plan and RAQS. Therefore, implementation of the Project would not conflict with or obstruct implementation of an applicable air quality plan and the impact would be less than significant.

2. Conformance with Air Quality Standards (PEIR Section 4.1.4.2)

Threshold: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in non-attainment under an applicable federal or state ambient air quality standard?

Finding: Less than significant impact.

Explanation: The conservative daily construction scenario provided in the PEIR assumes the highest intensity of simultaneous projects that would occur in one year (planned for 2024). Table 4.1-5 of the PEIR shows that daily emissions associated with the conservative construction scenario would not exceed applicable significance thresholds provided by SDAPCD. Impacts related to construction would be less than significant.

The majority of Project improvements would occur at existing facilities and would not result in new operational emissions. Table 4.1-6 of the PEIR provides operational emissions under a conservative scenario assuming intensive maintenance activities. The Project's operational emissions would not exceed SDAPCD significance thresholds for operational emissions and operational impacts would be less than significant.

3. Sensitive Receptors (PEIR Section 4.1.4.3)

Threshold: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than significant impact.

Explanation: Construction activities would not occur in any one location for a duration which would result in exposure of sensitive receptors to substantial emissions of toxic air contaminants. The Project does not propose facilities that are considered significant sources of toxic air contaminants requiring a health risk assessment. Generators at pump stations and lift stations would be a source of diesel particulate matter but would not be sited adjacent to

residential receptors. Additionally, particulate matter emissions during operations would be below the SDAPCD screening level thresholds. Thus, although sensitive receptors are located throughout the Project area, construction and operation of the projects would not expose sensitive receptors to substantial pollutant concentrations.

4. Odors (PEIR Section 4.1.4.4)

Threshold: Would the Project result in other emissions such as those leading to odors adversely affecting a substantial number of people?

Finding: Less than significant impact.

Explanation: Construction activities may temporarily generate odors associated with diesel exhaust. Odors resulting from construction activities would not affect a substantial number of people due to the minor extent and duration of construction at any specific location.

Operation of wastewater facilities involving sealed pipelines do not release odors to open air, except where the pipes vent to the outside, such as at lift stations. Lift station projects would primarily replace existing facilities that would not result in a new source of odor. One new lift station would be installed but would be enclosed and would include an odor control system.

Projects are also subject to SDAPCD Rule 51 prohibiting nuisances such as objectionable odors, which must be mitigated by appropriate means to reduce the impacts to sensitive receptors to less than significant in the event of an enforcement action. Therefore, the Project would not result in significant odors and impacts would be less than significant.

Biological Resources (PEIR Section 4.2)

1. Wildlife Movement (PEIR Section 4.2.4.4)

Threshold: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Finding: Less than significant impact.

Explanation: During construction of underground components and maintenance activities, some projects would have the potential to temporarily disrupt local wildlife movement areas; however, disruptive effects would be minimal, and wildlife would be expected to move back into the area once the activities have ceased. Aboveground facilities would be small in size and would allow continued habitat access and wildlife movement surrounding the facilities. Thus, established wildlife corridors would remain functional and impacts would be less than significant.

2. Local Policies (PEIR Section 4.2.4.5)

Threshold: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: No impact.

Explanation: Most Project components are either below-ground facilities, such as pipelines, or improvements or upgrades to existing infrastructure. Underground facilities, improvements to existing facilities, and replacement of existing structures, would not conflict with local policies or ordinances. Further, mitigation measures MM BIO-1 through MM BIO-17 would be implemented which would avoid and minimize impacts to biological resources. Therefore, Project implementation would not conflict with local policies or ordinances protecting biological resources.

3. Conservation Planning (PEIR Section 4.2.4.6)

Threshold: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Finding: No impact.

Explanation: There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applicable to the District's service area. Therefore, no conflicts with conservation plans would occur and there would be no impact.

Energy (PEIR Section 4.4)

1. Energy Consumption (PEIR Section 4.4.4.1)

Threshold: Would the Project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Finding: Less than significant.

Explanation: Construction equipment used for the Project would result in the consumption of fuel, the quantity of which was estimated under a conservative annual construction scenario that assumes the highest intensity of improvements that could occur in one year. Under this conservative scenario, energy usage from Project construction is estimated to be 3,559 million BTU. The Project would incorporate measures to reduce energy usage during construction, including enforcing an idling time restriction of five minutes for construction vehicles; utilizing grid power for electric energy rather than operating temporary gasoline/diesel powered generators in areas where existing grid power is available; and increasing use of electric and renewable fuel powered construction equipment and requiring renewable diesel fuel where commercially available. Construction equipment would be maintained in accordance with applicable CARB off-road diesel equipment regulations to ensure efficient operations. Thus, the Project would not consume energy during construction in a wasteful, inefficient, or unnecessary manner, and impacts would be less than significant.

Most Project components would consist of new, replaced, or upgraded pipelines that would be passive during operations and would not result in on-going operational energy usage, or improvements to existing facilities that would not result in new operational energy usage. A conservative analysis of new operational energy usage including pump station and lift station operations as well as maintenance activities concluded energy usage to be 5,041,030 kWh per year. Project improvements would not be considered wasteful or unnecessary because identified

improvements are needed to provide adequate water and wastewater services within the District's service area. The energy used would be limited to the energy necessary for operation of the facilities. As such, impacts related to energy consumption from operation of the Project would be less than significant.

2. Conflict with Energy Plans (PEIR Section 4.4.4.2)

Threshold: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Finding: Less than significant.

Explanation: The proposed Project would provide water and wastewater infrastructure improvements to adapt to projected future supply and demand conditions. It would not facilitate unplanned growth and would therefore not influence land use or transportation patterns that would affect the energy usage. Project improvements would not have the capability of implementing green building features as they would not use energy (e.g., passive pipelines) or not include structures that could incorporate energy-saving features. As such, the Project would not conflict with CARB's Scoping Plan or SANDAG's 2021 Regional Plan, which are the two principal statewide and region-wide plans adopted for the purpose of reducing energy usage. Local policies set forth in the County of San Diego General Plan and City of Oceanside General Plan Update are not relevant to the Project. No conflicts with state or local plans for renewable energy or energy efficiency would occur and impacts would be less than significant.

Geology and Soils (PEIR Section 4.5)

1. Septic Tanks (PEIR Section 4.5.4.5)

Threshold: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Finding: No impact.

Explanation: The Project does not include the use of septic tanks or components that would require placement of new septic tanks. No impact related to septic tanks or other alternative wastewater disposal systems would result from Project implementation.

Greenhouse Gas Emissions (PEIR Section 4.6)

1. Greenhouse Gas Emissions (PEIR Section 4.6.4.1)

Threshold: Would the Project generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less than significant impact.

Explanation: The PEIR analyzed GHG emissions under a conservative annual construction scenario that assumes the highest intensity of improvements that could occur in one year. The annual construction emissions under the conservative scenario are estimated at 548 MT CO₂e. Therefore, Project construction would not exceed the 8,152 MT CO₂e significance

threshold and would result in a less than significant impact related to GHG emissions due to construction.

Most Project improvements would consist of new, replaced, or upgraded pipelines that would be passive during operations and would not result in on-going operational emissions, or improvements to existing facilities that would not result in new sources of operational emissions. Operational emissions associated with new CIP projects and maintenance activities were estimated assuming full buildout of CIP projects in 2026 and a conservative scenario of energy usage. Emissions were estimated at 1,261 MT CO₂e, which would be below the screening threshold of 6,645 MT CO₂e. Thus, impacts associated with operational GHG emissions would be less than significant.

2. Conflict with Plans or Policies (PEIR Section 4.6.4.2)

Threshold: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions?

Finding: Less than significant impact.

Explanation: The proposed Project would provide water and wastewater infrastructure improvements to adapt to projected future supply and demand conditions. It would not facilitate unplanned growth and would therefore not influence land use or transportation patterns that would affect the generation of GHG emissions. Project improvements would also not have the capability of implementing green building features as they would not use energy (e.g., passive pipelines), use water, or generate waste. As such, the Project would not conflict with CARB's Scoping Plan or SANDAG's 2021 Regional Plan, which are the two principal statewide and region-wide plans adopted for the purpose of reducing GHG emissions. Local policies set forth in the County of San Diego General Plan and City of Oceanside General Plan Update and Climate Action Plan are not relevant to the Project, which involves improvements to water and wastewater infrastructure, most of which is already existing. Therefore, the Project would not conflict with local plans or policies adopted for the purpose of reducing GHG emissions.

Hazards and Hazardous Materials (PEIR Section 4.7)

1. Airport Hazards (PEIR 4.7.4.3)

Threshold: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?

Finding: Less than significant impact.

Explanation: No portions of the District's service area are within an airport safety zone. A portion of the service area is within AIA Review Area 2 of Fallbrook Community Airpark, however no proposed Project components in that area would result in tall structures or electrical or visual hazards to aircrafts. Thus, the Project would not result in a safety hazard for people residing or working in the Project area and impacts would be less than significant.

Hydrology and Water Quality (PEIR Section 4.8)

1. Flood Hazard Areas (PEIR Section 4.8.4.3)

Threshold: Would the Project risk release of pollutants due to project inundation if located in a flood hazard, tsunami, or seiche zone?

Finding: Less than significant impact.

Explanation: Nearly all proposed facilities in dam and seiche inundation areas would be below grade upon completion (e.g., buried pipelines or underground facilities) and there would be no risk associated with the release of pollutants following completion of construction activities. During construction, compliance with the District's stormwater pollution prevention requirements and applicable construction stormwater permits would reduce the risk of the release of pollutants during an inundation event. Potential impacts related to dam failure inundation and seiche inundation are considered less than significant based on the minor extent of associated proposed facilities within such inundation areas, the placement of those facilities below grade (i.e., pipelines), and the low probability for dam failure.

Project components would be located a minimum of approximately 10 miles inland and at elevations ranging from 150 to 2,250 feet above mean sea level, outside of tsunami-related inundation zones. As such, no flood hazard related to inundation by tsunami is present and no impact would occur.

Land Use and Planning (PEIR Section 5.4)

1. Physically Divide an Established Community (PEIR Section 5.4)

Threshold: Would the Project physically divide an established community?

Finding: Less than significant impact.

Explanation: Given the largely undeveloped nature of the service area, in combination with the temporary nature of construction impacts, and the dispersal and timing of expected projects, temporary construction impacts would not result in a physical division of an established community. Many of the components of the Project are underground facilities. Aboveground facilities would replace existing facilities or be located on District-owned property. Therefore, the Project would not result in the division of a community and impacts would be less than significant.

2. Physically Divide an Established Community (PEIR Section 5.4)

Threshold: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: No impact.

Explanation: Project improvements would occur at existing District facilities and properties, which would not require changes to zoning or land uses. Improvements, repairs, and replacements of existing District infrastructure at existing District facilities would not result in significant environmental impacts due to a conflict with any land use plan, policy, or regulation

adopted for the purpose of avoiding or mitigating an environmental effect. In addition, per Government Code Section 53091, building ordinances of local cities and counties do not apply to the location or construction of facilities used for the projection, generation, storage, treatment, or transmission of water or wastewater. As such, the Project would not conflict with land use plans, policies, or regulations. No impact would occur.

Mineral Resources (PEIR Section 5.4)

1. Loss of Availability of Mineral Resources (PEIR Section 5.4)

Threshold: Would the Project result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

Threshold: Would the Project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Finding: No impact.

Explanation: The District's service area contains lands designated as Mineral Resource Zone (MRZ) 2, indicating mineral resources are present; MRZ 3, indicating mineral resources are potentially present; and MRZ 4, indicating an inconclusive determination as to the presence of mineral resources. Existing mineral resources occurring in the service area include sand and gravel; and semiprecious, diamond, and quartz. Project improvements would occur at existing District facilities and would not result in changes to existing land uses. No District facilities are located at mineral extraction sites. Project improvements would not result in the loss of availability of a known mineral resource or locally important sites. No impact to mineral resources would occur as a result of the Project.

Noise (PEIR Section 4.9)

1. Vibration (PEIR Section 4.9.4.2)

Threshold: Would the Project generate excessive groundborne vibration or groundborne noise levels?

Finding: Less than significant impact.

Explanation: Vibration associated with implementation of the Project would be generated primarily during construction of individual projects/improvements, specifically during the use of a vibratory roller to achieve soil compaction. Based on the size and operational functionality, it is unlikely that a vibratory roller would be used within 11 feet of historic structures or 8 feet of residential dwellings, which are the distances at which the vibration would reach the respective thresholds. During Project operation only negligible levels of vibration would be generated. Therefore, vibration impacts would be less than significant.

2. Aircraft Noise (PEIR Section 4.9.4.3)

Threshold: Would the Project expose people residing or working in the Project area to excessive noise levels by being located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport?

Finding: Less than significant impact.

Explanation: According to the Airport Land Use Compatibility Plan for Fallbrook Community Airpark, no portion of a Noise Impact Zone (defined as within the 55-CNEL contour) associated with Fallbrook Community Airpark is within the District's service area. There are no other airports in proximity to the District's service area that would have the potential to result in excessive noise levels within the service area. As such, neither the Project's temporary construction workers nor permanent maintenance and facility workers would be exposed to excessive aircraft noise and impacts would be less than significant.

Population and Housing (PEIR Section 5.5)

1. Population Growth (PEIR Section 5.5)

Threshold: Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposed new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Finding: Less than significant impact.

Explanation: The Project would not directly induce population growth because it does not propose any new homes or businesses that would directly attract new growth. Local and existing employees would be expected to be employed during Project construction and operation. The Project has been developed to address deficiencies and accommodate projected population growth. It would not induce population growth indirectly. Therefore, impacts would be less than significant.

2. Population Displacement (PEIR Section 5.5)

Threshold: Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Finding: No impact.

Explanation: Project improvements would occur at existing District facilities, many of them underground. The Project would not result in the removal of existing people or housing, and no construction of replacement housing would be required. No impact would occur.

Public Services (PEIR Section 5.6)

1. Physical Impacts Associated with Provision of Government Facilities (PEIR Section 5.6)

Threshold: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response times, or other performance objectives for fire protection, police protection, schools, parks, or other public facilities?

Finding: No impact.

Explanation: The proposed Project includes improvements to existing water and sewer facilities to address existing and forecasted capacity deficiencies, improve system reliability, redundancy, and operating efficiencies, and conduct strategic system maintenance and replacement programs. The Project does not propose new fire department, police station, school, or park facilities and would not induce population growth that would require the expansion of such existing facilities. Therefore, the implementation of the Project would not require the construction of new or expansion of existing fire department, police station, school, or park facilities in order to maintain service ratios, response times, or other performance objectives. No impacts associated with the construction of new or expansion of existing fire protection, police protection, school, park, or other public facilities would occur.

Recreation (PEIR Section 5.7)

1. Use of Recreational Facilities (PEIR Section 5.7)

Threshold: Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Threshold: Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Finding: No impact.

Explanation: The Project includes improvements to existing water and sewer facilities to address existing and forecasted capacity deficiencies, improve system reliability, redundancy, and operating efficiencies, and conduct strategic system maintenance and replacement programs. The Project improvements do not contain residential land uses or other land uses that would introduce new residents to the service area. The Project would not result in increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The Project would not result in the need for the construction or expansion of recreational facilities, and no impact associated with recreation would occur.

Transportation (PEIR Section 4.10)

1. Vehicle Miles Traveled (VMT) (PEIR Section 4.10.4.2)

Threshold: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Finding: Less than significant impact.

Explanation: Project-related traffic would be limited to temporary construction traffic for individual Project improvements and a relatively low number of operational trips across the District's service area. Therefore, the Project would not generate a substantial increase in VMT and would not conflict or be inconsistent with *CEQA Guidelines* Section 15064.3. Impacts would be less than significant.

Utilities and Service Systems (PEIR Section 5.8)

1. New or Expanded Facilities (PEIR Section 5.8)

Threshold: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Finding: Less than significant impact.

Explanation: The Project does not include components that would cause growth, but rather, identifies improvements required to meet projected growth within the service area. The Project would result in the construction of new or expanded water and wastewater facilities, the environmental impacts of which are described in the PEIR. The Project would not require the substantial relocation or construction of additional water, wastewater treatment or storm drainage, electric power, natural gas, or telecommunications facilities that could cause significant off-site environmental effects. Impacts would be less than significant.

2. Water Supply Availability (PEIR Section 5.8)

Threshold: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Finding: Less than significant impact.

Explanation: The District's 2020 Urban Water Management Plan concluded that if SDCWA and District supplies are developed as planned, no shortages are anticipated within the District's service area in normal, single dry, and multiple dry year scenarios through 2045. The Project would implement improvements, repairs, and replacements needed to bring existing facilities up to current design, safety, and regulatory standards; address system deficiencies under current demand and flow conditions; and meet future water demand and flow conditions for short and long term. Impacts associated with water supply availability during normal, dry, and multiple dry years would be less than significant.

3. Wastewater Treatment Capacity (PEIR Section 5.8)

Threshold: Would the Project result in a determination by the wastewater treatment provider, which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

Finding: Less than significant impact.

Explanation: The Project would implement necessary sewer improvements, repairs, and replacements. It does not include components that would increase wastewater demand but would improve the wastewater system to support future forecasted growth. Impacts associated with adequate capacity for wastewater treatment would be less than significant.

4. Solid Waste (PEIR Section 5.8)

Threshold: Would the Project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction needs?

Threshold: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Finding: Less than significant impact.

Explanation: Demolition debris and construction waste associated with construction of the Project improvements handled and disposed of in accordance with federal, state, and local laws and regulations related to solid and hazardous waste. During long-term operations of Project facilities, the water and wastewater infrastructure would not generate solid waste. As such, the Project would not generate solid waste that would significantly impact the permitted capacity of area landfills. Impacts associated with solid waste would be less than significant.

Wildfire (PEIR Section 4.11)

1. Flooding and Landslides (PEIR Section 4.11.4.4)

Threshold: Would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Finding: Less than significant impact.

Explanation: Most Project facilities would be located below ground (i.e., pipelines) and/or involve improvements to existing facilities. The Project would therefore not expose a substantial number of new facilities or structures to flooding or landslides. In addition, the Project would not provide housing or other uses that would include regular or permanent occupants. The presence of Project-related personnel would be limited to temporary construction workers at improvements site and occasional maintenance workers at District facilities. As such, impacts associated with risks from runoff, post-fire instability, or drainage changes would be less than significant.

IV. **FINDINGS REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT**

The District finds that feasible mitigation measures have been identified in the PEIR and this Resolution that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The Mitigation Monitoring and Reporting Program attached to this Resolution sets forth the responsible party, mitigation timing, and monitoring/reporting procedure for each mitigation measure to ensure it is implemented.

Biological Resources (PEIR Section 4.2)

1. Sensitive Species (PEIR Section 4.2.4.1)

Threshold: Would the Project result in a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status

species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: The CIP projects in Table 4.2-2 of the PEIR and ODP projects listed in Appendix C to the PEIR as Category A or B projects could result in direct or indirect significant impacts to special status plant and wildlife species and their habitat. No direct impacts to undeveloped areas or special status plant or wildlife species are anticipated as a result of maintenance activities due to the disturbed and developed nature of maintenance project locations. These impacts are considered potentially significant.

Construction and maintenance activities would comply with the federal CWA, California's Porter-Cologne Water Quality Control Act, the implementing regulations of the SWRCB and RWQCB, and the NPDES Program, including the implementation of prescribed BMPs, thereby avoiding and minimizing potential indirect impacts to special-status species and their habitat from water pollution during Project construction. In addition, BMPs would be implemented to minimize fugitive dust emissions and other criteria pollutant emissions during construction of CIP and ODP projects, thereby reducing potential indirect impacts associated with fugitive dust to less than significant levels.

Mitigation Measures: Implementation of mitigation measures MM BIO-1 through MM BIO-14 below would reduce potentially significant impacts on special species and their habitat for the projects listed above to a less than significant level.

MM BIO-1 Project-Specific Biological Resource Surveys. Prior to construction of CIP Projects listed in Table 4.2-2, Table 4.2-3, district-wide CIP Projects (CIP Projects 600007, 600009, 600030, and 600055), and ODP Category A Projects and ODP Category B Projects included in BTR Appendices C-1, C-2, D-1, and D-2 that will be sited within an undeveloped open space area (i.e., an area supporting naturalized habitat, sensitive habitat, and/or habitat potentially suitable for special-status species), the District shall retain a qualified biologist to perform a pre-construction survey to verify existing biological resources on and adjacent to the project construction areas. The District shall provide the biologist with a copy of the CIP and ODP project plans that clearly depict the construction work limits, including construction staging and storage areas, to determine which specific portion(s) of the project will require inspection of adjacent open space areas during the pre-construction survey. The surveys shall verify whether the project would occur on or in the immediate vicinity of sensitive natural communities, including habitat suitable for special-status species, in addition to potential jurisdictional aquatic resources. The surveys shall also verify whether the project could result in direct or indirect impacts to sensitive natural communities, special-status species, and potential jurisdictional aquatic resources. The survey results shall be submitted to the District to determine the need for additional environmental compliance actions. If suitable habitat for special-status plant species is confirmed within or immediately adjacent to potential impact areas of the projects, then the District shall implement mitigation measure MM BIO-2. If suitable habitat for special-status wildlife species is confirmed within or immediately adjacent potential impact areas of the projects, then the District shall implement mitigation measure MM BIO-3. If potential impacts to sensitive natural communities are identified, then the District shall implement mitigation measure MM BIO-15A and MM BIO-15B. If potential jurisdictional aquatic resources are identified within areas proposed to be impacted, then the District shall implement mitigation measure MM BIO-16.

MM BIO-2 Rare Plant Surveys, Avoidance, and Mitigation. If it is confirmed through the implementation of mitigation measure MM BIO-1 that the CIP and ODP project components could impact suitable habitat for special-status (rare) plant species, the District shall retain a qualified biologist to conduct focused presence/absence surveys for rare plants prior to project construction. Surveys shall follow protocols and guidelines approved by the USFWS, CDFW, and CNPS, and shall be conducted by qualified biologists.

If a significant population of rare plant species with CNPS California Rare Plant Rank 1A, 1B, 2A, or 2B is identified within a project impact area, then to the extent feasible to implement the project, the District shall avoid impacts to the population through project-level design changes and/or construction methods (e.g., trenchless installation of pipelines) in consultation with the USFWS and CDFW.

Prior to initiating construction activities, the District shall require that the rare plant locations detected during project-specific rare plant surveys are clearly shown on final construction plans. The District shall further require that the locations are demarcated in the field by a qualified biologist and protected-in-place through the installation of temporary construction fencing or alternative means that are approved by the qualified biologist. The qualified biologist shall monitor construction activities, as appropriate, to help ensure avoidance of the areas. A final compliance report shall be prepared by the qualified biologist and submitted to the District, CDFW, and USFWS for record, verifying that no impacts occurred to the species. Any inadvertent and unavoidable impacts shall be mitigated as specified below.

If complete avoidance is determined not to be feasible, then the District shall restrict and minimize impacts to no more than 20 percent of the population, which is consistent with regional conservation standards. Mitigation for unavoidable impacts shall include one or a combination of the following and occur at a minimum ratio of 1:1, as determined by the District in consultation with the CDFW and USFWS:

- a. Purchase of preservation credits of occupied habitat from a conservation bank approved by the USFWS and CDFW;
- b. Acquisition and preservation of off-site mitigation land containing occupied habitat; and/or
- c. Preparation and implementation of a rare plant salvage and relocation plan, to include the following requirements, at a minimum:
 - i. Evaluation of options for plant salvage and relocation, including native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within existing or proposed preserved lands;
 - ii. Seed collection and/or transplantation to a suitable receptor site based on the most reliable methods of successful relocation;
 - iii. Recommendation for method of salvage and relocation/application based on feasibility of implementation and likelihood of success; and
 - iv. Implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures.

MM BIO-3 Special-Status Wildlife Species Surveys, Avoidance, and Mitigation. If it is confirmed through the implementation of mitigation measure MM BIO-1 that the CIP and ODP project components could directly or indirectly impact suitable habitat for special-status wildlife species, the District shall retain a qualified biologist to conduct focused, protocol-level surveys for special-status wildlife species prior to project implementation. Surveys shall follow protocols and guidelines approved by the USFWS and CDFW and shall be conducted by qualified biologists permitted by the USFWS and CDFW, as applicable. Impacts to federally listed species shall require consultation with the USFWS, and impacts to state-listed species shall require consultation with the CDFW as specified below.

If special-status wildlife species are identified within a project impact area, the District shall, in coordination with the CDFW and USFWS, as applicable, avoid impacts to occupied habitat through project-level design changes and/or construction methods (e.g., trenchless installation of pipelines) prior to project implementation.

If complete avoidance is determined not to be feasible, then the District shall compensate for the loss of occupied habitat through one or a combination of the following at a minimum ratio of 1:1, as determined by the District in consultation with the CDFW and USFWS, as applicable:

- a. Purchase of preservation credits of occupied habitat from a conservation bank approved by the USFWS and CDFW;
- b. Acquisition and preservation of off-site mitigation land containing occupied habitat; and
- c. Where species protected under Federal law may be impacted, the District shall either consult directly with the USFWS to develop and implement a habitat conservation plan and obtain an Incidental Take Permit pursuant to the Federal Endangered Species Act Section 10(a), obtain take coverage in coordination with the County of San Diego, if applicable, or in the case of projects with a federal action agency, the District shall adhere to the requirements of Federal Endangered Species Act Section 7, which requires the federal action agency to consult with the USFWS to obtain a Biological Opinion and Incidental Take Statement for the project; or

Where species protected under state law may be impacted, the District shall either consult with the CDFW pursuant to Sections 2081 or 2080.1 of the California Endangered Species Act. For projects with direct or indirect impacts to species that are only State-listed and not federally-listed as endangered or threatened, the District shall obtain a California Endangered Species Act Section Incidental Take Permit from CDFW. For projects with impacts to species that are both state- and federally-listed as endangered or threatened, the District shall obtain a California Endangered Species Act Section 2080.1 Consistency Determination from the CDFW, unless otherwise required by the CDFW.

Off-site mitigation for impacts to special-status wildlife may also be used for off-site mitigation of impacts to sensitive communities and jurisdictional waters.

MM BIO-4 Avoidance of Nesting Birds and Raptors. To prevent direct impacts to nesting birds, including raptors, protected under the federal MBTA and CFG Code, the District shall enforce the following:

Project activities requiring the removal and/or trimming of vegetation suitable for nesting birds shall occur outside of the general bird breeding season (February 1 to September 30) to the extent feasible. If the activities cannot avoid the general bird breeding season, a qualified biologist with experience in conducting bird breeding surveys shall be retained to conduct a pre-activity nesting bird survey within seven days prior to the activities to confirm the presence or absence of active bird nests. If no active bird nests are found by the qualified biologist, then the activities shall proceed with the reassurance that no violation to the MBTA and CFG Code would occur. If an active bird nest is found by the qualified biologist, then vegetation removal and/or trimming activities at the nest location shall not be allowed to occur until the qualified biologist has determined that the nest is no longer active. Avoidance buffers should start at 300 feet for passerine birds and 500 feet for raptors. The buffer should be demarcated by temporary fencing and remain in effect until the nest is no longer active. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, and other factors as determined by the qualified biologist.

MM BIO-5 Coastal California Gnatcatcher Pre-Construction Surveys and Avoidance.

CIP projects listed in Table 4.2-2 are located within and adjacent to suitable coastal California gnatcatcher habitat. CIP Projects 600002, 600067, 530020, and 5300XX-6 are located within 500 feet of historical observations. In addition, CIP Projects 600002, 600048, 600050, 600051, 600061, 600066, 600068, 600070, 530018, 530020, 5300XX-1, 5300XX-4, 5300XX-5, and 5300XX-6 are located within designated critical habitat.

If construction activities are planned to occur during the coastal California gnatcatcher breeding season (February 15 to August 30), then prior to initiating construction activities on or within 500 feet of off-site suitable coastal California gnatcatcher habitat, the District shall retain a USFWS-permitted biologist to conduct pre-construction surveys to confirm the presence or absence of the species. The survey efforts shall consist of three surveys spaced one week apart, with the final survey occurring no more than three days prior to project construction, and one survey shall be conducted the day immediately prior to the initiation of work. If gnatcatchers are confirmed to be absent on and within 500 feet of planned construction areas, then no additional measures shall be required. If gnatcatchers are confirmed to be present, then the District shall mitigate as specified below or unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3:

If the results of pre-construction surveys determine the presence of coastal California gnatcatcher within 500 feet of planned construction areas, then construction activities at these locations shall be completed outside of the gnatcatcher breeding season (February 15 to August 30). If activities at these locations cannot avoid the gnatcatcher breeding season, then the District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11, unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.

If, after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the gnatcatcher breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied gnatcatcher habitat, then the District shall implement mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the gnatcatcher breeding season.

MM BIO-6 Stephens' Kangaroo Rat Pre-construction Surveys and Avoidance. CIP Projects 600002, 600040, and 600061 are located within potentially suitable Stephens' kangaroo

rat habitat, and CIP Project 600026 is located within 500 feet of a historical Stephens' kangaroo rat observation.

Prior to initiating construction activities within potentially suitable Stephens' kangaroo rat habitat, the District shall retain a USFWS-permitted biologist to conduct protocol surveys to confirm the presence or absence of the species. The survey efforts shall consist of live trapping within suitable habitat over five consecutive nights. If Stephens' kangaroo rat is confirmed to be absent on and within 500 feet of planned construction areas, then no additional measures shall be required. If kangaroo rats are confirmed to be present, then the District shall mitigate as specified below unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3.

If the results of the protocol surveys determine the presence of Stephens' kangaroo rat, then the District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11, unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.

MM BIO-7 Least Bell's Vireo Pre-construction Surveys and Avoidance. CIP projects listed in Table 4.2-2 are located within and adjacent to suitable least Bell's vireo habitat. CIP Projects 600002, 600063, 600071, 530020, and 5300XX-7 are located within 500 feet of historical observations. In addition, CIP Projects 530020, 5300XX-4, 5300XX-5, and 5300XX-7 are located within designated critical habitat.

If construction activities are planned to occur during the least Bell's vireo breeding season (March 15 to September 15), then prior to initiating construction activities in any project construction areas within 500 feet of least Bell's vireo critical habitat or suitable habitat, the District shall retain a qualified biologist to conduct pre-construction surveys to confirm the presence or absence of the species. The surveys shall begin a maximum of seven days prior to project construction, and one survey shall be conducted the day immediately prior to the initiation of work. If vireos are confirmed to be absent within 500 feet of planned construction areas, then no additional measures shall be required. If vireo are confirmed to be present, then the District shall mitigate as specified below.

If the results of pre-construction surveys determine the presence of least Bell's vireo within 500 feet of planned construction areas, then construction activities at these locations shall be completed outside of the vireo breeding season (March 15 to September 15). If activities at these locations cannot avoid the vireo breeding season, then the District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.

If, after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the vireo breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied vireo habitat, then the District shall implement mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the vireo breeding season.

MM BIO-8 Southwestern Willow Flycatcher Pre-Construction Surveys and Avoidance. CIP projects listed in Table 4.2-2 are located within and adjacent to suitable

southwestern willow flycatcher habitat. No CIP projects are located within 500 feet of a historical observation or within designated critical habitat.

If construction activities are planned to occur during the southwestern willow flycatcher breeding season (May 15 and July 17), then prior to initiating construction activities in any project construction areas within 500 feet of southwestern willow flycatcher critical habitat or suitable habitat, the District shall retain a qualified biologist to conduct pre-construction surveys to confirm the presence or absence of the species. The surveys shall begin a maximum of seven days prior to project construction, and one survey shall be conducted the day immediately prior to the initiation of work. If flycatcher are confirmed to be absent within 500 feet of planned construction areas, then no additional measures shall be required. If flycatcher are confirmed to be present, then the District shall mitigate as specified below:

If the results of pre-construction surveys determine the presence of southwestern willow flycatcher within 500 feet of planned construction areas, then construction activities at these locations shall be completed outside of the flycatcher breeding season (May 15 and July 17). If activities at these locations cannot avoid the flycatcher breeding season, then the District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.

If, after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the flycatcher breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied flycatcher habitat, then the District shall implement mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the flycatcher breeding season.

MM BIO-9 Pre-Construction Biological Resource Surveys. Prior to construction of ODP projects included in BTR Appendices C-1, C-2, D-1, and D-2 that will be sited adjacent to or within an undeveloped open space area (i.e., an area supporting naturalized habitat, sensitive habitat, and/or habitat potentially suitable for special-status species), the District shall retain a qualified biologist to perform a pre-construction survey to verify existing biological resources adjacent to the project construction areas. The District shall provide the biologist with a copy of the ODP project plans that clearly depict the construction work limits, including construction staging and storage areas, to determine which specific portion(s) of the project will require inspection of adjacent open space areas during the pre-construction survey. At minimum, the biologist shall perform a visual inspection of the adjacent open space area to characterize the existing habitat types and determine the likelihood for special-status species to occur, including the Quino checkerspot butterfly, arroyo toad, western spadefoot toad, San Diego fairy shrimp, Riverside fairy shrimp, coastal California gnatcatcher, least Bell's vireo, southwestern willow flycatcher, migratory songbirds, and other bird species with the potential to breed in the area. The biologist's inspection shall include all potential habitat for coastal California gnatcatcher, least Bell's vireo, and southwestern willow flycatcher that occurs within 500 feet of construction areas. The pre-construction survey results shall be submitted to the District prior to construction to verify the need for the additional construction measures proposed within MM BIO-10 through MM BIO-13, below.

MM BIO-10 Construction-Related Noise. Construction noise created during the general bird breeding season (February 1 to September 30) that could affect the breeding of the coastal California gnatcatcher, least Bell's vireo and/or southwestern willow flycatcher, associated with adjacent undeveloped areas shall be avoided. No loud construction noise (exceeding a 60 dBA

hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average, adjusted for ambient noise levels, at the nesting site) may take place within 500 feet of active nesting sites during the general breeding season (February 1 to September 30).

If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-3, MM BIO-5 through MM BIO-9 that the CIP and ODP project could generate construction-related noise in excess of a 60 dBA hourly average or the ambient noise level if it already exceeds 60 dBA hourly average at the location of suitable nesting habitat during the general breeding season for coastal California gnatcatcher, least Bell's vireo, and/or southwestern willow flycatcher, the District shall retain a qualified biologist to monitor the construction operations. The biological monitor shall be present to monitor construction activities that occur adjacent to the undeveloped open space area potentially supporting breeding birds. The monitor shall verify that construction noise levels do not exceed a 60 dBA hourly average or the ambient noise level if it already exceeds 60 dBA hourly average and shall have the ability to halt construction work, if necessary, and confer with the District, and if applicable, USFWS and CDFW, to ensure no breeding birds are adversely affected and additional protection measures are properly implemented during construction. The biologist shall report any violation to the USFWS and CDFW within 24 hours of its occurrence.

MM BIO-11 Biological Construction Monitoring and Temporary Construction Fencing. If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-2, and/or MM BIO-3 that the CIP and ODP projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species, then the District shall retain a qualified biologist to monitor construction activities and supervise the installation of temporary construction fencing, which clearly delineates the edge of the approved limits of grading and clearing, and the edges of environmentally sensitive areas that occur beyond the approved limits. This fencing shall be installed prior to construction and maintained for the duration of construction activity. Fencing shall be installed in a manner that does not impact habitats to be avoided. Once fencing is installed, the District and qualified biologist shall determine the need for additional inspections and monitoring activities throughout the duration of construction. If determined necessary by the District and qualified biologist, the monitoring shall include inspection of construction work areas, including staging and storage areas, to confirm that activities are kept within the approved limits and that Best Management Practices are in place to prevent incidental animal entrapment and burrow and nest establishment within equipment and staged materials. If work occurs beyond the fenced or demarcated limits of impact, or if a trapped animal or burrow or nest is found, work in the affected areas shall cease until the problem has been remedied and mitigation identified by the District and qualified biologist. Temporary construction fencing shall be removed upon completion of construction of the project. The District shall verify the implementation of this measure prior to and concurrent with construction.

MM BIO-12 Construction Staging Areas. If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-2, and/or MM BIO-3 that the CIP and ODP projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species, the District shall design the final project construction staging areas such that no staging areas shall be located within sensitive habitat areas. The construction contractor shall receive approval by the District prior to mobilization and staging of equipment outside of the project boundaries.

MM BIO-13 Contractor Training. If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-2, and/or MM BIO-3 that the CIP and ODP projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for

special-status species, the District shall retain a qualified biologist to attend pre-construction meetings to conduct a WEAP training to inform construction crews of the sensitive resources and associated avoidance and/or minimization requirements.

Contractor must ensure that equipment shall be free of any weed seeds, contaminants, or pollutants to reduce the potential of non-native and invasive species spread. Prior to work within sage scrub and/or chaparral habitats, equipment and work boots will be disinfected with 10 percent bleach solution to help prevent the spread of Rabbit hemorrhagic disease.

MM BIO-14 Maintenance Project Compliance. Maintenance activities shall occur within existing or previously disturbed or developed areas such as a facility easement, facility maintenance easement, and/or developed facility footprint. Vegetation clearing and removal shall be limited to non-native and invasive species to the extent feasible; however, trimming of native species is allowable. Additional studies, as specified in mitigation measure MM BIO-1, may be required for impacts outside of existing facility footprints. Furthermore, maintenance projects shall implement appropriate BMPs where applicable to avoid and minimize potential indirect impacts to special-status species, their habitat, and potentially jurisdictional areas from water pollution during project activities.

Maintenance activities shall occur outside of the general breeding season (February 1 to September 30). In addition, maintenance activities will occur outside of the coastal California gnatcatcher (February 15 to August 30), least Bell's vireo (March 15 to September 15), and southwestern willow flycatcher (May 15 to July 17) breeding seasons. If activities cannot avoid the gnatcatcher breeding season and occur within 500 feet of suitable gnatcatcher habitats (i.e., Diegan coastal sage scrub), the District shall implement mitigation measure MM BIO-5. If activities cannot avoid the vireo, and/or flycatcher breeding seasons and occur within 500 feet of suitable vireo and flycatcher habitat (i.e., riparian scrub, woodland, and forest), the District shall implement mitigation measures MM BIO-7 and MM BIO-8.

2. Sensitive Habitats (PEIR Section 4.2.4.2)

Threshold: Would the Project result in a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: The CIP projects listed in Table 4.2-3 and Table 4.2-4 of the PEIR and the Category A and B ODP projects listed in Appendix C of the PEIR could occur on and/or in the immediate vicinity of undeveloped land that may support riparian habitat and/or other sensitive natural communities. These projects could result in potential significant direct and/or indirect impacts on riparian habitat and/or other sensitive natural communities.

Maintenance activities are not expected to result in direct impacts to riparian habitat and/or other sensitive natural communities due to the disturbed and developed nature of maintenance project sites. However, maintenance activities could result in significant indirect impacts if they occur during the general bird breeding season (February 1 to September 30).

Potential short-term, construction-related indirect impacts would be considered potentially significant. The District would be required to prepare and implement prevention plans and BMPs

to minimize, control, and treat storm water runoff, fugitive dust, and other pollutants at each project construction site; however, impacts are still considered potentially significant.

During operation, pipelines would be mostly buried under ground and would not be a source of runoff. Aboveground facilities such as pump stations, lift stations, and pressure reducing stations could increase storm water runoff to adjacent wetlands and sensitive natural communities, which could cause indirect impacts to wetlands. However, these facilities are generally less than 0.1 acre in size. Therefore, operational impacts are considered less than significant.

Mitigation Measures: Implementation of mitigation measures MM BIO-15A and MM BIO-15B below, in addition to mitigation measures MM BIO-1 and MM BIO-11 through MM BIO-14 listed above, would reduce impacts to riparian habitat and other sensitive natural communities to a less than significant level.

MM BIO-15A Compensatory Mitigation for CIP Project Impacts to Sensitive Upland Communities. If it is demonstrated through the implementation of mitigation measure MM BIO-1 that the project, CIP or ODP, could directly impact sensitive upland communities, the District shall mitigate for the loss of habitat according to the ratios provided in Table 4.2-5, *Estimated Mitigation for CIP Project Impacts to Sensitive Upland Communities within the Service Area*, and Table 4.2-6, *Estimated Mitigation for ODP Project Impacts to Sensitive Upland Communities within the Service Area*, below, unless otherwise specified in the required agency permits and approvals. Off-site mitigation for impacts to special-status wildlife may also be used for off-site mitigation of impacts to sensitive upland communities.

**Table 4.2-5
ESTIMATED MITIGATION FOR CIP PROJECT IMPACTS TO SENSITIVE UPLAND COMMUNITIES
WITHIN THE SERVICE AREA**

Sensitive Upland Communities	Estimated Impacts ¹	Mitigation Ratio	Estimated Mitigation ¹
Chamise chaparral	0.1	1:1	0.1
Coast live oak woodland	0.2	3:1	0.5
Diegan coastal sage scrub	0.5	1:1	0.5
Non-native grassland	0.5	0.5:1	0.3
Southern mixed chaparral	0.2	1:1	0.2
TOTAL	1.5	--	1.6

Source: HELIX 2022a

¹ All data is in acres rounded to the nearest tenth (0.1) for uplands. Totals reflect rounding. -- equals no impact under the impact column, or not applicable where under the mitigation.

**Table 4.2-6
ESTIMATED MITIGATION FOR ODP PROJECT IMPACTS TO SENSITIVE UPLAND COMMUNITIES
WITHIN THE SERVICE AREA**

Sensitive Upland Communities	Global Rank ¹	State Rank ²	Estimated Impacts ³	Mitigation Ratio ⁴	Estimated Mitigation ^{3,4}
Chamise chaparral	G4	S4	3.5	1:1	3.5
Coast live oak woodland	G5	S4	7.9	3:1	23.7
Diegan coastal sage scrub	G3	S3.1	44.6	1:1	44.6
Engelmann oak woodland	G3	S3	0.8	2:1	1.6
Maritime succulent scrub	G2	S1.1	--	3:1	--

Sensitive Upland Communities	Global Rank¹	State Rank²	Estimated Impacts³	Mitigation Ratio⁴	Estimated Mitigation^{3,4}
Native grassland	G3	S3.1	--	1:1	--
Non-native grassland	G4	S4	26.5	0.5:1	13.3
Scrub oak chaparral	G4	S4	2.0	2:1	4.0
Southern maritime chaparral	G1	S1.1	2.2	3:1	6.6
Southern mixed chaparral	G4	S4	7.1	1:1	7.1
TOTAL	--	--	94.6	--	104.4

Source: HELIX 2022a

¹ **Global Rank**—The global rank reflects the overall status of an element throughout its global range. **G1 = Critically Imperiled**—At very high risk of extinction due to extreme rarity, very steep declines, or other factors. Less than 6 viable element occurrences or less than 1,000 individuals or less than 2,000 acres. **G2 = Imperiled**—At high risk of extinction due to very restricted range, very few populations, steep declines, or other factors. Estimated 6-20 viable occurrences or 1,000-3,000 individuals or 2,000-10,000 acres. **G3 = Vulnerable**—At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors. Estimated 21-80 occurrences or 3,000-10,000 individuals or 10,000-50,000 acres. **G4 = Apparently Secure**—Uncommon but not rare; some cause for long-term concern due to declines or other factors. This rank is clearly lower than G3 but factors exist to cause some concern, i.e., there is some threat, or somewhat narrow habitat.

² **State Rank**—The state rank refers to the imperilment status only within California’s State boundaries. **S1 = Critically Imperiled**—Critically imperiled in the state because of extreme rarity or because of some factor(s) such as very steep declines making it especially vulnerable to extirpation from the state/province. Less than 6 occurrences or less than 1,000 individuals or less than 2,000 acres. **S1.1** = very threatened; **S1.2** = threatened; **S1.3** = no current threats known. **S2 = Imperiled**—Imperiled in the state because of rarity due to very restricted range, very few populations, steep declines, or other factors making it very vulnerable to extirpation from the nation or state/province. Estimated 6-20 occurrences or 1,000-3,000 individuals or 2,000-10,000 acres. **S2.1** = very threatened; **S2.2** = threatened; **S2.3** = no current threats known. **S3 = Vulnerable**—Vulnerable in the state due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation. Estimated 21-80 occurrences or 3,000-10,000 individuals or 10,000 -50,000 acres. **S3.1** = very threatened; **S3.2** = threatened; **S3.3** = no current threats known; **S4 = Apparently Secure**—Uncommon but not rare; some cause for long-term concern due to declines or other factors.

³ All data is in acres rounded to the nearest tenth (0.1) for uplands. “--” equals no impact under the impact column, or not applicable where under the mitigation ratio column.

⁴ Mitigation ratios included in the table are typically required by agency permits and approvals, but may increase or decrease depending on the resources present and where the impact and mitigation is proposed within the planning area, as approved by the regulatory agencies and/or local jurisdiction in which the impact and mitigation occurs.

ODP = Other District Pipeline

MM BIO-15B Compensatory Mitigation for Project Impacts to Sensitive Wetland/Riparian Communities. If it is demonstrated through the implementation of mitigation measure MM BIO-1 that the project, CIP or ODP, could directly impact sensitive wetland/riparian communities, the District shall mitigate for the loss of habitat according to the ratios provided in Table 4.2-7, *Estimated Mitigation for CIP Project Impacts to Sensitive Wetland/Riparian Communities within the Service Area*, and Table 4.2-8, *Estimated Mitigation for ODP Project Impacts to Sensitive Wetland/Riparian Communities within the Service Area*, below, unless otherwise specified in the required agency permits and approvals.

**Table 4.2-7
ESTIMATED MITIGATION FOR CIP PROJECT IMPACTS TO SENSITIVE WETLAND/RIPARIAN COMMUNITIES WITHIN THE SERVICE AREA**

Sensitive Wetland/Riparian Communities	Estimated Impacts¹	Mitigation Ratio	Estimated Mitigation¹
Southern coast live oak riparian forest	0.18	3:1	0.53
Southern cottonwood willow riparian forest	0.36	3:1	1.07
Streambed/Open Water	0.02	1:1	0.02
TOTAL	0.56	--	1.63

Source: HELIX 2022a

¹ All data is in acres rounded to the nearest thousandth (0.01) for wetlands. Totals reflect rounding. "--" equals no impact under the impact column, or not applicable where under the mitigation ratio column. CIP = Capital Improvement Program

**Table 4.2-8
ESTIMATED MITIGATION FOR ODP PROJECT IMPACTS TO SENSITIVE WETLAND/RIPARIAN COMMUNITIES WITHIN THE SERVICE AREA**

Sensitive Wetland/Riparian Communities	Global Rank¹	State Rank²	Estimated Impacts³	Mitigation Ratio⁴	Estimated Mitigation^{3,4}
Freshwater marsh	G3	S2.1	--	3:1	--
Mule fat scrub	G4	S4	0.28	2:1	0.56
Non-native riparian forest	G4	S4	--	3:1	--
Open Water/Stream	--	--	0.49	1:1	0.49
Southern arroyo willow riparian forest	G2	S2.1	2.14	3:1	6.45
Southern coast live oak riparian forest	G3	S4	10.04	3:1	30.12
Southern cottonwood willow riparian forest	G3	S3.2	1.72	3:1	5.16
Southern riparian forest/woodland	G4	S4	15.48	3:1	46.44
Southern sycamore-alder riparian woodland	G3	S3	0.56	3:1	1.68
Southern willow scrub	G3	S2.1	0.85	3:1	2.55
TOTAL	--	--	31.19	--	93.45

Source: CDFW 2021d; HELIX 2021

¹ **Global Rank**—The global rank reflects the overall status of an element throughout its global range. **G1 = Critically Imperiled**—At very high risk of extinction due to extreme rarity, very steep declines, or other factors. Less than 6 viable element occurrences or less than 1,000 individuals or less than 2,000 acres. **G2 = Imperiled**—At high risk of extinction due to very restricted range, very few populations, steep declines, or other factors. Estimated 6-20 viable occurrences or 1,000-3,000 individuals or 2,000-10,000 acres. **G3 = Vulnerable**—At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors. Estimated 21-80 occurrences or 3,000-10,000 individuals or 10,000-50,000 acres. **G4 = Apparently Secure**—Uncommon but not rare; some cause for long-term concern due to declines or other factors. This rank is clearly lower than G3 but factors exist to cause some concern, i.e., there is some threat, or somewhat narrow habitat.

² **State Rank**—The state rank refers to the imperilment status only within California's State boundaries. **S1 = Critically Imperiled**—Critically imperiled in the state because of extreme rarity or because of some factor(s) such as very steep declines making it especially vulnerable to extirpation from the state/province. Less than 6 occurrences or less than 1,000 individuals or less than 2,000 acres. **S1.1 = very threatened; S1.2 = threatened; S1.3 = no current threats known. S2 = Imperiled**—Imperiled in the state because of rarity due to very restricted range, very few populations, steep declines, or other factors making it very vulnerable to extirpation from the nation or state/province. Estimated 6-20 occurrences or 1,000-3,000 individuals or 2,000-10,000 acres. **S2.1 = very threatened; S2.2 = threatened; S2.3 = no current threats known. S3 = Vulnerable**—Vulnerable in the state due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation. Estimated 21-80 occurrences or 3,000-10,000 individuals or 10,000 - 50,000 acres. **S3.1 = very threatened; S3.2 = threatened; S3.3 = no current threats known; S4 = Apparently Secure**—Uncommon but not rare; some cause for long-term concern due to declines or other factors.

³ All data is in acres rounded to the nearest thousandth (0.01) for wetlands. "--" equals no impact under the impact column, or not applicable where under the mitigation ratio column.

⁴ Mitigation ratios included in the table are typically required by agency permits and approvals, but may increase or decrease depending on the resources present and where the impact and mitigation is proposed within the planning area, as approved by the regulatory agencies and/or local jurisdiction in which the impact and mitigation occurs.

ODP = Other District Pipeline

To comply with state and federal regulations for impacts to jurisdictional resources regulated by the United States and the State of California, prior to project approval or implementation, the District shall either obtain the following permits and agreements or evidence from the respective agency that such permit or agreement is not required if development activities are proposed within jurisdictional waters:

- A Clean Water Act section 404 permit issued by the U.S. Army Corps of Engineers for all project-related disturbances of jurisdictional non-wetland waters.
- A Clean Water Act section 401 permit issued by the Regional Water Quality Control Board for all project-related disturbances of jurisdictional non-wetland waters.
- A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Wildlife for all project-related disturbances of any streambed and associated riparian habitat.

3. Wetlands (PEIR Section 4.2.4.3)

Threshold: Would the Project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: The CIP projects listed in Table 4.2-9 of the PEIR and Category A and B ODP projects listed in Appendix C of the PEIR could result in direct impacts to riparian and wetland habitat types that could support jurisdictional waters and wetlands. Where jurisdictional resources cannot be avoided through project design or avoidance measures, impacts to jurisdictional waters would be potentially significant.

No direct impacts to potential jurisdictional waters and wetlands are anticipated to occur during maintenance activities due to the fact that the areas where maintenance projects would occur are already disturbed and developed. The District would be required to implement BMPs to minimize, control, and treat storm water runoff, fugitive dust, and other pollutants at each maintenance site, which would minimize the potential for significant indirect impacts.

Short-term, construction-related indirect impacts could result from construction of the projects which occur adjacent to potential jurisdictional waters and wetlands. Implementation of BMPs to minimize, control, and treat storm water runoff, fugitive dust, and other pollutants at each project construction site would minimize the potential for significant indirect impacts. Regarding operational impacts, pipelines would be buried underground and would not be a source of runoff. Aboveground facilities could increase storm water runoff to adjacent wetlands, which could cause indirect impacts to wetlands, however these facilities would be small in size. Indirect impacts from operation of the Projects are anticipated to be less than significant.

Mitigation Measures: Implementation of mitigation measures MM BIO-16 and MM BIO-17 below, in addition to MM BIO-1 and MM BIO-11 through MM BIO-14 above, would reduce impacts to wetlands to a less than significant level.

MM BIO-16 Project-Level Jurisdictional Delineations. If it is demonstrated through the implementation of mitigation measure MM BIO-1 that a CIP and/or ODP project could impact potential jurisdictional waters and/or wetlands, the District shall retain a qualified biologist to perform formal jurisdictional delineations of the project sites prior to project approval and implementation. If the formal jurisdictional delineations determine that there are no resources present that could be subject to the regulatory jurisdiction of the USACE, RWQCB, or CDFW, then no further action shall be required. However, if the formal jurisdictional delineations determine that the features are subject to USACE, RWQCB, and/or CDFW jurisdiction, then the District shall avoid and/or minimize impacts through redesign and/or implementing trenchless construction methods (i.e., jack-and-bore or horizontal directional drilling) and obtain USACE, RWQCB, and/or CDFW concurrence prior to project implementation that impacts have been avoided. If concurrence is not obtained, the District shall implement mitigation measure MM BIO-17.

MM BIO-17 Compensatory Mitigation for Impacts to Jurisdictional Resources. Compensatory mitigation in accordance with the permit conditions imposed by USACE, RWQCB, and CDFW, for the unavoidable impacts to jurisdictional waters and wetlands, which would include one or a combination of the following measures:

- Purchase of preservation, establishment, re-establishment, rehabilitation and/or enhancement credits from a mitigation bank approved by the USACE and CDFW, such as the San Luis Rey Mitigation Bank, Brook Forest Conservation and Mitigation Bank, or another approved mitigation bank in the region; or
- Implement Permittee-responsible preservation, establishment, re-establishment, rehabilitation and/or enhancement at an on- or off-site location approved by the USACE, RWQCB, and/or CDFW, including preparation and implementation of a conceptual mitigation plan, habitat mitigation monitoring plan, restoration plan, and/or long-term management plan, unless otherwise specified by the USACE, RWQCB, and/or CDFW.
- Plans for restoration or revegetation 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.

A conservation easement, restrictive covenant, or other protection shall be recorded over the mitigation area and the area shall be managed in perpetuity in accordance with the long-term management plan, unless otherwise specified by the USACE, RWQCB, and/or CDFW. Off-site mitigation for impacts to jurisdictional waters may also be used for off-site mitigation of impacts to sensitive communities and special-status wildlife.

Cultural Resources and Tribal Cultural Resources (PEIR Section 4.3)

1. Historical and Archaeological Resources (PEIR Section 4.3.4.1)

Threshold: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Threshold: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Finding: Less than significant impact with mitigation measure incorporated.

Explanation: One structure proposed for changes under the Project, the Morro Pump Station, meets the 45-year-old threshold that requires evaluation pursuant to the CEQA process. If the Morro Pump Station is evaluated and found to be a significant historical resource, the Project may constitute an adverse impact to historical resources.

Over 200 known cultural resources exist within the District's service area, most of them consisting of prehistoric and historic-period archaeological sites. A site-specific project-level analysis would be required to fulfill CEQA requirements at Project sites. There is also potential for Project activities to encounter unrecorded cultural resources due to the frequency of known and recorded archaeological sites throughout the District's service area. Ground-disturbing activities have the potential to damage or destroy archaeological resources that may be present on or below the ground surface. As such, the Project may cause a substantial adverse change in the significance of a historical and/or archaeological resource pursuant to §15064.5 of the State CEQA Guidelines and result in a potentially significant impact.

Mitigation Measures: Implementation of mitigation measures MM CUL-1 through MM CUL-3 below would reduce potential impacts to historical and archaeological resources to a less than significant level.

MM CUL-1 Project-specific Cultural Resource Procedures. Project-specific cultural resources analysis is required for Project improvements, including CIP projects, ODP projects, and maintenance projects that involve (a) demolition of an aboveground built environment resource that is more than 45 years in age or (b) ground disturbance in areas of moderate or high cultural sensitivity, as depicted on Figure 4.3-2, *Cultural Sensitivity Mitigation*. This requirement does not apply to improvements that involve the ongoing operation, repair, and/or maintenance of existing aboveground District facilities and/or equipment, or those that are necessary to remedy an emergency condition that poses an imminent threat to health and safety, or property.

The following framework is provided to guide the identification, evaluation, and mitigation of potential impacts to cultural resources. Each of the following sections serves as a necessary step to the next section and is dependent upon meeting the criteria of each previous section. The District shall retain a qualified Project cultural resources management professional (Principal Investigator) to carry out the following procedures:

1. The Principal Investigator shall conduct a Project-specific cultural resources analysis to determine if significant cultural resources are within, or likely to be within, the Project improvement area. The analysis shall include conducting background research, including a focused CHRIS record search update at the SCIC, a review of site photographs and existing historic information, and a field survey including a Native

- American monitor. Prior to field reconnaissance, a review of the Sacred Lands File maintained by the NAHC shall also be conducted. If no known or potentially significant cultural resources are identified within the Project improvement area, and site conditions are determined to be such that there is low potential for subsurface cultural resources to be present within the Project improvement area, then no further action is required beyond (1) the preparation of a Cultural Resources Technical Report documenting the methods and results of the Project-specific cultural resources analysis, and (2) the implementation of mitigation measure MM CUL-3, presented herein.
2. If avoidance is not possible, cultural resource significance evaluations shall be required when new resources are identified as a result of a survey, or when previously recorded resources that have not been previously evaluated are reidentified during a survey. Significance evaluations shall not be required if the resource has been evaluated for CEQA significance or for NRHP eligibility previously and if there has been no change in the conditions that contributed to the determination of significance or eligibility. A resource shall be reevaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources.
 - a. An archaeological testing program shall be required for potentially significant archaeological sites in need of cultural resource significance evaluation. Archaeological testing programs include evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. Tribal representatives and/or Native American monitors shall be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed Project improvement, which could result in a combination of project redesign to preserve significant resources, as well as mitigation in the form of data recovery and monitoring (as recommended by the qualified Project archaeologist and Native American representative).
 - b. For above-ground historic period structures, buildings, or objects, the evaluation program shall include the development of an appropriate research design and methodological approach to the resource. Evaluation methods shall include literature review and research, the development of a historic context, documentation and photography of existing conditions and alterations over time, and historical significance evaluation under the NRHP and CRHR criteria.
 3. Resources found to be non-significant as a result of a survey and/or testing will require no further work beyond documentation of the resources on the appropriate California Department of Parks and Recreation site forms and inclusion of results in the survey and/or assessment report. If no significant resources are identified within the Project improvement area but results of the initial survey or and testing/ evaluation phase indicate there is a potential for unknown subsurface cultural resources to be present in the Project improvement area, then the implementation of mitigation measure MM CUL-2, presented herein, is required.
 4. Preferred treatment for significant cultural resources is preservation. Pursuant to California Public Resources Code Section 21083.2(b), avoidance through project

redesign is the preferred method of preservation. If a significant resource cannot be entirely avoided, all prudent and feasible measures to minimize adverse impacts shall be taken.

- a. For archaeological resources for which preservation is not an option, a research design for a data recovery program shall be prepared. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA Section 21083.2. Materials collected during the Data Recovery Program shall be processed and curated at a San Diego County facility that meets federal standards per 36 Code of Federal Regulations Part 79 unless, in the case of prehistoric or tribal cultural resources, other appropriate treatment measures such as the reburial of recovered cultural material are agreed upon by the District and tribal representative(s). Upon completion of the data recovery program, implementation of mitigation measure MM CUL-2 will be required. Such measures may also be required during building demolition and/or construction grading when significant cultural resources are known or suspected to be present on a site but cannot be recovered prior to grading due to obstructions such as existing development or dense vegetation.
- b. For non-archaeological significant resources, the development and implementation of a Historical Resources Treatment Plan shall be prepared to provide for appropriate treatments measures to mitigate adverse impacts. The Historical Resources Treatment Plan shall be approved by the District prior to the implementation of any treatment measures.

MM CUL-2 Cultural Resources Monitoring Program. If significant cultural resources have been identified within the proposed Project improvement area where ground disturbance is proposed, or the Project archaeologist has determined that there is the potential for subsurface cultural resources to occur within a proposed Project improvement area, as identified during the implementation of mitigation measure MM CUL-1, a cultural resource monitoring program shall be implemented.

1. The District shall retain a qualified Project archaeologist and Native American monitor(s) associated with a tribe that is traditionally and culturally affiliated (TCA) with the Project Location ("TCA Tribe") to implement the monitoring program.
2. The District shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with the TCA Tribe, if requested by the TCA Tribe. The purposes of the agreement are (1) to provide the District with clear expectations regarding tribal cultural resources; and (2) to formalize protocols and procedures between the District and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains; funerary objects; cultural and religious landscapes; ceremonial items; traditional gathering areas; and cultural items located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, grading, and all other ground-disturbing activities.

3. The qualified Project archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.
4. During the initial grubbing, site grading, excavation, trenching, or disturbance of the ground surface, an archaeological monitor and a Native American monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified Project archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.
5. If unevaluated potentially significant cultural resources are discovered, construction activities shall be diverted away from the discovery until significance evaluation can be conducted, as described in mitigation measure MM CUL-1, and the appropriate preservation or treatment actions can be taken. Construction activities would be allowed to resume after the completion of mitigation measure MM CUL-1, along with the continuation of monitoring. All cultural material collected during monitoring would be processed and curated at a San Diego County facility that meets federal standards per 36 Code of Federal Regulations Part 79 unless, in the case of Native American cultural material, other appropriate treatment measures such as the reburial of recovered cultural material are agreed upon by the District and the TCA Tribe.
6. After the completion of monitoring, an appropriate report shall be prepared. If no significant cultural resources are discovered, a brief letter shall be prepared. If significant cultural resources are discovered, a report with the results of the monitoring and any data recovery (including the interpretation of the data within the research context) shall be prepared.

MM CUL-3 Procedure for Project Improvements with no Archaeological Monitoring Program. In cases where proposed ground-disturbing Project improvements are located within moderate or high cultural sensitivity areas, and the implementation of mitigation measure MM CUL-2 is not required, as specified in mitigation measure MM CUL-1, the District shall retain a qualified Project archaeologist, defined as meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (U.S. Department of the Interior 2008) to ensure no inadvertent impacts occur to significant cultural resources occur during the implementation of an individual Project improvement.

1. Prior to construction activities, the selected Project archaeologist or their designee will provide a Worker Environmental Awareness Program (WEAP) training to construction crews that provides information on regulatory requirements for the protection of cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should unanticipated cultural resources discoveries be made during construction. In addition, workers will be shown examples of the types of resources that would require the notification of the Project archaeologist.
2. In the event that cultural resource(s) are inadvertently unearthed during ground-disturbing activities, construction activities shall be diverted away from the discovery until the Project archaeologist is contacted, a significance evaluation can be

conducted, and the appropriate actions can be taken as described in mitigation measure MM CUL-1. Construction activities would be allowed to resume in the area of the discovery only after the completion of the significance evaluation and treatment measures defined in mitigation measure MM CUL-1.

2. Human Remains (PEIR Section 4.3.4.2)

Threshold: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Finding: Less than significant impact with mitigation measure incorporated.

Explanation: Human burials have occurred outside of formal cemeteries within the District's service area, usually associated with archaeological resource sites and prehistoric people. As such, the potential exists for unknown burials to be present within Project improvement areas. Ground-disturbing activities associated with the implementation of the Project could have the potential to disturb human remains and result in a potentially significant impact.

Mitigation Measures: Implementation of mitigation measure MM CUL-4 below would reduce potential impacts to human remains to a less than significant level.

MM CUL-4 Identification of Human Remains. As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. 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 in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.

3. Tribal Cultural Resources (PEIR Section 4.3.4.3)

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

- a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1(k),
or

- b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Ground-disturbing or other activities associated with Project improvements have the potential to affect tribal cultural resources, including archaeological sites, traditional gathering areas, or other areas of traditional use. A Sacred Land File search conducted by the NAHC was returned with positive results, indicating that sacred lands or Native American cultural resources may be present within the Project area. Per AB 52, the District sent Project notification letters to identified representatives within culturally-affiliated Tribal governments. The Pala Band of Mission Indians, Rincon Band of Luiseño Indians, San Luis Rey Band of Mission Indians, and San Pasqual Band of Diegueno Mission Indians requested consultation. Tribal consultation under AB 52 has occurred beginning in September 2021 and continued through July 2022. The Project could cause a substantial adverse change in the significance of a tribal cultural resource pursuant to Section 21074 of the State CEQA Guidelines, therefore resulting in a potentially significant impact.

Mitigation Measures: Implementation of mitigation measures MM CUL-1 through MM CUL-3 listed above would reduce potential impacts to tribal cultural resources to a less than significant level.

Geology and Soils (PEIR Section 4.5)

1. Seismic Hazards (PEIR Section 4.5.4.1)

Threshold: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure including liquefaction, or landslides?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: The Project includes components that would be located within the vicinity of the Elsinore Fault Zone. Therefore, there is a risk of ground rupture, ground shaking, liquefaction, landslides, and other seismic activity at some Project locations. Without site-specific evaluations, these impacts are considered potentially significant.

Mitigation Measures: Implementation of mitigation measure MM GEO-1 below would reduce potential impacts related to seismic hazards to a less than significant level.

MM GEO-1 Conduct Site-Specific Geotechnical Investigations. All improvement projects that include excavation shall be subject to initial screening by the District to determine their site-specific geologic conditions, potential susceptibility to geologic hazards, and related requirements for an individual geotechnical evaluation. Based on the results of the initial screening, site-specific geotechnical investigations shall be completed for applicable improvement projects prior to final project design and construction. These investigations will identify site-specific criteria related to considerations such as grading, excavation, fill, and

structure/facility design. All applicable results and recommendations from the geotechnical investigations shall be incorporated into the associated individual project design and construction documents to address identified potential geologic and soil hazards, including but not necessarily limited to: (1) seismic hazards including ground rupture, ground acceleration (ground shaking), soil liquefaction (and related issues such as dynamic settlement and lateral spreading), and landslides/slope instability; and (2) non-seismic hazards including manufactured slope instability, subsidence/compressible soils, expansive or corrosive soils, and trench/excavation instability. The final project design and construction documents shall also encompass applicable standard design and construction practices from established regulatory/ industry sources including the CBC, IBC, CGS, Greenbook and District standards, as well as the results/recommendations of geotechnical review and field observations/testing to be conducted during project excavation, grading and construction activities (with all related requirements to be included in applicable engineering/design drawings and construction contract specifications).

2. Erosion and Sedimentation (PEIR Section 4.5.4.2)

Threshold: Would the Project result in substantial soil erosion or the loss of topsoil?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Implementation of the proposed Project improvements would increase the potential for erosion, soil loss, and sedimentation both within and downstream of the site during and after construction. Specifically, this would occur due to the removal of stabilizing features, excavation, and/or redeposition of material as backfill. Therefore, impacts related to erosion and sedimentation are potentially significant.

Mitigation Measures: Implementation of mitigation measure MM HYD-1 would reduce potential impacts related to erosion and sedimentation to a less than significant level.

3. Geologic Instability (PEIR Section 4.5.4.3)

Threshold: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Manufactured slopes and excavation activities could contribute to slope instability. While subsidence would not occur due to the Project's activity types, there is potential for localized subsidence in some Project areas. Collapsible and corrosive soils are also present in the District's service area. Therefore, impacts related to geologic instability are potentially significant.

Mitigation Measures: Implementation of mitigation measure MM GEO-1 would reduce potential impacts related to geologic instability to a less than significant level.

4. Expansive Soil (PEIR Section 4.5.4.4)

Threshold: Would the Project be located on expansive soil creating substantial direct or indirect risks to life or property?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Expansive soils have been identified within the District's service area, which could result in impacts to foundations, pavement, and underground pipelines. Therefore, impacts related to expansive soils are potentially significant.

Mitigation Measures: Implementation of mitigation measure MM GEO-1 would reduce potential impacts related to expansive soils to a less than significant level.

5. Paleontological Resources (PEIR Section 4.5.4.6)

Threshold: Would the Project directly or indirectly destroy a unique paleontological resource or site or a unique geologic feature?

Finding: Less than significant with mitigation measures incorporated.

Explanation: Project improvements in areas of zero or low paleontological sensitivity would have less than significant impacts related to paleontological resources. Some Project improvements would occur in geologic units identified as having marginal, moderate, or high paleontological sensitivity. Therefore, impacts to paleontological resources would be potentially significant.

Mitigation Measures: Implementation of mitigation measure MM GEO-2 would reduce potential impacts related to paleontological resources to a less than significant level.

MM GEO-2 Paleontological Construction Monitoring in Sensitive Areas. Project improvements that involve excavation activities in areas identified as having marginal, moderate, or high paleontological sensitivity, as depicted on Figure 4.5-3, shall implement a paleontological construction monitoring program. Areas identified as having marginal, moderate, or high paleontological sensitivity are underlain by Pleistocene-age old and very old alluvial flood plain and colluvial deposits, strata of the Pliocene-age Temecula Arkose and Eocene-age Santiago Formation, and Mesozoic quartzites and related metasedimentary rocks. The paleontological monitoring program shall include the following components:

- a. Pre-construction (personnel and repository): Prior to the commencement of construction, a qualified Project Paleontologist shall be retained to oversee the mitigation program. The County of San Diego defines a Project Paleontologist as a person with a Ph.D. or master's degree in Paleontology or related field, and who has knowledge of San Diego County paleontology and documented experience in professional paleontological procedures and techniques. In addition, a regional fossil repository shall be designated to receive any discovered fossils. Because the District service area is in San Diego County, the recommended repository is the San Diego Natural History Museum.
- b. Pre-construction (meeting): The Project Paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues.
- c. Pre-construction (training): The Project Paleontologist shall conduct a paleontological resource contractor awareness training workshop to be attended by earthwork personnel.

- d. During construction (monitoring): A paleontological monitor (working under the direction of the Principal Paleontologist) shall be on-site on a full-time basis during all original cutting of previously undisturbed Pleistocene-age old and very old alluvial flood plain and colluvial deposits, previously undisturbed strata of the Pliocene-age Temecula Arkose and Eocene-age Santiago Formation, and previously undisturbed Mesozoic-age quartzites and related metasedimentary rocks to inspect fresh exposures for unearthed fossils. The County of San Diego defines a paleontological monitor as an individual with at least one year of experience in field identification and collection of fossil materials under the supervision of a Project Paleontologist.
- e. During construction (fossil recovery): If fossils are discovered, the Principal Paleontologist (or paleontological monitor) shall recover them. Bulk sedimentary matrix samples may also be collected from stratigraphic horizons that appear likely to contain microvertebrate fossils. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (e.g., a bone bed or a complete large mammal skeleton) may require an extended salvage period. In these instances, the Principal Paleontologist (or paleontological monitor) has the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner.
- f. Post-construction (treatment): Fossil remains collected during monitoring and salvage shall be prepared (including washing of bulk sediment matrix samples to recover microvertebrate fossils), repaired, sorted, and cataloged as part of the mitigation program.
- g. Post-construction (curation): Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in the designated fossil repository. Donation of the fossils shall be accompanied by financial support for initial specimen storage.
- h. Post-construction (final report): A final summary paleontological mitigation report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, inventory lists of catalogued fossils, and significance of recovered fossils.

Hazards and Hazardous Materials (PEIR Section 4.7)

1. Transport, Use, Disposal, and Accidental Release of Hazardous Materials (PEIR Section 4.7.4.1)

Threshold: Would the Project create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials?

Threshold: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Threshold: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Construction activities associated with Project improvements would require the use of typical hazardous materials. The District and its construction contractor(s) would comply with applicable federal, state, and local regulations pertaining to hazardous materials use, handling, storage, and disposal. Impacts related to the use of hazardous materials during construction would be less than significant. During Project operations some hazardous materials would be used for water disinfection, water distribution, and maintenance activities. The Project would not represent a new type of hazard compared to existing facilities and all hazardous materials would be handled in accordance with applicable federal, State, and local regulations. Therefore, impacts related to hazardous materials from Project operations and maintenance would be less than significant. The materials used for the Project would be typical materials that are not acutely hazardous and would not represent a substantial risk to the schools during construction or operation. Impacts would be less than significant.

Accident conditions, such as sewer pipe rupture or lift station failure, could result in hazardous materials spills and the exposure of the public and environment to hazardous conditions. Impacts related to such accident conditions are potentially significant.

Mitigation Measures: Implementation of mitigation measure MM HAZ-1 at applicable Project sites would reduce potential impacts related to accident conditions to a less than significant level.

MM HAZ-1 Sewer Pipeline and Lift Station Safety Features. Sewer lift stations shall incorporate standard safety features, including an emergency generator on the site in case of electrical failure, and sufficient sewage detainment capacity in the event of generator and/or pump mechanism failure to allow time for repair and/or emergency conveyance of the sewage. Portable emergency generators may be used for lift stations that cannot be equipped with an on-site generator. Each sewer lift station, pipeline, and treatment facility would implement a Sewer System Management Plan that includes contingency measures in the event of emergency leaks or spills.

2. Hazardous Materials Sites (PEIR Section 4.7.4.2)

Threshold: Would the Project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Based on the presence of listed hazardous materials sites within the District's service area, there is potential for Project improvements to be located on hazardous materials sites. One open case associated with the use of pesticides is located within the District's service area. Impacts related to hazardous materials sites are potentially significant.

Mitigation Measures: Implementation of mitigation measure MM HAZ-2 would reduce potential impacts related to hazardous materials sites to a less than significant level.

MM HAZ-2 Conduct Site-Specific Environmental Site Assessment. Project improvements that involve excavation shall be subject to initial screening by the District to determine their site-specific potential susceptibility to hazards and hazardous materials/risk of

upset. Based on the results of the initial screening, a site-specific environmental site assessment shall be completed for Project improvements, when project-specific designs have been finalized, that would require ground-disturbing activities such as grading and trenching. The environmental site assessment will entail a regulatory database records review to determine if known hazardous waste sites occur on or near the proposed project site. If hazardous materials are identified, a full Phase I environmental site assessment investigation shall be completed for the project improvement site.

Phase I environmental site assessment investigations include: (1) appropriate regulatory database records review; (2) site reconnaissance; (3) review of appropriate maps, aerial photographs and other pertinent documents; (4) interviews with current/previous property owners, local government/industry officials, and other individuals with knowledge of the property and/or local environmental conditions; (5) documentation of known or potential Recognized Environmental Conditions (RECs); and (6) identification of recommendations to address RECs or other concerns, if applicable (including Phase II environmental site assessment investigations, as outlined below).

Depending on the results of the described Phase I investigation, one or more Phase II environmental site assessment investigations shall be conducted if identified as part of the Phase I recommendations. Phase II environmental site assessments consist of "intrusive" investigations, in which original samples of soil, groundwater, and/or building materials are collected and submitted for laboratory analysis to identify applicable contaminants. Based on the results of this testing, the Phase II investigations shall identify the type and extent of REC (or other) contamination, and provide appropriate remedial measures to address associated hazards. Typical remedial measures may include efforts such as removal and proper disposal of contaminated materials (or on-site treatment and reuse, if applicable), or in situ treatments such as oxidation (use of aerobic bacteria to accelerate natural attenuation of organic contaminants) or bioremediation (e.g., using bacteria to remove contaminants from groundwater).

Environmental site assessments shall be prepared in conformance with applicable regulatory and industry standards, including ASTM International E1527-05 Standard Practice for Environmental Site Assessments, and CFR Part 312, Standards and Practices for All Appropriate Inquiries. Results and recommendations from the described Phase I and Phase II investigations shall be incorporated into the associated individual final project design documents to address identified potential hazardous material concerns.

3. Emergency Response and Evacuation (PEIR Section 4.7.4.4)

Threshold: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Construction activities associated with the Project, particularly excavation and trenching activities associated with pipeline improvements that are within roadway rights-of-way, could result in temporary lane and road closures or detours that could potentially interfere with emergency plans and procedures. Construction-related impacts are potentially significant. Once installed, proposed facilities would not obstruct roadways or block access for emergency operations and impacts would be less than significant.

Mitigation Measures: Implementation of mitigation measure MM TRA-1 would reduce potential impacts related to emergency response and evacuation to a less than significant level.

4. Wildland Fires (PEIR Section 4.7.4.5)

Threshold: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Portions of the District's service area are considered very high fire hazard severity zones, with other portions considered high and moderate fire hazard severity zones. The Project's facilities would not require or involve permanent occupants that would be subject to substantial risk from wildfire. The Project would not construct a substantial number of new structures that would be at risk from wildfire.

During construction and maintenance activities the Project would have the potential to exacerbate the potential for wildfires to occur through the use of equipment with combustion engines. While Project-related personnel and facilities are not considered to be at substantial risk, residents and structures located throughout the District's service area could be at risk. Therefore, impacts are considered potentially significant.

Mitigation Measure: Implementation of mitigation measure MM HAZ-3 would reduce potential impacts related to wildland fires to a less than significant level.

MM HAZ-3 Construction Fire Safety Plan. The following fire prevention strategies shall be implemented during Project construction:

- Construction within areas of dense foliage during dry conditions shall be avoided.
- In cases where avoidance is not feasible, brush fire prevention and management practices shall be incorporated. Specifics of the brush management program shall be incorporated into Project construction documents.

Hydrology and Water Quality (PEIR Section 4.8)

1. Water Quality (PEIR 4.8.4.1)

Threshold: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Finding: Less than significant impact with mitigation measures incorporated.

Explanation: Construction of proposed improvements could result in erosion and sedimentation, which can result in sediments that smother aquatic organisms, alter the substrate and habitat, and alter the drainage course. Hazardous materials would also be used during construction activities and could adversely affect water quality. These potential impacts would be addressed through conformance with District and BMP requirements, as well as requirements under the NPDES Construction General Permit. Construction dewatering could potentially be required during construction operations. Disposal of groundwater extracted during construction activities into local drainages and/or storm drain facilities could potentially generate significant

water quality impacts. Project construction would require conformance with NPDES Groundwater Permit criteria prior to disposal of extracted groundwater. Impacts during construction would be less than significant.

The long-term operation and maintenance of proposed Project facilities would not entail the substantial generation of pollutants as the majority of the proposed improvements consist of underground pipelines or improvements to existing facilities. Long-term operation and maintenance of proposed facilities such as pump station improvements, however, could potentially generate a number of pollutants. While such potential pollutant generation would typically be addressed through standard design measures and BMPs, specific design details of related facilities have not been identified; and associated effects to long-term water quality cannot be determined. As a result, impacts related to water quality during Project operation are considered potentially significant.

Mitigation Measures: Implementation of mitigation measure MM HYD-1 would reduce potential impacts related to water quality to a less than significant level.

MM HYD-1 Conduct Site-Specific Water Quality Investigations. All projects are subject to initial screening by the District to determine their site-specific hydrological conditions, related potential impacts, and requirements for individual associated technical investigations. Site-specific water quality investigations will be completed prior to approval of final design for proposed projects involving activities that may potentially affect surface water quality, as determined by the District during initial screening. All applicable results and recommendations from these investigations will be incorporated into the associated individual final project design documents to address identified potential long-term water quality issues related to conditions such as: anticipated and potential pollutants to be used, stored, or generated on-site; the location and nature (e.g., impaired status) of on-site and downstream receiving waters; and project design features to avoid/address potential pollutant discharges. The final project design documents will also encompass standard design practices from sources including NPDES criteria and other applicable regulatory standards (with all related requirements to be included in engineering/design drawings and construction contract specifications). A summary of the types of BMPs typically associated with identified potential water quality concerns, pursuant to applicable regulatory and industry standards (as noted), is provided below. The BMPs identified/recommended as part of the described site-specific water quality investigations will take priority over the more general types of standard regulatory/industry measures listed below:

- **Low Impact Development (LID)/Site Design BMPs:** LID/site design BMPs are intended to avoid, minimize, and/or control post-development runoff, erosion potential, and pollutant generation to the maximum extent practicable by mimicking the natural hydrologic regime. The LID process employs design practices and techniques to effectively capture, filter, store, evaporate, detain, and infiltrate runoff close to its source through efforts such as: (1) minimizing developed/disturbed areas to the maximum extent feasible; (2) utilizing natural and/or unlined drainage features in on-site storm water systems; (3) disconnecting impervious surfaces to slow concentration times, and directing flows from impervious surfaces into landscaped or vegetated areas; and (4) using pervious surfaces in developed areas to the maximum extent feasible.
- **Source Control BMPs:** Source control BMPs are intended to avoid or minimize the introduction of pollutants into storm drains and natural drainages by reducing on-site pollutant generation and off-site pollutant transport through measures such as:

- (1) installing “no dumping” stencils/tiles and/or signs with prohibitive language at applicable locations such as drainages and storm drain inlets to discourage illegal dumping; (2) designing trash storage areas to reduce litter/pollutant discharge through methods such as paving with impervious surfaces, installing screens or walls to prevent trash dispersal, and providing attached lids and/or roofs for trash containers; (3) designing site landscaping to maximize the retention of native vegetation and use of appropriate native, pest-resistant, and/or drought-tolerant varieties to reduce irrigation and pesticide application requirements; and (4) providing secondary containment (e.g., enclosed structures, walls, or berms) for applicable areas such as trash or hazardous material use/storage.
- Pollutant Control BMPs: Pollutant control BMPs are designed to remove pollutants from runoff to the maximum extent practicable through means such as filtering, treatment, or infiltration. Pollutant control BMPs are required to address applicable pollutants, and may include efforts such as: (1) providing water quality treatment and related facilities such as sediment basins, vegetated swales, infiltration basins, filtration devices, and velocity dissipators to treat appropriate runoff flows and reduce volumes prior to off-site discharge (per applicable regulatory requirements); (2) creating a construction spill contingency plan in accordance with Department of Environmental Health regulations and retaining a copy of the plan on-site by the construction manager; and (3) conducting regular inspection, maintenance, and as-needed repairs of pertinent facilities and structures.

2. Drainage Patterns and Flooding (PEIR 4.9.3.2)

Threshold: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or the addition of impervious surfaces, in a manner which would: result in substantial erosion, siltation, or flooding on- or off-site; substantially increase the rate or amount of surface runoff; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; provide substantial additional sources of polluted runoff; or impede or redirect flood flows?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: Implementation of the proposed improvements could potentially result in some modification of the existing on-site drainage patterns and directions through proposed grading and construction. These modifications are generally not anticipated to be substantial and overall drainage patterns within the District’s service area are not anticipated to be substantially altered by the Project. Similarly, the proposed improvements are not expected to substantially increase the rate or amount of surface runoff within or from proposed project sites as they would not result in substantial areas of new impervious surfaces. While some Project locations are within mapped 100-year floodplains, flood hazards related to the Project are generally not anticipated to be substantial. While none of these impacts are anticipated to be significant, some aboveground components and design/construction details for the proposed improvements have not yet been identified. Therefore, the associated site-specific effects to drainage patterns, runoff, and flood hazards cannot be determined. As a result, impacts are considered potentially significant.

Through compliance with the existing regulations, Project improvements would not increase storm water runoff in volumes that would exceed the capacity of existing storm water drainage systems. Impacts would be less than significant.

The failure of a Project facility could occur as a result of structural damage caused by a natural event, such as earthquakes or flooding, or equipment failure from age or material defect. Facility failure could result in flooding caused by the release of impounded water in water storage reservoirs, pump stations, lift stations, or pipelines. One of the purposes of the proposed Project is to complete improvements to existing water and sewer facilities to improve system reliability and conduct strategic system maintenance and replacement programs, thereby reducing the existing system's susceptibility to failure. The District routinely performs inspection and maintenance on all facilities, and facilities proposed in the Project would be incorporated into the maintenance schedules. Implementation of appropriate programs and systems reduces the risks associated with facility failure to a less than significant level.

Mitigation Measures: Implementation of mitigation measure MM HYD-2 would reduce potential impacts related to drainage patterns and flooding to a less than significant level.

MM HYD-2 Conduct Site-Specific Hydrologic and Hydraulic Investigations. All projects are subject to initial screening by the District to determine their site-specific hydrological conditions, related potential impacts, and requirements for individual associated technical investigations. All applicable results and recommendations from these investigations shall be incorporated into the associated final design documents to address identified potential hydrologic concerns, including, but not necessarily limited to drainage alteration, runoff rates/amounts, storm water management and hydromodification, and flood hazards. The final project design documents shall also encompass applicable standard design and construction practices from sources including NPDES (with related requirements to be included in applicable engineering/design drawings and/or construction contract specifications). A summary of the types of remedial measures typically associated with identified potential hydrologic concerns, pursuant to applicable regulatory and industry standards (as noted), is provided below. The remedial measures identified/recommended as part of the described site-specific hydrologic investigations will take priority over the more general types of standard regulatory/industry measures listed below.

- Drainage Alteration: (1) locate applicable facilities outside of surface drainage courses and drainage channels; (2) re-route surface drainage around applicable facilities, with such re-routing to be limited to the smallest area feasible and re-routed drainage to be directed back to the original drainage course at the closest feasible location (i.e., the closest location to the point of diversion); and (3) use drainage structures to convey flows within/through development areas and maintain existing drainage patterns, where appropriate and feasible.
- Runoff Rates/Amounts, Storm Water Management and Hydromodification: (1) minimize the installation of new impervious surfaces (e.g., by surfacing with pervious pavement, gravel or decomposed granite); (2) use flow regulation facilities (e.g., detention/retention basins) and velocity control structures (e.g., riprap dissipation aprons at drainage outlets), to maintain pre-development runoff rates and amounts for design storm events, if applicable; and (3) utilize additional and/or enlarged drainage facilities to ensure adequate on- and off-site storm drain system capacity, if applicable.
- Capacity of surface drainage: Follow County of San Diego Hydraulic Design Manual for stormwater drainage and flood management facilities in the unincorporated San Diego County.

- Flood Hazards: (1) locate proposed facilities outside of mapped 100-year floodplain boundaries wherever feasible; (2) based on technical analyses such as Hydrologic Engineering Center-River Analysis System (HEC-RAS) studies, restrict facility locations to avoid adverse impacts related to impeding or redirecting flood waters; (3) based on HEC-RAS studies, use measures such as raised fill pads to elevate proposed structures above calculated flood levels, and/or utilize protection/containment structures (e.g., berms, barriers or water-tight doors) to avoid flood damage; and (4) if Project-related activities/facilities result in applicable proposed changes to mapped FEMA floodplains, obtain an approved Conditional Letter of Map Revision (CLOMR) and/or Letter of Map Revision (LOMR) from FEMA and County of San Diego Flood Control District, as applicable.

3. Groundwater (PEIR Section 4.8.4.4)

Threshold: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Threshold: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: The proposed Project improvements do not entail long-term withdrawal or other use of groundwater. In the event that shallow groundwater is encountered during Project construction, temporary dewatering efforts would be implemented in conformance with applicable NPDES requirements. No impacts related to drawdown or depletion of local groundwater resources are anticipated. Potential impacts to existing on-site recharge capacity would be less than significant based on the anticipated minor extent of additional impervious surfaces.

Potential impacts to groundwater quality related to the proposed Project improvements would be limited to percolation of surface water. Construction of proposed improvements would be required to comply with the District's storm water pollution prevention requirements as well as all applicable construction storm water permits, thereby reducing impacts to groundwater quality related to construction activities to a less than significant level. However, based on the unknown nature of specific design criteria and operational conditions, operation of proposed improvements could have a potentially significant impact on groundwater quality.

Mitigation Measures: Implementation of mitigation measure MM HYD-1 would reduce potential impacts related to groundwater to a less than significant level.

Noise (PEIR Section 4.9)

1. Increase in Ambient Noise (PEIR Section 4.9.4.1)

Threshold: Would the Project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: Individual Project improvements would not all be constructed at once or at the same time or location. However, the operation of equipment anticipated to be used for Project construction would have the potential to exceed the County's 75-dBA limit and the City's 85 dBA limit, resulting in potentially significant impacts. Although the District would avoid night work wherever possible, nighttime construction activities may be necessary for individual Project improvements and these impacts are potentially significant.

The majority of Project improvements would not result in increases to ambient noise, however new aboveground facilities would generate noise. Replacing equipment at existing aboveground facilities may also result in increases to ambient noise. Operational noise impacts are potentially significant.

Mitigation Measures: Implementation of mitigation measures MM NOI-1 and MM NOI-2 would reduce potential impacts related to ambient noise levels to a less than significant level.

MM NOI-1 General Construction and Maintenance Noise Limits. Noise from Project-related construction and maintenance activities shall comply with the following local noise ordinances as applicable and feasible depending on the location of the activity.

- County of San Diego: A noise level limit of 75 dBA (8-hour L_{EQ}) between 7:00 a.m. to 7:00 p.m.
- City of Oceanside: A noise level limit of 85 dBA at 100 feet from the source; a noise level limit of 50 dBA at the property line when construction equipment is operating within any residential zone or 500 feet from any residential zone between 8:00 p.m. and 7:00 a.m.; a noise level limit of 5 dBA above ambient between 6:00 p.m. and 7:00 a.m.

The District shall employ measures to reduce construction and maintenance noise levels to the specified limits, including, but not limited to, the following:

- Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices.
- Diesel equipment shall be operated with closed engine doors and equipped with factory-recommended mufflers.
- Mobile or fixed "package" equipment (e.g., arc-welders and air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.
- Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible.
- Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited.
- Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise sensitive receptors.

- The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.
- Any truck or equipment equipped with back-up alarm moving within 300 feet of a noise-sensitive land use (residence) should have the normal back-up alarm disengaged and safety provided by lights and flagman or broad-spectrum noise backup alarm (as appropriate for conditions) used in compliance with the Occupational Safety and Health Administration safety guidelines.
- Temporary sound barriers or sound blankets shall be installed between construction operations and adjacent noise-sensitive receptors. The project Contractor shall construct a 12-foot high temporary noise barrier meeting the specifications listed below (or of a Sound Transmission Class [STC] 19 rating or better) to attenuate noise.
- The District shall notify residences within 300 feet of the project's disturbance area in writing within one week of any construction activity. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of a complaint and response procedure.
- The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process for the affected resident shall be established prior to construction commencement to allow for resolution of noise problems that cannot be immediately solved by the site supervisor.

MM NOI-2 Operational Compliance with Noise Regulations. Stationary operating equipment associated with proposed CIP projects, which are located within San Diego County, shall be designed to comply with the applicable one-hour average sound level limits set forth in Section 36.404, *General Sound Level Limits*, of the County of San Diego Code of Regulatory Ordinances, presented above in Table 4.9-6, where feasible.

Transportation (PEIR Section 4.10)

1. Traffic Circulation (PEIR Section 4.10.4.1)

Threshold: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: Construction of Project improvements would generate temporary construction-related trips from trucks hauling soil and/or debris from construction sites, trucks delivering equipment and materials to and from construction sites, and construction workers commuting to and from construction sites. Some Project improvement would require construction within the public right-of-way, which could result in significant impacts related to local circulation.

Operation of the Project facilities would result in permanent traffic from vehicular trips by operations and maintenance employees; however, operation of the proposed facilities would not generate a substantial volume of new vehicle trips above existing conditions. Operation of the

Project would not result in substantial long-term impacts to the circulation system and impacts would be less than significant.

Mitigation Measures: Implementation of mitigation measure MM TRA-1 would reduce potential impacts related to traffic during construction to a less than significant level.

MM TRA-1 Traffic Control Plan. At least 30 days prior to the start of construction of improvements within roadway rights-of-way, the District Contractor shall prepare and submit a traffic control plan (TCP) to the agency of jurisdiction (County, City of Oceanside, and/or Caltrans as applicable) to address vehicular traffic during construction of individual Project improvements within public rights-of-way of the affected jurisdiction(s), including bicycle, pedestrian, and transit facilities. The TCP shall include signage, striping, delineated detours, flagging operations, and other devices that will be used during construction to guide motorists, bicyclists, and pedestrians safely through the construction areas and allow for adequate access and circulation. The TCP shall ensure that congestion and traffic delay are not substantially increased as a result of the construction activities.

During construction, the District shall maintain continuous vehicular and pedestrian access to affected residential driveways from the public right-of-way to the private property line, except where necessary construction precludes such continuous access for reasonable periods of time. Access shall be reestablished at the end of the workday. If a driveway needs to be closed or interfered with as described above, the District shall notify the owner or occupant of the closure of the driveway at least five working days prior to the closure. The TCP shall include provisions to ensure that the construction of the conveyance pipelines do not interfere unnecessarily with the work of other agencies such as mail delivery, school buses, and municipal waste services.

The TCP shall also be consistent with local emergency response plans. The District shall notify local emergency responders of planned partial or full lane closures or blocked access to roadways or driveways required for Project construction. Emergency responders include fire departments, police departments, and ambulances that have jurisdiction within the project area. Written notification and disclosure of lane closure location must be provided at least 30 days prior to the planned closure to allow for emergency response providers adequate time to prepare for lane closures.

2. Hazardous Traffic Conditions (PEIR Section 4.10.4.3)

Threshold: Would the Project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: Construction of some of the Project improvements would occur within public roadway rights-of-way and would therefore have the potential to result in partial and/or full lane closures and the presence of construction equipment and workers, which could result in temporary hazardous roadway conditions. Therefore, impacts related to traffic hazards from Project construction within roadway rights-of-way are considered potentially significant.

Once operational, the Project would not involve roadway or intersection improvements or involve uses that are not compatible with the surrounding area. No permanent increase in hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses would occur and impacts would be less than significant.

Mitigation Measures: Implementation of mitigation measure MM TRA-1 would reduce potential impacts related to hazardous traffic during construction to a less than significant level.

3. Emergency Access (PEIR Section 4.10.4.4)

Threshold: Would the Project result in inadequate emergency access?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: Emergency access could be temporarily affected if Project improvements require roadway lane closures, which could restrict access to the area surrounding the construction sites and result in potentially significant impacts. No impact to emergency access would occur following the completion of Project construction.

Mitigation Measures: Implementation of mitigation measure MM TRA-1 would reduce potential impacts related to emergency access during construction to a less than significant level.

Wildfire (PEIR Section 4.11)

1. Impair Emergency Response or Evacuation Plan (PEIR Section 4.11.4.1)

Threshold: Would the proposed Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: Construction of some of the Project improvements, particularly the removal and installation of pipelines, would occur within public roadway rights-of-way. Such activities could result in partial and/or full lane closures and the presence of construction equipment and vehicles, which would have the potential to impair emergency response or emergency evacuation. Impacts during construction are considered potentially significant.

Operation of the Project facilities would result in permanent traffic; however, it would not generate a substantial volume of new vehicle trips and would not substantially impair emergency response or emergency access. Operational impacts would be less than significant.

Mitigation Measures: Implementation of mitigation measure MM TRA-1 would reduce potential impacts related to emergency response during construction to a less than significant level.

2. Wildfire Pollutants and Spread (PEIR Section 4.11.4.2)

Threshold: Due to slope, prevailing winds, or other factors, would the Project exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: The Project's facilities would not require or involve permanent occupants. The Project would, however, involve the presence of construction workers and operational maintenance workers at improvement sites; however, these transitory workers would not be at substantial risk from pollutant concentrations from a wildfire or the uncontrolled spread of a

wildfire. The Project would have the potential to exacerbate wildfire risk during construction and maintenance activities through the use of equipment with combustion engines. As such, risks to construction and maintenance workers associated with pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire are considered potentially significant.

Mitigation Measures: Implementation of mitigation measure MM HAZ-3 would reduce potential impacts related to wildfire pollutants and spread to a less than significant level.

3. Exacerbation of Fire Risk from Infrastructure (PEIR Section 4.11.4.3)

Threshold: Would the Project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Finding: Less than significant impact with incorporation of mitigation measures.

Explanation: Construction of Project improvements would involve the use of heavy equipment and vehicles with combustion engines, which have the potential to exacerbate fire risk. Impacts are considered potentially significant.

Mitigation Measures: Implementation of mitigation measure MM HAZ-3 would reduce potential impacts related to fire risk to a less than significant level.

V. CUMULATIVE ENVIRONMENTAL IMPACTS

An EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable, which means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. (State CEQA Guidelines, §§15065(a)(3), 15130) Table 4-1 of the PEIR summarizes the geographic area within which past, present, and reasonably foreseeable future projects may contribute to a specific cumulative impact, when considered in conjunction with the impacts associated with implementation of the Project. Projections based on adopted general or regional plans were included in the consideration of cumulative projects for the Project. Tables 4-2 through 4-4 of the PEIR summarize growth, employment, and housing projections for the City of Oceanside and the unincorporated County based on the SANDAG Series 13 Regional Growth Forecast data for 2050, and Table 4-5 lists the applicable projects from SANDAG's San Diego Forward – The Regional Plan approved in 2021. Table 4-6 lists the past, present, and reasonably foreseeable projects within the District's service area, and Table 4-7 lists District projects that were included in previous CEQA documents.

The District finds as follows with regard to whether the Project would result in a cumulatively considerable impact in the following areas:

Air Quality (PEIR Section 4.1.5)

Cumulative development in the SDAB is not expected to result in a significant impact in terms of conflicting with the Attainment Plan or RAQS because the majority of cumulative projects would involve development that is consistent with the applicable projections included in the Attainment Plan and RAQS. The Project's improvements are proposed to meet projected buildout demand and would not result in the generation of unplanned population growth or accommodate

unplanned growth. The Project would not result in emissions of PM₁₀, PM_{2.5}, or the ozone precursors NO_x and VOCs during construction or operations that would exceed regional thresholds created to meet the NAAQS and CAAQS. As such, the Project, in combination with cumulative development, would not result in a significant cumulative impact relative to conflict with or obstruction of the applicable air quality plans or standards.

Based on the temporary nature of the Project's construction activities and large area over which they would occur, it is unlikely for multiple projects with substantial emissions to occur simultaneously and in close proximity to sensitive receptors, thereby causing a significant cumulative impact. Therefore, the cumulative impact related to sensitive receptors is less than significant.

As the Project would not result in substantial odor generation, it would not combine with other cumulative projects to result in a cumulatively significant impact associated with objectionable odors.

Biological Resources (PEIR Section 4.2.5)

The proposed Project in combination with cumulative development would have the potential to combine to directly and/or indirectly affect special-status species and sensitive habitats throughout and surrounding the service area, particularly in previously undeveloped and undisturbed areas. As such, cumulative impacts related to sensitive species and habitats are considered potentially significant. With implementation of mitigation measures MM BIO-1 through MM BIO-15B and applicable BMP implementation, the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact related to sensitive species or habitats.

The proposed Project in combination with cumulative development would have the potential to combine to directly and/or indirectly affect wetlands and other jurisdictional features throughout and surrounding the service area, particularly in previously undeveloped and undisturbed areas. Such activities associated with construction would be subject to regulation by the USACE, RWQCB, and/or CDFW. Impacts to wetlands would be avoided through implementation of MM BIO-11 through MM BIO-13 and MM BIO-16 and MM BIO-17. With these measures, the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact related to wetlands and other jurisdictional features.

Extensive cumulative development within undeveloped lands within the District's service area that currently provide movement corridors could result in significant cumulative impacts. Project improvements would be under ground, small in size, and/or at existing facilities, therefore not resulting in new impediments to wildlife movement. As such, the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact related to wildlife movement.

Cumulative development projects would be subject to applicable local ordinances regarding biological resources and conservation plans on an individual basis. In addition, the proposed Project would not conflict with local policies or conservation plans. Therefore, there would be no cumulative impact related to local policies or conservation planning.

Cultural Resources and Tribal Cultural Resources (PEIR Section 4.3.5)

The Project in combination with cumulative projects would have the potential to impact historical and archaeological resources, human remains, and tribal cultural resources during ground-disturbing activities. However, implementation of MM CUL-1, through MM CUL-4 would reduce the Project's potential impacts to a less than significant level. As such, the Project would not result in a cumulatively considerable contribution to the potentially significant cumulative impact related to historical and archaeological resources, human remains, or tribal cultural resources.

Energy (PEIR Section 4.4.5)

When combined, cumulative projects within this geographic scope could contribute to a regional increase in energy use through their use of electricity, natural gas, gasoline, and diesel during construction and/or operations. Construction energy use would be limited to that which is necessary to complete construction and maintenance activities and the Project would incorporate measures to reduce energy usage during construction. Operational energy usage associated with new and/or upgraded active facilities would come from newer models than previous equipment and would be expected to operate more efficiently, thus reducing energy usage per amount of work performed. Individual cumulative development projects would be subject to overarching energy plans and policies and would thus be required to be in compliance. Cumulative new development would also be required to comply with applicable standards related to energy use, most notably the Title 24 Building Energy Efficiency Standards and fuel efficiency standards for vehicles, including CAFE standards. As such, the combined effects from cumulative projects within the geographic scope related to energy use and consistency with energy plans would not be cumulatively significant.

Geology and Soils (PEIR Section 4.5.5)

Local events such as ground shaking, fault rupture, ground failure, subsidence, lateral spreading, liquefaction, and landslides can be directly caused by wide-spread seismic events and are not cumulative in nature. Likewise, exposure to expansive soils is site specific. Potentially significant impacts for individual projects from exposure to seismic and geologic hazards would be mitigated with mitigation measure MM GEO-1. Therefore, the Project, in combination with other cumulative projects, would not result in a cumulatively significant increase in exposure to seismic and geologic hazards. Septic tank use is also not cumulative in nature and would not contribute to a cumulative impact.

Cumulative land disturbance activities may include agricultural practices and land development, which despite the promulgation of storm water regulations continue to contribute to the overall sedimentation issues in runoff flows that discharge into watercourses and eventually the Pacific Ocean. Construction and operational activities associated with the Project could result in soil erosion or loss of topsoil. Compliance with the applicable elements of the NPDES and related storm water standards as well as mitigation measure MM HYD-1, would result in less than significant impacts. Therefore, the Project would not result in a cumulatively considerable contribution to downstream sedimentation effects from soil erosion within the local cumulative impact areas.

Cumulative projects have the potential to impact paleontological resources to varying degrees based on paleontological sensitivity. The Project's mitigation measure MM GEO-2 would

reduce the Project's contribution to a regional impact to paleontological resources to less than cumulatively considerable.

Greenhouse Gas Emissions (PEIR Section 4.6.5)

Due to the nature of assessment of GHG emissions and the effects of climate change, impacts can currently only be analyzed from a cumulative context; therefore, the PEIR analysis of impacts related to GHG in Section 4.6.4 constitutes a cumulative analysis of GHG impacts. The PEIR estimated annual construction emissions at 548 MT CO₂e and annual operational emissions at 1,261 MT CO₂e. The Project would not exceed the applicable thresholds and would result in a less than significant impact related to GHG. The Project also would not conflict with plans or policies related to GHG. Cumulative projects would each be subject to compliance with applicable plans and policies. As Project impacts related to GHG emissions are less than significant, its impacts would not be cumulatively considerable.

Hazards and Hazardous Materials (PEIR Section 4.7.5)

Construction and operation activities associated with cumulative development could also involve the transport, use, and disposal of hazardous materials, and associated accidental releases; however, similar to the proposed Project, cumulative development would be required to comply with applicable federal, state, and local regulations related to the transportation, storage, use, and disposal of hazardous materials. As such, cumulative impacts related to the transport, use, and disposal of hazardous materials, and associated accidental releases, would be less than significant.

Impacts related to listed hazardous materials sites and aircraft hazards are generally specific and limited to the area directly adjacent to the specific site. Therefore, the construction and operation of Project facilities, in combination with cumulative development, would not result in a significant cumulative impact related to listed hazardous materials sites or aircraft hazards.

Cumulative development within the District's service area would have the potential to affect emergency response and evacuation through (1) construction work within roadways and subsequent lane closures; and (2) increased traffic volumes causing roadway congestion. Implementation of MM TRA 1 would ensure adequate access and circulation during construction of the Project's various improvements. Therefore, impacts to emergency response and evacuation from the Project would be minimized and the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact.

Cumulative development within the District's service area has a high likelihood to be located in a moderate, high, or very high fire hazard severity zone and result in additional wildland/urban interfaces. In addition, construction activities associated with cumulative development that involves the use of equipment with combustion engines in undeveloped areas would have the potential to exacerbate fire risk. The proposed Project would not locate people within moderate, high, or very high fire hazard severity zones as the proposed facilities would not involve permanent occupants and the presence of construction and maintenance workers would be temporary, transitory, and sporadic. Similarly, because Project improvements mainly involve belowground pipelines and existing facilities, the Project would not place structures within moderate, high, or very high fire hazard severity zones in a manner that would result in substantial risk from wildland fire. With implementation of MM HAZ-3 to address the use of construction equipment, the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact

Hydrology and Water Quality (PEIR Section 4.8.5)

Water bodies in both the San Luis Rey Watershed and the Santa Margarita Watershed have been placed on the CWA 303(d) list, indicating a significant cumulative impact to the watersheds has already occurred. Future cumulative projects have the potential to worsen this cumulative impact. The Project would comply with the Construction General Permit and all other applicable storm water requirements, which would ensure that the proposed projects would not contribute to the further degradation of water quality from increased runoff, sedimentation, or unauthorized pollutant releases. For activities that may affect surface water quality, MM HYD-1 would be implemented. Following construction, the proposed improvements would not result in new sources of pollutants. Therefore, construction and operation activities associated with the Project would not result in a cumulatively considerable contribution to the cumulatively significant increase in downstream water pollution effects within the regional area.

Land disturbance and development activities associated with cumulative projects could contribute to flooding problems in the District service area and in the downstream watercourses. The Project would generally not result in permanent impacts to existing drainage patterns and would comply with all applicable storm water requirements, which would reduce impacts related to drainage alteration, flooding, and exceedance of capacity of storm water drainage facilities to a level below significance. Some proposed projects may be identified by the District as potentially resulting in long-term drainage impacts, however; those projects will be subject to mitigation measure MM HYD-2. As such, the Plan would not result in a cumulatively considerable contribution to the cumulatively significant regional alteration of drainage patterns.

Impacts relative to flood hazards and inundation areas are generally specific to a project site; this issue is not subject to a cumulative impact analysis. The Project, in combination with other cumulative projects, would not result in a cumulatively significant impact related to flood hazard or dam inundation areas.

Cumulative projects in the San Luis Rey Valley Groundwater Basin are not expected to utilize groundwater; however, development is expected to increase the amount of impervious surface in the basin, which would have the potential to interfere with groundwater recharge and decreased groundwater quality. Project improvements would not substantially contribute to loss of groundwater recharge based on the small area of above ground improvements. The Project improvements would have the potential to result in localized impacts to groundwater quality associated with percolation of surface water. However, MM HYD-1 and compliance with regulatory permit specifications would result in a less than significant impact to groundwater quality. As such, the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact associated with groundwater recharge and quality.

Noise (PEIR Section 4.9.5)

Generally, noise impacts are limited to the area directly surrounding the source, as noise attenuates with distance, and only has the potential to combine with other noise sources occurring simultaneously in the immediate vicinity. However, Project construction and maintenance activities, which would occur at numerous locations throughout the District's service area at various times, would have the potential to occur simultaneously with and in proximity to cumulative development projects and thus affect NSLUs. While there is potential for Project construction and maintenance activities to occur simultaneously with and in proximity to cumulative development projects, work for individual Project improvements would be temporary, would not all occur at once, and not all equipment would be operating at the same time or location. To address the

Project's potential direct construction noise impacts, the Project would implement MM NOI-1, which requires compliance with the applicable construction noise limits of the County and City of Oceanside, where feasible, and includes construction and maintenance activity noise reduction measures. With these measures and based on the temporary nature of construction of individual improvements at a given location, Project construction and maintenance activities would not result in a cumulatively considerable contribution to a potentially significant cumulative noise impact.

Operationally, most Project facilities would be passive and would not have the potential to contribute to a cumulative noise impact; however, to address potential impacts from operation of facilities that may generate noise, the Project would implement MM NOI-2. Project operation would therefore not result in a cumulatively considerable contribution to a potentially significant cumulative noise impact.

Groundborne vibration attenuates rapidly with distance and is therefore not generally cumulative in nature. In addition, the Project would not generate substantial vibration during construction or operations. As such, in combination with cumulative projects, the proposed Project would not result in a cumulatively significant impact associated with vibration.

No portion of the Noise Impact Zone for Fallbrook Community Airpark is within the District's service area; therefore, the proposed project would not combine with cumulative projects to result in a cumulatively significant impact related to aircraft noise.

Transportation (PEIR Section 4.10.5)

Project-related traffic would be limited to temporary construction traffic for individual Project improvements and a relatively low number of operational trips across the District's service area; therefore, the Project would not generate a substantial increase in VMT and would not result in a cumulatively considerable contribution to a potentially significant cumulative VMT impact.

While the Project would not result in substantial vehicular traffic generation, it would involve work within roadways that could combine with cumulative traffic increases and cumulative project work within roadways to disrupt traffic circulation, increase hazardous traffic conditions, and impede emergency access throughout the District's service area. To address the potentially significant impacts related to transportation from Project construction, the Project would implement MM TRA-1. Coordination of construction activities would allow for the minimization of conflicts associated with multiple construction activities in the same area at the same time and with serial improvements in the same area. With implementation of MM TRA-1, the Project would not result in a cumulatively considerable contribution to the potentially significant cumulative impact.

Wildfire (PEIR Section 4.11.5)

Combined with the proposed Project's anticipated work within roadways and likely lane closures, cumulative impacts related to emergency response and evacuation are considered potentially significant. The Project would implement MM TRA-1 to address the potentially significant direct impact related to emergency response and evacuation from Project construction. With implementation of MM TRA-1, impacts to emergency response and evacuation from the Project would be minimized and the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact.

Cumulative development within the District's service area has a high likelihood to be located in a moderate, high, or very high fire hazard severity zone and result in additional wildland/urban interfaces, thus potentially increasing exposure of people and/or structures to wildfire risks, including pollutant concentrations and uncontrolled spread of a wildfire. The Project's facilities would extend infrastructure but would not require or involve permanent occupants. To address the potentially significant impact related to exacerbating fire risk from the use of construction equipment to construct infrastructure and thereby potentially exposing people to risk from wildfire pollutants and spread, the Project would implement MM HAZ-3. With implementation of MM HAZ-3, the Project would not result in a cumulatively considerable contribution to a potentially significant cumulative impact.

Impacts relative to flooding and landslide hazards are generally specific to an individual site; this issue is not subject to a cumulative impact analysis. The Project, in combination with other cumulative projects, would not result in a cumulatively significant impact related to flooding or landslide hazards.

VI. FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS AND IRREVERSIBLE ENVIRONMENTAL CHANGES

Significant and Unavoidable Impacts

Section 15126.2(c) of the CEQA Guidelines requires the identification of significant impacts that would not be avoided, even with the implementation of feasible mitigation/performance measures. The final determination of significance of impacts and of the feasibility of mitigation/performance measures will be made by the District as part of their certification of this PEIR. Sections 4.1 through 4.11 of this PEIR provide an evaluation of the potentially significant environmental effects and corresponding mitigation/performance measures associated with implementation of the project to avoid or substantially reduce the environmental effect. According to this evaluation, all potentially significant environmental effects would be reduced to less than significant levels with implementation of identified feasible and enforceable mitigation measures. The Project would not result in significant and unavoidable environmental impacts.

Significant Irreversible Environmental Changes

Section 15126.2(d) of the CEQA Guidelines requires a discussion of significant irreversible environmental changes that would be caused by a proposed project, as: "Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible, since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

Generally, a project would result in significant irreversible environmental changes if the primary and secondary impacts would generally commit future generations to similar uses; if it would involve a large commitment of nonrenewable resources; if it involves uses in which irreversible damage would result from any potential environmental accidents associated with the project; or if the proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The Project's water and sewer facilities, once constructed, may be considered permanent. Facilities are occasionally abandoned/removed or upgraded once operation has resulted in the deterioration of their working condition. The water and sewer systems as a whole are integrally dependent on all their working facilities and components. Should components become deteriorated, malfunction, or become obsolete, replacement must occur. Because many of the Project improvements would be implemented far in the future, and those constructed in the near term many require replacements or rehabilitations in the long term, approval of the Project would leave the commitment of resources open in the future.

Nonrenewable resources that would be permanently and continually consumed from implementation of the Project include electricity and fossil fuels; however, the amount and rate of consumption of these resources would not result in significant environmental impacts or the unnecessary, inefficient, or wasteful use of resources for the reasons given in Section 4.4 of the PEIR. The Project's energy usage would be limited to that necessary to achieve successful construction and operations; therefore, the Project's consumption of resources is justified. In addition, it is possible that new technologies and systems would emerge, or would become more cost-effective or user-friendly, upon which the District may rely to further reduce its reliance on nonrenewable energy sources.

As discussed in Section 4.7 of the PEIR, the District would use typical hazardous materials such as oil, gasoline, diesel, hydraulic fluids, and paints during construction of proposed improvements and operation of its facilities. No acutely hazardous materials would be used during construction or operations and the typical materials that would be used would not pose a substantial risk to the public. In addition, the District and its construction contractor(s) would comply with all applicable federal, state, and local regulations pertaining to hazardous materials use, handling, storage, and disposal. Further, the District would implement MM HAZ-1 and MM HAZ-2 to minimize the risk of release of hazardous materials to the environment from sewer facilities and potentially contaminated soils, respectively. Therefore, the Project would not result in the potential for irreversible environmental damage caused by an accident.

VII. GROWTH-INDUCING IMPACTS

State CEQA Guidelines section 15126.2(e) requires an EIR to include discussion of a proposed project's growth-inducing impacts, including (1) the ways in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly in the surrounding environment; and (2) the potential for a project to encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. This second issue involves the potential for a project to induce growth by the expansion or extension of existing services, utilities, or infrastructure. The CEQA Guidelines further state that "[i]t must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment" (Section 15126.2[e]).

Implementation of the Project would not induce population growth, as it does not propose development of new housing that would attract additional population to the area and would not result in substantial permanent employment that could indirectly induce population growth. The number of jobs created by short-term employment opportunities during construction would not be substantial and would be expected to be filled by the local labor pool/work force. Operation of the Project would not require a substantial increase in employees as Project improvements primarily consist of upgrades to existing facilities.

The proposed Project would implement water and sewer facilities improvements to address system deficiencies under current demand and flow conditions and to meet future demand and flow conditions anticipated as a result of planned development activity within and around the District's service area. The planned growth that would be supported by the Project is consistent with the General Plan and can thus be considered "orderly." Because growth itself is not necessarily detrimental to the environment, but rather the potential consequences of growth (e.g., increased traffic and noise, degradation of air quality, loss of habitat) which may result in environmental impacts, "orderly" growth that is consistent with local land use plans and/or growth management strategies is not considered to have a high potential to result in adverse environmental impacts.

In addition, while expanded and more reliable water and sewer services would play a role in supporting projected growth within and near the District's service area, it would not be the only impetus to such growth. Other factors, including general plans and policies, the availability of wastewater disposal capacity, public schools, transportation services, and other necessary public infrastructure, also influence development and population growth. Economic factors also greatly influence development rates and locations. Further, the District is not a land use agency and does not have the authority over land use or zoning designations. The Project would not eliminate physical or regulatory obstacles to growth. As such, implementation of the Project would not directly or indirectly induce population or encourage and facilitate other activities that could significantly affect the environment.

VIII. ALTERNATIVES

State CEQA Guidelines require an EIR to describe and evaluate a "...range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain the basic objectives of the project" (Section 15126.6[a] CEQA Guidelines). The purpose of the alternatives analysis is to explore ways that most of the basic objectives of a proposed project could be attained while reducing or avoiding significant environmental impacts of the project as proposed. This approach is intended to foster informed decision-making and public participation in the environmental process.

According to the Guidelines, not every conceivable alternative must be addressed, nor do infeasible alternatives need be considered. Section 15126.6 of the CEQA Guidelines lists the factors that may be taken into account when addressing the feasibility of alternatives: site suitability, economic viability, availability of infrastructure, other plans or regulatory limitations, and jurisdictional boundaries. The Guidelines also state that the discussion of alternatives should focus on "...alternatives capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives could impede to some degree the attainment of the project objectives or would be more costly" (Section 15166.6[b] CEQA Guidelines). CEQA further directs that "...the significant effects of the alternatives shall be discussed, but in less detail than the significant effects of the project as proposed" (Section 15126.6[d] CEQA Guidelines).

Alternatives Analyzed (PEIR Section 7.4)

The No Project Alternative, as required by Section 15126.6(e) of the CEQA Guidelines, was considered in detail in the PEIR. This alternative was rejected for various reasons as set forth below.

1. Alternative 1: No Project (PEIR Section 7.4.1)

Description: Section 15126.6(e) of the CEQA Guidelines requires a “No Project” alternative be addressed in an EIR. Under this alternative, the proposed Project would not be implemented. The CIP projects, ODP projects, and maintenance projects would not occur. Existing District facilities would continue to operate in their current conditions.

Impacts: The No Project Alternative would avoid the potentially significant environmental impacts identified for the Project that would occur as a result of construction and operation of the proposed CIP projects, ODP projects, and maintenance projects. Compared to the proposed Project, the currently identified significant impacts related to biological resources, cultural resources and tribal cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, and transportation that would occur from Project implementation would be avoided under the No Project Alternative if those projects are not implemented individually in the future.

However, because the facility improvements proposed under the Project would not be implemented, existing District infrastructure would not be brought up to current design, safety, and regulatory standards, and would therefore be at risk of failure, which could result in hazardous materials spills and the exposure of the public and environment to hazardous conditions. In addition, facilities planned for upsizing under the Project to account for current deficiencies and to accommodate planned future growth would not be upsized under this alternative and would therefore be subject to exceedances.

Objectives and Feasibility: The No Project Alternative would not meet the objectives identified for the Project. The No Project Alternative would hinder the District’s ability to efficiently implement improvements, repairs, and replacements needed to bring existing facilities up to current design, safety, and regulatory standards, to address system deficiencies under current demand and flow conditions, and to meet future water demand and flow conditions.

Finding: The District rejects Alternative 1, the No Project Alternative because it fails to meet several of the project objectives. Alternative 1 could also result in hazardous conditions as a result of infrastructure failure. Therefore, Alternative 1 is rejected.

Alternatives Considered But Rejected During Scoping/Master Plan Planning Process (PEIR Section 7.3)

One alternative was considered but ultimately rejected for detailed consideration.

1. Rejected Alternative: Reduced Biological Resource Disturbance (PEIR Section 7.3.1)

CIP projects involving potential temporary and permanent impacts to biological resources under the proposed Project were considered for realignment and for alternative locations to avoid impacts to biological resources. However, realignment and relocation were determined to be infeasible or to not result in a considerable reduction in impacts to biological resources. In order to avoid impacts relating to modifications of existing pump stations, existing facilities would have to be decommissioned and relocated to alternative locations. Decommissioning would result in temporary impacts to sensitive habitat and would not result in a considerable reduction in impacts to biological resources. In addition, the relocation of existing pump stations would generally be infeasible as the pump stations are currently in locations where they are connected to existing belowground infrastructure. Relocation of the pump stations would require the relocation of the associated belowground infrastructure, which could result in additional impacts to biological resources. With respect to linear projects (e.g., pipelines), avoidance of sensitive habitat would

not be feasible in many cases unless the facility was relocated within the system. This would not meet Project objectives because existing facilities in need of improvements would not be upgraded. In other cases, avoidance of sensitive habitat would require a substantial amount of additional pipeline length, would still impact some sensitive habitat, or would require construction of new access roads which would result in additional impacts. Therefore, while this alternative would constitute the environmentally superior alternative as compared to the alternatives analyzed in the PEIR, it was determined to be infeasible and was rejected from further consideration.

Environmentally Superior Alternative (PEIR Section 7.5)

CEQA Guidelines Section 15126.6(e)(2) requires that an EIR identify the environmentally superior alternative among the alternatives that are evaluated. If the environmentally superior alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

The No Project Alternative would result in a risk of failure for existing facilities and a potential exceedance of system capacity, as the facilities would not be upsized. Failure and exceedances, specifically of sewer pipes and lift stations, could result in hazardous materials spills and the exposure of the public and environment to hazardous conditions. Hazardous materials spills could also affect water quality and result in the violation of water quality standards and/or waste discharge requirements. These impacts would be expected to occur in an on-going manner as components of District infrastructure would continue to age, meet their useful life, and be at risk of failure and/or exceedances.

The Reduced Biological Disturbance Alternative would involve locating projects out of sensitive habitat and would constitute the Environmentally Superior Alternative in addition to the No Project Alternative. The Reduced Biological Disturbance Alternative was determined to be infeasible due to the constraints of the existing system. Due to the nature of Project, which involves upgrading existing infrastructure for a largely built-out system, options involving siting infrastructure entirely outside of sensitive habitat while limiting disturbance of sensitive habitat and maintaining efficient and reliable service are limited. Neither the No Project Alternative nor the Environmentally Superior Alternative offers clearly environmentally superior benefits as compared to the proposed Project.

IX. NO OVERRIDING CONSIDERATIONS REQUIRED

No significant and unavoidable impacts were identified through preparation of the PEIR. All significant impacts can be reduced to less than significant through implementation of the proposed mitigation measures. Therefore, a Statement of Overriding Considerations is not required.

X. ADOPTION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the Board adopts the Mitigation Monitoring and Reporting Program for the Project. Implementation of the mitigation measures contained in the Mitigation Monitoring and Reporting Program is made a condition of approval of the Water and Sewer Plan. In the event of any inconsistencies between the mitigation measures set forth in the Resolution and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program will control.

XI. CERTIFICATION OF THE PEIR

The Board finds that it has been presented with the PEIR, which it has reviewed and considered, and further finds that the PEIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines and the District's Local CEQA Guidelines and that the PEIR reflects the independent judgment and analysis of the Board. The Board declares that no evidence of new significant impacts as defined in State CEQA Guidelines section 15088.5 has been received by the Board after circulation of the Draft PEIR that would require recirculation. Therefore, the Board certifies the PEIR based on the entirety of the record of proceedings.

XII. APPROVAL OF THE WATER AND SEWER PLAN

Based upon the entire record before the Board, including the above findings and all written evidence presented to the Board, the Board approves the Water and Sewer Plan.

XIII. CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at Rainbow Municipal Water District, 3707 Old Highway 395, Fallbrook, CA 92028. The custodian for these records is the General Manager. This information is provided in compliance with Public Resources Code section 21081.6.

XIV. NOTICE OF DETERMINATION

A Notice of Determination shall be filed with the County of San Diego and the State Clearinghouse within 5 (five) working days of approval of the Water and Sewer Plan.

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Mitigation Monitoring and Reporting Program for the Rainbow Municipal Water District Water and Sewer Facilities Plan Program Environmental Impact Report

The California Environmental Quality Act (CEQA) requires the adoption of feasible mitigation measures to reduce the severity and magnitude of potentially significant environmental impacts associated with project development. To ensure that the mitigation measures identified in an Environmental Impact Report (EIR) are implemented, the public agency adopts a program for monitoring and reporting the measures it has imposed to mitigate or avoid significant effects (CEQA Guidelines Section 15097(a)). The State CEQA Guidelines require that a mitigation monitoring and reporting program (MMRP) be adopted at the same time that the EIR is adopted.

According to Section 15097(c) of the State CEQA Guidelines, reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. Monitoring is generally an ongoing or periodic process of project oversight. This program identifies the party responsible for implementing the action, the timing for the implementation of each measure, and the procedure for documenting the mitigation efforts.

The Rainbow Municipal Water District (District) is responsible for the implementation and monitoring of the measures during design and construction of the Rainbow Municipal Water District Water and Sewer Facilities Plan components unless otherwise stated herein. Only the environmental issues presented in the Program EIR that have mitigation measures are provided in the MMRP table. All other subsections do not contain mitigation measures. For each mitigation measure, the MMRP table identifies the following: (1) mitigation measure; (2) implementation action; (3) responsible agency/party; (4) monitoring schedule; and (5) verification date. The District may impose requirements for implementation of the measures on other parties responsible for constructing project components that would require approval from the District.

The District may modify how it will implement a mitigation measure, if the alternative means of implementing the mitigation still achieves the same or greater attenuation of the impact.

MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
Biological Resources						
<p>MM BIO-1: Project-Specific Biological Resource Surveys. Prior to construction of CIP Projects listed in Table 4.2-2, Table 4.2-3, district-wide CIP Projects (CIP Projects 600007, 600009, 600030, and 600055), and ODP Category A Projects and ODP Category B Projects included in BTR Appendices C-1, C-2, D-1, and D-2 that will be sited within an undeveloped open space area (i.e., an area supporting naturalized habitat, sensitive habitat, and/or habitat potentially suitable for special-status species), the District shall retain a qualified biologist to perform a pre-construction survey to verify existing biological resources on and adjacent to the project construction areas. The District shall provide the biologist with a copy of the CIP and ODP project plans that clearly depict the construction work limits, including construction staging and storage areas, to determine which specific portion(s) of the project will require inspection of adjacent open space areas during the pre-construction survey. The surveys shall verify whether the project would occur on or in the immediate vicinity of sensitive natural communities, including habitat suitable for special-status species, in addition to potential jurisdictional aquatic resources. The surveys shall also verify whether the project could result in direct or indirect impacts to sensitive natural communities, special-status species, and potential jurisdictional aquatic resources. The survey results shall be submitted to the District to determine the need for additional environmental compliance actions. If suitable habitat for special-status plant species is confirmed within or immediately adjacent to potential impact areas of the projects, then the District shall implement mitigation measure MM BIO-2. If suitable habitat for special-status wildlife species is confirmed</p>	<ul style="list-style-type: none"> Require a qualified biologist to perform a pre-construction survey to verify existing biological resources on and adjacent to the project construction areas and verify whether the project would occur on or in the immediate vicinity of sensitive natural communities. If suitable habitat for special-status plant species is confirmed, then the District shall implement mitigation measure MM BIO-2. If suitable habitat for special-status wildlife species is confirmed, then the District shall implement mitigation measure MM BIO-3. If potential impacts to sensitive natural communities are identified, then the District shall implement mitigation measures MM BIO-15A and MM BIO-15B. If potential jurisdictional aquatic resources are identified within areas proposed to be impacted, then the District shall implement mitigation measure MM BIO-16. 	District; Qualified Biologist	X			

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
<p>within or immediately adjacent potential impact areas of the projects, then the District shall implement mitigation measure MM BIO-3. If potential impacts to sensitive natural communities are identified, then the District shall implement mitigation measure MM BIO-15A and MM BIO-15B. If potential jurisdictional aquatic resources are identified within areas proposed to be impacted, then the District shall implement mitigation measure MM BIO-16.</p>						
<p>MM BIO-2: Rare Plant Surveys, Avoidance, and Mitigation. If it is confirmed through the implementation of mitigation measure MM BIO-1 that the CIP and ODP project components could impact suitable habitat for special-status (rare) plant species, the District shall retain a qualified biologist to conduct focused presence/absence surveys for rare plants prior to project construction. Surveys shall follow protocols and guidelines approved by the USFWS, CDFW, and CNPS, and shall be conducted by qualified biologists.</p> <p>If a significant population of rare plant species with CNPS California Rare Plant Rank 1A, 1B, 2A, or 2B is identified within a project impact area, then to the extent feasible to implement the project, the District shall avoid impacts to the population through project-level design changes and/or construction methods (e.g., trenchless installation of pipelines) in consultation with the USFWS and CDFW.</p> <p>Prior to initiating construction activities, the District shall require that the rare plant locations detected during project-specific rare plant surveys are clearly shown on final construction plans. The District shall further require that the locations are demarcated in the field by a qualified biologist and protected-in-place through the installation of temporary construction fencing or alternative means that are approved by the qualified</p>	<ul style="list-style-type: none"> Require a qualified biologist to conduct focused presence/absence surveys for rare plants prior to project construction. If a significant population of rare plant species with CNPS California Rare Plant Rank 1A, 1B, 2A, or 2B is identified within a project impact area, require consultation with the USFWS and CDFW to avoid impacts through project-level design changes. Require rare plant locations to be identified on final construction plans, demarcated in the field by a qualified biologist, and protected-in-place. Require a qualified biologist to monitor appropriate construction activities to ensure avoidance of the areas. Require a final compliance report be prepared by the qualified biologist and 	District; Qualified Biologist; USFWS and/or CDFW	X	X	X	

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
<p>biologist. The qualified biologist shall monitor construction activities, as appropriate, to help ensure avoidance of the areas. A final compliance report shall be prepared by the qualified biologist and submitted to the District, CDFW, and USFWS for record, verifying that no impacts occurred to the species. Any inadvertent and unavoidable impacts shall be mitigated as specified below.</p> <p>If complete avoidance is determined not to be feasible, then the District shall restrict and minimize impacts to no more than 20 percent of the population, which is consistent with regional conservation standards. Mitigation for unavoidable impacts shall include one or a combination of the following and occur at a minimum ratio of 1:1, as determined by the District in consultation with the CDFW and USFWS:</p> <ol style="list-style-type: none"> a. Purchase of preservation credits of occupied habitat from a conservation bank approved by the USFWS and CDFW; b. Acquisition and preservation of off-site mitigation land containing occupied habitat; and/or c. Preparation and implementation of a rare plant salvage and relocation plan, to include the following requirements, at a minimum: <ol style="list-style-type: none"> i. Evaluation of options for plant salvage and relocation, including native plant mulching, selective soil salvaging, application of plant materials on manufactured slopes, and application/relocation of resources within existing or proposed preserved lands; ii. Seed collection and/or transplantation to a suitable receptor site based on the most reliable methods of successful relocation; 	<p>submitted to the District, CDFW, and USFWS.</p> <ul style="list-style-type: none"> • If any inadvertent and unavoidable impacts occur or avoidance is infeasible, require the mitigation for the impacts at a 1:1 ratio through a mitigation bank purchase, off-site mitigation of occupied habitat, or implementation of a rare plant salvage and relocation plan. 					

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
<p>iii.Recommendation for method of salvage and relocation/application based on feasibility of implementation and likelihood of success; and</p> <p>iv.Implementation plan, maintenance and monitoring program, estimated completion time, and any relevant contingency measures.</p>						
<p>MM BIO-3: Special-Status Wildlife Species Surveys, Avoidance, and Mitigation. If it is confirmed through the implementation of mitigation measure MM BIO-1 that the CIP and ODP project components could directly or indirectly impact suitable habitat for special-status wildlife species, the District shall retain a qualified biologist to conduct focused, protocol-level surveys for special-status wildlife species prior to project implementation. Surveys shall follow protocols and guidelines approved by the USFWS and CDFW and shall be conducted by qualified biologists permitted by the USFWS and CDFW, as applicable. Impacts to federally listed species shall require consultation with the USFWS, and impacts to state-listed species shall require consultation with the CDFW as specified below.</p> <p>If special-status wildlife species are identified within a project impact area, the District shall, in coordination with the CDFW and USFWS, as applicable, avoid impacts to occupied habitat through project-level design changes and/or construction methods (e.g., trenchless installation of pipelines) prior to project implementation.</p> <p>If complete avoidance is determined not to be feasible, then the District shall compensate for the loss of occupied habitat through one or a combination of the following at a minimum ratio of 1:1, as determined by the District in consultation with the CDFW and USFWS, as applicable:</p>	<ul style="list-style-type: none"> If the project components could directly or indirectly impact suitable habitat for special-status wildlife species, require a qualified biologist to conduct focused, protocol-level surveys for special-status wildlife species. If special-status wildlife species are identified within a project impact area, require coordination with the CDFW and USFWS to avoid impacts to occupied habitat through project-level design changes and/or compensate for the loss of occupied habitat at a minimum ratio of 1:1 through mitigation bank credits or off-site mitigation. Require the appropriate consultation and permitting for species protected under Federal or state law. 	District; Qualified Biologist; USFWS and/or CDFW	X	X		

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
<p>a. Purchase of preservation credits of occupied habitat from a conservation bank approved by the USFWS and CDFW;</p> <p>b. Acquisition and preservation of off-site mitigation land containing occupied habitat; and</p> <p>c. Where species protected under Federal law may be impacted, the District shall either consult directly with the USFWS to develop and implement a habitat conservation plan and obtain an Incidental Take Permit pursuant to the Federal Endangered Species Act Section 10(a), obtain take coverage in coordination with the County of San Diego, if applicable, or in the case of projects with a federal action agency, the District shall adhere to the requirements of Federal Endangered Species Act Section 7, which requires the federal action agency to consult with the USFWS to obtain a Biological Opinion and Incidental Take Statement for the project; or</p> <p>Where species protected under state law may be impacted, the District shall either consult with the CDFW pursuant to Sections 2081 or 2080.1 of the California Endangered Species Act. For projects with direct or indirect impacts to species that are only State-listed and not federally-listed as endangered or threatened, the District shall obtain a California Endangered Species Act Section Incidental Take Permit from CDFW. For projects with impacts to species that are both state- and federally-listed as endangered or threatened, the District shall obtain a California Endangered Species Act Section 2080.1 Consistency Determination from the CDFW, unless otherwise required by the CDFW.</p>						

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
Off-site mitigation for impacts to special-status wildlife may also be used for off-site mitigation of impacts to sensitive communities and jurisdictional waters.						
<p>MM BIO-4: Avoidance of Nesting Birds and Raptors. To prevent direct impacts to nesting birds, including raptors, protected under the federal MBTA and CFG Code, the District shall enforce the following:</p> <p>Project activities requiring the removal and/or trimming of vegetation suitable for nesting birds shall occur outside of the general bird breeding season (February 1 to September 30) to the extent feasible. If the activities cannot avoid the general bird breeding season, a qualified biologist with experience in conducting bird breeding surveys shall be retained to conduct a pre-activity nesting bird survey within seven days prior to the activities to confirm the presence or absence of active bird nests. If no active bird nests are found by the qualified biologist, then the activities shall proceed with the reassurance that no violation to the MBTA and CFG Code would occur. If an active bird nest is found by the qualified biologist, then vegetation removal and/or trimming activities at the nest location shall not be allowed to occur until the qualified biologist has determined that the nest is no longer active. Avoidance buffers should start at 300 feet for passerine birds and 500 feet for raptors. The buffer should be demarcated by temporary fencing and remain in effect until the nest is no longer active. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, and other factors as determined by the qualified biologist.</p>	<ul style="list-style-type: none"> Require the removal and/or trimming of vegetation suitable for nesting birds to occur outside of the general bird breeding season (February 1 to September 30). If the general bird breeding season cannot be avoided, a qualified biologist shall conduct a pre-activity nesting bird survey within seven days prior to the activities to confirm the presence or absence of active bird nests. If an active bird nest is found by the qualified biologist, require avoidance buffers until the qualified biologist determines the nest is no longer active. 	District; Qualified Biologist	X	X		
<p>MM BIO-5: Coastal California Gnatcatcher Pre-Construction Surveys and Avoidance. CIP projects listed in Table 4.2-2 are located within and adjacent to suitable coastal California</p>	<ul style="list-style-type: none"> If construction activities are planned to occur during the coastal California gnatcatcher breeding season (February 15 	District; USFWS-Permitted Biologist;	X	X		

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
<p>gnatcatcher habitat. CIP Projects 600002, 600067, 530020, and 5300XX-6 are located within 500 feet of historical observations. In addition, CIP Projects 600002, 600048, 600050, 600051, 600061, 600066, 600068, 600070, 530018, 530020, 5300XX-1, 5300XX-4, 5300XX-5, and 5300XX-6 are located within designated critical habitat.</p> <p>If construction activities are planned to occur during the coastal California gnatcatcher breeding season (February 15 to August 30), then prior to initiating construction activities on or within 500 feet of off-site suitable coastal California gnatcatcher habitat, the District shall retain a USFWS-permitted biologist to conduct pre-construction surveys to confirm the presence or absence of the species. The survey efforts shall consist of three surveys spaced one week apart, with the final survey occurring no more than three days prior to project construction, and one survey shall be conducted the day immediately prior to the initiation of work. If gnatcatchers are confirmed to be absent on and within 500 feet of planned construction areas, then no additional measures shall be required. If gnatcatchers are confirmed to be present, then the District shall mitigate as specified below or unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3:</p> <p>If the results of pre-construction surveys determine the presence of coastal California gnatcatcher within 500 feet of planned construction areas, then construction activities at these locations shall be completed outside of the gnatcatcher breeding season (February 15 to August 30). If activities at these locations cannot avoid the gnatcatcher breeding season, then the District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11, unless otherwise prescribed by the</p>	<p>to August 30) within 500 feet of suitable coastal California gnatcatcher habitat, require a USFWS-permitted biologist to conduct pre-construction surveys to confirm the presence or absence of the species.</p> <ul style="list-style-type: none"> • If gnatcatchers are confirmed to be present, require monitoring, training, and staging pursuant to MM BIO-10 through MM BIO-13, unless addressed by USFWS through MM BIO-3. • If construction noise levels during the gnatcatcher breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied gnatcatcher habitat by MM BIO-10 and MM BIO-11, require MM BIO-3 or construction to occur outside of the breeding season. 	<p>USFWS and/or CDFW.</p>				

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
<p>USFWS through the implementation of mitigation measure MM BIO-3. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.</p> <p>If, after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the gnatcatcher breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied gnatcatcher habitat, then the District shall implement mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the gnatcatcher breeding season.</p>						
<p>MM BIO-6: Stephens' Kangaroo Rat Pre-construction Surveys and Avoidance. CIP Projects 600002, 600040, and 600061 are located within potentially suitable Stephens' kangaroo rat habitat, and CIP Project 600026 is located within 500 feet of a historical Stephens' kangaroo rat observation.</p> <p>Prior to initiating construction activities within potentially suitable Stephens' kangaroo rat habitat, the District shall retain a USFWS-permitted biologist to conduct protocol surveys to confirm the presence or absence of the species. The survey efforts shall consist of live trapping within suitable habitat over five consecutive nights. If Stephens' kangaroo rat are confirmed to be absent on and within 500 feet of planned construction areas, then no additional measures shall be required. If kangaroo rats are confirmed to be present, then the District shall mitigate as specified below or unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3:</p> <p>If the results of the protocol surveys determine the presence of Stephens' kangaroo rat, then the</p>	<ul style="list-style-type: none"> Require protocol surveys conducted by a USFWS-permitted biologist to confirm the presence or absence of Stephens' kangaroo rat prior to initiating construction activities within potentially suitable habitat for the species. If Stephens' kangaroo rats are confirmed to be present, require monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11 and contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13, unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3. 	District; USFWS-Permitted Biologist; USFWS	X	X		

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
			Before Construction	During Construction	After Construction	
District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11, unless otherwise prescribed by the USFWS through the implementation of mitigation measure MM BIO-3. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.						
<p>MM BIO-7: Least Bell's Vireo Pre-construction Surveys and Avoidance. CIP projects listed in Table 4.2-2 are located within and adjacent to suitable least Bell's vireo habitat. CIP Projects 600002, 600063, 600071, 530020, and 5300XX-7 are located within 500 feet of historical observations. In addition, CIP Projects 530020, 5300XX-4, 5300XX-5, and 5300XX-7 are located within designated critical habitat.</p> <p>If construction activities are planned to occur during the least Bell's vireo breeding season (March 15 to September 15), then prior to initiating construction activities in any project construction areas within 500 feet of least Bell's vireo critical habitat or suitable habitat, the District shall retain a qualified biologist to conduct pre-construction surveys to confirm the presence or absence of the species. The surveys shall begin a maximum of seven days prior to project construction, and one survey shall be conducted the day immediately prior to the initiation of work. If vireos are confirmed to be absent within 500 feet of planned construction areas, then no additional measures shall be required. If vireo are confirmed to be present, then the District shall mitigate as specified below.</p> <p>If the results of pre-construction surveys determine the presence of least Bell's vireo within 500 feet of planned construction areas, then construction activities at these locations shall be completed outside of the vireo breeding season (March 15 to September 15). If activities at these</p>	<ul style="list-style-type: none"> If construction activities are planned to occur within 500 feet of least Bell's vireo critical habitat or suitable habitat during the breeding season (March 15 to September 15), require a qualified biologist to conduct pre-construction surveys to confirm the presence or absence of the species. If the pre-construction surveys determine the presence of least Bell's vireo within 500 feet of planned construction areas and construction activity cannot avoid the breeding season, require monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11 and contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13. If, after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the vireo breeding season cannot be reduced below a 60 dBA hourly 	District; Qualified Biologist	X	X		

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<p>locations cannot avoid the vireo breeding season, then the District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.</p> <p>If, after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the vireo breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied vireo habitat, then the District shall implement mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the vireo breeding season.</p>	<p>average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied vireo habitat, require mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the vireo breeding season.</p>					
<p>MM BIO-8: Southwestern Willow Flycatcher Pre-Construction Surveys and Avoidance. CIP projects listed in Table 4.2-2 are located within and adjacent to suitable southwestern willow flycatcher habitat. No CIP projects are located within 500 feet of a historical observation or within designated critical habitat.</p> <p>If construction activities are planned to occur during the southwestern willow flycatcher breeding season (May 15 and July 17), then prior to initiating construction activities in any project construction areas within 500 feet of southwestern willow flycatcher critical habitat or suitable habitat, the District shall retain a qualified biologist to conduct pre-construction surveys to confirm the presence or absence of the species. The surveys shall begin a maximum of seven days prior to project construction, and one survey shall be conducted the day immediately prior to the initiation of work. If flycatcher are confirmed to be absent within 500 feet of planned construction areas, then no additional measures shall be</p>	<ul style="list-style-type: none"> If construction activities are planned to occur during the southwestern willow flycatcher breeding season (May 15 and July 17) and within 500 feet of southwestern willow flycatcher critical habitat or suitable habitat, require a qualified biologist conduct pre-construction surveys to confirm the presence or absence of the species. If the results of pre-construction surveys determine the presence of southwestern willow flycatcher within 500 feet of planned construction areas and construction activities cannot avoid the flycatcher breeding season, require the District to implement monitoring pursuant to mitigation 	District; Qualified Biologist	X	X		

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<p>required. If flycatcher are confirmed to be present, then the District shall mitigate as specified below:</p> <p>If the results of pre-construction surveys determine the presence of southwestern willow flycatcher within 500 feet of planned construction areas, then construction activities at these locations shall be completed outside of the flycatcher breeding season (May 15 and July 17). If activities at these locations cannot avoid the flycatcher breeding season, then the District shall implement required monitoring pursuant to mitigation measures MM BIO-10 and MM BIO-11. In addition, the District shall implement contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.</p> <p>If, after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the flycatcher breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied flycatcher habitat, then the District shall implement mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the flycatcher breeding season.</p>	<p>measures MM BIO-10 and MM BIO-11 and contractor/crew training and construction staging pursuant to mitigation measures MM BIO-12 and MM BIO-13.</p> <ul style="list-style-type: none"> If after implementation of mitigation measures MM BIO-10 and MM BIO-11, construction noise levels during the flycatcher breeding season cannot be reduced below a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average from the edge of occupied flycatcher habitat, require implementation of mitigation measure MM BIO-3 or complete the remainder of construction activities outside of the flycatcher breeding season. 					
<p>MM BIO-9: Pre-Construction Biological Resource Surveys. Prior to construction of ODP projects included in BTR Appendices C-1, C-2, D-1, and D-2 that will be sited adjacent to or within an undeveloped open space area (i.e., an area supporting naturalized habitat, sensitive habitat, and/or habitat potentially suitable for special-status species), the District shall retain a qualified biologist to perform a pre-construction survey to verify existing biological resources adjacent to the project construction areas. The District shall provide the biologist with a copy of the ODP project plans that clearly depict the construction work limits, including construction staging and</p>	<ul style="list-style-type: none"> Require a qualified biologist to perform a pre-construction survey prior to construction that will be sited adjacent to or within an undeveloped open space area to verify existing biological resources and determine the likelihood for special-status species to occur. If sensitive resources are identified, require applicable construction measures 	District; Qualified Biologist	X			

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<p>storage areas, to determine which specific portion(s) of the project will require inspection of adjacent open space areas during the pre-construction survey. At minimum, the biologist shall perform a visual inspection of the adjacent open space area to characterize the existing habitat types and determine the likelihood for special-status species to occur, including the Quino checkerspot butterfly, arroyo toad, western spadefoot toad, San Diego fairy shrimp, Riverside fairy shrimp, coastal California gnatcatcher, least Bell's vireo, southwestern willow flycatcher, migratory songbirds, and other bird species with the potential to breed in the area. The biologist's inspection shall include all potential habitat for coastal California gnatcatcher, least Bell's vireo, and southwestern willow flycatcher that occurs within 500 feet of construction areas. The pre-construction survey results shall be submitted to the District prior to construction to verify the need for the additional construction measures proposed within MM BIO-10 through MM BIO-13, below.</p>	<p>proposed within MM BIO-10 through MM BIO-13.</p>					
<p>MM BIO-10: Construction-Related Noise. Construction noise created during the general bird breeding season (February 1 to September 30) that could affect the breeding of the coastal California gnatcatcher, least Bell's vireo and/or southwestern willow flycatcher, associated with adjacent undeveloped areas shall be avoided. No loud construction noise (exceeding a 60 dBA hourly average or to the ambient noise level if it already exceeds 60 dBA hourly average, adjusted for ambient noise levels, at the nesting site) may take place within 500 feet of active nesting sites during the general breeding season (February 1 to September 30). If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-3, MM BIO-5 through MM BIO-9 that the CIP and ODP project could generate construction-related noise</p>	<ul style="list-style-type: none"> Prohibit construction noise exceeding a 60 dBA hourly average or the ambient noise level if it already exceeds 60 dBA hourly average within 500 feet of active nesting sites during the general breeding season (February 1 to September 30). If the project could generate construction-related noise in excess of a 60 dBA hourly average or the ambient noise level if it already exceeds 60 dBA hourly average at the location of suitable nesting habitat during the general breeding season, require 	<p>District; Qualified Biologist; USFWS and/or CDFW</p>	<p>X</p>	<p>X</p>		

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in excess of a 60 dBA hourly average or the ambient noise level if it already exceeds 60 dBA hourly average at the location of suitable nesting habitat during the general breeding season for coastal California gnatcatcher least Bell's vireo and/or southwestern willow flycatcher, the District shall retain a qualified biologist to monitor the construction operations. The biological monitor shall be present to monitor construction activities that occur adjacent to the undeveloped open space area potentially supporting breeding birds. The monitor shall verify that construction noise levels do not exceed a 60 dBA hourly average or the ambient noise level if it already exceeds 60 dBA hourly average and shall have the ability to halt construction work, if necessary, and confer with the District, and if applicable, USFWS and CDFW, to ensure no breeding birds are adversely affected and additional protection measures are properly implemented during construction. The biologist shall report any violation to the USFWS and CDFW within 24 hours of its occurrence.	<p>monitoring of construction operations by a qualified biologist during construction activities that occur adjacent to the undeveloped open space area potentially supporting breeding birds.</p> <ul style="list-style-type: none"> Require construction to halt if construction noise levels exceed a 60 dBA hourly average or the ambient noise level if it already exceeds 60 dBA hourly average. Require the qualified biologist to report any violation to the USFWS and CDFW within 24 hours of its occurrence. 					
MM BIO-11: Biological Construction Monitoring and Temporary Construction Fencing. If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-2, and/or MM BIO-3 that the CIP and ODP projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species, then the District shall retain a qualified biologist to monitor construction activities and supervise the installation of temporary construction fencing, which clearly delineates the edge of the approved limits of grading and clearing, and the edges of environmentally sensitive areas that occur beyond the approved limits. This fencing shall be installed prior to construction and maintained for the duration of construction activity. Fencing shall be installed in a manner that does not impact habitats to be avoided. Once fencing is installed, the	<ul style="list-style-type: none"> If the projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species, require a qualified biologist to monitor construction activities and supervise the installation of temporary construction fencing, which clearly delineates the edge of the approved limits of grading and clearing, and the edges of environmentally sensitive areas that occur beyond the approved limits. Require inspections and monitoring throughout 	District; Qualified Biologist	X	X		

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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District and qualified biologist shall determine the need for additional inspections and monitoring activities throughout the duration of construction. If determined necessary by the District and qualified biologist, the monitoring shall include inspection of construction work areas, including staging and storage areas, to confirm that activities are kept within the approved limits and that Best Management Practices are in place to prevent incidental animal entrapment and burrow and nest establishment within equipment and staged materials. If work occurs beyond the fenced or demarcated limits of impact, or if a trapped animal or burrow or nest is found, work in the affected areas shall cease until the problem has been remedied and mitigation identified by the District and qualified biologist. Temporary construction fencing shall be removed upon completion of construction of the project. The District shall verify the implementation of this measure prior to and concurrent with construction.	<p>construction as determined by the District and qualified biologist.</p> <ul style="list-style-type: none"> If work occurs beyond the fenced or demarcated limits of impact, or if a trapped animal or burrow or nest is found, require work in the affected areas to cease until the problem has been remedied and mitigation has been identified by the District and qualified biologist. 					
MM BIO-12: Construction Staging Areas. If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-2, and/or MM BIO-3 that the CIP and ODP projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species, the District shall design the final project construction staging areas such that no staging areas shall be located within sensitive habitat areas. The construction contractor shall receive approval by the District prior to mobilization and staging of equipment outside of the project boundaries.	<ul style="list-style-type: none"> If it is confirmed that projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species, prohibit staging areas from being located within sensitive habitat areas. 	District	X			
MM BIO-13: Contractor Training. If it is confirmed through the implementation of mitigation measures MM BIO-1, MM BIO-2, and/or MM BIO-3 that the CIP and ODP projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for	<ul style="list-style-type: none"> If it is confirmed that projects would occur immediately adjacent to sensitive habitat areas and/or habitat potentially suitable for special-status species, require a qualified 	District; Qualified Biologist; Contractor	X	X		

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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<p>special-status species, the District shall retain a qualified biologist to attend pre-construction meetings to conduct a WEAP training to inform construction crews of the sensitive resources and associated avoidance and/or minimization requirements.</p> <p>Contractor must ensure that equipment shall be free of any weed seeds, contaminants, or pollutants to reduce the potential of anon-native and invasive species spread. Prior to work within sage scrub and/or chaparral habitats, equipment and work boots will be disinfected with 10 percent bleach solution to help prevent the spread of Rabbit hemorrhagic disease.</p>	<p>biologist to attend pre-construction meetings to conduct a WEAP training to inform construction crews of the sensitive resources and associated avoidance and/or minimization requirements.</p> <ul style="list-style-type: none"> Require equipment be free of any weed seeds, contaminants, or pollutants. Prior to work within sage scrub and/or chaparral habitats, require equipment and work boots to be disinfected with 10 percent bleach solution. 					
<p>MM BIO-14: Maintenance Project Compliance. Maintenance activities shall occur within existing or previously disturbed or developed areas such as a facility easement, facility maintenance easement, and/or developed facility footprint. Vegetation clearing and removal shall be limited to non-native and invasive species to the extent feasible; however, trimming of native species is allowable. Additional studies, as specified in mitigation measure MM BIO-1, may be required for impacts outside of existing facility footprints. Furthermore, maintenance projects shall implement appropriate BMPs where applicable to avoid and minimize potential indirect impacts to special-status species, their habitat, and potentially jurisdictional areas from water pollution during project activities.</p> <p>Maintenance activities shall occur outside of the general breeding season (February 1 to September 30). In addition, maintenance activities will occur outside of the coastal California gnatcatcher (February 15 to August 30), least Bell's vireo (March 15 to September 15), and southwestern willow flycatcher (May 15 to July 17)</p>	<ul style="list-style-type: none"> Require maintenance activities to occur within existing or previously disturbed or developed areas. Require vegetation clearing and removal to be limited to non-native and invasive species to the extent feasible. Require additional studies specified in MM BIO-1 for impacts outside of existing facility footprints. Require implementation of appropriate BMPs during maintenance projects. Require maintenance activities to occur outside of the breeding seasons for general breeding (February 1 to September 30), coastal California gnatcatcher (February 15 to August 30), 	District	X	X		

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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breeding seasons. If activities cannot avoid the gnatcatcher and occur within 500 feet of suitable gnatcatcher habits (i.e., Diegan coastal sage scrub), the District shall implement mitigation measure MM BIO-5. If activities cannot avoid the vireo, and/or flycatcher breeding seasons and occur within 500 feet of suitable vireo and flycatcher habitat (i.e., riparian scrub, woodland, and forest), the District shall implement mitigation measures MM BIO-7 and MM BIO-8.	<p>least Bell's vireo (March 15 to September 15), and southwestern willow flycatcher (May 15 to July 17).</p> <ul style="list-style-type: none"> If activities cannot avoid the gnatcatcher breeding season and occur within 500 feet of suitable gnatcatcher habits require MM BIO-5. If activities cannot avoid the vireo and/or flycatcher breeding seasons and occur within 500 feet of suitable vireo and flycatcher habitat require MM BIO-7 and MM BIO-8. 					
MM BIO-15A: Compensatory Mitigation for CIP Project Impacts to Sensitive Upland Communities. If it is demonstrated through the implementation of mitigation measure MM BIO-1 that the project, CIP or ODP, could directly impact sensitive upland communities, the District shall mitigate for the loss of habitat according to the ratios provided in Table 4.2-5, <i>Estimated Mitigation for CIP Project Impacts to Sensitive Upland Communities within the Service Area</i> , and Table 4.2-6, <i>Estimated Mitigation for ODP Project Impacts to Sensitive Upland Communities within the Service Area</i> , below, unless otherwise specified in the required agency permits and approvals. Off-site mitigation for impacts to special-status wildlife may also be used for off-site mitigation of impacts to sensitive upland communities.	<ul style="list-style-type: none"> Require mitigation according to the ratios in Table 4.2-5 and 4.2-6, unless otherwise specified by the applicable agency, for impacts to sensitive upland communities. 	District; USFWS and/or CDFW	X			
MM BIO-15B: Compensatory Mitigation for Project Impacts to Sensitive Wetland/Riparian Communities. If it is demonstrated through the implementation of mitigation measure MM BIO-1 that the project, CIP or ODP, could directly impact	<ul style="list-style-type: none"> Require mitigation according to the ratios in Table 4.2-7 and 4.2-8, unless otherwise specified by the applicable agency, for impacts to 	District; USFWS, USACE,	X			

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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<p>sensitive wetland/riparian communities, the District shall mitigate for the loss of habitat according to the ratios provided in Table 4.2-7, <i>Estimated Mitigation for CIP Project Impacts to Sensitive Wetland/Riparian Communities within the Service Area</i>, and Table 4.2-8, <i>Estimated Mitigation for ODP Project Impacts to Sensitive Wetland/Riparian Communities within the Service Area</i>, below, unless otherwise specified in the required agency permits and approvals.</p> <p>To comply with state and federal regulations for impacts to jurisdictional resources regulated by the United States and the State of California, prior to project approval or implementation, the District shall either obtain the following permits and agreements or evidence from the respective agency that such permit or agreement is not required if development activities are proposed within jurisdictional waters:</p> <p>A Clean Water Act section 404 permit issued by the U.S. Army Corps of Engineers for all project-related disturbances of jurisdictional non-wetland waters.</p> <p>A Clean Water Act section 401 permit issued by the Regional Water Quality Control Board for all project-related disturbances of jurisdictional non-wetland waters.</p> <p>A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Wildlife for all project-related disturbances of any streambed and associated riparian habitat.</p>	<p>sensitive wetland/riparian communities.</p> <ul style="list-style-type: none"> Require appropriate permits or evidence from the applicable agency that permits are not required for impacts to jurisdictional waters. 	RWQCB, and/or CDFW				
<p>MM BIO-16: Project-Level Jurisdictional Delineations. If it is demonstrated through the implementation of mitigation measure MM BIO-1 that a CIP and/or ODP project could impact potential jurisdictional waters and/or wetlands, the District shall retain a qualified biologist to perform formal jurisdictional delineations of the project sites prior to project approval and implementation.</p>	<ul style="list-style-type: none"> Require formal jurisdictional delineations to be completed by a qualified biologist where a project could impact potential jurisdictional waters. If the formal jurisdictional delineations determine that the 	District; Qualified Biologist; USACE, RWQCB, and/or CDFW	X			

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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<p>If the formal jurisdictional delineations determine that there are no resources present that could be subject to the regulatory jurisdiction of the USACE, RWQCB, or CDFW, then no further action shall be required. However, if the formal jurisdictional delineations determine that the features are subject to USACE, RWQCB, and/or CDFW jurisdiction, then the District shall avoid and/or minimize impacts through redesign and/or implementing trenchless construction methods (i.e., jack-and-bore or horizontal directional drilling) and obtain USACE, RWQCB, and/or CDFW concurrence prior to project implementation that impacts have been avoided. If concurrence is not obtained, the District shall implement mitigation measure MM BIO-17.</p>	<p>features are subject to USACE, RWQCB, and/or CDFW jurisdiction, avoid and/or minimize impacts and obtain USACE, RWQCB, and/or CDFW concurrence prior to project implementation that impacts have been avoided or implement MM BIO-17.</p>					
<p>MM BIO-17: Compensatory Mitigation for Impacts to Jurisdictional Resources. Compensatory mitigation in accordance with the permit conditions imposed by USACE, RWQCB, and CDFW, for the unavoidable impacts to jurisdictional waters and wetlands, which would include one or a combination of the following measures:</p> <ul style="list-style-type: none"> • Purchase of preservation, establishment, re-establishment, rehabilitation and/or enhancement credits from a mitigation bank approved by the USACE and CDFW, such as the San Luis Rey Mitigation Bank, Brook Forest Conservation and Mitigation Bank, or another approved mitigation bank in the region; or • Implement Permittee-responsible preservation, establishment, re-establishment, rehabilitation and/or enhancement at an on- or off-site location approved by the USACE, RWQCB, and/or CDFW, including preparation and implementation of a conceptual mitigation plan, habitat mitigation monitoring plan, 	<ul style="list-style-type: none"> • Require mitigation in accordance with permit conditions imposed by USACE, RWQCB, and CDFW through mitigation bank credits or permittee-responsible mitigation. • Require a conservation easement, restrictive covenant, or other protection be recorded over the mitigation area, which shall be managed in perpetuity, unless otherwise specified by the USACE, RWQCB, and/or CDFW. 	District; USACE, RWQCB, and/or CDFW	X			

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<p>restoration plan, and/or long-term management plan, unless otherwise specified by the USACE, RWQCB, and/or CDFW.</p> <ul style="list-style-type: none"> Plans for restoration or revegetation 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. <p>A conservation easement, restrictive covenant, or other protection shall be recorded over the mitigation area and the area shall be managed in perpetuity in accordance with the long-term management plan, unless otherwise specified by the USACE, RWQCB, and/or CDFW. Off-site mitigation for impacts to jurisdictional waters may also be used for off-site mitigation of impacts to sensitive communities and special-status wildlife.</p>						
Cultural and Tribal Cultural Resources						
<p>MM CUL-1: Project-specific Cultural Resource Procedures. Project-specific cultural resources analysis is required for Project improvements, including CIP projects, ODP projects, and maintenance projects that involve (a) demolition of an aboveground built environment resource that is more than 45 years in age or (b) ground disturbance in areas of moderate or high cultural sensitivity, as depicted on Figure 4.3-2, <i>Cultural Sensitivity Mitigation</i>. This requirement does not apply to improvements that involve the ongoing</p>	<ul style="list-style-type: none"> Require project-level cultural resources analysis for (a) demolition of an aboveground built environment resource that is more than 45 years in age or (b) ground disturbance in areas of moderate or high cultural sensitivity. Require the Principal Investigator to conduct a 	District; Principal Investigator	X			

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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<p>operation, repair, and/or maintenance of existing aboveground District facilities and/or equipment, or those that are necessary to remedy an emergency condition that poses an imminent threat to health and safety, or property.</p> <p>The following framework is provided to guide the identification, evaluation, and mitigation of potential impacts to cultural resources. Each of the following sections serves as a necessary step to the next section and is dependent upon meeting the criteria of each previous section. The District shall retain a qualified Project cultural resources management professional (Principal Investigator) to carry out the following procedures:</p> <ol style="list-style-type: none"> 1. The Principal Investigator shall conduct a Project-specific cultural resources analysis to determine if significant cultural resources are within, or likely to be within, the Project improvement area. The analysis shall include conducting background research, including a focused CHRIS record search update at the SCIC, a review of site photographs and existing historic information, and a field survey including a Native American monitor. Prior to field reconnaissance, a review of the Sacred Lands File maintained by the NAHC shall also be conducted. If no known or potentially significant cultural resources are identified within the Project improvement area, and site conditions are determined to be such that there is low potential for subsurface cultural resources to be present within the Project improvement area, then no further action is required beyond (1) the preparation of a Cultural Resources Technical Report documenting the methods and results of the Project-specific cultural resources analysis, and (2) the implementation of mitigation measure MM CUL-3, presented herein. 	<p>cultural resources analysis and oversee a significance evaluation and treatment, as appropriate.</p>					

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<p>2. If avoidance is not possible, cultural resource significance evaluations shall be required when new resources are identified as a result of a survey, or when previously recorded resources that have not been previously evaluated are reidentified during a survey. Significance evaluations shall not be required if the resource has been evaluated for CEQA significance or for NRHP eligibility previously and if there has been no change in the conditions that contributed to the determination of significance or eligibility. A resource shall be reevaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources.</p> <p>a. An archaeological testing program shall be required for potentially significant archaeological sites in need of cultural resource significance evaluation. Archaeological testing programs include evaluating the horizontal and vertical dimensions of a site, the chronological placement, site function, artifact/ecofact density and variability, presence/absence of subsurface features, and research potential. Tribal representatives and/or Native American monitors shall be involved in making recommendations regarding the significance of prehistoric archaeological sites during this phase of the process. The testing program may require reevaluation of the proposed Project improvement, which could result in a combination of project redesign to preserve significant resources, as well as mitigation in the form of data recovery and monitoring</p>						

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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<p>(as recommended by the qualified Project archaeologist and Native American representative).</p> <p>b. For above-ground historic period structures, buildings, or objects, the evaluation program shall include the development of an appropriate research design and methodological approach to the resource. Evaluation methods shall include literature review and research, the development of a historic context, documentation and photography of existing conditions and alterations over time, and historical significance evaluation under the NRHP and CRHR criteria.</p> <p>3. Resources found to be non-significant as a result of a survey and/or testing will require no further work beyond documentation of the resources on the appropriate California Department of Parks and Recreation site forms and inclusion of results in the survey and/or assessment report. If no significant resources are identified within the Project improvement area but results of the initial survey or and testing/evaluation phase indicate there is a potential for unknown subsurface cultural resources to be present in the Project improvement area, then the implementation of mitigation measure MM CUL-2, presented herein, is required.</p> <p>4. Preferred treatment for significant cultural resources is preservation. Pursuant to California Public Resources Code Section 21083.2(b), avoidance through project redesign is the preferred method of preservation. If a significant resource cannot be entirely avoided, all prudent and feasible</p>						

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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<p>measures to minimize adverse impacts shall be taken.</p> <p>a. For archaeological resources for which preservation is not an option, a research design for a data recovery program shall be prepared. The data recovery program shall be based on a written research design and is subject to the provisions as outlined in CEQA Section 21083.2. Materials collected during the Data Recovery Program shall be processed and curated at a San Diego County facility that meets federal standards per 36 Code of Federal Regulations Part 79 unless, in the case of prehistoric or tribal cultural resources, other appropriate treatment measures such as the reburial of recovered cultural material are agreed upon by the District and tribal representative(s). Upon completion of the data recovery program, implementation of mitigation measure MM CUL-2 will be required. Such measures may also be required during building demolition and/or construction grading when significant cultural resources are known or suspected to be present on a site but cannot be recovered prior to grading due to obstructions such as existing development or dense vegetation.</p> <p>b. For non-archaeological significant resources, the development and implementation of a Historical Resources Treatment Plan shall be prepared to provide for appropriate treatments measures to mitigate adverse impacts. The Historical Resources Treatment Plan shall be</p>						

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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approved by the District prior to the implementation of any treatment measures.						
<p>MM CUL-2: Cultural Resources Monitoring Program. If significant cultural resources have been identified within the proposed Project improvement area where ground disturbance is proposed, or the Project archaeologist has determined that there is the potential for subsurface cultural resources to occur within a proposed Project improvement area, as identified during the implementation of mitigation measure MM CUL-1, a cultural resources monitoring program shall be implemented.</p> <ol style="list-style-type: none"> The District shall retain a qualified Project archaeologist and Native American monitor(s) associated with a tribe that is traditionally and culturally affiliated (TCA) with the Project Location (“TCA Tribe”) to implement the monitoring program. The District shall enter into a Tribal Cultural Resource Treatment and Monitoring Agreement (also known as a pre-excavation agreement) with the TCA Tribe, if requested by the TCA Tribe. The purposes of the agreement are (1) to provide the District with clear expectations regarding tribal cultural resources; and (2) to formalize protocols and procedures between the District and the TCA Tribe for the protection and treatment of, including but not limited to, Native American human remains; funerary objects; cultural and religious landscapes; ceremonial items; traditional gathering areas; and cultural items located and/or discovered through a monitoring program in conjunction with the construction of the proposed project, including additional archaeological surveys and/or studies, excavations, geotechnical investigations, 	<ul style="list-style-type: none"> If determined to be necessary during MM CUL-1, require a cultural monitoring program facilitated by a qualified Project archaeologist and Native American Monitor Require a pre-excavation agreement and attendance by the monitors at pre-grading meetings and grading activities. Require evaluation and treatment of any unevaluated cultural resources. Require preparation of a report after monitoring is complete. 	District; Qualified Native American Monitor; Qualified Project Archaeologist	X	X	X	

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<p>grading, and all other ground-disturbing activities.</p> <p>3. The qualified Project archaeologist and a Native American monitor shall attend the pre-grading meeting with the grading contractors to explain and coordinate the requirements of the monitoring program.</p> <p>4. During the initial grubbing, site grading, excavation, trenching, or disturbance of the ground surface, an archaeological monitor and a Native American monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of tribal cultural resources as defined in California Public Resources Code Section 21074. Archaeological and Native American monitoring will be discontinued when the depth of grading and soil conditions no longer retain the potential to contain cultural deposits. The qualified Project archaeologist, in consultation with the Native American monitor, shall be responsible for determining the duration and frequency of monitoring.</p> <p>5. If unevaluated potentially significant cultural resources are discovered, construction activities shall be diverted away from the discovery until significance evaluation can be conducted, as described in mitigation measure MM CUL-1, and the appropriate preservation or treatment actions can be taken. Construction activities would be allowed to resume after the completion of mitigation measure MM CUL-1, along with the continuation of monitoring. All cultural material collected during monitoring would be processed and curated at a San Diego County facility that meets federal standards per 36 Code of Federal Regulations Part 79</p>						

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<p>unless, in the case of Native American cultural material, other appropriate treatment measures such as the reburial of recovered cultural material are agreed upon by the District and the TCA Tribe.</p> <p>6. After the completion of monitoring, an appropriate report shall be prepared. If no significant cultural resources are discovered, a brief letter shall be prepared. If significant cultural resources are discovered, a report with the results of the monitoring and any data recovery (including the interpretation of the data within the research context) shall be prepared.</p>						
<p>MM CUL-3: Procedure for Project Improvements with no Archaeological Monitoring Program. In cases where proposed ground-disturbing Project improvements are located within moderate or high cultural sensitivity areas, and the implementation of mitigation measure MM CUL-2 is not required, as specified in mitigation measure MM CUL-1, the District shall retain a qualified Project archaeologist, defined as meeting the Secretary of the Interior’s Professional Qualifications Standards for archaeology (U.S. Department of the Interior 2008) to ensure no inadvertent impacts occur to significant cultural resources occur during the implementation of an individual Project improvement.</p> <p>1. Prior to construction activities, the selected Project archaeologist or their designee will provide a Worker Environmental Awareness Program (WEAP) training to construction crews that provides information on regulatory requirements for the protection of cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should unanticipated cultural resources discoveries</p>	<ul style="list-style-type: none"> Require a qualified Project archaeologist to provide a WEAP training to construction personnel. If a cultural resource is inadvertently unearthed, require construction activities to move away from the area and the Project Archaeologist to conduct a significance evaluation. 	District; Qualified Project Archaeologist	X	X		

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<p>be made during construction. In addition, workers will be shown examples of the types of resources that would require the notification of the Project archaeologist.</p> <p>2. In the event that cultural resource(s) are inadvertently unearthed during ground-disturbing activities, construction activities shall be diverted away from the discovery until the Project archaeologist is contacted, a significance evaluation can be conducted, and the appropriate actions can be taken as described in mitigation measure MM CUL-1. Construction activities would be allowed to resume in the area of the discovery only after the completion of the significance evaluation and treatment measures defined in mitigation measure MM CUL-1.</p>						
<p>MM CUL-4: Identification of Human Remains. As specified by California Health and Safety Code Section 7050.5, if human remains are found on the project site during construction or during archaeological work, the person responsible for the excavation, or his or her authorized representative, shall immediately notify the San Diego County Coroner's office. Determination of whether the remains are human shall be conducted on-site and in situ where they were discovered by a forensic anthropologist, unless the forensic anthropologist and the Native American monitor agree to remove the remains to an off-site location for examination. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition. A temporary construction exclusion zone shall be established surrounding the area of the discovery so that the area would be protected, and consultation and treatment could occur as prescribed by law. In the event that the remains</p>	<ul style="list-style-type: none"> Require notification to the San Diego County Coroner's Office for human remains encountered during construction. Prohibit work in the region of the finding until the Coroner and Native American representative complete their investigations. 	District; Construction Contractor; San Diego County Coroner		X		

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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 in accordance with California Public Resources Code section 5097.98. The Native American remains shall be kept in situ, or in a secure location in close proximity to where they were found, and the analysis of the remains shall only occur on-site in the presence of a Native American monitor.						
Geology and Soils						
MM GEO-1: Conduct Site-Specific Geotechnical Investigations. All improvement projects that include excavation shall be subject to initial screening by the District to determine their site-specific geologic conditions, potential susceptibility to geologic hazards, and related requirements for an individual geotechnical evaluation. Based on the results of the initial screening, site-specific geotechnical investigations shall be completed for applicable improvement projects prior to final project design and construction. These investigations will identify site-specific criteria related to considerations such as grading, excavation, fill, and structure/facility design. All applicable results and recommendations from the geotechnical investigations shall be incorporated into the associated individual project design and construction documents to address identified potential geologic and soil hazards, including but not necessarily limited to: (1) seismic hazards including ground rupture, ground acceleration (ground shaking), soil liquefaction (and related issues such as dynamic settlement and lateral spreading), and landslides/slope instability; and (2) non-seismic hazards including manufactured slope instability, subsidence/compressible soils, expansive or corrosive soils, and trench/excavation instability. The final project	<ul style="list-style-type: none"> Require site-specific geotechnical investigations where the District determines one is necessary. Require final project design and plans to incorporate all applicable results and recommendations from the geotechnical investigation and applicable standard design and construction practices from established regulatory/ industry sources. 	District; Project Engineer; Construction Contractor	X	X		

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design and construction documents shall also encompass applicable standard design and construction practices from established regulatory/ industry sources including the CBC, IBC, CGS, Greenbook and District standards, as well as the results/recommendations of geotechnical review and field observations/testing to be conducted during project excavation, grading and construction activities (with all related requirements to be included in applicable engineering/design drawings and construction contract specifications).						
<p>MM GEO-2: Paleontological Construction Monitoring in Sensitive Areas. Project improvements that involve excavation activities in areas identified as having marginal, moderate, or high paleontological sensitivity, as depicted on Figure 4.5-3, shall implement a paleontological construction monitoring program. Areas identified as having marginal, moderate, or high paleontological sensitivity are underlain by Pleistocene-age old and very old alluvial flood plain and colluvial deposits, strata of the Pliocene-age Temecula Arkose and Eocene-age Santiago Formation, and Mesozoic quartzites and related metasedimentary rocks. The paleontological monitoring program shall include the following components:</p> <p>a. Pre-construction (personnel and repository): Prior to the commencement of construction, a qualified Project Paleontologist shall be retained to oversee the mitigation program. The County of San Diego defines a Project Paleontologist as a person with a Ph.D. or master’s degree in Paleontology or related field, and who has knowledge of San Diego County paleontology and documented experience in professional paleontological procedures and techniques. In addition, a regional fossil repository shall be</p>	<ul style="list-style-type: none"> Require a paleontological construction monitoring program for excavation activities in areas identified as having marginal, moderate, or high paleontological sensitivity. Require the paleontological construction monitoring program to include a pre-construction meeting and training, construction monitoring, and a final report. If fossils are discovered, require the monitor to recover them, redirecting grading if necessary, catalog them, and prepare them for curation by the designated repository. 	District; Qualified Project Paleontologist	X	X	X	

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<p>designated to receive any discovered fossils. Because the District service area is in San Diego County, the recommended repository is the San Diego Natural History Museum.</p> <p>b. Pre-construction (meeting): The Project Paleontologist shall attend the pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues.</p> <p>c. Pre-construction (training): The Project Paleontologist shall conduct a paleontological resource contractor awareness training workshop to be attended by earthwork personnel.</p> <p>d. During construction (monitoring): A paleontological monitor (working under the direction of the Principal Paleontologist) shall be on-site on a full-time basis during all original cutting of previously undisturbed Pleistocene-age old and very old alluvial flood plain and colluvial deposits, previously undisturbed strata of the Pliocene-age Temecula Arkose and Eocene-age Santiago Formation, and previously undisturbed Mesozoic-age quartzites and related metasedimentary rocks to inspect fresh exposures for unearthened fossils. The County of San Diego defines a paleontological monitor as an individual with at least one year of experience in field identification and collection of fossil materials under the supervision of a Project Paleontologist.</p> <p>e. During construction (fossil recovery): If fossils are discovered, the Principal Paleontologist (or paleontological monitor)</p>						

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<p>shall recover them. Bulk sedimentary matrix samples may also be collected from stratigraphic horizons that appear likely to contain microvertebrate fossils. In most cases, this fossil salvage can be completed in a short period of time. However, some fossil specimens (e.g., a bone bed or a complete large mammal skeleton) may require an extended salvage period. In these instances, the Principal Paleontologist (or paleontological monitor) has the authority to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner.</p> <p>f. Post-construction (treatment): Fossil remains collected during monitoring and salvage shall be prepared (including washing of bulk sediment matrix samples to recover microvertebrate fossils), repaired, sorted, and cataloged as part of the mitigation program.</p> <p>g. Post-construction (curation): Prepared fossils, along with copies of all pertinent field notes, photos, and maps, shall be deposited (as a donation) in the designated fossil repository. Donation of the fossils shall be accompanied by financial support for initial specimen storage.</p> <p>h. Post-construction (final report): A final summary paleontological mitigation report shall be completed that outlines the results of the mitigation program. This report shall include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, inventory lists of catalogued fossils, and significance of recovered fossils.</p>						
See mitigation measure MM HYD-1 under Hydrology and Water Quality.						

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Hazards and Hazardous Materials						
<p>MM HAZ-1: Sewer Pipeline and Lift Station Safety Features. Sewer lift stations shall incorporate standard safety features, including an emergency generator on the site in case of electrical failure, and sufficient sewage detainment capacity in the event of generator and/or pump mechanism failure to allow time for repair and/or emergency conveyance of the sewage. Portable emergency generators may be used for lift stations that cannot be equipped with an on-site generator. Each sewer lift station, pipeline, and treatment facility would implement a Sewer System Management Plan that includes contingency measures in the event of emergency leaks or spills.</p>	<ul style="list-style-type: none"> Require incorporation of standard safety features at sewer lift stations, including an emergency generator and sufficient sewage detainment capacity. Require a Sewer System Management Plan for each sewer lift station, pipeline, and treatment facility. 	District; Project Engineer	X	X		
<p>MM HAZ-2: Conduct Site-Specific Environmental Site Assessment. Project improvements that involve excavation shall be subject to initial screening by the District to determine their site-specific potential susceptibility to hazards and hazardous materials/risk of upset. Based on the results of the initial screening, a site-specific environmental site assessment shall be completed for Project improvements, when project-specific designs have been finalized, that would require ground-disturbing activities such as grading and trenching. The environmental site assessment will entail a regulatory database records review to determine if known hazardous waste sites occur on or near the proposed project site. If hazardous materials are identified, a full Phase I environmental site assessment investigation shall be completed for the project improvement site.</p> <p>Phase I environmental site assessment investigations include: (1) appropriate regulatory database records review; (2) site reconnaissance; (3) review of appropriate maps, aerial photographs and other pertinent documents;</p>	<ul style="list-style-type: none"> Require a site-specific environmental site assessment when determined necessary by the District for activities including grading and trenching. If hazardous materials are identified, require a full Phase I environmental site assessment investigation and any subsequent investigations recommended by the Phase I. If prepared, require incorporation of results and recommendations from the Phase I and Phase II investigations into the associated final project design documents. 	District; Project Engineer; Construction Contractor	X	X		

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<p>(4) interviews with current/previous property owners, local government/industry officials, and other individuals with knowledge of the property and/or local environmental conditions;</p> <p>(5) documentation of known or potential Recognized Environmental Conditions (RECs); and (6) identification of recommendations to address RECs or other concerns, if applicable (including Phase II environmental site assessment investigations, as outlined below).</p> <p>Depending on the results of the described Phase I investigation, one or more Phase II environmental site assessment investigations shall be conducted if identified as part of the Phase I recommendations. Phase II environmental site assessments consist of “intrusive” investigations, in which original samples of soil, groundwater, and/or building materials are collected and submitted for laboratory analysis to identify applicable contaminants. Based on the results of this testing, the Phase II investigations shall identify the type and extent of REC (or other) contamination, and provide appropriate remedial measures to address associated hazards. Typical remedial measures may include efforts such as removal and proper disposal of contaminated materials (or on-site treatment and reuse, if applicable), or in situ treatments such as oxidation (use of aerobic bacteria to accelerate natural attenuation of organic contaminants) or bioremediation (e.g., using bacteria to remove contaminants from groundwater).</p> <p>Environmental site assessments shall be prepared in conformance with applicable regulatory and industry standards, including ASTM International E1527-05 Standard Practice for Environmental Site Assessments, and CFR Part 312, Standards and Practices for All Appropriate Inquiries. Results and recommendations from the described Phase I and</p>						

Mitigation Measures	Implementation, Monitoring, and Reporting Action	Responsibility	Monitoring Schedule			Verification Date
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Phase II investigations shall be incorporated into the associated individual final project design documents to address identified potential hazardous material concerns.						
<p>MM HAZ-3: Construction Fire Safety Plan. The following fire prevention strategies shall be implemented during Project construction:</p> <ul style="list-style-type: none"> Construction within areas of dense foliage during dry conditions shall be avoided. In cases where avoidance is not feasible, brush fire prevention and management practices shall be incorporated. Specifics of the brush management program shall be incorporated into Project construction documents. 	<ul style="list-style-type: none"> Require construction in areas of dense foliage to avoid times of dry conditions or implement a brush management program. 	District; Construction Contractor		X		
See mitigation measure MM TRA-1 under Transportation.						
Hydrology and Water Quality						
<p>MM HYD-1: Conduct Site-Specific Water Quality Investigations. All projects are subject to initial screening by the District to determine their site-specific hydrological conditions, related potential impacts, and requirements for individual associated technical investigations. Site-specific water quality investigations will be completed prior to approval of final design for proposed projects involving activities that may potentially affect surface water quality, as determined by the District during initial screening. All applicable results and recommendations from these investigations will be incorporated into the associated individual final project design documents to address identified potential long-term water quality issues related to conditions such as: anticipated and potential pollutants to be used, stored, or generated on-site; the location and nature (e.g., impaired status) of on-site and downstream receiving waters; and project design</p>	<ul style="list-style-type: none"> Require site-specific water quality investigations prior to approval of final design where the District determines project activities may affect surface water quality. Require incorporation of applicable results and recommendations from water quality investigations into the final project design documents in addition to standard design practices such as NPDES criteria. If no site-specific recommendations are provided, require incorporation of appropriate standard 	District; Project Engineer; Construction Contractor	X	X		

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<p>features to avoid/address potential pollutant discharges. The final project design documents will also encompass standard design practices from sources including NPDES criteria and other applicable regulatory standards (with all related requirements to be included in engineering/design drawings and construction contract specifications). A summary of the types of BMPs typically associated with identified potential water quality concerns, pursuant to applicable regulatory and industry standards (as noted), is provided below. The BMPs identified/recommended as part of the described site-specific water quality investigations will take priority over the more general types of standard regulatory/industry measures listed below:</p> <ul style="list-style-type: none"> • Low Impact Development (LID)/Site Design BMPs: LID/site design BMPs are intended to avoid, minimize, and/or control post-development runoff, erosion potential, and pollutant generation to the maximum extent practicable by mimicking the natural hydrologic regime. The LID process employs design practices and techniques to effectively capture, filter, store, evaporate, detain, and infiltrate runoff close to its source through efforts such as: (1) minimizing developed/disturbed areas to the maximum extent feasible; (2) utilizing natural and/or unlined drainage features in on-site storm water systems; (3) disconnecting impervious surfaces to slow concentration times, and directing flows from impervious surfaces into landscaped or vegetated areas; and (4) using pervious surfaces in developed areas to the maximum extent feasible. • Source Control BMPs: Source control BMPs are intended to avoid or minimize the introduction of pollutants into storm drains 	<p>regulatory/industry measures listed in MM HYD-1:</p>					

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<p>and natural drainages by reducing on-site pollutant generation and off-site pollutant transport through measures such as:</p> <p>(1) installing "no dumping" stencils/tiles and/or signs with prohibitive language at applicable locations such as drainages and storm drain inlets to discourage illegal dumping; (2) designing trash storage areas to reduce litter/pollutant discharge through methods such as paving with impervious surfaces, installing screens or walls to prevent trash dispersal, and providing attached lids and/or roofs for trash containers; (3) designing site landscaping to maximize the retention of native vegetation and use of appropriate native, pest-resistant, and/or drought-tolerant varieties to reduce irrigation and pesticide application requirements; and (4) providing secondary containment (e.g., enclosed structures, walls, or berms) for applicable areas such as trash or hazardous material use/storage.</p> <ul style="list-style-type: none"> • Pollutant Control BMPs: Pollutant control BMPs are designed to remove pollutants from runoff to the maximum extent practicable through means such as filtering, treatment, or infiltration. Pollutant control BMPs are required to address applicable pollutants, and may include efforts such as: (1) providing water quality treatment and related facilities such as sediment basins, vegetated swales, infiltration basins, filtration devices, and velocity dissipators to treat appropriate runoff flows and reduce volumes prior to off-site discharge (per applicable regulatory requirements); (2) creating a construction spill contingency plan in accordance with Department of Environmental Health regulations and retaining a copy of the plan on-site by the construction manager; and (3) conducting 						

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regular inspection, maintenance, and as-needed repairs of pertinent facilities and structures.						
<p>MM HYD-2: Conduct Site-Specific Hydrologic and Hydraulic Investigations. All projects are subject to initial screening by the District to determine their site-specific hydrological conditions, related potential impacts, and requirements for individual associated technical investigations. All applicable results and recommendations from these investigations shall be incorporated into the associated final design documents to address identified potential hydrologic concerns, including, but not necessarily limited to drainage alteration, runoff rates/amounts, storm water management and hydromodification, and flood hazards. The final project design documents shall also encompass applicable standard design and construction practices from sources including NPDES (with related requirements to be included in applicable engineering/design drawings and/or construction contract specifications). A summary of the types of remedial measures typically associated with identified potential hydrologic concerns, pursuant to applicable regulatory and industry standards (as noted), is provided below. The remedial measures identified/recommended as part of the described site-specific hydrologic investigations will take priority over the more general types of standard regulatory/industry measures listed below.</p> <ul style="list-style-type: none"> Drainage Alteration: (1) locate applicable facilities outside of surface drainage courses and drainage channels; (2) re-route surface drainage around applicable facilities, with such re-routing to be limited to the smallest area feasible and re-routed drainage to be directed back to the original drainage course at the closest feasible 	<ul style="list-style-type: none"> Require incorporation of the recommendations made by applicable technical investigations related to hydrology. Require final project design documents to encompass applicable standard design and construction practices including NPDES. Implement remedial measures associated with identified hydrologic concerns, pursuant to applicable regulatory and industry standards where a site-specific technical study has not been completed. 	District; Project Engineer; Construction Contractor	X	X		

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<p>location (i.e., the closest location to the point of diversion); and (3) use drainage structures to convey flows within/through development areas and maintain existing drainage patterns, where appropriate and feasible.</p> <ul style="list-style-type: none"> • Runoff Rates/Amounts, Storm Water Management and Hydromodification: (1) minimize the installation of new impervious surfaces (e.g., by surfacing with pervious pavement, gravel or decomposed granite); (2) use flow regulation facilities (e.g., detention/retention basins) and velocity control structures (e.g., riprap dissipation aprons at drainage outlets), to maintain pre-development runoff rates and amounts for design storm events, if applicable; and (3) utilize additional and/or enlarged drainage facilities to ensure adequate on- and off-site storm drain system capacity, if applicable. • Capacity of surface drainage: Follow County of San Diego Hydraulic Design Manual for stormwater drainage and flood management facilities in the unincorporated San Diego County. • Flood Hazards: (1) locate proposed facilities outside of mapped 100-year floodplain boundaries wherever feasible; (2) based on technical analyses such as Hydrologic Engineering Center-River Analysis System (HEC-RAS) studies, restrict facility locations to avoid adverse impacts related to impeding or redirecting flood waters; (3) based on HEC-RAS studies, use measures such as raised fill pads to elevate proposed structures above calculated flood levels, and/or utilize protection/ containment structures (e.g., berms, barriers or water-tight doors) to avoid flood damage; and 						

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(4) if Project-related activities/facilities result in applicable proposed changes to mapped FEMA floodplains, obtain an approved Conditional Letter of Map Revision (CLOMR) and/or Letter of Map Revision (LOMR) from FEMA and County of San Diego Flood Control District, as applicable.						
Noise						
<p>MM NOI-1: General Construction and Maintenance Noise Limits. Noise from Project-related construction and maintenance activities shall comply with the following local noise ordinances as applicable and feasible depending on the location of the activity.</p> <ul style="list-style-type: none"> County of San Diego: A noise level limit of 75 dBA (8-hour L_{EQ}) between 7:00 a.m. to 7:00 p.m. City of Oceanside: A noise level limit of 85 dBA at 100 feet from the source; a noise level limit of 50 dBA at the property line when construction equipment is operating within any residential zone or 500 feet from any residential zone between 8:00 p.m. and 7:00 a.m.; a noise level limit of 5 dBA above ambient between 6:00 p.m. and 7:00 a.m. <p>The District shall employ measures to reduce construction and maintenance noise levels to the specified limits, including, but not limited to, the following:</p> <ul style="list-style-type: none"> Construction equipment shall be properly outfitted and maintained with manufacturer-recommended noise-reduction devices. Diesel equipment shall be operated with closed engine doors and equipped with factory-recommended mufflers. Mobile or fixed “package” equipment (e.g., arc-welders and air compressors) shall be 	<ul style="list-style-type: none"> Require compliance with applicable local ordinances as feasible. Require implementation of measures to reduce construction noise. 	District; Construction Contractor		X		

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<p>equipped with shrouds and noise control features that are readily available for that type of equipment.</p> <ul style="list-style-type: none"> Electrically powered equipment shall be used instead of pneumatic or internal-combustion powered equipment, where feasible. Unnecessary idling of internal combustion engines (e.g., in excess of 5 minutes) shall be prohibited. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise sensitive receptors. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. Any truck or equipment equipped with back-up alarm moving within 300 feet of a noise-sensitive land use (residence) should have the normal back-up alarm disengaged and safety provided by lights and flagman or broad-spectrum noise backup alarm (as appropriate for conditions) used in compliance with the Occupational Safety and Health Administration safety guidelines. Temporary sound barriers or sound blankets shall be installed between construction operations and adjacent noise-sensitive receptors. The project Contractor shall construct a 12-foot high temporary noise barrier meeting the specifications listed below (or of a Sound Transmission Class [STC] 19 rating or better) to attenuate noise. The District shall notify residences within 300 feet of the project's disturbance area in 						

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<p>writing within one week of any construction activity. The notification shall describe the activities anticipated, provide dates and hours, and provide contact information with a description of a complaint and response procedure.</p> <ul style="list-style-type: none"> The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process for the affected resident shall be established prior to construction commencement to allow for resolution of noise problems that cannot be immediately solved by the site supervisor. 						
<p>MM NOI-2: Operational Compliance with Noise Regulations. Stationary operating equipment associated with proposed CIP projects, which are located within San Diego County, shall be designed to comply with the applicable one-hour average sound level limits set forth in Section 36.404, <i>General Sound Level Limits</i>, of the County of San Diego Code of Regulatory Ordinances, presented above in Table 4.9-6, where feasible.</p>	<ul style="list-style-type: none"> Require project components to be designed to comply with the one-hour average sound level limits of the County of San Diego Code of Regulatory Ordinances where feasible. 					
Transportation						
<p>MM TRA-1: Traffic Control Plan. At least 30 days prior to the start of construction of improvements within roadway rights-of-way, the District Contractor shall prepare and submit a traffic control plan (TCP) to the agency of jurisdiction (County, City of Oceanside, and/or Caltrans as applicable) to address vehicular traffic during construction of individual Project improvements within public rights-of-way of the affected jurisdiction(s), including bicycle, pedestrian, and transit facilities. The TCP shall include signage, striping, delineated detours, flagging operations, and other devices that will be used during construction to guide motorists, bicyclists, and pedestrians safely through the</p>	<ul style="list-style-type: none"> Require preparation of a traffic control plan 30 days prior to construction within public rights-of-way. If a residential driveway will be affected, notify the occupant five working days prior and reestablish access at the end of each workday. 	District; Construction Contractor	X	X		

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<p>construction areas and allow for adequate access and circulation. The TCP shall ensure that congestion and traffic delay are not substantially increased as a result of the construction activities.</p> <p>During construction, the District shall maintain continuous vehicular and pedestrian access to affected residential driveways from the public right-of-way to the private property line, except where necessary construction precludes such continuous access for reasonable periods of time. Access shall be reestablished at the end of the workday. If a driveway needs to be closed or interfered with as described above, the District shall notify the owner or occupant of the closure of the driveway at least five working days prior to the closure. The TCP shall include provisions to ensure that the construction of the conveyance pipelines do not interfere unnecessarily with the work of other agencies such as mail delivery, school buses, and municipal waste services.</p> <p>The TCP shall also be consistent with local emergency response plans. The District shall notify local emergency responders of planned partial or full lane closures or blocked access to roadways or driveways required for Project construction. Emergency responders include fire departments, police departments, and ambulances that have jurisdiction within the project area. Written notification and disclosure of lane closure location must be provided at least 30 days prior to the planned closure to allow for emergency response providers adequate time to prepare for lane closures.</p>						
Wildfire						
See mitigation measures MM HAZ-3 under Hazards and Hazardous Materials and MM TRA-1 under Transportation.						

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**MINUTES OF THE REGULAR BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
RAINBOW MUNICIPAL WATER DISTRICT
JULY 26, 2022**

1. **CALL TO ORDER** - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on July 26, 2022 was called to order by Vice President Gasca at 11:03 a.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(All meetings are being held with in-person attendance following County and State COVID guidelines as well as virtually.)* Vice President Gasca presiding.

2. **ROLL CALL**

Present: Director Gasca, Director Hamilton *(via video conference)*, Director Moss, Director Stewart.

Also Present: General Manager Kennedy, Legal Counsel Smith, Executive Assistant Washburn, Human Resources Manager Harp, Engineering and CIP Program Manager Williams, Information Systems Specialist Espino, Customer Service Representative Kilmer.

Absent: Director Mack.

Also Present Via Teleconference or Video Conference:

Legal Counsel Duran-Brown.

No members of the public were present in person, via teleconference or video conference before Closed Session.

3. **ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)**

There were no amendments to the agenda.

4. **INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE**

There were no members of the public in attendance; therefore, the instructions were not read aloud.

5. **ORAL/Written COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING CLOSED SESSION AGENDA ITEMS (Government Code § 54954.2).**

There were no comments.

The meeting adjourned to Closed Session at 11:03 a.m.

(*) - Asterisk indicates a report is attached.

6. CLOSED SESSION

- A. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9(d)(2))
 - * Three Items
- B. Appointment, Employment; Evaluation of Performance – General Manager (Government Code §54957(B)(1))

The meeting reconvened at 1:04 p.m.

7. REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Time Certain: 1:00 p.m.

8. REPEAT CALL TO ORDER - The Regular Meeting of the Board of Directors of the Rainbow Municipal Water District on July 26, 2022 was called to order by Vice President Gasca at 1:08 p.m. p.m. in the Board Room of the District, 3707 Old Highway 395, Fallbrook, CA 92028. *(All meetings are being held with in-person attendance following County and State COVID guidelines as well as virtually.)* Vice President Gasca presiding.

9. PLEDGE OF ALLEGIANCE

10. REPEAT ROLL CALL

Present: Directors Gasca, Director Hamilton *(via video conference)*, Director Moss, Director Stewart.

Also Present: General Manager Kennedy, Legal Counsel Smith, Executive Assistant Washburn, Finance Manager Largent, Engineering and CIP Program Manager Williams, Wastewater Superintendent Zuniga, Water Operations Supervisor Coffey, Construction and Meters Supervisor Lagunas, Customer Service Supervisor Gray, Customer Service Representative Kilmer, Information Systems Specialist Espino, System Operator Cancino, Purchasing and Inventory Control Specialist Daugherty, Systems Operator Kraft, Lead Technician Bradley, Systems Operator Heincy, Senior Meter Services Technician Taylor.

Absent: Director Mack.

Also Present Via Teleconference or Video Conference:

Operations Manager Gutierrez, Human Resources Manager Harp, Information Technology Manager Khattab, Project Manager Powers, Project Manager Tamimi, Project Manager Parra, Accounting Supervisor Rubio, Grant Specialist Kim, Engineering Technician Rubio.

Eight members of the public were present for Open Session in person, via teleconference or video conference.

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***11. BOARD OF DIRECTORS CONSIDER ADOPTING RESOLUTION NO. 22-22 RENEWING STATE OF EMERGENCY FINDINGS FOR ASSEMBLY BILL 361 (AB 361)**

Motion:

To adopt Resolution No. 22-22.

Action: Approve, Moved by Director Stewart, Seconded by Director Moss.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Absent: Director Mack.

12. REPEAT REPORT ON POTENTIAL ACTION FROM CLOSED SESSION

Legal Counsel reported the Board met in Closed Session to discuss four items and there was no reportable action.

13. REPEAT ADDITIONS/DELETIONS/AMENDMENTS TO THE AGENDA (Government Code §54954.2)

There were no amendments to the agenda.

14. REPEAT INSTRUCTIONS TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS FROM THOSE ATTENDING THIS MEETING VIA TELECONFERENCE OR VIDEO CONFERENCE

Vice President Gasca read aloud the instructions for those attending the meeting via teleconference or video conference.

15. ORAL/WRITTEN COMMUNICATIONS FROM THE PUBLIC OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE BOARD REGARDING ITEMS NOT ON THIS AGENDA (Government Code § 54954.2).

There were no comments.

16. EMPLOYEE RECOGNITIONS

A. Ramon Zuniga (30 Years)

Mr. Kennedy stated Ramon Zuniga was hired at RMWD when he a senior in high school as part of the "Hire the Youth Program" as well as read aloud a memorable moment Mr. Zuniga shared. Mr. Zuniga said when he reflects back to when he first started and all the changes that took place on Board Members and in employees, it has been an honor to have made some good friends. Mr. Kennedy presented Mr. Zuniga with a trophy as well as thanked his family for sharing him with RMWD because without the support from home, it would make it hard for him to reach this milestone, especially when he responds to most emergency calls.

Mr. Kennedy stated RMWD really appreciates Mr. Zuniga's dedication to the District and what he does for the organization every single day. Mr. Zuniga closed with saying the people he has

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encountered here and there have been a blessing and thanked everyone. Mr. Kennedy presented Mr. Zuniga with a check in recognition of his tenure.

B. Clem Taylor (15 Years)

Mr. Kennedy stated Clem Taylor is a USMC Veteran who is currently one of RMWD's meter services technicians. He noted Mr. Taylor is one employee who receives probably the most complimentary comments from customers regarding the service he provides, friendliness, and willingness to help others. Mr. Kennedy thanked Mr. Taylor for all he does as he presented him with a plaque and check in recognition of his service.

C. Jerry Kraft (15 Years)

Mr. Kennedy stated Jerry Kraft was hired in July 2007 as a Valve Maintenance Technician who shortly thereafter became a Systems Operator. Mr. Kraft said it has been very fortunate to work with such a talented group. Mr. Kennedy thanked Mr. Kraft for his service as he presented him with a plaque and check in recognition of his tenure.

D. Gerardo Cancino (15 Years)

Mr. Kennedy stated Gerardo Cancino start at RMWD as a Laborer who has been moved throughout different positions to where he is now which is a Systems Operator. Mr. Cancino said in his new position, it is interesting to see all the changes from a different perspective. Mr. Kennedy thanked Mr. Cancino for his service as he presented him with a plaque and check in recognition of his tenure.

***17. APPROVAL OF MINUTES**

A. June 28, 2022 - Regular Board Meeting

Motion:

To approve the minutes of June 28, 2022.

Action: Approve, Moved by Director Moss, Seconded by Director Stewart.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Absent: Director Mack.

***18. BOARD OF DIRECTORS' COMMENTS/REPORTS**

Directors' comments are comments by Directors concerning District business, which may be of interest to the Board. This is placed on the agenda to enable individual Board members to convey information to the Board and to the public. There is to be no discussion or action taken by the Board of Directors unless the item is noticed as part of the meeting agenda.

A. President's Report (Director Hamilton)

There was no report given.

(*) - Asterisk indicates a report is attached.

- B. Representative Report (Appointed Representative)**
 - 1. SDCWA**
 - A. Summary of Board Meeting June 23, 2022**

Mr. Kennedy reported SDCWA's rate increases were passed at the June meeting. He also talked about another item on which the Board voted which was the mid-year budget adjustments that included \$1 million for SDCWA's Regional Conveyance System. He stated he had made a motion to approve the mid-year adjustments as presented with this one item being pulled so it could be considered separately. He said following his motion and a second, robust discussion took place after which he amended his original motion to approve the mid-year budget adjustments with the condition staff bring back a report as to the status of the project. He stated after his motion was amended, there were deliberations as to whether this project should be discussed in Open or Closed Session and how it was agreed upon that this question should be deferred to Legal Counsel.

Mr. Kennedy stated there was a Special Board Meeting held on July 14, 2022 for the selection of a new General Counsel with whom a contract is currently being negotiated.

- 2. CSDA**

Mr. Kennedy announced the Quarterly Dinner Meeting will be held at the 94th Aero Squadron on August 18th and the CSDA Annual Conference will be held in Palm Desert starting August 22, 2022.

- 3. LAFCO**

Mr. Kennedy reported LAFCO did not have a meeting; however, they did hold a meeting in Ramona for a protest hearing for the transition of fire service from Ramona Municipal Water District to the County of San Diego Water Authority to which one protest was received. He noted the next full Board meeting will be in August.

- 4. Santa Margarita River Watershed Watermaster Steering Committee**

President Hamilton reported the committee met on July 19, 2022 when discussions took place regarding the low water capacity levels at Lake Skinner and Diamond Valley Lake. He mentioned the Indian Bands were still working on finalizing the documents to be filed within the Congressional Record and the Watermaster has managed to cut approximately \$4,000 from his projected budget for next year. He stated the next meeting will be held in October.

- 5. ACWA**

Vice President Gasca announced there will be an ACWA Region 10 workshop held at the Olivenhain Municipal Water District on August 2, 2022. Ms. Washburn noted all five directors have been registered for this event. Mr. Kennedy said he should get registered for this as well.

- C. Meeting, Workshop, Committee, Seminar, Etc. Reports by Directors (AB1234)**
 - 1. Board Seminar/Conference/Workshop Training Attendance Reports**

Vice President Gasca reported on the recent COWU meeting and how he provided Mr. Khattab with contact information related to a conference he may find interesting which Vice President Gasca recommend Mr. Khattab attend on behalf of RMWD and determine if there is a benefit to the ratepayers. He mentioned some of the questions he raised at the meeting regarding identifying

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acreage that was in agriculture and separate it from residential to reduce the amount of required cutback.

Mr. Kennedy mentioned there is a data collaborative workshop being held in August that Mr. Khattab will be attending related to this same subject matter. Discussion ensued.

President Hamilton inquired as to why RMWD was not directing customers to Flume. Mr. Kennedy explained Flume data is private and how AMI provides more granular data that RMWD does not want to become the middleman. President Hamilton pointed out this would be of tremendous cost to the District and its ratepayers.

Vice President Gasca stated it may be a good idea to at least get information to determine what steps the State is taken.

D. Directors Comments

Director Moss talked about the water levels being extremely low at Lake Hodges. Mr. Kennedy stated the dam has been shut down for repairs and how SDCWA billed the City of San Diego for \$3-5 million because they are losing out on hydro power or other revenue that would have been generated.

E. Legal Counsel Comments

1. Attorney Report: Water Quality

Legal Counsel summarized the information contained in his written report.

Mr. Kennedy announced one of Legal Counsel Smith's Harvard classmates was appointed as an Associate Justice on the U.S. Supreme Court.

19. COMMITTEE REPORTS

A. Budget and Finance Committee

Mr. Williams reported the Budget and Finance Committee did not meet in July.

B. Engineering and Operations Committee

Mr. Williams reported the committee Items #21 and #22 on this agenda have been recommended for Board approval as well as Item #23 had discussion and updates with no recommendation for Board approved recommended by staff. He mentioned the committee was pleased to hear the easement matter has been resolved.

C. Communications and Customer Service Committee

President Hamilton reported Russ Vernon has notified the committee of his intent to resign from the committee; therefore, only three members remain including Ms. Gray and himself. Mr. Kennedy pointed out there will not be a meeting in August due to Ms. Gray being out of the office the week of August 1st resulting in the lack of a quorum.

President Hamilton stated the committee also discussed and received feedback regarding using the RMWD headquarters as a tour opportunity for educational purposes which would essentially expose the water industry to students.

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Mr. Kennedy added he has asked Larry Sundram, a past RMWD Director, to include the District on the list of organizations for a program they are developing related to getting students out to local workplaces as well as offering scholarships. He noted RMWD already has a program ready.

Ms. Gray confirmed RMWD was ready to provide tours at the headquarters location to local schools demonstrating some of the functions of the District. She noted the committee discussed holding some practice tours with the involvement of standing committee as well as the Directors to develop the appropriate curriculum the teachers may have to ensure it is viable to a particular age group. She mentioned one of the last steps will be to present the actual documents to the Board for consideration, including waivers of liability.

Mr. Kennedy encouraged anyone who knows someone who may be interested in serving on the Communications and Customer Service Committee to reach out to those individuals.

Ms. Gray reported the committee also had lengthy discussions with staff regarding communications with the ratepayers related to removal of backflow devices as well as conservation programs. She noted there are funds available to RMWD through the Member Agency Administrative Program (MAAP) that could be potentially used to start a conservation garden to demonstrate the District's participation.

Mr. Kennedy pointed out should this committee not generate more interest from public members, it may need to be discussed as to how to proceed, especially with the amount of staff time involved with preparing for meetings. Vice President Gasca stated he would reach out to groups who may have individuals that would take an interest.

Vice President Gasca shared his experience with a program called Youth Education Motivation Program in which someone from various public sectors would visit local middle schools as a means of motivating students who may be interested in working in these types of industries. He encouraged RMWD's focus be more on middle school students.

Time Certain: 1:00 p.m. Public Hearing

***20. PUBLIC HEARING**

A. DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. 22-21 TO AMEND THE 2020 WATER SHORTAGE CONTINGENCY PLAN (WSCP) AND TO APPROVE ORDINANCE 22-13 TO UPDATE THE DISTRICT'S DROUGHT ORDINANCE TO REFLECT CHANGES TO THE WSCP (DISTRICT WIDE)

Mr. Kennedy explained part of RMWD's Urban Water Management Plan adopted in 2021 included a Water Shortage Contingency Plan. He stated when reviewing this plan recently in light of the Governor's declaration to practice Level 2 functions, it was noted there was an error related to how many days per week those in Level 2 could water as well as other necessary revisions.

Mr. Williams confirmed the public hearing was published in The Village News on both June 21st and June 28th, respectively.

Vice President Gasca opened the Public Hearing at 1:56 p.m.

Ms. Washburn announced no written comments were received.

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Vice President Gasca closed the Public Hearing at 1:58 p.m.

Motion:

To adopt Option 1 – Make a determination that the action defined herein does not constitute a “project” as defined by CEQA, adopt Resolution No. 22-21, approve Ordinance No. 22-13.

Action: Approve, Moved by Director Hamilton, Seconded by Director Moss.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Absent: Director Mack.

Mr. Kennedy explained RMWD will move to Level 2 when the District is notified it must take 5% less than the previous year. Director Moss pointed out when looking at the drought map, San Diego is one of the few counties that is not in a drought. Mr. Kennedy noted Sacramento will make the allocations, not Metropolitan Water District.

BOARD ACTION ITEMS

21. CONSIDER AWARD OF CONSTRUCTION CONTRACT IN THE AMOUNT OF \$839,850 WITH ORTIZ CORPORATION FOR THE RAINBOW WATER QUALITY IMPROVEMENT PROJECT - WATER MAIN AND SERVICE RELOCATION PROJECT IN DIVISION 5

Mr. Williams pointed out staff’s recommendation Option 1 contained numerous required legal items. He explained this is a construction project located in Division 5 on which the County of San Diego is going to be installing 3,400 linear feet of green infrastructure to improve the groundwater in that area. He noted the County’s project is impacting four district watermains and approximately twenty-one service laterals, all of which need to be relocated. He stated District staff prepared the plans, the project was put out to bid, and that two bids were received with Ortiz Corporation being deemed the lowest responsive and responsible bidder. He reported construction will start at the end of August should the Board move forward with this Construction Agreement and how the contractor has been given fifty days to construct the project.

Mr. Williams clarified the County’s project name is the “Rainbow Water Quality Improvement Project”; however, it is for groundwater within the Rainbow area.

President Hamilton inquired as to whether RMWD was incurring costs because the County wants to cut through RMWD’s mains and laterals. Mr. Williams confirmed noting since the County has prior rights in that area, all utilities must move at their sole expense. He pointed out when the County brings RMWD these projects in the past, they have expected the District to act immediately; however, the coordination processes have been since been improved to allow RMWD the opportunity to get funding, bidding, and design plans.

Director Stewart inquired as to whether RMWD has received any outside funding or would it come from the capital budget. Mr. Williams stated it was out of the capital budget.

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Motion:

To approve Option 1 – (1) Acting as a responsible agency for the Rainbow Water Quality Improvement Project, consider the MND prepared and dated May 4, 2021 and certified by the County of San Diego as lead agency for the project on June 9, 2021 (State Clearinghouse # 20171201061); certify that the Board has independently reviewed and considered the information contained in the MND and reached its own conclusions regarding the environmental effects of the County’s approvals related to the project as shown in the MND; adopt the mitigation and monitoring program of the County as applicable to RMWD’s activities as a responsible agency, finding that the mitigation monitoring program is adequately designed to ensure compliance with the mitigation measures during project implementation; and determine that the significant adverse impacts of the project have been reduced to below a level of significance, as outlined in the MWD, which findings and statement are adopted and incorporated herein by reference as applicable; (2) Authorize the filing of a Notice of Determination with the San Diego County Clerk in accordance with Section 21152 of the California Public Resources Code; (3) Approve the Construction Agreement with Ortiz Corporation in the amount of \$839,850; and (4) Authorize the General Manager to execute the construction contract.

Action: Approve, Moved by Director Moss, Seconded by Director Stewart.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Absent: Director Mack.

***22. DISCUSSION AND POSSIBLE ACTION TO AWARD A PROFESSIONAL SERVICES AGREEMENT FOR THE SAN LUIS REY IMPORTED RETURN FLOW RECOVERY PROJECT (DISTRICT WIDE)**

Mr. Kennedy stated this was an exciting project which was underway when he was first hired at RMWD that was of questionable quality. He explained since that time, other consultants have looked at this project with a little bit of a pause while RMWD was working through the Sustainable Groundwater Management Act with all the factors in the San Luis Rey and Pauma Valley trying to establish legal peace on the river for water rights. He pointed out one of the biggest challenges is that RMWD does not hold any water rights other than its imported return flow rights. He stated staff was hoping all the other rights within the area would get solidified; however, this never happened resulting in RMWD having to move independently without the benefit of another larger groundwater sustainability plan and project within the region.

Mr. Kennedy mentioned this matter has been discussed at length at the RMWD Engineering and Operations Committee meetings and that a Request for Proposal developed with a consultant familiar with this type of work has been put out. He explained the consultant will essentially revising the hydrogeologic model that West Yost built for RMWD that had some significant challenges or start over entirely as well as perform some additional hydrogeologic investigations on the nature of quality and volume of potential groundwater sources to include the area immediately surrounding RMWD’s headquarters, but also between the headquarters and Pala Reservation to find the most optimized placed from which to extract water of the highest quality without impacting the yield of the surrounding neighbors.

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Mr. Kennedy reported there were two proposers respond to RMWD both of which were interviewed and evaluated by a panel that included Mr. Nelson, Chairperson for the RMWD Engineering and Operations Committee. He noted the panel unanimously agreed Hoch Consulting was the preferred consulting team. He stated although the price was high, staff worked with Hoch Consulting to bring the costs down approximately 12% as well as additional “offramps” in the event fatal flaws are discovered prior to spending more money on the project.

Mr. Kennedy acknowledged this was a challenging process as well as more expensive than had been hoped; however, this team is currently active within the local area that RMWD would like to have help design its plan. He pointed out the high-quality work that will be produced with also assist with the neighboring tribes who will be reviewing the work as well as provide RMWD comfort against specious lawsuits that may find an easy win with a somewhat flawed analysis.

Mr. Kennedy concluded with noting this was an expensive analysis at approximately \$600,000 for the first phase, but if it is done correctly and RMWD can acquire some additional water rights that produces approximately 25%-50% of its water demands locally at the time it comes on board, it will be a tremendous accomplishment as opposed to having to rely on other wholesale water providers.

Mr. Williams pointed out the matter before the Board for consideration is for the Professional Services Agreement for an amount up to \$600,000 and how any additional costs will be brought to the Board for consideration. Discussion ensued.

Director Stewart recalled discussing this project when he was on the RMWD Board previously and how he believes this has stayed alive because it was worth looking into because some type of independent supply would be worth a great deal to the District as well as the area, especially agriculture. President Hamilton pointed out 20%-25% of RMWD’s annual consumption is agriculture which has been going down.

Mr. Kennedy expressed gratitude to Mr. Nelson as well as the engineering team members who assisted with this project.

Motion:

To approve Option 1 – Determine that the action defined herein does not constitute a “project” as specified by CEQA, approve the Professional Services Agreement with Hoch Consulting for a not to exceed amount of \$600,000, and authorize the General Manager to execute the Professional Services Agreement.

Action: Approve, Moved by Director Stewart, Seconded by Director Hamilton.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Absent: Director Mack.

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***23. DISCUSSION AND POSSIBLE ACTION ON REQUEST TO QUITCLAIM AN EASEMENT ON APN 126-050-72-00 AND APN 126-050-73-00 NEAR VIA PUERTA DEL SOL (DIVISION 2)**

Mr. Williams noted RMWD as contacted by the owners of two parcels on which RMWD has a 20' wide easement that crosses them. He pointed out as the owners are getting ready to build on the parcel and reviewing their title report, it was noticed the easement was labeled as a "proposed 20' wide private utility easement" which was reserved by RMWD for future water or fire protection. He stated per the owners' request, staff has field verified, pulled as-builts, and met with different departments to determine there are no facilities currently located or planned to be built on these parcels; therefore, staff was recommending RMWD quitclaim this easement back to them allowing them the ability to bid on that without the easement.

Director Moss stated she knew the property owners and had recommended they contact the District regarding this matter. She described the general location of these parcels.

Motion:

To accept Option 1 – Make a determination that the action defined herein does not constitute a "project" as defined by CEQA, authorize the General Manager to execute the Quitclaim Deeds associated with the easement which is no longer required by the District.

Action: Approve, Moved by Director Moss, Seconded by Director Hamilton.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Absent: Director Mack.

***24. DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. 22-15 – AMENDING AND UPDATING ADMINISTRATIVE CODE SECTION 1.02.020 – CONFLICT OF INTEREST**

Mr. Kennedy explained this was a housekeeping item to add the recently approved positions to the current Conflict of Interest Code.

Motion:

To approve Option 1 – Approve Ordinance No. 22-15 amending and updating Administrative Code Section 1.02.020.

Action: Approve, Moved by Director Stewart, Seconded by Director Hamilton.

Vote: Motion carried by unanimous roll call vote (summary: Ayes = 4).

Ayes: Director Gasca, Director Hamilton, Director Moss, Director Stewart.

Absent: Director Mack.

(*) - Asterisk indicates a report is attached.

25. BOARD MEMBER REQUESTS FOR AUTHORIZATION TO ATTEND UPCOMING MEETINGS / CONFERENCES / SEMINARS

Vice President Gasca stated he will mostly likely need to change his accommodations for the 2022 CSDA Annual Conference and only attend the luncheon. He also announced he will not be present at the August 30, 2022, Regular Board Meeting.

BOARD INFORMATION ITEMS

***26. RECEIVE AND FILE INFORMATION AND FINANCIAL ITEMS**

- A. General Manager Comments**
 - 1. Meetings, Conferences and Seminar Calendar
- B. Operations Comments**
 - 1. Operations Report
- C. Engineering Comments**
 - 1. Engineering Report
 - 2. As-Needed Services Expenditures Summary
 - 3. RMWD Sewer Equivalent Dwelling Units (EDU’s) Status
- D. Human Resource & Safety Comments**
 - 1. Human Resources Report
 - 2. Organizational Chart
- E. Finance Comments**
 - 1. Board Information Report
 - A.** Budget vs. Actuals
 - B.** Fund Balance & Developer Projections
 - C.** Treasury Report
 - D.** Five Year Water Purchases Demand Chart
 - E.** Water Sales Summary
 - F.** Check Register
 - G.** Directors’ Expenses Report
 - H.** Credit Card Breakdown
 - I.** RMWD Properties

Mr. Gutierrez reported District staff has completed all the meters associated with the Water Service Upgrade Project.

Mr. Kennedy talked about a recent leak located near a local school that caused some damage to a vehicle in the near vicinity.

The information and financial items were received and filed.

27. LIST OF SUGGESTED AGENDA ITEMS FOR THE NEXT REGULAR BOARD MEETING

It was noted a grant program update, data conference update, procurement code amendment to the Administrative Code, and a customer variance request should be on the next Board meeting agenda.

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28. ADJOURNMENT

The meeting was adjourned by Vice President Gasca to a regular meeting on August 30, 2022 at 1:00 p.m.

The meeting was adjourned at 2:32 p.m.

Hayden Hamilton, Board President

Dawn M. Washburn, Board Secretary

(*) - Asterisk indicates a report is attached.



Our Region's Trusted Water Leader
San Diego County Water Authority

SUMMARY OF FORMAL BOARD OF DIRECTORS' MEETING JULY 28, 2022

1. Boulder Canyon Project Scheduling Coordinator Services with the Western Area Power Administration.
The Board approved staff payments in the amount of \$165,230 and authorized the General Manager, or designee, to continue using Western Area Power Administration for Boulder Canyon Project Scheduling Coordinator Services in a not-to-exceed amount of \$200,000 for a period of five years.
2. Construction Contract with J.F. Shea Construction, Inc. for the Pipeline 5 Relining North Twin Oaks Valley Road to Crossover Pipeline Turnout Project.
The Board authorized the General Manager, or designee, to award a construction contract to J.F. Shea Construction, Inc., in the amount of \$16,850,000 for the Pipeline 5 Relining North Twin Oaks Valley Road to Crossover Pipeline Turnout project.
3. Monthly Treasurer's Report on Investments and Cash Flow.
The Board noted and filed the Treasurer's report.
4. A Resolution setting the time and date for a Public Hearing to consider amendments to the San Diego County Water Authority Local Conflict of Interest Code.
The Board adopted Resolution No. 2022-15 setting the August regular meeting of the Administrative and Finance Committee as the time and date of a public hearing to consider amendments to the San Diego County Water Authority Local Conflict of Interest Code.
5. Approve City of Oceanside Waiver Request for Late Fee on January, February and March 2022 Capacity Fee Charges.
The Board authorized the General Manager to waive City of Oceanside late fee for the January, February and March 2022 capacity fees amounting to \$4,753.92.
6. Resolution for Integrated Regional Water Management Proposition 1 Round 2 Implementation Grant.
The Board adopted Resolution No. 2022-16 authorizing the General Manager to apply for the Proposition 1, Round 2 Integrated Regional Water Management Implementation Grant for \$16,084,697, accept the grant funds that are awarded, and enter into contracts to distribute the funds to the project sponsors.
7. Closed Session: SDCWA v. MWD
The Board approved disbursement to the member agencies the \$411,888.36 payment of our attorney's fees and costs MWD paid for losing its appeal, all via the pro rata method used in prior MWD payments, as shown on the chart below and included with the Minutes.



Disbursement of MWD Litigation Proceeds (#4)

Member Agency	% Share (CY'11-CY'14)	Distribution
Carlsbad M.W.D.	3.81%	\$15,707.73
Del Mar, City of	0.24%	\$1,002.72
Escondido, City of	3.95%	\$16,281.24
Fallbrook P.U.D.	2.05%	\$8,441.37
Helix W.D.	6.42%	\$26,430.11
Lakeside W.D.	0.78%	\$3,230.26
Oceanside, City of	5.30%	\$21,826.36
Olivenhain M.W.D.	4.60%	\$18,929.55
Otay W.D.	7.13%	\$29,359.12
Padre Dam M.W.D.	2.61%	\$10,744.66
Pendleton Military Reserve	0.01%	\$46.02
Poway, City of	2.63%	\$10,840.85
Rainbow M.W.D.	3.03%	\$12,469.58
Ramona M.W.D.	1.34%	\$5,538.37
Rincon Del Diablo M.W.D.	1.42%	\$5,855.05
San Diego, City of	39.84%	\$164,077.49
San Dieguito W.D.	0.83%	\$3,415.88
Santa Fe I.D.	1.69%	\$6,949.60
Sweetwater Authority	1.97%	\$8,116.08
Vallecitos W.D.	3.58%	\$14,764.53
Valley Center M.W.D.	3.00%	\$12,368.30
Vista I.D.	3.54%	\$14,582.44
Yuima M.W.D.	0.22%	\$911.05
Total		\$411,888.36



8. Assembly Bill 361 Continued Determination Acknowledging the Governor of the State of California's Proclamation of a State of Emergency and of Remote Teleconference Meetings of the Legislative Bodies of San Diego County Water Authority due to the Emergency Pursuant to Brown Act Provisions.
 The Board approved the Governor's proclaimed State of Emergency, and approve continued remote teleconference meetings of the legislative bodies of San Diego County Water Authority due to the emergency pursuant to Brown Act after reconsidering the circumstances and finding that state or local officials continue to impose or recommend measures to promote social distancing.
9. Closed Session: Public Employee Performance Evaluation
 The Board approved a salary increase of 3% for the General Manager effective immediately and a 3% cost of living increase that other employees are receiving effective immediately.
10. Approval of Minutes.
 The Board approved the minutes of the Special Board of Directors' meeting of June 9, 2022, and the Formal Board of Directors' meeting of June 23, 2022.



TO: Rainbow Municipal Water District
FROM: Alfred Smith
DATE: August 30, 2022
RE: Attorney Report: Government Claims Act
501668-0002

I. INTRODUCTION.

This attorney report provides an update on a recent California Court of Appeal decision reaffirming that litigation threat letters should be treated as claims under the Government Claims Act. On June 28, 2022, California’s Fourth District Court of Appeal issued its decision in *Simms v. Bear Valley Community Healthcare District (2022) 2022 WL 2313164* (“*Simms*”), holding that a claimant petitioning for relief from California’s Government Claims Act presentation requirement may assert actual and timely claim presentment, and is not required to simultaneously file suit alleging compliance with claim requirements to preserve the issue.

In evaluating Simms’ allegation of actual compliance, the Court determined that the letter Simms sent to Bear Valley threatening litigation, despite being deficient in certain respects, constituted a timely claim, triggering Bear Valley’s statutory duty to notify Simms of the defects, or risk waiving its defenses as to the claim’s sufficiency. Because Simms’ letter constituted a timely claim, Simms did not need to seek relief from the claim presentation requirement and was permitted to file his complaint.

The Court of Appeal’s decision is an important reminder of the District’s need to correctly identify and timely respond to litigation threats/claims (even when defective), or risk suffering consequences, including the waiver of key defenses.

II. BACKGROUND.

Plaintiff Simms suffered injuries from a fall and sought treatment at a hospital operated by the Bear Valley Community Healthcare District (“Bear Valley”). Simms was dissatisfied with the care provided during his follow-up treatments and sent a letter to Bear Valley in May of 2018 threatening to “fil[e] a lawsuit for restitution” if, among other things, the hospital continued to provide inadequate care. He did not receive a response to his May 2018 letter and sent another letter in July of 2019 titled “90-Day Notice of Intent to Sue as required by California Code of Civil Procedure section 364.”

Bear Valley treated the July 2019 letter as a claim under the Government Claims Act and notified Simms that his claim was not timely presented, thereby rejecting the claim. Simms sought late claim relief from Bear Valley, which was denied, and then petitioned the Superior Court for relief from the claim presentation requirement. In his petition, Simms alternatively argued that he had actually timely complied with the claim presentation requirement when he sent Bear Valley his initial letter in May of 2018.

The Superior Court denied Simms' petition as untimely. Separately, the court found that Simms' earlier May 2018 letter did not qualify as a claim because it lacked the necessary information required by the Government Claims Act.

III. COURT'S ANALYSIS.

On appeal, the Fourth District Court of Appeal considered two issues:

(1) whether a petitioner seeking relief from the claim presentment requirement may alternatively argue timely claim presentment, or whether the claimant must concurrently file a civil action to allege timely compliance; and

(2) whether a letter threatening litigation that does not substantially comply with requirements for a government claim nonetheless constitutes a claim, thereby triggering a public entity's obligation to notify the claimant of any insufficiencies, or risk waiving its defenses as to the claim's sufficiency.

First, wading into a split in authority among the California Courts of Appeal, the *Simms* Court held that a claimant may assert actual compliance with claim requirements when seeking judicial relief from those requirements without concurrently filing suit alleging compliance.

For decades, California's District Courts of Appeal have remained split on the issue of whether a claimant must file a complaint concurrently with a petition for relief from the claim presentment requirement in order to preserve the issue of whether they presented a timely claim. The Sixth District Court of Appeal determined that filing a complaint was not necessary to preserve the issue, and that a claimant could raise the issue for the first time in a petition for relief from the claim presentation requirement. (*Santee v. Santa Clara County Office of Education* (1990) 220 Cal.App.3d 702).

On the other hand, the Second District Court of Appeal held that a claimant must always file a complaint alleging compliance with the claim presentation requirement, and simultaneously file a petition for relief from the requirement in order to preserve the issue. (*Ngo v. County of Los Angeles* (1989) 207 Cal.App.3d 946 (*Ngo*)).

Because this split in authority had not been addressed by the Fourth District, the *Simms* case provided the court with an opportunity to take sides. In rejecting

the *Ngo* approach requiring the pursuit of both a civil lawsuit and petition for relief, the *Simms* Court reasoned that requiring the simultaneous filing of a petition and a complaint unnecessarily multiplies the proceedings, particularly where the facts are undisputed. The *Simms* Court stated: “[W]here the analysis does not rest on disputed issues of fact better postponed for determination by a jury, ‘the issue of timely filing of a claim may be determined in a claim-relief proceeding.’” The *Simms* Court accordingly concluded:

“In so ruling, we take sides in a split of California appellate authority that has remained unresolved for decades. This split concerns whether petitioners seeking judicial relief from claim requirements under section 946.6 may assert that they did present the public entity with a timely claim, or whether that argument may be raised only by filing suit and alleging compliance with claim requirements. We see no sound reason why a petitioner should not be able to raise actual compliance in a section 946.6 petition, or why the adjudicating court should be precluded from deciding that a submitted claim was compliant if there are no disputed issues of fact that need to be left for a jury’s determination.”

Second, the *Simms* Court also concluded that where a claimant presents an insufficient claim, the claim should be treated as a “trigger-claim” requiring a public entity to notify the claimant of the insufficiencies, or risk waiving its defenses as to sufficiency of the claim.

The *Simms* Court ultimately determined that Simms’ initial letter in May 2018 to Bear Valley constituted a claim—albeit a defective one. The *Simms* Court stated: “A claim has been presented to the public entity when the public entity receives a document which contains the information required by Government Code section 910 and is signed by the claimant.” The information required by section 910 includes details of the occurrence, the amount of damages sought, and must also be addressed and delivered to the appropriate party.

The *Simms* Court found that Simms’ May 2018 letter complied in some respects with section 910, but did not substantially comply with all requirements. Nevertheless, because Simms’ letter detailed at some length what Simms perceived as inadequate medical treatment, defamatory statements by Bear Valley providers, and resulting injuries (even though unspecified), and definitively stated that litigation would ensue if Bear Valley did not address Simms’s complaints satisfactorily, the *Simms* Court held that the letter constituted a claim.

In reaching this conclusion, the court reasoned that the information provided “was more than enough to afford Bear Valley the opportunity to investigate and, if it desired, to settle the matter with Simms.” To the extent the claim was arguably defective, the court opined that it triggered Bear Valley’s statutory duty to notify Simms of its insufficiencies, and Bear Valley’s failure to timely do so resulted in a waiver of

defenses based on those insufficiencies. As a result, the Court held that Simms' May 2018 letter satisfied the Government Claims Act's presentment requirement, and Simms was allowed to proceed with filing a complaint against Bear Valley. The court concluded:

"We reverse the judgment, finding that Simms does not require relief from the claim presentation requirement because he in fact submitted a timely claim, and the trial court erred by ruling he had not done so. Although Simms's claim was deficient in certain respects, its submission triggered a statutory duty for Bear Valley to notify Simms of the defects, and the failure to notify him waived any defense as to the claim's sufficiency. As such, Simms should be permitted to file a complaint."

V. CONCLUSION.

The Court of Appeal decision is a cautionary tale. The *Simms* Court conclusion is a reminder that the District must carefully review correspondence to determine whether it may constitute a claim—even a defective one—so that the District can take the necessary actions to preserve available defenses. The *Simms* decision is a stark reminder of the steep price to pay, including the waiver of important defenses, for failing to correctly identify and timely respond to claims. The *Simms* Court conclusion states:

"In sum, the trial court erred by finding that Simms's May 2018 letter to Bear Valley did not constitute either a claim or a defective claim. We find that it was in fact a defective claim, triggering Bear Valley's duty to notify Simms of its insufficiencies. (§ 910.8.) By failing to do so, Bear Valley waived any defenses based on the claim's insufficiencies (§ 911), and the claim was deemed denied by statute (§ 912.4, subd. (a)). Simms has two years from the date his causes of action accrued to bring suit by filing a complaint, but that limitations period is tolled from January 10, 2020 (the date of the trial court's erroneous ruling) through the issuance of our remittitur in this appeal."

AES

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

NOTICE OF COMPLETION AND ACCEPTANCE OF RAPID AERIAL WATER SUPPLY (RAWS) AT THE PALA MESA TANK SITE (DIVISION 3)

BACKGROUND

While being beautiful and unique, living in the wildland-urban interface brings a genuine risk of wildfire, which under certain circumstances could deliver a severe economic blow to the District and its ratepayers. Wildfire is the primary natural hazard in our region, both in terms of potential severity and likelihood. Wildfires, unfortunately, are a natural part of California's landscape, in particular in San Diego County. Drought conditions, warmer spring and summer temperatures, and reduced snowpack have created a more prolonged and more intense fire season.

Rapid Aerial Water Supply (RAWS) was a collaborative project between North County Fire Protection District and Cal Fire San Diego Unit. The project included the installation of a five-thousand open-top steel tank, pilot control of inlet and drain valves, windsock, shore power, battery power, and solar power. A backup filing system consists of a float system that actuates an electronic butterfly valve. This tank provides access to aircrews of potable water, eliminating unnecessary time in looking for water sources. RAWS was the first of its kind in San Diego County and has been nominated for several awards. This project is located within Division 3.

DESCRIPTION

In May of 2021, the Board of Directors authorized the General Manager to execute a contract for installing the Heli-hydrant, otherwise known as RAWS, in the amount of \$149,728. All facilities have been constructed per plan with no change orders. Upon acceptance by the Board, RAWS will become a part of the District's assets and staff will take over the operation and maintenance of the tank. There is a one-year warranty period which will commence after the Boards acceptance. The Notice of Completion was presented to the Engineering and Operations Committee on August 3, 2022. The Committee unanimously recommended Option 1.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

One-Customers Service- - As the operator of the water system that provides fire suppression support for our customers through a network of pipelines and fire hydrants, the District plays an important role in the protection of life and property in our service area. With the ever-expanding range of fire season in our region, providing enhanced access to water for firefighting helicopters to protect the homes and properties of our customers is a crucial element of customer service.

Two-Asset Management-The RAWS will transform the way fires are fought in North San Diego County by Supplying a way to put water on fire sooner. Thus, reducing the negative impacts on life and property.

Four-Fiscal Responsibility-The RAWS will supply firefighters with an added asset that can be used to protect critical infrastructures like pump stations, lifts stations, and water tanks. This reduces the costs of replacing this critical infrastructure it is lost to fire.

ENVIRONMENTAL

In accordance with CEQA Statute Section 21080(b)(4) and CEQA Guidelines 15269(b)(c), the action before the Board is statutorily exempt from the California Environmental Quality Act (CEQA) as it is a "Specific action necessary to prevent or mitigate an emergency."

BOARD OPTIONS/FISCAL IMPACT

Acceptance of the RAWS project has no fiscal impact.

Option1

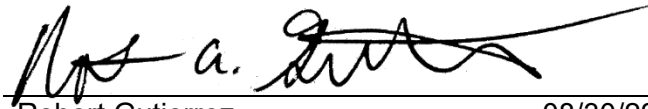
- Make a determination that the action defined herein is statutorily exempt from CEQA per Section 21080(b)(4) of the CEQA Statute.
- Accept the RAWS Project
- Approve filing the Notice of Completion
- Add installation costs to the Districts total valuation

Option2

- Provide other direction to staff

STAFF RECOMMENDATION

Staff recommends Option 1



Robert Gutierrez
Operations Manager

08/30/22

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE AND EXECUTE JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION COUNTY OF SAN DIEGO TRACT NO. 5354-4 (VTM5354R2, PDS2019-LDMJIP-50070, PA-5C) FOR CITRO DEVELOPMENT (DIVISION 4)

BACKGROUND

The Citro development, formerly Meadowood, on the border of the Rainbow Municipal Water District ("District") boundaries has been in process for several years. The development consists, generally, of 844 residences, that include some high-density homes. The Board approved an Out of Agency Service Agreement and an Annexation Agreement in April 2020 which committed the District to provide water and sewer service to the Citro development. On July 23, 2021 the Certificate of Completion for the "Meadowood Reorganization" Annexation to Rainbow Municipal Water District with Concurrent Detachment from Valley Center Municipal Water District LAFCO File No. RO20-10 et al. was recorded by the County of San Diego, completing the annexation of the Citro development into Rainbow Municipal Water District.

The Residential development is located immediately East of Horse Ranch Creek Road, East of I-15 and north of SR-76. Improvement Plans for the development, including Planning Area 5C, have been approved by the District. Tri Pointe Homes IE-SD, Inc., agreed to construct public improvements to serve the development per the "Joint Agreement to Improve Major Subdivision County of San Diego Tract 5354-4. (See "Exhibit 1")

DESCRIPTION

As part of the project, the developer (Tri Pointe Homes) will be constructing significant water and sewer infrastructure and paying capacity fees. In order to construct a subdivision in San Diego County, an agreement must be signed by the affected parties/agencies and the developer. Execution of this agreement falls under the purview of the Board of Directors.

This action is needed to formalize the standard County agreements for this type of development. Any delay could add a month to the final step necessary to complete the regulatory approvals of the project. This is a standard agreement that follows the County's joint template agreement for public works to be owned by the County and District and built by the developer.

The developer, Tri Point Homes has paid deposits totaling \$896,894.00 to cover costs incurred by the District for plan reviews, administration, and inspection. The Agreement states that no deposit will be made by the Owner with the execution of this Agreement because a sufficient deposit has already been made for the District's expected expenses.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Two: Asset Management. Construction of this project will add new customers to the District, ensuring long-term viability. The development will also help system looping within the distribution system, which aids in flexibility in operations and overall system water quality.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

There is no additional direct Fiscal Impact to this action. Board options include:

Option 1:

- Approve the Joint Agreement to Improve Major Subdivision County of San Diego Tract No. 5354-4 (VTM5354R2, PDS2019-LDMJIP-50070, PA-5C)
- Authorize the General Manager, Engineering and CIP Program Manager, and General Counsel to make appropriate adjustments to certain details contained in the agreement and then execute the agreement once adjustments, if any, are completed.
- Make a determination that the action before the Board does not constitute a “project” as defined by CEQA.

Option 2:

- Provide other direction to District staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering and CIP Program Manager

08/30/2022

**JOINT AGREEMENT TO IMPROVE MAJOR SUBDIVISION
COUNTY OF SAN DIEGO
TRACT NO. 5354-4
(VTM5354R2, PDS2019-LDMJIP-50070, PA-5C)
(Single District)**

This Joint Agreement ("Agreement") is made and entered into this ____ day of _____, 20____, between the County of San Diego, State of California ("County"), the Rainbow Municipal Water District ("District") and TRI POINTE HOMES IE-SD, INC. (FORMERLY KNOWN AS PARDEE HOMES), A CALIFORNIA CORPORATION ("Owner"),
water

WITNESSETH:

WHEREAS, in the near future, Owner will file with the Board of Supervisors of the County ("Board") a Final Map of Subdivision of County of San Diego Tract No. 5354-4, ("Final Map") for the Board's approval and for recording; and

WHEREAS, pursuant to Section 66462 of the Subdivision Map Act and Section 81.407 of the San Diego County Code, the Board requires Owner to make or agree to make certain subdivision improvements; **NOW, THEREFORE**,

FIRST: IMPROVEMENTS. Owner agrees at its own cost and expense to furnish all the labor, equipment and material to perform and complete, and within 730 days from the date of the approval of the Final Map by the Board to perform and complete, in a good, workmanlike manner, according to the plans and specifications referred to below, the following improvements:

1. The improvements within the subdivision as shown on the attached plans and specifications as Exhibit 1 and incorporated into this Agreement by reference, together with the improvements specifically designated by the plans and specifications to be improved.

2. The improvement of the sewer and/or water facilities ("Facilities") as shown on the attached plans and specifications as Exhibit 1 and incorporated into this Agreement by reference. These improvements shall be constructed subject to the following additional terms and conditions:

(a) Owner shall convey to District easements covering the property in which the Facilities are located, in all instances where the Facilities are not located in a dedicated street. Owner's engineer shall provide a legal description and an 8½" X 14" plat of easement for approval by District. The plat shall be a reproducible transparency with the appropriate District's title block and fully locate and describe the easement. The

standard easement processing fee and costs of a policy of title insurance insuring title to the easement in the District shall be paid by Owner.

(b) Owner shall pay District separately on demand the full amount of costs incurred by the District in connection with the work, including plan checking, inspection, materials furnished, and all other expenses of each District directly attributable to the work, plus a reasonable amount for overhead in connection therewith. Owner shall deposit with the District concurrently with the execution of this Agreement the following sums being the estimated amounts of each District's expenses: District - \$ N/A. Should the expenses incurred by District exceed said deposit, Owner shall pay the amount of such excess to the District on demand. Should the District's expenses be less than the amount deposited, the difference shall be refunded upon completion of the work and its acceptance by the District.

(c) Owner shall obtain at its expense, all necessary permits required by County, State or other public agency in connection with the construction of the Facilities.

(d) The Facilities shall be operated by the District to whom they are dedicated in accordance with the rules and regulation of that District. Service connection fees and meter costs are not included in the estimated cost of facilities set forth in the Second Paragraph, but shall be an additional sum paid by Owner in accordance with the District's rate schedule as it from time to time exists.

3. The setting by a licensed surveyor or engineer of all monuments and stakes not installed on the date of recording of the Final Map, and the setting of all previously installed monuments and stakes that were removed, altered or destroyed prior to completion of the improvements and their acceptance by the Board and District, within 30 days of acceptance. Owner hereby further agrees to pay the engineer or surveyor for setting the monuments, and to secure the obligation to pay the engineer or surveyor by providing security for faithful performance, as set forth in the section herein entitled "Amounts of Security", subject to the following:

(a) Notice of Setting. Pursuant to Section 66497 of the Subdivision Map Act, within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to Owner and County's Director of Public Works ("Director") that final monuments have been set.

(b) Payment of Engineer. Upon payment to the engineer or surveyor for setting the final monuments, Owner shall present to Director evidence of such payment and receipt thereof by the engineer or surveyor. In this event, Owner's security obligations conditioned on payment to the

engineer or surveyor, as required by this Paragraph, shall terminate. Where a cash deposit is given by Owner as security for faithful performance, the Clerk of the Board of County may pay the engineer or surveyor for setting the final monuments from the cash deposit if so directed by Director upon the request of Owner.

(c) Nonpayment. If Owner does not present evidence to Director that he has paid the engineer or surveyor for setting the final monuments, and if the engineer or surveyor notifies Director that he has not been paid by Owner for setting the final monuments, County may, within three months from the date of said notification, pay the engineer or surveyor the amount due from any deposit.

(d) Death or Disability of Engineer. Pursuant to Section 66498 of the Subdivision Map Act, in the event of death, disability or retirement from practice of the engineer or surveyor charged with the responsibility for setting monuments, or in the event of his or her refusal to set such monuments, County may direct Director, or such engineer or surveyor as it may select, to set the monuments. If the original engineer or surveyor is replaced by another, the former may, by letter to Director, release his or her right to set the final monuments to the substitute surveyor or engineer. When the monuments are so set, the substitute engineer shall amend any Final Map in accordance with the correction and amendment provisions of Sections 66469 through 66472 of the Subdivision Map Act. All provisions of this Agreement relating to payment shall apply to the service performed by the substitute engineer or surveyor.

4. (___) If preceding blank is checked, erosion control work as shown on the attached plans and specifications as Exhibit 2 and incorporated into this Agreement by reference, is subject to the following:

(a) The tops of all slopes shall be diked to prevent water from flowing over the edge of the slope.

(b) All driveways shall be paved not later than October 1, where their slopes exceed two percent (2%).

(c) As soon as grading is completed, but not later than October 1, the entire area not to be paved immediately will be treated with two to four tons per acre straw mulch, 50 lbs. per acre annual rye grass seed or equivalent as determined by the Director at the time of planting, and 100 lbs. per acre actual nitrogen and phosphate (ammonia phosphate 16-20-0). The mulch shall be tacked in place with a sheepsfoot roller and lightly irrigated. On cut and fill slopes, jute matting shall be installed over the mulch to hold it in place and cutting from small leaf ice plants, or approved

equivalent ground cover, shall be planted with spacing approved by Director prior to October 15.

(d) An irrigation system shall be installed in accordance with County's standard drawings for irrigation systems and approved by Director not later than May 15 following the planting of the slopes.

(e) Sandbags shall be placed in gutters as approved by Director.

(f) Catch basins, stilling basins and storm drain system as approved by Director shall be installed.

(g) Owner shall maintain the plantings and erosion control measures described herein until release from such obligation by Director. Owner shall pick up and replace on the slopes all sand intercepted by the sandbags, catch basins and stilling basins after each runoff-producing rainfall.

(h) For purposes of providing for the performance of emergency erosion control work that Director, in his or her sole discretion, deems necessary, Owner shall deposit with Director, the sum of \$ N/A, which sum is independent of any other improvement security required by the terms of this Agreement.

5. Incomplete Offsite Street and Utility Improvements.

(a) In the event this unit or subsequent units of this project require access across streets that have not been improved and accepted into the public maintained road system, and to the extent additional sewer and water facilities to serve this unit or subsequent units are required, Owner agrees to complete said improvements to the satisfaction of Director and, where appropriate, each District prior to requesting acceptance of the improvements secured under this Agreement.

(b) Owner agrees that its obligation under this Agreement shall continue in the event of a transfer or sale of this unit or subsequent units to a person or persons who are not parties to this Agreement.

SECOND: INSPECTION, ACCEPTANCE AND COST ESTIMATE. Owner agrees that the work and improvements required in the First Paragraph, subparagraph 2, above shall be done subject to inspection by and to the satisfaction of the District to whom the improvements will be dedicated, and the improvements shall not be deemed completed until approved and accepted as completed by the accepting District. Owner agrees that all other work and improvements required in the First Paragraph shall be done subject to inspection by and to satisfaction of Director and the improvements shall not be deemed completed until approved and accepted as completed by the Board.

District and Director shall be allowed to inspect their respective facilities during all stages of the construction. District and Director shall be notified a minimum of forty-eight (48) hours prior to the commencement of construction of their respective facilities. The estimated costs of the work and improvements specified in the First Paragraph are itemized as follows:

Improvements of the Streets and/or Easements	\$ 3,973,200
Improvements of the Sewer Facilities	\$ 936,100
Improvements of the Water Facilities	\$ 1,386,100
Setting of Monuments	\$ 32,000
Erosion Control Work, if any	\$ NA
Total Estimated Amount	\$ 6,327,400

Owner agrees that its obligation under this Agreement extends to the completion of the designated improvements, and that this obligation is not limited by the amount of these cost estimates. Owner further agrees that these cost estimates are estimates only and are not intended to constitute liquidated damages.

THIRD: PARK LAND AND FEES. (____) If the preceding blank is checked, dedication of land or payment of fees for park or recreational purposes is required for this project. Section 66477 of the Subdivision Map Act and Section 810.103 of the San Diego County Code required the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes. Owner hereby agrees to dedicate land and/or pay County the sum of \$NA in satisfaction of these requirements.

If land is to be dedicated, pursuant to Section 810.107(b) of the San Diego County Code, Owner agrees to offer the land for dedication prior to the approval of the Final Map by the Board.

If fees alone are to be paid, or fees are to be paid in combination with the dedication of land, pursuant to Section 810.107 (a) and (c) of the San Diego County Code, Owner agrees to pay the full amount specified above prior to the issuance of any building permit or prior to the date upon which all subdivision improvements are to be completed, whichever occurs first. Owner further agrees to secure the obligation to pay the amount required by this Paragraph, by providing security for faithful performance, as set forth in the section herein entitled "Amounts of Security" below, at the time of submitting this Agreement and Final Map for approval by the Board.

FOURTH: DRAINAGE FEES. (____) If the preceding blank is checked, drainage fees are required for this project. Government Code Section 66483 and Section 810.208 of the San Diego County Code require the payment of drainage fees. Owner agrees to pay drainage fees to County in the amount of \$N/A in satisfaction of these requirements. Owner agrees to pay the full amount specified prior to approval of the Final Map if a reimbursement agreement exists for the Local Drainage Area. If no reimbursement agreement exists, Owner agrees to pay the fees prior to the earliest of the following:

- (a) the date of issuance of any building permit except building permits for model houses;
- (b) the date all subdivision improvements are completed and accepted by County;
- (c) the date construction commences of any portion of a master planned flood control facility within the Local Drainage Area;
- (d) the date of execution of a reimbursement agreement for facilities constructed within the Local Drainage Area.

Owner further agrees to secure the obligation to pay the amount required by this paragraph, by providing security for faithful performance, as set forth in the section herein entitled "Amounts of Security" below, at the time of submitting this Agreement and Final Map for approval by the Board.

FIFTH: TAX AND ASSESSMENT LIENS. Section 66493 of the Subdivision Map Act requires Owner to post security whenever any part of the subdivision is subject to a lien for taxes or special assessments collected as taxes that are not yet payable. Owner hereby agrees to pay, or causes to be paid, when due, all State, County, municipal and local taxes, and the current installment of principal and interest of all special assessments collected as taxes which at the time the Final Map is recorded are a lien against such subdivision, or any part thereof, but which are not yet payable. Owner further agrees to secure the obligation to pay such taxes and assessment liens by providing security for faithful performance, as set forth in the section herein entitled "Amounts of Security", at the time of submitting this Agreement and Final Map for approval by the Board.

In accordance with Section 81.104 of the San Diego County Code, whenever security pursuant to this Paragraph is filed with the Board, the Clerk of the Board, upon written notification by the Tax Collector that the total amount of such taxes or special assessments has been paid in full, may release the security.

In the event that the taxes or special assessments are allowed to become delinquent, pursuant to Section 66494 of the Subdivision Map Act, the Clerk of the

Board shall apply the proceeds of the security required by this Paragraph to the payment of any such taxes or special assessments, including penalties and costs.

SIXTH: OWNER'S LIABILITY FOR DAMAGES. County, District, and their respective officers or employees shall not be liable or responsible for any accident, loss or damage happening or occurring to the work or improvements specified in this Agreement prior to their completion and acceptance. Nor shall County, District, or their respective officers or employees be liable for any person or property injured by reason of the work or improvements. All of the aforesaid liability shall be assumed by Owner. Owner further agrees to protect County, District, and their respective officers and employees from all liability or claim because of, or arising out of, the use of any patent or patented article in conjunction with the construction of the improvements required by this Agreement.

SEVENTH: OWNER'S LIABILITY FOR EXPENSES. County, District, and their officers or employees shall not be liable for any portion of the expense of the work or improvements specified in this Agreement, or for the payment for any labor or materials furnished in connection with such work or improvements.

EIGHTH: OWNER'S DUTY TO PROTECT PUBLIC. At all times from the acceptance by County and Districts of the streets and/or easements offered for dedication in this subdivision up to the completion and acceptance of the improvements by the District and the Board, Owner will give good and adequate warning to the public of each and every dangerous condition existing on the property being improved, and will protect the public from any and all such defective or dangerous conditions. It is understood and agreed that, until completion of all improvements to be performed under this Agreement, those improvements to be located in the streets and/or easements not accepted as improved shall be under the charge of Owner for the purposes of this Agreement, and Owner, upon receipt of a street closure permit issued by Director, may close all or any portion of any specified street whenever it is necessary to protect the traveling public during the construction of improvements required by this Agreement. Owner further agrees to pay for the inspection of streets and/or easements as may be required by Director and District.

NINTH: TYPES OF IMPROVEMENT SECURITY. Pursuant to Sections 66462 and 66499 of the Subdivision Map Act, it is further agreed that Owner shall file a security with the District and the Clerk of the Board at the time of submitting this Agreement and Final Map for approval by the Board. The security shall consist of one of the following types:

1. Bond or bonds by one or more duly authorized corporate sureties;
2. A deposit with the District and the Clerk of the Board of money or negotiable bonds of the kind approved for securing deposits of public moneys;

3. An instrument of credit from one or more financial institutions subject to regulation by the state or federal government and pledging that the funds necessary to carry out the obligations of this Agreement are on deposit and guaranteed for payment; or

4. An irrevocable standby letter of credit from one or more financial institutions subject to regulation by the state or federal government.

TENTH: SECURITY. Security shall be in the following amounts and shall fulfill the following purposes:

1. Security for Faithful Performance. Security shall be provided to ensure the faithful performance of all acts and improvements required by this Agreement in amounts not less than one-hundred percent (100%) of the total estimated costs of the improvements or of the acts to be performed as set forth in the Second Paragraph, more specifically described as follows:

Work and Improvements	\$ 6,327,400
Park Land and/or Dedication Fees	\$ N/A
Drainage Fees	\$ N/A
Tax and Assessment Liens	\$ by separate instrument
Total Estimated Amount	\$ 6,327,400

(a) Owner's Failure to Perform. In the event Owner fails to complete the acts, improvements, or contractual obligations specified herein within the time and upon the terms and conditions of this Agreement, County or District may jointly or severally and independently pursue any or all of the following remedies:

(1) Cause such portions of the work to be done and take such protective measures as are deemed necessary to complete the work. Accordingly, Owner agrees that County, District, or their agents, employees or representatives may enter upon Owner's property to effect the appropriate work and necessary measures.

(2) Apply the security for faithful performance, or any balance thereof, to the construction or completion of the work or installation of improvements or the satisfying of any contractual obligation remaining pursuant to this Agreement.

(3) Pursue legal remedies in any court of competent jurisdiction for damages not covered by the security or to seek specific performance of the terms and conditions of this Agreement.

(b) Release of Security

(1) Completion of Work and Improvements Specified in the First Paragraph. Pursuant to Section 81.408 of the San Diego County Code, in the event that the work and improvements specified in the First Paragraph are completed within the time and upon the terms and conditions of this Agreement, Owner is entitled to a release of the security in a sum equal to ninety-five percent (95%) of the value of such security originally pledged, less previous payments advanced.

(2) Partial Completion of Work and Improvements Specified in the First Paragraph. Pursuant to Section 66499.7 of Subdivision Map Act and upon the partial performance of the work as it progresses, Owner may be entitled to partial releases of the security for work and improvements specified in the First Paragraph. However, no reduction in such security will be authorized (1) where Director or District determine that more than fifty percent (50%) of the amount of work remains to be completed; (2) where the reduction results in a remaining security of less than 5 percent (5%) of the original security; or (3) where there has been twice previously processed partial releases of such security in conjunction with this Agreement.

No reduction in security for the work and improvements specified in the First Paragraph will apply to the required warranty period described below, to the five percent (5%) determined necessary for such warranty, or to costs, fees, and reasonable expenses, including attorney's fees.

(3) Completion of Acts Not Involving Work and Improvements Specified in the First Paragraph. Owner is entitled to a release of one-hundred percent (100%) of the security posted for performance of acts or contractual obligations that do not involve the performance of the work and improvements specified in the First Paragraph upon completion of such acts and/or contractual obligations.

(c) Any release of security related to an improvement or obligation subject to the approval by an agency other than County shall be subject to Section 66499.8 of the Subdivision Map Act.

2. Security for Payment. Good and sufficient security in an amount not less than fifty percent (50%) of the estimated costs specified in the Second Paragraph of the work and improvements required in the First Paragraph, securing payment to contractors, subcontractors, and persons renting equipment or furnishing labor or materials to the contractors or subcontractors for the improvements. This security shall inure to the benefit of any and all person, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this security.

This security for shall, after passage of the time within which claims of lien are required to be recorded pursuant to Article 3 (commencing with Section 8410) of Chapter 4 of Title 2 of Part 6 of Division 4 of the Civil Code and after acceptance of the work by County and District, be reduced to an amount not less than the total claimed by all claimants for whom claims of lien have been recorded and notice thereof given in writing to County and District, and if no such claims have been recorded, the security may be released in full.

3. Warranty. A one (1) year warranty of the work and improvements specified in the First Paragraph secured by continuing in effect for a period of one (1) year five percent (5%) of the security for faithful performance for such work and improvements by County and District. Pursuant to this warranty, Owner, at its sole expense, agrees to repair or replace any and all work required under this Agreement that may prove defective in workmanship and/or materials, together with any other work that may be affected by this repair, within a one (1) year period from the date of acceptance of the work and improvements by County and District. Work necessitated, however, by ordinary wear and tear, or unusual abuse or neglect, shall not be included in this warranty.

Director or District shall give Owner notice of the existence of such defects in their respective facilities with reasonable promptness. Owner shall notify Director or District upon completion of such repairs. Should Owner fail to comply with County or District request for repairs within one (1) week of receiving the written notification, County or District is authorized to have the defects repaired and made good at the expense of Owner who hereby agrees to pay the cost for such work immediately upon demand. In an emergency, County or District may repair any defect in their respective facilities without prior notification to Owner. A County or District decision to repair defects in no way relieves Owner of the warranties given in this provision.

ELEVENTH: CHANGES. Upon consent by Owner, County or District may make changes, alterations, or additions to the plans and specifications for the work and improvements of their respective facilities specified in the First Paragraph that do not exceed ten percent (10%) of the original estimated cost of the work and improvements and that Director or District determines to be necessary and desirable for the proper

completion of their respective facilities. No changes, alterations, or additions shall relieve any security obligations given for the faithful performance of this Agreement.

TWELFTH: EXTENSION OF TIME. It is further agreed by and between the parties that in the event it is deemed necessary to extend the time of completion of the work and improvements contemplated under this Agreement, said extension may be granted by the Board or District upon Owner's request, by the Board unilaterally, or by District with the Board's approval, and shall in no way affect the validity of this Agreement or release any security obligations given for the faithful performance of this Agreement.

THIRTEENTH: COSTS OF ENFORCING JUDGMENT. As part of the security given for the faithful performance of this Agreement and in addition to the face amount specified therefor, there shall be included costs and reasonable fees, including reasonable attorney's fees, incurred by County or District in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

FOURTEENTH: EXERCISE OF RIGHTS BY DISTRICT OR COUNTY. Whenever in this Agreement reference are made to the rights of "County and/or District" or to "County or District" and the exercise of rights, the parties hereto agree that such rights may be exercised by County or District (1), jointly, or (2) severally and individually with County or District acting independently of one another.

FIFTEENTH: GOVERNING LAW, VENUE, AND JURISDICTION. This Agreement shall be governed, interpreted, construed and enforced in accordance with the laws of the State of California without regard to choice of law principles. Venue for any disputes shall be brought only in the state or federal courts located in San Diego County, California. Owner consents to personal jurisdiction in such courts and hereby waives any defense of lack of personal jurisdiction.

WHEREOF the parties have caused this Agreement to be executed the date first above written.

COUNTY OF SAN DIEGO

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By: _____
Clerk, Board of Supervisors

By:  _____
SENIOR DEPUTY

RAINBOW MUNICIPAL WATER DISTRICT

By: _____
Printed Name
Printed Title

OWNER

TRI POINTE HOMES IE-SD, INC. (FORMERLY KNOWN AS PARDEE HOMES), A CALIFORNIA CORPORATION

By: _____
Jimmy Ayala, Division President-San Diego

Notes: (1) Signatures must be acknowledged; and,
(2) Appropriate security must be attached.

**JOINT IMPROVEMENT SECURITY AGREEMENT
FAITHFUL PERFORMANCE BOND
(TM 5354-4, PDS2019-LDMJIP-50070, PA-5C)**

WHEREAS, the Board of Supervisors of the County of San Diego, State of California, the Rainbow Municipal Water District ("District"), and TRI POINTE HOMES IE-SD, INC. (FORMERLY KNOWN AS PARDEE HOMES), A CALIFORNIA CORPORATION ("Owner") have entered into the attached agreement whereby Owner agrees to perform certain acts and construct certain designated public improvements in connection with the approval of the subdivision **County of San Diego Tract No. 5354-4**, which said agreement, identified as "Joint Agreement to Improve Major Subdivision County of San Diego Tract No. 5354-4" ("Joint Agreement to Improve") is hereby incorporated into this surety bond by reference; and

WHEREAS, Owner is required under the terms of the Joint Agreement to Improve to furnish security in accordance with Section 66499 of the Subdivision Map Act.

NOW, THEREFORE, Owner and Philadelphia Indemnity Insurance Company, organized and existing under the laws of the State of Pennsylvania, and authorized to act as surety in the State of California, are held and firmly bound unto the County of San Diego ("County") and the District in the penal sum of **Six Million Three Hundred Twenty Seven Thousand Four Hundred Dollars and No/100 (\$ 6,327,400.00)** lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bounded Owner, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the Joint Agreement to Improve and any alteration thereof made as herein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless County and the District, its officers, agents and employees of each, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect, subject to the following:

1. As the work required under the Joint Agreement to Improve proceeds, Owner may submit written requests to the Director of Public Works of the County (hereinafter referred to as Director) and the District for a reduction in the penal amount of this surety bond. If the Director and the District are satisfied that the amount of the surety bond may be reduced, then, upon inspecting the work performed and verifying the percentage and value of the work remaining to be completed, the Director and the District may authorize the reduction, subject to the restrictions in the section entitled "Amounts of Security" of the Joint Agreement to Improve.

When the Director and the District approve a reduction in the surety bond, they shall notify Owner in writing of the acceptable amount of reduction. When substitute security in the reduced amount has been approved by the legal counsels for the County and the District, the Clerk of the Board of Supervisors and the Clerk for the District are authorized to return the original security to the surety.

2. In the event that performance is not completed with the time period specified in the Joint Agreement to Improve, or within any time extension granted pursuant to the terms of the Joint Agreement to Improve, then, upon receipt of notification and demand by the Director of the District, the surety may promptly remedy the default, or shall promptly:

a. Complete the Joint Agreement to Improve in accordance with its terms and conditions, or

b. Pay such portion of the proceeds of the surety bond to County and the District as they jointly determine is necessary to complete the required performance and to reimburse each for reasonable costs incident thereto. Any proceeds of the surety bond remaining after completion of performance and reimbursement of actual County and District costs shall be refunded to the surety.

3. In the event that the performance required under the Joint Agreement to Improve is completed and accepted by the Board of Supervisors, pursuant to Section 81.408 of the San Diego County Code and the District, Owner is entitled to a 95% reduction in the penal amount of the original surety bond shall continue in effect for one year following completion and acceptance of the required performance in order to secure the warranty. Security for the remaining five percent (5%) of the original surety bond shall continue in effect for one year following completion and acceptance of the required performance in order to secure the warranty.

4. As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by County or District in successfully enforcing such obligation, all to be taxed as costs and included in any judgement rendered.

5. Surety hereby stipulates and agrees that no change, extension of time, alternation or addition to the terms of the Joint Agreement to Improve or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations under this surety bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Joint Agreement to Improve or to the work or to the specifications.

6. Surety hereby agrees to bind itself to, and to perform in strict accordance with, the provisions of this surety bond and the provisions of the Joint Agreement to Improve which pertain to security and security obligations.

7. The parties acknowledge that the Joint Agreement to Improve is appended to this surety bond.

IN WITNESS WHEREOF, this instrument has been duly executed by Owner and surety above named, on _____, 202__.

OWNER

TRI POINTE HOMES IE-SD, INC. (FORMERLY KNOWN AS PARDEE HOMES), A CALIFORNIA CORPORATION

By: _____
David Stearn, Vice President-San Diego

Philadelphia Indemnity Insurance Company

One Bala Plaza, Suite 100,
Bala Cynwyd, PA 19004 - 1403.

Surety Name and Address

Attorney-in-Fact

Notes: (1) Acknowledgement of execution by Principals and surety must be attached.
(2) Bonds must be attached to the Joint Agreement to Improve with its attached plans and specifications.

**JOINT IMPROVEMENT SECURITY AGREEMENT
LABOR AND MATERIAL BOND
(TM 5354-4, PDS2019-LDMJIP-50070, PA-5C)**

WHEREAS, the Board of Supervisors of the County of San Diego, State of California, the Rainbow Municipal Water District, ("District") and TRI POINTE HOMES IE-SD, INC. (FORMERLY KNOWN AS PARDEE HOMES), A CALIFORNIA CORPORATION ("Owner") have entered into the attached agreement whereby Owner agrees to perform certain acts and construct certain designated public improvements in connection with the approval of the subdivision **County of San Diego Tract No. 5354-4**, which said agreement, identified as "Joint Agreement to Improve Major Subdivision County of San Diego Tract No. 5354-4" ("Joint Agreement to Improve") is hereby incorporated into this surety bond by reference; and

WHEREAS, under the terms of the Joint Agreement to Improve, Owner is required before entering upon the performance of the work, to file a good and sufficient payment bond with the County of San Diego ("County") and the District to secure the claims to which reference is made in Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code of the State of California.

NOW, THEREFORE, Owner and Philadelphia Indemnity Insurance Company, organized and existing under the laws of the State of Pennsylvania, and authorized to act as surety in the State of California, are held firmly bound unto the County, District, and all contractors, subcontractors, laborers, materialmen and other persons employed in the performance of the Joint Agreement to Improve and referred to in the aforesaid Civil Code in the sum of **Three Million One Hundred Sixty Three Thousand Seven Hundred Dollars and No/100 (\$ 3,163,700.00)**, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees incurred by County or District in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed and costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all person, companies and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect, subject to the following:

1. Six months after completion and acceptance of the work by the Board of Supervisors, and the District, when no claim of lien and no suit has been filed within the time for filing claims of liens to enforce a claim, the Clerk of the Board of Supervisors is authorized to return this surety bond to Owner, provided, however, the written consent of Owner, Director of Public Works of County, the District and the Contractor shall first be obtained. The Director of Public Works shall furnish written consent only upon certification from the title company that there are no claims of liens or suits filed to enforce a claim of lien or record.

2. The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Joint Agreement to Improve or to the work be performed thereunder or to the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change, extension, alteration or addition to the terms of the Joint Agreement to Improve or to the work or to the specification.

3. Surety hereby agrees to bind itself to, and to perform in strict accordance with, the provisions of this surety bond and the provisions of the Joint Agreement to Improve which pertain to security and security obligation.

4. The parties acknowledge that the Joint Agreement to Improve is appended to this surety bonds.

IN WITNESS WHEREOF, this instrument has been duly executed by the principal and surety above named on, _____, 202 .

OWNER

TRI POINTE HOMES IE-SD, INC. (FORMERLY KNOWN AS PARDEE HOMES), A CALIFORNIA CORPORATION

By: _____
David Stearn, Vice President-San Diego

Philadelphia Indemnity Insurance Company
One Bala Plaza, Suite 100,
Bala Cynwyd, PA 19004 - 1403.

Surety Name and Address

Attorney-in-Fact

- Notes: (1) Acknowledgments of execution by Principals and Surety must be attached;
and
(2) Bond must be attached to the Joint Agreement to Improve with its attached plans and specifications.

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

CONSENT TO THE OMISSION OF SIGNATURES FROM THE FINAL MAP FOR COUNTY OF SAN DIEGO TRACT NO. 5354-4, AND MAKE A FINDING THAT THE FINAL MAP WILL NOT UNREASONABLY INTERFERE WITH THE FREE AND COMPLETE EXERCISE OF THE DISTRICT'S EASEMENTS (DIVISION 4)

BACKGROUND

The Citro development on the border of the Rainbow Municipal Water District ("District") boundaries has been in process for several years. The development consists, generally, of 844 residences which include some high-density homes. The annexation of the Citro development, formerly Meadowood, was finalized and recorded with the County of San Diego in July 2021. The residential development is located immediately East of Horse Ranch Creek Road, East of I-15 and north of SR-76. Water and sewer improvements are currently under construction. A similar item regarding the consent to the Omission of Signatures from this final map was brought to the Board for approval in June. However, the boundary of the proposed Final Map has changed and thus requires approval from the Board with regard to a different easement.

The District is the holder of an easement within the boundaries of Tract No. 5354-4 which was dedicated per document recorded November 26, 1979 as Instrument No. 79-494163. A portion of this easement was quitclaimed per document recorded September 28, 2021 as Instrument No. 2021-0634556. The current Map, No. 16444, created large master parcels along Meadowood Street, Valencia Point, Ponderosa Place, and Orchard Trails. The proposed Final Map for Tract No. 5354-4 will split the master parcels into individual residential lots. The remainder easement granted to the District per Instrument 79-494163 is present on the proposed Final Map for Tract No. 5354-4 and an additional easement to benefit the District is proposed to be granted and accepted on the Final Map.

DESCRIPTION

According to the Subdivision Map Act, a tentative and final map shall be required for all subdivisions creating five or more parcels, five or more condominiums as defined in section 783 of the Civil Code, a community apartment project containing five or more parcels, or for the conversion of a dwelling to a stock cooperative containing five or more dwelling units, except where exclusions apply. According to section 66436, "A statement, signed and acknowledged by all parties having any record title interest in the subdivided real property, consenting to the preparation and recordation of the final map is required." However, "if the legislative body determines that division and development of the property in the manner set forth on the approved tentative map will not unreasonably interfere with the free and complete exercise of the public entity or public utility right-of-way or easement, the signature of the public entity or public utility may be omitted."

The proposed signature omission letter would state that recording the Final Map will not unreasonably interfere with the free and complete exercise of the District's Easements. This finding by the Board would allow the Final Map to be recorded without the signature and acknowledgement by the District on the Final Map itself. District staff and legal counsel have reviewed the matter and determined that approving the signature omission letter will not degrade the District's rights in any way.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Two: Asset Management. The District must provide the correct documentation at the outset of development to ensure that easements and rights-of-way are in place to operate and maintain infrastructure that is to be accepted by the Board.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a "project" as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

The action before the Board does not present any fiscal impacts.

Option 1:

- Make a determination that the action defined herein does not constitute a "project" as defined by CEQA.
- Consent to the omission of signatures from the Final Map for Tract No. 5354-4.
- Make a finding that the same Final Map will not unreasonably interfere with the free and complete exercise of any easements held by Rainbow Municipal Water District within the boundaries of the map.
- Authorize the General Manager to send a letter acknowledging the finding to the County of San Diego.

Option 2:

- Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering & CIP Program Manager

08/30/2022

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE A CONTRACT CHANGE ORDER WITH HOCH CONSULTING FOR DESIGN OF THE HUTTON & TURNER PUMP STATIONS IN THE AMOUNT OF \$299,061 & EXTEND THE CONTRACT THROUGH FEBRUARY 24, 2023 (DIVISION 1)

BACKGROUND

The Hutton, Turner, and Gopher Canyon tanks and associated pressure zones regularly receive water from San Diego County Water Authority (SDCWA) connections 3, 6, and 11. The SDCWA aqueduct is shutdown at least once per year for inspection and maintenance, which impacts the District's water supply. During these shutdowns, the District must rent, install and operate temporary pump stations in up to four strategic locations to pump water to its tanks. Rental pumps take about two to three weeks for delivery, setup and testing for water quality results and often times have to be placed alongside a road or home, which creates noise concerns. In addition to the scheduled SDCWA shutdown(s), there have also been a number of emergency, unscheduled shutdowns in recent years, during which the District must perform the same sequence above.

The Board approved a design contract with Hoch Consulting on January 26, 2021 in the amount of \$166,148 for the replacement of the temporary pumps which supply the Hutton and Turner tanks located within Division 1. District staff has been working with Hoch Consulting on the design of two permanent pump stations: Hutton Pump Station and Turner Pump Station to transport water supply from the District's northern zone into the southern zone.

During the design of the two pump stations, the project team determined that the design criteria established by the HDR modelling effort were not fully inclusive of the information needed to model the demands in the District's southern zone. At that time, HDRs focus was on one component of the Districts hydraulic model focusing on the Morro Zone and Ocean Breeze Ranch project. The District at that time was also utilizing all of its available wholesale connections (MET & SDCWA). When Hoch Consulting began evaluating all the available data including the hydraulic model, it became apparent that a micro approach focusing only on the Morro Zone was no longer adequate. In the interim, bringing Hoch Consulting in on the design of the future Hutton and Turner pump stations, Operations was only purchasing water from MET connection, which was a change in how water was now being moved throughout the entire system. In addition, Hoch Consulting discovered that the Hutton, Turner, and Gopher tanks were being operated (filled and drained) differently than it appeared in the HDR hydraulic model.

Staff determined that a macro approach to the Districts comprehensive hydraulic model was necessary to determine the sizing of the Hutton and Turner pump stations. In doing so, it was also discovered that there were limitations for the Turner Pump Station site (age of pipe, suction discharge limitation, and size of pipe). A no-cost change order was issued to Hoch Consulting in November 2021 to reallocate funds to support efforts to calibrate the hydraulic model and run new design scenarios. It is worth noting that the Hutton, Turner, Gopher tanks and Morro reservoir, how they are actually being operated, where the District

is purchasing its water, and how it is moving it north and south had changed since the HRD modeling effort was undertaken.

Based on Hoch Consulting’s findings, staff determined that because of the Turner Pump Station limitations, the Hutton Zone could be expanded, the Turner Zone shrunk and that a third pump station, Dentre De Lomas, was necessary. The Dentre De Lomas pump station had been envisioned for some time as part of the Bonsall Oaks development with early planning level designs included in development plans going back nearly ten years. A pump station site was included in the development layout. In an effort to minimize costs related to the Wholesale Water Efficiency (WWE) project, and based on HDR’s original modeling, staff had excluded this pump station from the earlier iterations of WWE planning.

Based on revised modeling results, these three pump stations were determined to all be necessary to meet the District’s current and future demands. Staff went back through all available written correspondence and meeting notes and determined when HDR was conducting analysis of the Districts hydraulic model, the information that was provided to them at that time was accurate, but did not include certain attributes that were later added in the Hoch model. In a proactive measure, the District’s system operators began running the system differently to validate the model showing that water could be used from the MET’s Northern connection to the South zone. This level of modeling by Hoch was unanticipated and not part of the original design contract with Hoch Consulting.

DESCRIPTION

The original term of the professional services agreement with Hoch Consulting was from January 28, 2021 through June 30, 2022. As mentioned in the background section, the scope of work has increased and a time extension is needed to complete the project. Hoch Consulting provided an Amendment No. 2 (Attachment 1) to the scope of work to augment existing efforts and to include design for a third pump station. This is a significant level of effort that was unanticipated and not part of the original scope of work.

The table below summarizes the increase in scope and cost. The Hoch Consulting Scope of Work is Attachment 1 to this report and provides more detail on the increased scope of services and cost breakdown.

#	TASK	SCOPE DESCRIPTION	INCREASE COST
1.	Task 100-Project Management & Quality Control	Additional hours for adding a third pump station and continuation of efforts with the existing two pump stations.	\$16,380
2.	Task 101-Meetings, Research, Project Schedule	Includes additional meetings, data collection & review, and project schedule.	\$25,884
3.	Task 200- Design Phase Submittals	Design criteria, contract documents, utility coordination for three pump stations, and landscaping for the Turner Pump Station site.	\$251,348
4.	Task 201-Opinion of Probable Cost	Cost estimate for three pump stations.	\$5,449
		TOTAL	\$299,061

As mentioned above, a time extension for the contract is needed to complete the design and will run through February 24, 2023. This change order was presented before the Engineering and Operations Committee on August 3, 2022. The Committee unanimously recommended Option 1.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area One: Water Resources. Designing and constructing the Hutton, Turner, and Dentre Pump Stations for regular use in transporting water from the Morro Zone to the Hutton and Turner Tanks will allow the District to ensure the availability of water during SDCWA Aqueduct shutdowns.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA.

BOARD OPTIONS/FISCAL IMPACTS

Funds were budgeted in the Five-Year CIP Plan for PN: 600013. Additional funding is needed to account for both the design cost increase and future construction of the Dentre pump station. Staff will return at a future Board meeting to request appropriation of funds for the third pump station. Sufficient Water Capital reserve funds are available at this time to cover this increase of \$299,061.

Option 1:

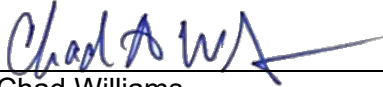
- Authorize the General Manager to execute a Change Order to the Professional Services Agreement with Hoch Consulting to provide additional scope of services in the preparation of the design plans for three pump stations in the amount of \$299,061.
- Extend the contract term from June 30, 2022 to February 24, 2023.
- Make a determination that the action identified herein does not constitute a “project” as defined by CEQA.

Option 2:

- Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.


Chad Williams
Engineering and CIP Program
Manager

8/30/2022



Hoch Consulting
804 Pier View Way, Suite 100
Oceanside, CA 92054
(tel.) 858-431-9767
ahoch@hochconsulting.com
www.hochconsulting.com

July 26, 2022

RAINBOW MUNICIPAL WATER DISTRICT
Mr. Chad Williams
Engineering & CIP Program Manager
3707 Old Highway 395
Fallbrook, CA 92028

Subject: Hutton, Turner, Dentre Pump Station Project – Amendment No. 2 Proposal

Dear Mr. Williams:

Since early 2021, Hoch Consultants (Hoch) has been performing work for the District for the design of several potable water pump stations identified as the Hutton and Turner Pump Station project. Hydraulic analyses and other system evaluations during this time identified a need for a third pump station (Dentre) in order for the goals of the project to be realized. At the direction of the District, funds and activities originally identified under the original Hutton/Turner design agreement were utilized for these additional efforts and as such have been expended without completion of the full design of the Hutton, Turner, and Dentre pump stations. The original agreement also identified an initial project design period of 64 weeks which expired on June 30, 2022 which needs to be extended for project completion.

The work performed to date has identified a project that will meet the District's project goals; however, it includes the upsizing and relocation of the Hutton Pump Station (7 cfs), upsizing the Turner Pump Station (12 cfs), and identification, location, and sizing of a new pump station (Dentre Pump Station – 5 cfs) along Dentre de Lomas. This second amendment request includes funds for historic efforts that Hoch performed in tandem with the District to define a new basis of design for the project and additional scope required to prepare final contract documents for public bidding of three EFI fabricated pump stations. The following summarizes Hoch Consulting's proposed scope modifications and budget for these additional services.

Proposed Scope of Services:

Task 100a Project Management

Our original proposal included project management services for sixty-four weeks which expired June 30, 2022. Due to the required modifications to the basis of design and scope, the project schedule is approximately fourteen weeks beyond the original anticipated schedule with another 28 weeks anticipated for completion of the design phase of the project.

Task 100b Quality Assurance/Quality Control

Our original proposal included QA/QC of two pump stations. Portions of this effort have been utilized on QA/QC of the original preliminary design report and on the Hutton Pump Station in its original location. We are proposing additional QA/QC efforts for the revised preliminary design report and the Dentre Pump Station to include reviews at 60%, 95%, 100% submittals and bid ready documents (plans, specifications, and construction cost estimates).

Task 101a Meetings and Coordination

Moving forward, design progress meetings are currently anticipated at 60% (September 1, 2022) and 95% (October 2022) with District staff. In addition, Hoch proposes to provide bi-weekly email project status reports showing work completed for the past 2 weeks, proposed work in the next 2 weeks, and any outstanding issues or questions which need to be addressed. This additional effort also includes coordination with subconsultants and the District on the revised Hutton location and the new Dentre Pump Station.

Task 101b: Data Collection & Review

Hoch Consulting proposes additional data collection and review associated with adding the third identified pump station to the project.

Task 101c: Project Schedule

Under Amendment No. 1 to the project, the budget to develop a schedule was shifted to a design criteria task. Hoch Consulting proposes developing a revised schedule and managing the schedule under this amendment proposal. We have included approximately one hour per month to update the schedule and perform recovery efforts, if required. In order to provide adequate time for completion of the documents, an extension of the original agreement is requested to February 23, 2023.

Task 200a: Preliminary Design Report

The original scope included preparation of a preliminary design report (PDR) for the project which only included the Hutton and Turner stations. Hoch proposes to modify and complete the PDR under this task to include the new pump station location(s), the third pump station, and the hydraulic analysis results which were authorized under Amendment No. 1.

Task 200a.1: Design Criteria

This task is required to evaluate work to date and complete the development of the pump station design criteria required by EFI for design of the 3 stations. This task also includes the hydraulic modeling and calibration which was required for determining pump station sizing, location, and other critical design criteria such as suction head, and pump curves.

Task 200b: Contract Documents

As part of Amendment No. 1, Hoch reduced the original agreement scope to advance the contract documents for the Hutton and Turner Pump Stations to only 60% and to shift the remaining funds to Task 200a.1 Design Criteria. Since Amendment No. 1, the Hutton PS has been relocated to a completely new location (requiring a re-evaluation of all design parameters), and it has been determined to move forward with the design of a third pump station, the Dentre Pump Station. Accordingly, the following additional scope of work is included in this amendment proposal:

- Develop contract biddable documents for Turner (60% to 100%);
- Develop contract biddable documents for new Hutton site (0% to 100%)
- Develop contract biddable documents for new Dentre Pump Station (0% to 100%).



Task 200c: Utility Coordination

Per District direction, all future utility coordination will be handled by District staff. A small allowance (\$3,000) has been included in this proposal to provide assistance to the District under this task on an as needed basis.

Task 200f: Landscaping

As part of Amendment No. 1, Hoch Consulting eliminated the scope associated with Task 200f Landscaping and moved the budget to Task 200a.1 Design Criteria. Under this new proposal, landscaping is anticipated to be required only at the Turner Pump Station site. An estimate of \$6,000 has been incorporated into Amendment No. 2 for this effort.

Schedule and Fee:

Services under this proposal are continuing. Hoch Consulting proposes to perform the above listed additional scope of services on a time-and-material basis not to exceed \$299,061.50 (for a total contract value of \$465,209.50) as is summarized in the attached amended fee proposal.

Assumptions and Exclusions:

The following assumptions and exclusions apply to this Amendment No. 2. Please note that Hoch can and is willing to assist with any or all of the following tasks if requested by the District under a separate proposal.

1. The design effort assumes that all three pump stations consist of pre-fabricated skid mounted pump stations contained in "EFI Watershed" type buildings and are designed solely by Engineered Fluid Solutions, Inc (EFI).
2. Review, QA/QC, and approval of the EFI designs is conducted by District staff or others and is not part of this amendment. The "approved" pump station designs will be slip sheeted by Hoch into the final construction drawings for clarity to the bidding contractors. EFI will provide the approved drawings to Hoch in an electronic format suitable for inclusion in the final documents. Hoch assumes that final "approved" drawings will be available to Hoch from EFI/District for inclusion in the bid documents within 6 weeks after final design parameters (suction pressure and pump curves) are delivered to EFI by Hoch. This is anticipated to be within the first two weeks of August. These plans are required for development of the 30% design drawings required for application to SDGE for electrical design.
3. Generator design, sizing, and provision is the responsibility of EFI and will be shown on EFI's drawings.
4. The current locations of the proposed pump stations (as of 7/21/22) will not change.
5. Per District direction, landscape drawings will only be developed for the Turner pump station location. Two (2) sheets are assumed to be required to show landscape and irrigation details.
6. No further analysis of the existing condition of the suction or discharge pipelines for each pump station will be conducted as part of this proposed amendment. Connection details to the pipelines will be included in the design drawings.
7. Previous weekly meetings will no longer be held. A bi-weekly email update will be sent by Hoch to the District for update on the project status/schedule, next steps, and outstanding/new action items.
8. All coordination with and submittal of permits and other required applications to SDGE will be transferred to and handled by District staff.
9. All environmental document preparation, review, or submittals for the project will be handled by the District or their environmental consultant.
10. Previous requests for "artist renderings" of the pump stations is assumed to no longer be required and as such are not included in the scope of the project.

We greatly appreciate the opportunity to work with RMWD on this important project and look forward to a highly successful design. If you have any questions about this proposal, please do not hesitate to contact me.

Sincerely,

Hoch Consulting

Adam Hoch, P.E., QSD, QISP
President/Principal Engineer
License No. C77635

Attachments: Fee Proposal

CC: Malik Tamimi, RMWD
George Briest, GBC

Project Task	Hoch Consulting Labor					Subconsultants				Direct Costs†	Total Fees*	Amendment 1	Original	Amendment 1 Change	Proposed Amendment 2 Change from Amendment 1
	Director of Engineering	Principal Engineer	Senior Designer	Associate Engineer	Total Hoch Consulting Labor	Briest Consulting	Gerry Green, Inc.	Kelsey Structural	Mission Consulting	Reproduction & Postage	Amendment 2 Proposal (Revised)				
	\$210.00	\$195.00	\$165.00	\$135.00											
Base Proposal															
Task 100: Project Management & Quality Control	52	103	0	13	\$ 32,760.00	\$ 8,880.00	\$ -	\$ -		\$ -	\$ 42,972.00	\$ 26,592.00	\$ 26,592.00	\$ -	\$ 16,380.00
Task 100a: Project Management	40	67		13	\$ 23,220.00						\$ 23,220.00	\$ 9,360.00	\$ 9,360.00	\$ -	
Task 100b: Quality Assurance/Quality Control	12	36			\$ 9,540.00	\$ 8,880.00					\$ 19,752.00	\$ 17,232.00	\$ 17,232.00	\$ -	
Task 101: Meetings/Research/Project Schedule	86	60	44	107	\$ 51,465.00	\$ 1,850.00	\$ 1,200.00	\$ 900.00		\$ -	\$ 56,007.50	\$ 30,123.00	\$ 19,647.50	\$ 10,475.50	\$ 25,884.50
Task 101a: Meetings and Coordination	30	50	36	49	\$ 28,605.00	\$ 1,850.00	\$ 1,200.00	\$ 900.00			\$ 33,147.50	\$ 13,902.50	\$ 13,902.50	\$ -	
Task 101b: Data Collection & Review	24	8	8	32	\$ 12,240.00						\$ 12,240.00	\$ 3,600.00	\$ 3,600.00	\$ -	
Task 101c: Project Schedule	32	2		26	\$ 10,620.00						\$ 10,620.00	\$ 1,080.00	\$ 2,145.00	\$ (1,065.00)	
Task 200: Design Phase/Submittals	211	196	408	420	\$ 206,550.00	\$ 1,480.00	\$ 58,800.00	\$ 34,600.00	\$ 29,120.00	\$ 7,000.00	\$ 356,150.00	\$ 104,802.00	\$ 95,147.00	\$ 9,655.00	\$ 251,348.00
Task 200a: Preliminary Design Report	40	30	152	180	\$ 63,630.00	\$ 1,480.00	\$ 2,600.00				\$ 68,322.00	\$ 12,672.00	\$ 12,672.00	\$ -	
Task 200a.1: Design Criteria	120	124	80	100	\$ 76,080.00				\$ 29,120.00		\$ 109,568.00	\$ 44,238.00	\$ -	\$ 44,238.00	
Task 200b: Contract Documents	50	36	160	96	\$ 56,880.00		\$ 56,200.00	\$ 34,600.00		\$ 1,000.00	\$ 162,300.00	\$ 46,632.00	\$ 81,215.00	\$ (34,583.00)	
Task 200c: Utility Coordination		4	12	40	\$ 8,160.00						\$ 8,160.00	\$ 1,260.00	\$ 1,260.00	\$ -	
Task 200f: Landscaping	1	2	4	4	\$ 1,800.00					\$ 6,000.00	\$ 7,800.00	\$ -	\$ 8,590.00	\$ (8,590.00)	
Task 201: Opinion of Probable Cost	12	12	12	24	\$ 10,080.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,080.00	\$ 4,631.00	\$ 4,631.00	\$ -	\$ 5,449.00
Task 201a: Cost Estimate	12	12	12	24	\$ 10,080.00						\$ 10,080.00	\$ 4,631.00	\$ 4,631.00	\$ -	\$ -
Total Base Proposal	361	371	464	564	\$ 300,855.00	\$ 12,210.00	\$ 60,000.00	\$ 35,500.00	\$ 29,120.00	\$ 7,000.00	\$ 465,209.50	\$ 166,148.00	\$ 146,017.50	\$ 20,130.50	\$ -
Optional Items															
Optional Task 200: Design & Engineering	0	4	8	8	\$ 3,180.00	\$ 370.00	\$ 2,400.00	\$ 4,500.00		\$ -		\$ -	\$ 20,130.50	\$ -	\$ -
Optional Task 200d Generator Sizing/Design		2	4	4	\$ 1,590.00	\$ 370.00	\$ 2,400.00	\$ 1,500.00				\$ -	\$ 6,500.50	\$ -	\$ -
Optional Task 200e Structural Wall Design		2	4	4	\$ 1,590.00			\$ 3,000.00				\$ -	\$ 5,040.00	\$ -	\$ -
Task 200f: Landscaping	1	2	4	4	\$ 1,800.00						\$ -	\$ -	\$ 8,590.00	\$ (8,590.00)	
Total Optional Items (not included in Total)	0	4	8	8	\$ 3,180.00	\$ 370.00	\$ 2,400.00	\$ 4,500.00		\$ -	\$ -	\$ -	\$ 20,130.50	\$ -	\$ -
Total Proposal	361	375	472	572	\$ 304,035.00	\$ 12,580.00	\$ 62,400.00	\$ 40,000.00	\$ 29,120.00	\$ 7,000.00	\$ 465,209.50	\$ 166,148.00	\$ 166,148.00	\$ -	\$ 299,061.50

†Anticipated Direct Costs Include Reproduction and Landscaping Design Services

* Includes 15% Markup on Subconsultants

Increase \$ 299,061.50

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

CONSIDER APPROVAL OF A CONTRACT CHANGE ORDER FOR THE CASS ARRIETA CONTRACT WITH TRI-POINTE HOMES FOR \$80,000, AND AN AMENDMENT TO THE PARTICIPATION AGREEMENT FOR THE RICE CANYON TANK TRANSMISSION MAIN PROJECT (DIVISION 5)

BACKGROUND

On April 27, 2021 the Board of Directors approved a Participation Agreement for the construction of the Rice Canyon Transmission Main Project (referred to herein as Project; Participation Agreement), which is a new 18" transmission main that will deliver water from the Rice Canyon Tank Zone to Horse Ranch Creek Road. The Participation Agreement defined responsibilities of both Tri Pointe Homes and the District in relation to the Project and also established means for reimbursement. The District agreed to reimburse Tri Pointe Homes for the full cost of constructing this water line. The benefits of adding this main line would increase the utilization of water and improve water quality in Rice Canyon Tank by servicing the Horse Creek Ridge and Citro developments in addition to several other existing customers. Additionally, the Rice Canyon Tank Zone is supplied from an underutilized Metropolitan Water District (MWD) connection and the addition of this new main will allow more customers to be supplied with water through the MWD connection in other zones of the District.

On September 28, 2021, the Board of Directors approved the first amendment to the Participation Agreement, which included a Project cost increase of \$1,400,000 bringing the total project cost from \$3,700,000 to \$5,100,000. As part of this action, the project contingency was reduced from 15% to 5% (\$234,651.46) with the understanding that additional Board actions would be required to cover upcoming hard rock excavation. On April 26, 2022 the Board of Directors approved a second amendment to the Participation Agreement, which included a Project cost increase of \$402,373 bringing the total project cost to \$5,502,373. This increase came as a result of a District-initiated change order (\$110,275), current and projected hard rock excavation (\$231,952.93), increased construction administration and monitoring costs (e.g. geotechnical and biological; \$139,420) and construction of a noise barrier wall to protect the California gnatcatcher (\$31,000). As part of this amendment, the unanticipated costs were funded by increasing the base contract amount, which allowed for full utilization of remaining contingency.

DESCRIPTION

To date, the Rice Canyon Tank Transmission Project is approximately 75% complete and is expected to be fully constructed by Fall 2022. All transmission main pipe has been installed. Hard rock excavation continues to impact construction progress, as Cass Arrieta now excavates to install new inlet piping at the tank, the meter vault and pipe connections to the new pressure reducing stations. To date, over 50 Extra Work Reports (EWR's) for hard rock excavation and rock hauling have been submitted by Cass Arrieta and approved by the District. As of March, the District has paid \$244,397.06 for hard rock excavation and there are still over 25 outstanding EWR's from April, May, June and July that are still being processed. While the District anticipates an additional three (3) to five (5) EWR's in August for additional hard rock excavation, Cass Arrieta is mostly finished with excavation in areas with potential for hard rock. The District

has managed to reduce some costs related to hard rock excavation by having spoils hauled to our lower yard instead of an alternate location, which has resulted in a cost savings of \$20,000 in tipping fee credits to the District.

In addition to hard rock expenses, the District implemented some additional design changes to the electrical components (e.g. PV system) and pressure reducing stations to optimize operations and entirely offset electrical consumption. While contingency is typically reserved for these types of unforeseen circumstances, hard rock excavation has completely exhausted the remaining contingency and an additional Participation Agreement Amendment is needed to increase the total maximum project cost from \$5,502,373 to a not to exceed amount of \$5,582,373 (Attachment A). This change is a \$80,000 cost increase, which includes outstanding expenses related to hard rock, projected expenditures and replenishment of 15% of the project's contingency.

Table 1. Participation Agreement Amendment – Max Authorization Summary

Description	Board Approved Amount	Maximum Project Total	Cost Increase	Comments
Original Participation Agreement	\$3,700,000	\$3,065,427	\$0	The project contingency total is \$386,083 (15% on hard costs & 25% on soft costs).
Participation Agreement Amendment No. 01 Project Contingency	\$5,100,000	\$5,100,000	\$ 1,400,000	Contingency percentages were reduced to 5% of hard costs & 5% on soft costs. There was a contingency cost reduction of \$151,431.54. The Board approved a contingency amount of \$234,651, plus an additional \$25,000.
Participation Agreement Amendment No. 02	\$5,502,373	\$5,502,373	\$402,373	Unanticipated costs for current and projected hard rock excavation, noise wall, and staffing were funded by increasing the base contract amount, which allowed for full utilization of remaining contingency.
Participation Agreement Amendment No. 03	\$5,582,373	\$5,582,373	\$80,000	Use remaining contingency for hard rock excavation and replenish 15% of project contingency for additional hard rock excavation, solar PV system re-design, vault riser and PRS adjustment.

Table 2. Additional Expenditure Summary

Construction Change Order Request (CCOR)	Actual Cost
CCOR #1 PRS Revisions & Pipe Joints	\$ 110,275
CCOR #2 Hard Rock Excavation (January) & Exploratory Digging	\$ 91,354.93

CCOR #3 Hard Rock Excavation (February)	\$ 42,050.34
PO – CA gnatcatcher Noise Wall	\$45,185
CCOR #4 Moving Yard	N/A
CCOR #5 Hard Rock Excavation (February)	\$ 41,593.00
CCOR #6 Hard Rock Excavation (March)	\$ 70,719.64
CCOR #7 Haul Off Per Contract	\$ 3,721.01
CCOR #8 Hard Rock Excavation (April & May)	\$ 81,700.96
CCOR #9 Solar Panels & Vault Riser	\$ 56,954
CCOR #10 Haul Off Per Contract	\$ 5,000 (estimate)
CCOR #11 Hard Rock Excavation (June & July)	\$ 35,000 (estimate)
TOTAL	\$ 543,553.88*

*Estimates not included in the Total Expenditure Amount

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area One: Water Resources. The Rice Canyon Tank Transmission Main will allow the Horse Creek Ridge and Citro developments as well as several other existing customers to be supplied water from the Rice Canyon Tank Zone, which is, in turn, supplied from an underutilized Metropolitan Water District connection. This will allow more customers to be supplied water through Metropolitan Water District connections in other zones of the District.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

Capital budgets are approved for one (1) year only, with the forecast going out five (5) years. The Rice Canyon Tank Transmission Main Project (PN: 600034) has an approved contract of \$5.5M. There is an approved budget of \$2.9M for FY 22/23. Additional appropriations in the amount of \$80,000 are needed to fund an additional project contingency increase.

Option 1:

- Make a determination that the action defined herein does not constitute a “project” as defined by CEQA.
- Approve Amendment No. 3 to the Participation Agreement for the construction of the Rice Canyon Tank Transmission Main Project to increase the total project cost from \$5,502,373 to \$5,582,373 thus authorizing a change order in the amount of \$80,000.
- Authorize the General Manager to execute Amendment No. 3 on behalf of the District.

Option 2:

- Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Chad Williams
Engineering and CIP Program Manager

08/30/22

**AMENDMENT 3
TO PARTICIPATION AGREEMENT
FOR THE DESIGN, CONSTRUCTION AND FUNDING
OF PORTIONS OF THE RICE CANYON PIPELINE
AND RELATED FACILITIES**

This Amendment 3 to Participation Agreement for the Design, Construction, and Funding of the Rice Canyon Pipeline and Related Facilities (“Agreement”) from the Rice Canyon Reservoir through the Citro development project, dated as of April 28, 2021 made by the Rainbow Municipal Water District (“RMWD”), a California municipal water district and Tri Pointe Homes IE-SD, Inc. (f/k/a Pardee Homes) (“Tri Pointe Homes”), a California corporation. Tri Pointe Homes and RMWD may be individually referred to as “Party” and collectively the “Parties.”

RECITALS

A) Tri Pointe Homes owns approximately 374.7 acres of certain uninhabited real property located in the undeveloped area of the County of San Diego (“County”) within the adopted Fallbrook Community Plan Area and the Valley Center Municipal Water District (“VCMWD”) services area, adjacent to the jurisdictional boundaries of RMWD (“Project Site”), as described in Exhibit A and depicted on Exhibit B, attached hereto.

B) Tri Pointe Homes and RMWD entered into an annexation agreement that provided for Tri Pointe Homes to construct water facilities to provide service, in part, to the Citro residential development project (the “Project”) in exchange for reimbursement.

NOW, THEREFORE, in consideration of the recitals and mutual obligations of the Parties as herein expressed, RMWD and Tri Pointe Homes agree to amend this Participation Agreement as follows:

Delete Paragraph 6. Reimbursement and replace with the following:

6. Reimbursement: Tri Pointe Homes shall advance or pay all applicable costs and RMWD fees associated with the Improvements. RMWD shall reimburse Tri Pointe Homes for the actual cost of the construction of the Improvements in accordance with this Section 6 below. The total cost of the Improvements to RMWD shall not exceed \$5,582,373.00(“Maximum Cost”), and subject to RMWD’s prior written approval.

6.1. Reimbursement Amount. RMWD will reimburse Tri Pointe Homes for the Improvements completed in accordance with Exhibit C. Tri Pointe Homes shall receive payment for reimbursement of all Improvement costs as outlined within the summary of the Engineer’s Cost Estimate attached hereto as Exhibit D (Revised).

6.1.1. RMWD’s actual cost of the Improvements will be based on the lowest responsive and responsible bid submitted, the actual design, bidding and construction management costs, any change orders, the cost for preparation of the fair cost analysis and this Agreement, and for Tri Pointe Homes project management and overhead. The Parties understand and agree that the cost estimate attached as Exhibit D (Revised) is for performance of the Improvements contemplated in this Agreement and that the actual cost of the Improvements may be greater or less than set forth on Exhibit D (Revised). Any adjustments to the Party’s shares shall be made as described in Section 6.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.

TRI POINTE HOMES IE-SD, INC.
a California Corporation

RAINBOW MUNICIPAL WATER DISTRICT
a California municipal water district

By: _____

By: _____

Name: Jimmy Ayala

Name: _____

Title: Division President

Title: _____

EXHIBIT D - ENGINEERS COST ESTIMATE

		CASS ARRIETA			
		BID DATED: 8/5/21			
A	MEADOWOOD RICE CANYON 18-INCH WATERLINE; (70219602-35200-1520) (PREVAILING WAGE RATES APPLY)	Qty	UM	Unit Price	TOTAL
1	Erosion Control & SWPPP	1	LS	\$190,000.00	\$190,000.00
2	Clear & Grub	1	LS	\$38,950.00	\$38,950.00
3	Grading; Tank Site	1	LS	\$13,000.00	\$13,000.00
4	Grading; Approx Station 28+50	1	LS	\$34,500.00	\$34,500.00
5	Hydroseed	1	LS	\$3,100.00	\$3,100.00
6	Demo & Remove Exist'g AC (3" Thk) (see plans)	35,251	SF	\$1.40	\$49,351.40
7	Protect Existing Utilities	1	LS	\$29,000.00	\$29,000.00
8	18" PVC (DR-18)(Class 235) (w/ Restrained Joints)	3,520	LF	\$397.05	\$1,397,440.00
9	18" DIP (DR-18)(Class 250) (w/ Restrained Joints)	22	LF	\$1,588.09	\$34,144.00
10	18" CML&C Steel Pipe	997	LF	\$557.16	\$555,329.00
11	Remove Existing 12" Water Tank Inlet Piping & Double Ball Flexible Expansion Joint	1	LS	\$4,555.00	\$4,555.00
12	18" Outlet Piping (Sheet 13 thru 16)	1	LS	\$18,850.00	\$18,850.00
13	18" Tank Outlet Piping (Sheet 13 thru 16)	1	LS	\$66,500.00	\$66,500.00
14	18" Double Ball Flexible Expansion Joint (EBBA Iron Flex-Tend Model No. 418F21) Assembly with Concrete Pad, Supports & Appurtenant Piping	1	LS	\$27,500.00	\$27,500.00
15	16" Double Ball Flexible Expansion Joint (EBBA Iron Flex-Tend Model No. 416F21) Assembly with Concrete Pad, Supports & Appurtenant Piping	1	LS	\$34,300.00	\$34,300.00
16	16" Butterfly Valve (Class 150)	2	EA	\$6,330.00	\$12,660.00
17	18" Butterfly Valve (Class 150)	2	EA	\$8,000.00	\$16,000.00
18	2-1/2" Wharf Head Assembly. (Det. B-30)	2	EA	\$5,900.00	\$11,800.00
19	2" AVAR Assembly (Detail C-20)	1	EA	\$2,100.00	\$2,100.00
20	2" AVAR Assembly w/ Copper Lateral (W-11) (Sht. 28) (Bid Addendum. #1)	2	EA	\$13,200.00	\$26,400.00
21	Electrical Building; DG Pad (Bid Addendum #1)	1	LS	\$2,750.00	\$2,750.00
22	Electrical Building; Masonry Block Bldg (Bid Addendum #1)	1	LS	\$44,500.00	\$44,500.00
23	Demolish, Remove & Rearrange Existing Solar, Photo Voltaic & SCADA Sys. (Bid Addenda #1 & #5)	1	LS	\$14,700.00	\$14,700.00
24	Solar Panel & Photo Voltaic Systems (Bid Addendum #1)	1	LS	\$142,800.00	\$142,800.00
25	16" Magnetic Flow Meter Assembly with Concrete Pad, Supports and Appurtenances	1	LS	\$21,600.00	\$21,600.00
26	18" Magnetic Flow Meter Assembly with Flow Meter Vault, Supports and Appurtenances	1	LS	\$101,000.00	\$101,000.00
27	Cut-off Walls (RMWD W-15)	49	EA	\$2,660.00	\$130,340.00
28	CP 2-Wire Test Stations	2	EA	\$2,650.00	\$5,300.00
29	Test, Disinfect & Connect	1	LS	\$135,500.00	\$135,500.00
30	Haul Excess Trench Spoils	1	LS	\$46,300.00	\$46,300.00
31	Process and/or Remove & Replace Unsuitable Trench Spoils (Geotech Rpt. 5.6.2)	1	LS	\$13,200.00	\$13,200.00
32	Rough & Fine Grade for AC and DG Access Road Restoration	56,924	SF	\$0.61	\$34,723.64
33	AC Access Road (3" AC / 6" Class II)	35,251	SF	\$5.57	\$196,348.07
34	DG Access Road (12.5" Thick) (Stabilized DG) (Cal. Gold)	21,673	SF	\$9.18	\$198,958.14
35	AC Berm (Station 3+61 to 5+41)	180	LF	\$26.75	\$4,815.00
SUBTOTAL					\$3,658,314.25
* ADDITIONAL AMENDMENT No. 02 HARD COST					\$262,953.00
* ADDITIONAL AMENDMENT No. 03 HARD COST					\$40,541.40
TOTAL HARD COST					\$3,961,808.65

*Additional Amendment No. 02 hard costs include Hard Rock incurred to Date (1/12/22 - 2/3/22) = \$91,355; Hard Rock Anticipated to be Incurred (Est.) = \$140,598; Mitigation Requirements for CA gnatcatcher (Est.) = \$31,000

EXHIBIT D - ENGINEERS COST ESTIMATE, CONT'D

B	MEADOWOOD RICE CANYON PRESSURE REDUCTION STATIONS; (70219602-35200-1520) (PREVAILING WAGE RATES APPLY)	Qty	UM	Unit Price	TOTAL
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1	Erosion Control & SWPPP	1	LS	\$18,500.00	\$18,500.00
2	Clear & Grub	1	LS	\$5,800.00	\$5,800.00
3	Grading	1	LS	\$13,000.00	\$13,000.00
4	Influent Header	1	LS	\$90,250.00	\$90,250.00
5	Effluent Header	1	LS	\$99,700.00	\$99,700.00
6	Pressure Reducing Stations #1 thru #3 (1206 HGL to 865 HGL)	1	LS	\$410,975.00	\$410,975.00
7	18" Butterfly Valve	1	EA	\$5,990.00	\$5,990.00
8	18" Plug Valve	1	EA	\$86,400.00	\$86,400.00
9	Insulating Flange & 4-wire CP Test Station	1	LS	\$2,950.00	\$2,950.00
10	6" PVC Drain Line and Headwall System (Bid Addendum #1)	1	LS	\$19,000.00	\$19,000.00
11	4" CML&C Blow-off Assembly (W-8)	1	EA	\$26,600.00	\$26,600.00
12	2" AVAR Assembly (Detail E-30) (Bid Addendum #1)	1	EA	\$21,000.00	\$21,000.00
13	Install DG Pad (12.5" Thick)	1	LS	\$11,000.00	\$11,000.00
14	Finish Grade	1	LS	\$13,000.00	\$13,000.00
15	Hydroseed	1	LS	\$3,250.00	\$3,250.00
SUBTOTAL				\$827,415.00	
TOTAL HARD COSTS				\$4,789,223.65	

TOTAL HARD COSTS				\$4,789,223.65	
	Soft Costs				\$346,720.00
	Contingency Per Amendment No. 01				\$259,651.46
	Additional 15% Contingency Per Amendment No. 03				\$38,947.72
	Administrative Fee (3%)				\$147,830.41
	Interest				\$0.00
TOTAL RMWD 18" TO RICE CANYON				\$5,582,373.24	

Notes:

Cost savings on any item can be used to reimburse excess costs on any other line item so long as the costs do not exceed the Maximum Costs allowed on the Project.

Budget for interest is \$0.00 based upon 20-day payment cycle on submitted invoices.

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. 22-16 UPDATING AND AMENDING ADMINISTRATIVE CODE SECTION 5.02.010 – CENTRALIZED PURCHASING

BACKGROUND

The update to the RMWD Administrative Procurement Code is necessary due to the acceptance of federal funding.

The Federal Office of Management and Budget (OMB) put out updated guidance for grants and agreements that are required to be implemented and clearly stated in grant recipient's procurement codes. On December 26, 2013, OMB Circular A-133 was superseded by the issuance of 2 CFR part 200, subpart F. These rules required procurement administration be updated for entities that accept more than \$750,000 in federal grants, among other things.

The new procurement rules apply to all procurements made by the grant recipient, not just expenditures related to the federal funds. The goal of this regulation was enhanced result-oriented accountability for grants with a focus on improved stewardship and ensuring that the American people are receiving value for funds spent on grant programs. Essentially, the intent of this new requirement is to ensure efficiency, the allocation of scarce government resources

DESCRIPTION

An update to the policy related to purchasing has been prepared for Board consideration.

Section 5.02.010 has been updated to include purchasing requirements that are required for all purchases, where applicable, due to the District accepting federal funds in excess of \$750,000.

The District accepted federal funds indirectly through the Arrearages Program administered by the State Water Resources Control Board. The District received \$1,002,380.89 through this program. Additional grants are being pursued that would also require the procurement code to follow the federal procurement guidelines.

Attachments:

Attachment A – Ordinance No. 22-15

Attachment B – Administrative Code Section 5.02.010 Centralized Purchasing (Redline)

Attachment C – Administrative Code Section 5.02.010 Centralized Purchasing (Non-Redline)

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Administrative Code Section 5.02.010 Centralized Purchasing

Strategic Focus Area Four: Fiscal Responsibility

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

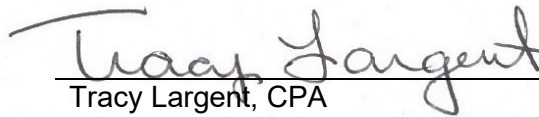
BOARD OPTIONS/FISCAL IMPACTS

- Option 1: Adopt Ordinance No. 22-16 amending and updating Administrative Code Section 5.02.010 as presented.
- Option 2: Adopt Ordinance No. 22-16 amending and updating Administrative Code Section 5.02.010 with Board recommended revisions.
- Option 3: Provide staff with direction.

The policy will have limited fiscal impact on the district.

STAFF RECOMMENDATION

Staff recommends Option 1.



Tracy Largent, CPA
Finance Manager

August 30, 2022

Ordinance No. 22-16

**Ordinance of the Board of Directors of the Rainbow Municipal Water District
Amending and Updating Administrative Code
Section 5.02.010 – Centralized Purchasing**

WHEREAS, the Rainbow Municipal Water District has, from time to time, adopted various rules and regulations for the operation of the District; and

WHEREAS, certain of those rules and regulations require updating to reflect best practices, as well as changes in applicable laws; and

WHEREAS, the Board of Directors has determined that changes in the rules or regulations of the District shall occur solely by amendment to the Administrative Code;

NOW, THEREFORE,

BE IT ORDAINED by the Board of Directors of Rainbow Municipal Water District as follows:

1. The following rules and regulations of the District, collected are hereby adopted and shall be incorporated into the Administrative Code, consisting of:

Section 5.02.010: Centralized Purchasing

2. The General Manager is hereby directed to update the Administrative Code to reflect the approval of these rules and regulations, and to assign or reassign the numbering of the Administrative Code as necessary to codify these rules and regulations as amended.

3. This ordinance shall take effect immediately upon its adoption on this 30th day of August 2022.

AYES:
NOES:
ABSTAIN:
ABSENT:

Hayden Hamilton, Board President

ATTEST:

Dawn Washburn, Board Secretary

Section 5.02.010
Centralized Purchasing

Rainbow Municipal Water District has adopted a centralized system under the direction and control of the General Manager.

The purchasing system is administered by the Finance Manager and includes:

1. Purchase of supplies, equipment, and services.
2. Sale and disposal of obsolete and surplus property.
3. Transfer of equipment and supplies between departments.
4. Management of the inventory control system.

Purchasing policies of Rainbow Municipal Water District are established by the Board of Directors.

1. Procurement transactions shall be conducted in a lawful and ethical manner.⁴
2. The purchase of supplies, services, and equipment shall be made at the lowest possible cost commensurate for with the quality needed.
32. All purchases shall be of a quality and quantity to suit the intended purpose.
43. Financial control over District purchases shall be exercised to ensure adherence to the requirement that expenditures do not exceed amounts appropriated.
- 5.4. Authority for the purchasing function shall be clearly defined.
65. Per Resolution No. 02-02, when the price is comparable, Rainbow Municipal Water District will buy material and/or services from business in the greater Fallbrook area (to include Fallbrook, Bonsall and Rainbow).
7. All necessary affirmative steps will be taken to provide opportunities to minority businesses, women's business enterprises, and labor surplus area firms when possible. Such steps include:
 - a. soliciting applicable vendors whenever they are potential sources;
 - b. dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation in the bidding process; and
 - c. using services and assistance, as appropriate, of such organizations as Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

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Approved 8-3-05 by Ordinance No. 05-07\Amended and Updated 1-04-06 by Ordinance No. 06-01\Amended and Updated 2-26-13 by Ordinance No. 13-02\Amended and Updated 3-24-20 by Ordinance No. 20-05\ DRAFT

~~8. The use of a vendor or supplier on the U.S. Federal Government's Debarred and Suspended List (available at SAM.gov) is prohibited.~~

89. All procurements shall be conducted in a manner that provides, to the maximum extent practical, full and open competition.

9. Records shall be kept detailing the history of each formal bid procurement transaction (see Formal Bids Section 5.02.140). These records must include, but are not limited to: a description and supporting documentation for procurement method; written price or rate quotations if applicable; copies of advertisements, requests for proposals, bid sheets or bid proposal packets; reasons for vendor selection or rejection; and basis for the contract price, if applicable.

10. The most efficient and effective approach to purchases must be used, including consideration of lease versus purchase analysis, bulk purchase, agreements for use of common or shared goods and services, federal excess, and surplus property.

11. The District does not allow purchasing goods from governing body members, employees or other suppliers that would create a conflict of interest. Potential conflicts of interest must be disclosed. A review of conflicts or potential conflicts will be done with all procurements.

120. All procurement contracts shall contain the applicable contract provisions contained in Appendix II to 2 Code of Federal Regulations 200. All federal funding source compliance provisions shall include the following:

a. Contracts for more than the simplified acquisition threshold,- \$250,000 for 2022, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

b. All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement.

c. All contracts that meet the definition of "federally assisted construction contract" must include a provision requiring compliance with Equal Employment Opportunity.

d. Davis-Bacon Act, when required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act. In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages. In

M:\Administration\Confidential\Administrative Code Current Policies\Amendments and Updates Not Approved\Centralized Purchasing 5.02.010.docx~~M:\Administration\Confidential\Administrative Code Current Policies\Title 5\Centralized Purchasing 5.02.010.docx~~*\Approved 8-3-05 by Ordinance No. 05-07\Amended and Updated 1-04-06 by Ordinance No. 06-01\Amended and Updated 2-26-13 by Ordinance No. 13-02\Amended and Updated 3-24-20 by Ordinance No. 20-05*DRAFT

addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation.

- e. Construction contracts in excess of \$2,000 awarded by non-Federal entities must also include a provision for compliance with the Copeland “Anti-Kickback” Act. The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
- f. The Clean Air Act and the Federal Water Pollution Control Act - Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act. Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- g. Debarment and Suspension - A contract award must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority.
- h. Byrd Anti-Lobbying Amendment - Contractors that apply or bid for an award exceeding \$100,000 must certify that they will not and have not used federal funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress in connection with obtaining any Federal contract, grant or any other award.

11. Records shall be kept detailing the history of each procurement transaction. These records must include, but are not limited to: a description and supporting documentation for procurement method; written price or rate quotations if applicable; copies of advertisements, requests for proposals, bid sheets or bid proposal packets; reasons for vendor selection or rejection; and basis for the contract price, if applicable.

The Purpose of this policy is to state in some detail the rules, regulations, and procedures necessary to adhere to the policies.

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5. Authority for the purchasing function shall be clearly defined.
6. Per Resolution No. 02-02, when the price is comparable, Rainbow Municipal Water District will buy material and/or services from business in the greater Fallbrook area (to include Fallbrook, Bonsall and Rainbow).
7. All necessary affirmative steps will be taken to provide opportunities to minority businesses, women's business enterprises, and labor surplus area firms when possible. Such steps include:
 - a. soliciting applicable vendors whenever they are potential sources;
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 - c. using services and assistance, as appropriate, of such organizations as Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

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10. The most efficient and effective approach to purchases must be used, including consideration of lease versus purchase analysis, bulk purchase, agreements for use of common or shared goods and services, federal excess, and surplus property.
11. The District does not allow purchasing goods from governing body members, employees or other suppliers that would create a conflict of interest. Potential conflicts of interest must be disclosed. A review of conflicts or potential conflicts will be done with all procurements.
12. All **federal funding** source compliance provisions shall include the following:
 - a. Contracts for more than the simplified acquisition threshold, \$250,000 for 2022, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
 - b. All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement.
 - c. All contracts that meet the definition of “federally assisted construction contract” must include a provision requiring compliance with Equal Employment Opportunity.
 - d. Davis-Bacon Act, when required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act. In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation.
 - e. Construction contracts in excess of \$2,000 awarded by non-Federal entities must also include a provision for compliance with the Copeland “Anti-Kickback” Act. The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in

the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

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The Purpose of this policy is to state in some detail the rules, regulations, and procedures necessary to adhere to the policies.

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION TO APPROVE A VARIANCE REQUEST REQUESTING AN ADJUSTMENT IN WATER USAGE (Division 1)

BACKGROUND

During the meter upgrade project, the District discovered a handful of meters that were not picking up a read. The incorrect zero reads were not discovered until the meters were each exchanged.

Customer Joseph Saline was one of the customer's whose meter was registering a zero read. Mr. Saline's January bill reflected a total of 6,383 units; this usage was from March 2019-January 2022 and resulted in a total bill amount of \$25,091. During that period, the customer was not receiving a monthly water usage charge because the meter did not transmit a usage reading each month.

The District sent Mr. Saline a letter along with his January bill explaining the situation and charges. Upon receiving the letter, the customer contacted the district to discuss. Staff issued two credits to the account for a total of \$6,014. Mr. Saline is now requesting that he be billed for the monthly average number of units he calculated, rather than go off of the meter reading, while also only paying at the discounted wholesale rate. Rather than be billed a total of 6,383 units, he would like to be charged 4,658 units at the wholesale rate.

DESCRIPTION

The meter at this property was not communicating a new read to the district's hand-held devices each month, so it was resulting in the same read for almost three years. District staff sent out a letter to Mr. Saline on January 24, 2022 stating what had occurred and explaining why his bill was much higher for the month of January. It also stated that per our Administrative Code, we are not able to write off the usage because it truly was used therefore, the customer is liable to pay it. Administrative Code 8.15.020.03 states it is the Customer's responsibility to report immediately whenever a meter fails to register. We also offered Mr. Saline different options of payment plans to assist him in paying the large fee over several months. District staff issued a credit on his account in the amount of \$4,759 so that the customer was billed at the wholesale rate. Staff also issued a credit adjustment on his account waiving a late fee of \$1,255, resulting in the customer receiving a total of \$6,014 in credits on his account.

The customer requested that we test the meter to verify its accuracy. After district staff tested the meter, we were able to confirm that the meter reading was correct. The customer calculated his account's five-year historical monthly average to be about 137 units per month. He is now requesting that he be billed at that average for the period of March 2019-January 2022. The total units he would like to be billed at is 4,658 units rather than 6,383 units.

The District now has a situation where the foregoing circumstances have resulted in the Customer receiving water in significant quantities without being billed for it in a timely fashion. Since the meter did register the use of the water, staff is not authorized to simply write it off. Under our Administrative Code and State Law, if the Customer used the water, they are liable for the payment for that water. The District needs to remedy this situation as in essence the Customer has received a significant benefit at the expense of other ratepayers. We are duty bound to protect the rights of all ratepayers, and as such, the District must take steps to resolve the matter.

Being duty-bound to all ratepayers also includes assessing when it is in the best interest to work towards a resolution with a customer. Delivering a bill for \$20,000 to a residential customer can be devastating. In a similar situation where the missed read was for more than one year, the District credited the customer for 50% of the total usage. Staff recommends doing the same in this situation, bringing the total credit amount from \$6,014 to \$12,374. This is slightly more than what the customer is asking for but aligns with past practice.

ATTACHMENTS

- Attachment A- Administrative Code Variance Application
- Attachment B- Customer Correspondence Letter
- Attachment C- Account Adjustment Form

POLICY/STRATEGIC PLAN KEY FOCUS AREA

Strategic Focus Area Five: Customer Service. This type of agreement allows the Board to fit the requests of an individual customer based on their specific use patterns which fall outside the expectations covered by the existing policy.

ENVIRONMENTAL

In accordance with CEQA guidelines Section 15378, the action before the Board does not constitute a “project” as defined by CEQA and further environmental review is not required at this time.

BOARD OPTIONS/FISCAL IMPACTS

If the Board approves the variance, the fiscal impact will be a \$6,360 reduction in revenue.

- 1) Approve an additional variance credit of \$6,360, bringing the total amount credited to \$12,372, 50% of the amount underbilled for the three-year period (staff recommendation).
- 2) Deny the variance request.
- 3) Provide other direction to staff.

STAFF RECOMMENDATION

Staff recommends Option 1.



Tracy Largent, CPA
Finance Manager

August 30, 2022

July 15, 2022

RMWD Board of Directors
Honorable Directors,

My billing issue concerns a January, 2022, \$24,893.70 water consumption charge based on a reading from a defective Rainbow meter which was replaced in December, 2021 after 3 years of malfunctioning. The charge was for 6383 water units over a 34 month period. I met with Renee Rubio of your staff who was able to make some rate adjustments but said the monthly average consumption of 187 units can't be adjusted and only the Board of Directors could make an exception to that 'policy'. I provided Renee with the last 5+ years of historical data which averaged 137 units per month but she said she had to go by the defective meter readings. In fact, the first 6 months of the 'new' meter averaged only 85 units. I have not changed watering practices for my avocado and citrus grove since I retired and moved to Bonsall in 2007.

I recognize that I owe for water used but I'm asking for help from the Board to accept the 137 unit baseline average (total 4658 units vs 6383) along with Ms Rubio's wholesale rate adjustments.

I have not engaged my lawyer for the RMWD issue but only received his preliminary thoughts based on my description. He believes RMWD may be complicit for allowing the bad meter issue, which they knew or should have known, to continue for almost three years without taking periodic manual readings. He also suggested that the proposed penalty interest may be in violation of the 'usury' provision of Article 15 of the California Constitution.

Thanks for your immediate assistance,



Joe Saline
5838 Redondo Dr
Bonsall, 92003
760 643-1796

[joesaline@sbcg\]qba\].net](mailto:joesaline@sbcg]qba].net)

P.S.

I am pleased with the RMWD water quality and service. Ms Rubio has been courteous and helpful. I also appreciate the RMWD periodic news and infrastructure reports. However, as an agriculture customer I am very unhappy with water costs which have caused me to cut back on the number of trees and irrigation in general. Several of my neighbors have stumped all of their trees because of water costs. I support the Board's efforts to separate from SDMWD to lower costs and I would support an effort (similar to Oceanside) to provide recycled water to ag users to keep them in business.



ADMINISTRATIVE CODE VARIANCE APPLICATION

PROPERTY OWNER OR PRIMARY ACCOUNT HOLDER INFORMATION		
Owner Name: <i>JOSEPH P. SALINE JR.</i>	Telephone No.: <i>760 643 1796</i>	
Address: <i>5838 REDONDO DR. BONSALE CA 92003</i>		
Email Address: <i>JOESALINE@SBCGLOBAL.NET</i>	Account No.: <i>011556-000</i>	
LOCATION OF PROPOSED ADMINISTRATIVE CODE VARIANCE		
Address: <i>5838 REDONDO DR.</i>	APN: <i>127-010-08-00</i>	Acres: <i>2.5</i>
SUPPORTING INFORMATION		
Specific section(s) of the Admin. Code for which this variance is being requested (<i>attach additional pages if needed</i>): <i>UNKNOWN</i>		
Reason why the variance should be approved including how the intent of the Admin. Code will be met (<i>attach additional pages if necessary</i>): <i>SEE ATTACHED</i>		

Rainbow Municipal Water District (District) Provisions:

The purpose of a variance is to provide flexibility in application of regulations necessary to achieve the purposes of the Administrative Code. A variance is intended to resolve practical difficulties or unnecessary physical hardships that may result from strict adherence to the policies contained in the Administrative Code. The cost to the applicant of strict adherence with any provision of the Administrative Code shall not be the sole reason for granting a variance. This application is subject to the approval of the District Board of Directors.

I hereby certify that all information provided in this application is true.

Joseph P. Saline Jr.

 Owner Signature

7-15-22

 Date

3707 Old Highway 395 • Fallbrook, CA 92028
 Phone: (760) 728-1178 • Fax: (760) 728-2575 •



January 24, 2022

Joseph Saline
5838 Redondo Drive
Bonsall, CA 92003-4014

Subject: Consumption charges on January 2022 Bill for 011556-000

Dear Mr. Saline:

On behalf of the Rainbow Municipal Water District, I am writing you regarding a technical communications issue of the reading system at your water meter that resulted in an unfortunately large increase to your consumption charges in this current bill.

Prior consumption for account number 011544-00 has averaged around 100-250 units (748 gallons per unit) of water per month. This changed in March of 2019 when this account started being billed for zero consumption.

Your meter has a physical register that records consumption as well as a radio system that electronically conveys the reads to our meter technicians. In March of 2019 the transponder stopped receiving a new read from the meter. This resulted in the same read being sent each month to the device used by the meter technicians. When the same read is recorded each month then the account is billed for 0 usage.

This was an unfortunate occurrence, and something that has resulted in process refinements in our meter reading procedures. In January 2022, a technician on site discovered the issue. Our technician read the meter and found that it had been recording water usage the entire time. Since March 2019 this meter has registered 6,383 units of water which were used but not billed. The software automatically billed the consumption at the current rate which totaled to \$24,893.70. However, given that most of this consumption should have been billed at last year's water rates, our Billing Department adjusted the consumption charges to bill at the lower rate prior to our rate increases. Therefore, your consumption charges totaled to \$20,134.20.

During this time, your bills have only included our fixed monthly service fees with no charges for consumption. Clearly water was being used during this time. We now have a situation where the foregoing circumstances have resulted in you receiving water in significant quantities without being billed for it. We need to remedy this situation as in essence you have received a significant benefit at the expense of other ratepayers. We are duty bound to protect the rights of all ratepayers, and since our Administrative Code requires you to notify us when your water consumption did not appear on your bill, we need to take steps to resolve the matter.

Since our meter did register the use of the water, we cannot simply write it off. Under our Administrative Code and State Law, if you used the water you are liable for the payment for that water.

We understand that this is a significant charge, we can offer a payment plan up to 12 months to assist you in paying off the balance. We sincerely regret this issue was not caught sooner.

If you have any questions related to this situation, please feel free to call the District at your convenience.

Sincerely,

Rainbow Municipal Water District



Date: 03/17/2022

Account Number: 011556-000

Account Name: JOSEPH SALINE

Type of Adjustment: LATE FEE

Amount to Credit Account: - \$1,254.56

Amount to Add to Account: +

If water usage changes, please complete the following:

Old Read: New Read:

Correct Number of Units:

Difference: Month & Year:

CODES:

- 01=RMWD Water
- LE=Leak Adjustment
- OV=Overread
- 02=MWD Water
- 03=SDCWA Water
- 04=AG Discount
- 05=Operations & Maintenance
- 06=CWA IAC
- 07=Pumping
- 09=RP Charge
- 10=Fire Standby
- 11=Sewer
- 12=Delinquent Charge
- 13=Reservoir
- 14=MWD Tier 2
- 15=Pump Charge Fixed
- 16=AG Penalty

Miscellaneous

- TO=Turn on Fee
- RC=Returned Check
- EL=Electric Credit
- OC=Oceanside Tax
- MI=Miscellaneous

(Other)

COMMENTS

THIS CUSTOMER IS EXEMPTED FROM PENALTIES DURING THE DURATION OF THEIR PAYMENT PLAN. LATE FEE REVERSAL IS FOR \$1,254.56

Submitted By: LESLIE MONDRAGON

Approved By:

Date:

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

DISCUSSION AND POSSIBLE ACTION REGARDING THE APPOINTMENT; EMPLOYMENT; EVALUATION OF PERFORMANCE; OR COMPENSATION OF THE **GENERAL MANAGER**

BACKGROUND

The General Manager's employment anniversary date is August 28, and his contract is expired and due for renewal. The Board may negotiate new contract terms with the General Manager to include Cost of Living Adjustment (COLA), merit pay, and/or bonus pay.

The General Manager's current rate of pay is \$10,319.52 biweekly (\$268,307.52 annually).

The most recently published CPI data shows a 7.3% year-over-year change between July 2021 and July 2022. A 7.3% base pay adjustment would bring the General Manager's new rate to \$11,072.85 biweekly (\$287,894.10 annually).

According to the labor agreements with the District's bargaining units, other District staff received a 1.5% COLA effective July 1, 2022. A 1.5% adjustment would bring the General Manager's new rate to \$10,474.31 biweekly (\$272,332.06 annually).

DESCRIPTION

The Board may take action regarding the appointment, employment, performance or compensation of the General Manager.

POLICY/STRATEGIC PLAN KEY FOCUS AREA

California Government Code §54953(c)(3) requires that prior to taking final action, the Board shall orally report a summary of the recommendation for a final action on the salaries or compensation paid in the form of fringe benefits of a local agency executive during the open meeting in which the final action is to be taken.

BOARD OPTIONS/FISCAL IMPACTS

A member of the Board is required by Government Code §54953(c)(3) to orally report the summary of the recommendations before taking action.

Option 1: Extend the General Manager's contract according to terms negotiated between the Board and Mr. Kennedy. A member of the Board is required to orally report the summary of the recommendations before taking action. A proposed script outline for any negotiated changes is below:

"I move to approve an extension to the contract between Rainbow Municipal Water District and Tom Kennedy with the following changes in terms:

[read aloud only the applicable line(s) below]

- Extend the expiration date of the contract to _____; and
 - A _____% cost of living adjustment, bringing his annual salary to _____ beginning August 28, 2022; and
 - A _____% base pay merit increase, to bring the General Manager's annual salary to \$_____ beginning August 28, 2022; and
 - A one-time lump sum discretionary bonus in the amount of \$_____ to be paid on the next regular pay date; and
 - A one-time lump sum discretionary bonus in the amount of \$_____ to be paid
- _____
- _____”

Option 2: Other action at the Board's discretion. A member of the Board is required by Government Code §54953(c)(3) to orally report the summary of the recommendations before taking action.

STAFF RECOMMENDATION

Staff defers to the Board for discussion and possible action.



Karleen Harp, COSM
Human Resources Manager

August 30, 2022

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

REVIEW AND DISCUSS THE RENEWABLE ENERGY BILL CREDIT TRANSFER PROGRAM AND POTENTIAL OPPORTUNITIES FOR RAINBOW MUNICIPAL WATER DISTRICT (DISTRICT WIDE)

DESCRIPTION

Rainbow Municipal Water District (referred to herein as District) has been exploring potential solar opportunities to offset San Diego Gas & Electric (SDG&E) utility costs borne by the District related to everyday system operations and administration. In late 2019, at the direction of the Board, staff were asked to evaluate the installation of a solar facility at Bonsall Reservoir instead of leasing to agricultural tenants. Cosmic Solar developed an Preliminary Solar Study report, which found that a site like Bonsall Reservoir could support a 502.3 kWdc system comprised of approximately 1,5000 panels, with a total panel area of 31,323 square feet. The estimated price to construct this facility in 2020 was estimated at \$1,000,000 and had the potential to generate approximate 779,430 kWh. The energy production was estimated to be equivalent to roughly 20% of the District's total annual electric use.

However, after discussions with SDG&E it was determined that the Bonsall Reservoir site does not currently have an electric meter. SDG&E policies do not allow the installation of a meter solely to facilitate solar connections to the grid.

After further internal discussion, in 2021 the District contracted Dr. Lon House from Energy and Water Consulting to further investigate the feasibility and economics of installing a solar generation project to reduce SDG&E electric bills and meet State carbon reduction goals (Attachment A). Dr. House is an Association of California Water Agencies recommended expert who has advised many local agencies on solar projects, including Valley Center Municipal Water District. He evaluated various programs to determine the eligibility and availability of SDG&E solar programs including the Net Energy Metering (NEM) and Renewable Energy Bill Credit Transfer (RES-BCT) programs. The NEM program was deemed unsuitable for the District because the program allows customers who generate their own energy to serve their energy needs directly onsite. The District does not have a suitable solar site with a large energy load and the District does not have suitable sites for solar that have large loads.) The Renewable Energy Bill Credit Transfer (RES-BCT) program, which allows public agency renewable generation at one site to offset SDG&E bills at other sites was determined to be the best option, however the program has been fully subscribed for years and shows no sign of reopening.

The recommended next steps for the District include the following options:

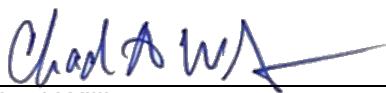
- 1.) Monitor the development of new programs coming out of the California Legislature and being implemented by the CPUC for applicability to this project,
- 2.) Monitor SDG&E RES-BCT Program for the slight chance that it will reopen, and
- 3.) Evaluate becoming a wholesale generator.

When considering option 3, there are a lot of caveats with this option. While the Municipal Water District Act of 1911 does allow MWDs to become electrical distributors, those powers are latent and would require LAFCO approval to be activated. In addition, constructing a new power system and associated infrastructure just to develop a solar project would be expensive and time consuming with little reward. For this small a project it is highly unlikely that this would be a viable option.

As a result of the challenges likely to be encountered, the District still continues to explore solar options. The Rice Canyon Transmission Line Project will be installing eight (8) new solar photovoltaic (PV) panels on Rice Canyon tank to offset the electrical consumption at this location. The Heli-Hydrant, otherwise known of the Rapid Aerial Water Supply, also has traditional power backed up a small PV system and back-up batteries. Additionally, the District is looking to install a PV and back up battery system at the Sumac Communications Tower to also provide supplement power and a back-up power supply. While both systems are fairly small, installing PV systems throughout the District's jurisdiction will only facilitate the District's desires for offsetting utility costs.

Attachments:

Attachment A: RES-BCT Evaluation Report



Chad Williams
Engineering and CIP Group Manager

08/30/22



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Water and Energy Consulting (WEC) Hereby Submits:
Rainbow RES-BCT Solar Evaluation Report

SUMMARY AND CONCLUSION

Rainbow Municipal Water District (Rainbow) has land for a storage reservoir that is not being used for district activities. Rainbow is interested in investigating the feasibility and economics of installing a solar generation project at this location to reduce San Diego Gas and Electric (SDG&E) electric bills and to meet state carbon reduction goals.

Net Energy Metering (NEM) requires usage at the site, so it is not an option. The Renewable Energy Bill Credit Transfer (RES-BCT) program, which allows public agency renewable generation at one site to offset SDG&E bills at other sites, would have been a good option but the program has been fully subscribed for years and shows no sign of reopening.

Recommendations

- 1.) Monitor development of new programs coming out of the California Legislature and being implemented by the CPUC for applicability to this project.
- 2.) Monitor SDG&E RES-BCT Program for the slight chance that it will reopen.
- 3.) Evaluate Becoming a Wholesale Generator. There are a lot of caveats with this option. Rainbow is not in the business of electrical generation and this would be expensive and time consuming with little reward. For this small a project it is highly unlikely that this will be a viable option.

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INTRODUCTION AND BACKGROUND

Rainbow Municipal Water District (Rainbow) has land for a storage reservoir that is not being used for district activities. Rainbow is interested in investigating the feasibility and economics of installing a solar generation project at this location to reduce San Diego Gas and Electric (SDG&E) electric bills and to meet state carbon reduction goals.

Net Energy Metering (NEM) and Renewable Energy Self-Generation Bill Credit Transfer (RES-BCT) are bill credit tariffs. There are other programs; such as Qualifying Facility (QF) contracts, Re-MAT (Renewable Energy Market Adjusting Tariff) and periodic solicitations by SDG&E for additional renewable capacity that may be applicable if Rainbow wanted to get into the energy generation business and become a wholesale energy producer.

Net Energy Metering (NEM)

Net Energy Metering (NEM) is available to customers who install renewable generation facilities to serve their onsite electricity needs. NEM allows customers who generate their own energy to serve their energy needs directly onsite and to receive a financial credit on their electric bills for any surplus energy fed back to their utility. The program provides customer-generators full retail rate credits for energy exported to the grid minus some non-bypassable bill charges. Since Rainbow has no electric load at this site, NEM is not an option.

Renewable Energy Self-Generation Bill Credit Transfer (RES-BCT)

The RES-BCT program allows local governments and college campuses to generate renewable energy at one site and credit the generation to other utility accounts. Energy that is not used onsite can be exported to SDG&E's grid. All generation exported to SDG&E's grid is converted into "generation credits" and is applied to other customer accounts.

A RES-BCT project consists of a generating account and up to designated 50 benefiting accounts. Generation bill credits are applied at the generation-only portion of a customer's retail rate and credited to the generation-only portion of the benefiting accounts.

An initial program evaluation report was provided to Rainbow on May 14, 2021 (*RES-BCT Solar Project Evaluation Initial Report*) that discussed applicability and availability of the program. That report found that the SDG&E RES-BCT program is fully subscribed and the utility is taking no more

applications for the program. No projects have dropped out, a year later the program is still closed to new applicants.

An economic assessment of the RES-BCT option was provided July 14, 2021 (*Rainbow RES-BCT Solar Project Value Analysis*). An 85 kW(ac) solar project, sized to match the electricity usage by Rainbow SDG&E accounts (See Table 1 below) during the past year, was evaluated using current SDG&E tariffs under the RES-BCT. This sized solar project will produce 188,353 kWh initially. This solar project will produce generation credits under AL-TOU of almost \$26,000 per year or \$0.1376 per kWh of generation under current tariffs. On the DGR tariff the value of the generation credits are about \$27,000 per year or \$0.1453 per kWh. These generating credits will be applied to the benefiting accounts tariffed generation component as a bill credit

RES-BCT PROGRAM

The RES-BCT virtual net metering option for governmental agencies renewable projects was established by AB2466 in 2008. This program enables local governments to share renewable generation credits from a system located on one government-owned property with billing accounts at other government-owned properties. The system size limit under RES-BCT is 5 MW. This schedule is only available to governmental entities. It allows the construction of a renewable generator that produces more than site load and allows the excess generation to be credited to other customer accounts.

Generation credits are determined by multiplying the exported kWh (generation in excess of site load) by the applicable utility generation rate component for each hour. This is only a portion of full retail costs. The generator will generate bill credits calculated by multiplying the Generating Account's time-of-use generation component (energy charge) of the electricity rate by the amount of energy exported to the grid (kWh) during the corresponding time period. These bill credits can then be applied to offset generation costs at the customer's other utility service accounts (Benefiting Accounts) at different facilities (up to 50 other accounts).

The customer may select one or more accounts (known as "Benefiting Accounts") to which the bill credits will be applied. There has to be enough of the generating component of the Benefiting Accounts to absorb all the generating credits generated. Any remaining bill credits at the Benefiting Account are carried over to the following month, but at the end of a 12-month period any unused credits are set to zero (donated to the utility).

The key considerations of RES-BCT are: 1) the generating credit for a portion of retail rates under RES-BCT is only the energy portion of the generating account (not full retail costs), 2) the customer

has to have enough Benefiting Accounts to absorb all the Generating Account credits produced, 3) these rates will change in the future as utility rates change, 4) there is no long term agreement under RES-BCT - you can always switch to another tariff or, if you wish, enter into a contract to sell the power to the utility or another purchaser, 5) the customer will retain ownership of the green (renewable) attributes of the electricity – the customer can use them or sell them to some other willing buyer, and 6) there is no scheduling requirement.

Table 1. Summary of SDG&E Accounts

Rainbow SDG&E Accounts

Address	Account #	Meter #	Tariff	Annual kWh	Annual \$
1050 Stewart Crest	2879803104	06746528	TOU-A-P	182	\$163.20
11395 Aruba Rd	3408549603	06789920	TOU-A-P	109	\$143.69
455 Highway 76	4065592756	06694725	AL-TOU	181,533	\$51,762.17
3690 Sarah Ann Dr	7382505701	06716897	TOU-A-P	4593	\$1,210.12
1560 Sleeping Indian Rd	9380440512	06565970	TOU-A-P	62	\$157.74
2498 Vern Dr	9632211707	05337416	TOU-A-P	711	\$290.36
5463 8th	21000004357	NA	NA	NA	NA

Since the single largest Rainbow account (455 Highway 76) uses almost as much electricity as the project generates and is on the same tariff as was evaluated (AL-TOU) there should be no problem using up all of the generation credits.

Table 2. SDG&E RES-BCT Program Status

SDG&E RES-BCT Project Status as of June, 2022

Active Projects

Date Application Submitted	Project Size (MW)	Status
5/2/2014	4.89	Operational
11/25/2015	4.87	Operational
3/21/2018	0.95	Operational
11/14/2017	0.59	Operational
8/5/2019	4.23	Operational
4/5/2018	1.727	Operational
TOTAL	17.257	

The total RES-BCT Program Limit is 20.25 MW, which means there is 2.993 MW remaining in the Program.

Additional (Pending) Projects in Queue

Date Application Submitted	Project Size (MW)	Status
3/21/2018	1.73	Pending AHJ Inspection
4/5/2018	1.70	Engineering Design
12/21/2017	1.83	Supplemental Review – Waiting on information from Applicant
TOTAL	5.26	

There is currently no remaining capacity in the program. This program has been effectively closed to new participants since 2020. No projects have dropped out of this program in the past years. The program is still closed to new applicants and there is little likelihood of it reopening.

DISCUSSION AND RECOMMENDATIONS

Monitor Development of New Programs (Legislature and CPUC)

The state of California has extremely ambitious renewable energy goals that will be difficult to achieve without additional customer-side generation programs. Advance notice of new programs involves keeping track of what the California Legislature and California Public Utilities Commission (CPUC) is doing in this area. New programs are instituted by the Legislature and implemented by the CPUC via a public proceeding. These proceedings typically take years before they are actually available to the local utility, so there should be ample time to prepare if a new program develops that would be attractive for this site.

Monitor SDG&E RES-BCT Program for Potential Reopening

The address of the SDG&E RES-BCT program is: <https://www.sdge.com/more-information/customer-generation/electric-rule-21>. It is recommended that Rainbow keep informed of progress in the program in the slight chance that a project may drop out and the program be reopened.

Evaluate Becoming a Wholesale Generator

Most solar projects are surprisingly easy to install. This is a relatively small solar project and a relatively simple one (no extensive land grading or structural design). Rainbow could consider building and owning the system themselves and selling the power generated.

Such an approach would require Rainbow to complete a number of actions enumerated below.

- 1.) Submit an application to San Diego Local Agency Formation Commission (LAFCO) to activate the power to sell electricity.
- 2.) Obtain Qualifying Factors (QF) status at Federal Energy Regulatory Commission (FERC).
- 3.) Enter into the California Independent System Operator (ISO) New Source Implementation (210 days minimum, open once a year).
- 4.) Obtain a wholesale interconnection (WDAT).
- 5.) Install ISO compliant metering and communications.
- 6.) Determine who will be the project scheduler.
- 7.) Enter into a contract to sell the power generated to another entity.

- SDG&E periodically has solicitations for additional renewable generation (<https://www.sdge.com/more-information/doing-business-with-us/rfps-rfos>) that require applicants to submit a bid for selling power.
- There are standardized utility contracts such as Qualifying Facility (QF) contracts, Re-MAT (Renewable Energy Market Adjusting Tariff) contracts that could also be used.

Such an endeavor should be approached with caution. Rainbow is not currently in the electrical generation business and it does require a bit of specialized knowledge. The actions necessary to become a wholesale generator are expensive and time consuming. This is a small project and not likely to generate much interest in the market. Also, solar-only projects are rare these days, almost all solar project are paired with energy storage to shape the electricity produced which adds yet another layer of complexity to the project. It is very unlikely that this will be a viable option.

DRAFT

MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

VARIABLE					
DATE	2022	MEETING	LOCATION	ATTENDEES	POST
September	8	SDCWA Special Board Meeting	SDCWA	GM	N/A
September	*	CSDA – San Diego Chapter	TBD	Mack	N/A
September	*	LAFCO Special Meeting	County Admin Center, Room 302 – 9:30am	(As Advised by GM)	N/A
September	*	Santa Margarita River Watershed Watermaster Steering Committee	Rancho California Water District	Hamilton	N/A

* To Be Announced

MEETINGS/SEMINARS/CONFERENCES/WORKSHOPS

RECURRING					
DATE	2022	MEETING	LOCATION	ATTENDEES	POST
September	1	Communications & Customer Service Committee Mtg.	RMWD Board Room 3:30 p.m.	Appointed Director, General Manager	8/24
September	7	Engineering & Operations Committee Meeting	RMWD Board Room 3:30 p.m.	Appointed Director, General Manager	8/31
September	12	LAFCO	County Admin. Center Room 302 9:00 am	As Advised by GM	N/A
September	13	Budget & Finance Committee Mtg.	RMWD Board Room 1:00 p.m.	Appointed Director, General Manager	9/7
September	13	SDCWA GM's Meeting	SDCWA, San Diego 9:00 a.m.	General Manager	N/A
September	16	NC Managers	Golden Egg 7:45 a.m.	General Manager	N/A
September	21	North County Work Group (NCWG)	Rincon Del Diablo, Escondido 8:00 a.m.	General Manager	N/A
September	22	SDCWA Full Board Meeting	SDCWA Board Room, 3-5 p.m.	General Manager	N/A
September	27	RMWD General Board	RMWD Board Room (Start Time to Be Determined)	All Directors	9/20

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

Operations Report for July 2022

DESCRIPTION

Activities for Operations & Maintenance Division

CONSTRUCTION & MAINTENANCE DEPARTMENT:

March	Repairs	Installations	Leaks
Mainline	7		7
Service	7		6
Hydrants		12	
Valves		1	
Meters			
Blow-Offs			
Air Vacs	2		2
Annual Totals	85	37	64

- **339** utility locates were completed in the month of March - **Annual Total 1,841**
- Repaired Service Leaks at 468 Rice Canyon, 2500 Rainbow Valley Blvd, 5437 Fair Green Way, 4711 Calle De La Vuelta, 3574 Gopher Canyon Rd, & 5714 Rainbow Heights Rd.
- Repaired mainline leaks at 29394 Vista Valley, 30012 Old Highway 395, 4236 Rancho Camino, 2636 Wilt Rd, intersection of Gopher Canyon and Kirsten Ln, 31916 Del Cielo Este, & 3209 Sol Vista.
- Modifications to Pala Mesa South (100 % complete) minus paving.
- Repaired Air Vacs on Rainbow Valley Blvd at the intersection of Rainbow Creek Rd.
- Assisted the meter department with downsizes and upgrades.
- Replaced 12 Hydrants in the Rancho Monserate Country Club community.

WATER OPERATIONS AND VALVE MAINTENANCE DEPARTMENT:

Water Operations:

- Assessed 0 Water Quality Complaints. **Annual total 11.**
- Performed 0 fire flow tests. **Annual total 2.**
- Performed routine maintenance/rebuilding of 4 pressure stations (CLA VALs). **Annual total 55.**
- Collected all tank/reservoirs nitrification samples.
- Placed Vallecitos Tank back online.
- Completed service maintenance on all pump station motors.
- All emergency generator maintenance completed.

Valve Maintenance:

Monthly Totals	Valves (Distribution)	Appurtenance Valves	Annual Totals
Exercised	60	63	790
Inoperable	5	5	48
Repaired			
Replaced	0	0	29
Installed	0		0

Valve Maintenance completed and/or oversaw the following:

- Assisted with 19 shutdowns- **Annual Total 92.**
- Raised 0 fire hydrants (installed breakaway spools).
- Replaced 1 air/vacs, 0 wharf heads, 10 Fire hydrants, and 0 gate valve.
- Painted 97 appurtenances- **Annual Total (649).**

METERS DEPARTMENT:

Water Service Upgrade Project

WSUP is **100%** complete. This is the last time we will report on WSUP.

Backflows:

- **410** backflows were tested in the month of July.
- **3725** backflows have been tested so far this year (2022).

Customer Service Requests:

- 231 Service Request were resolved in July. **Annual total 1474**
- 248 Check Bills were completed in the month of July. **Annual total 2134**
- Year to date service requests and check bills combined: 3608

WASTEWATER:

Monthly, Semi-Annual, and Annual Reports: California Integrated Water Quality System (CIWQS): Confirmation # 2629601 Reported: "No-Spill Report" for Month: July 2022.

July 09, 2022, Private Overflow CIWQS Event Id # 882199 Category (1) Address: 5527 Hwy 76 Bonsall Calif.

July 13, 2022, San Diego Regional Water Board Meeting - Discuss Bonsall Village Center private SSO's.

Lift Stations:

July 01, 2022 - Golf Club generator was placed back online after five months of waiting for parts to arrive. Load bank provided & tune up generator back in service.

Collection System: FPUD Vactor mutual agreement

July 6, 2022 - RMWD staff picked up FPUD's vactor for cleaning and closing Basin # 5.

July 7, 2022 - RMWD staff picked up FPUD's vactor for cleaning wet wells causing alarms.

July 28, 2022 - RMWD cleared and repaired sewer easement on Moosa creek for future access and prompt response from District.

Customer Service:

July 18, 2022 – Arnold Buford at Fifth Street, Rainbow, customer inquired of sewer service availability and septic tank concern.

Projects:

CIP - Thoroughbred sewer lift station.

V&A Consultants review draft sewer report.

Mutual Aid: Month of July 2022

FPUD -Training staff on operating FPUD loader.

Global Power services

Coast equipment Rentals



Robert Gutierrez 8/30/2022
Operations Manager

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

Engineering Report for July 2022

DESCRIPTION

CAPITAL PROJECTS:

Emergency Generators at Huntley-Gomez & Magee Pump Stations (Syska Hennessy Group): The Huntley-Gomez generator was delivered to the District in March 2022 and the Magee generator is expected to be delivered on August 9, 2022. The vendor advised the District of another delivery delay at the end of July 2022. Syska Hennessy Group and District staff conducted a site visit on July 27, 2022 to discuss the scope of work at each pump station location. Development of plans and specifications for the emergency generators are currently in progress and are expected in September 2022.

Gird Road Upsize (Omnis): This project is for the installation of an 18-inch pipeline along Gird Road. This project will be constructed inhouse. District staff executed a lease agreement with Bonsall Unified School District for use of their property for a construction site staging area. Design plans for the project have been finalized, materials ordered, and permit applications submitted to the County. Construction is anticipated to commence at the end of August 2022.

Hutton and Turner Pump Stations (Hoch Consulting): District staff continues to meet and work with Hoch Consulting on a weekly basis. Hoch is looking at meter data to assess demand for the Hutton Zone to help with calibrating the hydraulic model. District staff identified the source of power for the Turner pump station site and continued discussion with the property owner's representative on the potential easement acquisition on behalf of SDGE. The owner's representative gave a preliminary ok to the easement location. District staff let SDGE know to move forward with the design. District staff successfully acquired the new Hutton Pump Station site easement from Ocean Breeze Ranch, LLC. Geotech sampling was completed by one of the District's As Needed Consultants (Leighton). District staff received a Change Order No. 2 that will be presented to the Engineering and Operations Committee on August 3, 2022. The change order recommends design of a third pump station "Dentro De Lomas".

Live Oak Park Road Bridge Replacement – Water Improvements (Hazard Construction): District staff have been coordinating with the County of San Diego (County) and Hazard Construction on the Live Oak Park Road Bridge Replacement Project and Water Main Relocation Project. To date, two (2) monthly progress meetings have been held to discuss the construction status, submittals, inspection requirements, progress payments, environmental requirements, etc. Hazard Construction is currently working on constructing the bridge on the east side of Live Oak Park Rd. Excavation and demo of the 16-inch water main is expected to occur in early August 2022.

LS-1 Replacement Project -Thoroughbred and Schoolhouse Lift Stations (JW Fowler Co.): The project started construction in mid-January 2022 and is focused on the Lift Station site off Thoroughbred Lane. The contractor has completed excavation for the emergency storage facility and excavation on the wet wells and diversion structure. The contractor has completed placement of concrete for the floor slab, walls and completed the concrete placemetn for the roof slab. Pipeline installation began in late July with the 18-inch pipeline across Mission Avenue and into the River Village Shopping Center easement. District staff and legal counsel continue

to work with property owners to acquire three easements needed for this project. The County approved the design to hang the sewer line off the Camino Del Rey Bridge and Moosa Creek Bridge. District staff executed Change Order 1 Value Engineering proposal 50/50 split with the contractor to utilize Jack and Bore in lieu of microtunneling. District will save a total of \$260,945 credit (\$89,142 near Arco and \$171,803 at Ostrich Farm Creek). Change Order #2 was executed and included a valued engineering proposal 50/50 split with the contractor to modify the Primus liner material sourcing, saving the District \$44,154.00. Change Order #3 includes various change conditions and a credit for the deletion of the odor control equipment. The cost of change order #3 was \$766,573.86.

Manual Transfer Switches (Harris & Associates): The Consultant provided the 50% plans, specifications and estimate on July 15, 2022 and District comments were returned to the Consultant on July 29, 2022. The Consultant is currently reviewing all District comments and redlines and will coordinate with the District as necessary. The 100% submittal is expected in early September 2022.

Programmatic Environmental Impact Report (Helix Env.): The Draft PEIR was released for 45 Day Public Commenting. The Notice of Availability was mailed out to stakeholders, advertised in the Daily Journal, and filed with the County. The report was uploaded to the District's website and State Clearinghouse. Public comments were due by July 8, 2022. Comments were received from Caltrans, California Department of Fish and Wildlife, and the County of San Diego. The response to comments and Final PEIR was completed in July 2022. District staff will present the Final PEIR to the Engineering and Operations Committee in August 2022 and the Board for certification at the end of August 2022.

Rainbow Valley Blvd. Cathodic Protection (Farwest CCC): The project proposes to install cathodic protection on a water main starting at Rainbow Heights Pump Station to Rainbow Hills Pump Station along 8th Street, Rainbow Valley Road, and Frontage Road. All work has been completed and the testing and commissioning of the CP system is scheduled for mid-August 2022.

Rainbow Water Quality Improvement Project – Water Main & Service Laterals (Omnis): The County of San Diego is proposing a water quality improvement project in the community of Rainbow, which impacts approximately 21 service laterals, 350 feet of 8-inch water main, 650 feet of 12-inch main and three (3) sections of 8-inch water main. The District's Rainbow Water Quality Improvement Project – Water Main & Service Laterals Project was advertised for construction in June 2022 and the Board authorized awarding a construction contract to Ortiz Corporation on July 26, 2022. The construction contract is scheduled to be executed in early August 2022 and a pre-construction meeting is scheduled for August 9, 2022.

Rice Canyon Tank 18-Inch Transmission Line (Dexter Wilson Eng.): Cass Arrieta Construction has installed all new pipe associated with the 18-inch Transmission Line and is currently working on tank outlet piping and testing. No cultural resource, biological resource or stormwater compliance concerns have been documented or reported for the month of July 2022. Sixteen (16) progress meetings have been held with District staff, Tri-Pointe Homes, Cass Arrieta, and the project's environmental team to discuss construction updates, construction administration, potential constraints, and sensitive resources. Cass Arrieta Construction expects to receive EFI shelters and valves on August 11, 2022. Extra work reports continue to be submitted for time and material tracking and haul off related to hard rock excavation. District staff expects to issue one more Participation Agreement Amendment in August 2022 for hard rock excavation, solar panel modifications, and pressure reducing station adjustments. Construction is still expected to be completed in October 2022, however this is subject to change based on the material delivery date. All pipe is in the ground. The vault is set for the flow meter. Three concrete slabs have been placed for the PR Stations.

San Luis Rey Return Flow Recovery Project (DLM Engineering): The District publicly advertised a Request for Proposal for hydrogeologic and engineering services from February to the end of March 2022. Two (2) proposals were received, and an Evaluation Committee met in April 2022 to discuss individual scoring evaluations. Consultant interviews were conducted in May 2022 and contract negotiations are now complete. District staff has successfully reduced the Consultant's fee proposal by 12% bringing the revised total to \$1,158,183 and modified the proposed scope of services to incorporate multiple "stop points" into the contract.

On July 26, 2022, the Board authorized award of a professional services agreement to Hoch Consulting with a not to exceed amount of \$600,000.

Sumac Communications Tower PV & Back-Up Battery System (Hoch Consulting): District staff advertised a Request for Statement of Qualifications (RFSQ) solicitation in March and April 2022 and did not receive any Qualification packages. District re-advertised the project in July 2022 through a Request for Proposal (RFP) solicitation. District staff contacted twenty-five (25) different solar companies and offered an optional pre-proposal site visit on July 6, 2022 to create more interest in the project. Only one company attended the pre-proposal site visit. Proposals are due August 4, 2022 at 2:00 p.m.

Wilt Road Pipeline Project (Omnis): This project proposes installation of a new 18-inch pipeline from Canonita down Wilt Road, Peony and Citrus. The project is about 4,000 linear feet. This will be an inhouse construction project. The final project design will be completed in mid-August 2022.

MAJOR DEVELOPER PROJECTS:

Bonsall Oaks (formally Polo Club): 164 SFR / 205.8 EDUs – A fourth amendment to the unrecorded joint agreement to improve major subdivision Tract No. 4736-1 was made and entered on May 24, 2022, between the Developer, County of San Diego, and the District. District staff has completed plan reviews for Phase 1A and Phase 1A-1 of the construction. The Developer paid 50% of the sewer connection fees as required per the executed Sewer Agreement, which is effective for five years from the date of execution (9/16/26). The contractor pulled off-site and is waiting for materials. The Developer continues to submit plan reviews for future phases of the project. The District issued a claim for damages to the developer regarding three main breaks that caused significant damage to the District's infrastructure. The construction activities at the project site caused pressure surges, which resulted in the main breaks. The total claim amount was for \$156,588.26, which is due on August 12, 2022. If the claim is not paid in full the project will be shut down.

Campus Park West (JPSD, LLC): Residential and Commercial development. District staff received pre-plan information and first plan check submittal on September 8, 2021. Staff has completed two rounds of plan checks and has coordinated with the Developer on the location and design of a new pressure reducing station to serve the development. District staff expect to receive a third plan review submittal in August.

Citro (Tri Pointe) (formally Meadowood by Pardee Homes): Approximately 844 Units, 926.6 Sewer EDUs - On Pala Road/Horse Ranch Creek Road. The Board has entered into an Out of Agency Service Agreement and an Annexation Agreement with the Developer. The annexation of the development was recorded in July 2021. District staff has completed plan reviews for all proposed improvements. The District has entered Joint Agreements with the Developer and the County for a portion of the Development. A Joint Agreement for the development of planning area 5C is expected to be considered by the Board at the August meeting. The contractor has constructed several of the improvements and is on site excavating and installing both water and sewer main. A second crew is on site testing the water and sewer for the models (phase 1). The Developer has purchased 127 meters to date.

Fairview-Lilac Del Cielo (Bonsall LLC): 73 Units / 77.8 Sewer EDUs – The Developer paid 50% of the sewer connection fees and the agreement is effective for five (5) years from the date of execution (12/31/24). The SCIP was executed on May 12, 2021, which allows the Developer to be reimbursed from bond proceeds for water and sewer capacity fees. All water meters have been purchased for this Developer, a total of 75. The water main has been tested and accepted. The Developer is working on meter installs and sewer connections. A final tie-in at the project's entrance continues to be delayed because of the necessary valve's delivery date being delayed. Once the valves arrive and are inspected, a shutdown will be scheduled to complete this final tie-in. Once this remaining work is completed, District staff will work with the Developer to produce the project close out documentation.

Horse Creek Ridge (D.R. Horton): 627 SFR/MF, 430 Water Meters / 723.9 Sewer EDUs – On Highway 76 and Horse Ranch Creek Road. Currently inspecting meter installs, meter releases and sewer connections. All the

water meters have been purchased – 430. Staff is working with the Developer on final inspections and project closeout. Staff continues to review various CFD reimbursement packages submitted by the Developer.

Horse Creek Ridge Unit 6R5 Promontory (Richmond American Homes): 116 Units, 113 Water Meters (plus irrigation meters and 3 SF meters previously purchased by DRH) / 169.5 Sewer EDUs - On Highway 76 and Horse Ranch Creek Road. D.R. Horton, master Developer of HCR sold Unit 6-R5, 124 lots, Promontory Subdivision to Richmond American Homes. Currently the sewer EDUs are covered under an agreement with D.R. Horton. All water meters have been purchased for this Development, a total of 116. The District's Senior Inspector is inspecting meter installs, meter releases and sewer connections.

Malabar Ranch (Davidson Communities): 31 SFR / 29 EDUs - On Via Monserate / La Canada. There are 17 out of 31 homes built. Developer needs to complete the waterline relocation and punch list items, including the provision of as-built plans.

Ocean Breeze Ranch: The District completed review of the revised water and sewer system analysis reports, conditions of approval, and improvement plans in December 2020. District staff also reviewed an exhibit showing a Utility Conflict and provided comments in January 2021. Staff responded to requests regarding expected costs for the Developer to move forward.

Pala Mesa Highlands (Beazer Homes): 124 SFR / 160.2 Sewer EDUs – On Old Highway 395. One of the required Pressure Reducing Stations has not yet been installed. Currently inspecting meter installs, meter releases and sewer connections. All water meters have been purchased for this Development, a total of 129. The contractor is waiting on the delivery of plug valves to complete construction of the Pressure Reducing Station.

Rancho Alegre (Garrett Grp/Redhawk Communities): Developer paid deposit for Sewer Analysis. District staff continues to work with Dexter Wilson Engineering, Inc. to produce a comprehensive analysis of the District's sewer infrastructure which is expected to be completed by the end of September. Preliminary findings concerning the impact of the Rancho Alegre development on District sewer infrastructure are expected to be available by the end of August.

San Luis Rey Racetrack Improvement Plan: Developer paid deposit for Sewer and Water Analysis. Dexter Wilson Engineering, Inc. produced a memorandum discussing the expected impacts to sewer infrastructure related to one of two expansion scenarios proposed by the developer. District staff is expecting data from the Developer related to the second expansion scenario to complete a second memorandum. District staff continues to work with Dexter Wilson Engineering, Inc. to produce a comprehensive analysis of the District's sewer infrastructure which is expected to be completed by the end of September.

The Preserve at Riverbend (Cameron Development Grp.): The proposed development plan includes 1,309 mixed density residential units, mixed use commercial, a fire station, parks, agricultural spaces, and open space, development is going through preliminary planning with the District, County, LAFCO and the Pala Tribe. District staff continues to work with Dexter Wilson Engineering, Inc. to produce a comprehensive analysis of the District's sewer infrastructure which is expected to be completed by the end of September. Preliminary findings concerning the impact of The Preserve at Riverbend development on District sewer infrastructure are expected to be available by the end of August.

West Lilac Farms: 28 Lots – Via Ararat/Aqueduct Road. District staff are working with the developer regarding preliminary planning efforts.

MINOR DEVELOPER PROJECTS:

Cal-A-Vie (Spa Havens) Water Main Extension on Spa Havens Way: Plans have received final approval and the Grant of Easement for the waterline improvements has been recorded.

Carefield Senior Living: District staff have completed one plan check.

Doud Waterline Extension: District staff has completed three plan checks and required easements have been recorded. District staff is working with developer on approving plans and completing pre-construction requirements.

Melanie Lane Waterline Extension (Monserate Place, LLC): District staff have completed one plan check.

Monserate Winery: The Sewer Service Agreement was approved at the March 2022 Board Meeting. The District is verifying the completion of construction and coordinating the project closeout.

Pala Mesa Market Development Plan: District staff have completed one plan check.


View Point Road Waterline Extension: Developer paid deposit for plan check on June 23, 2022.

Walker Farm Road Waterline Extension: District staff have completed two plan checks.

Whitman Waterline Extension: District staff are waiting on plan submittal.

OTHER:

ITEMS	NO#	ITEMS	NO#
Water Availability Letters	1	Water Meters Purchased	9
Sewer Availability Letters	0	Sewer EDUs Purchased	0
Water Commitment Letters	1	Jobs Closed:	
Sewer Commitment Letters	1		


Chad Williams 8/30/22
Engineering & CIP Program Manager

AS-NEEDED CONTRACT EXPENDITURES REPORT

JULY 2022

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE
Title: As-Needed Land Surveying Services, PSA 18-16 Firm: Johnson-Frank & Assoc. Expires: 8/29/22 CO-01 \$0 NCE BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 50,000.00		
	CIP	2021-04	Closed	5/3/2021	Prepare Plat Map - Throroughbred Lift Station		\$ 22,403.50	\$ 23,143.50
	CIP	2022-05	Open	5/10/2022	Legal Descriptions/Plat Maps/Easements - Thoroughbred Lift Station		\$ 6,600.00	\$ 5,550.00
					Unspecified		\$ 5,702.10	\$ -
						TOTALS:	\$ 50,000.00	\$ 39,510.91
Title: As-Needed Land Surveying Services, PSA 18-14 Firm: KDM Meridian, Inc. Expires: 8/29/22 CO-01 \$50K BoD 5/26/20, CO-02 \$50K BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 150,000.00		
	CIP	2021-14	Closed	1/29/2021	Survey & staking of easements - Rancho Amigos. (Additional \$815 was approved by staff.)		\$ 7,530.00	\$ 8,345.00
	CIP	2021-15	Closed	5/27/2021	Survey & staking of easement - Turner Pump Station. (Staff evaluating if more work may be needed.)		\$ 5,665.00	\$ 5,665.00
	NON-CIP	2021-16	Closed	7/22/2021	Prepare documentation to file a quit claim for Rainbow easement at Fire Station 4.		\$ 1,500.00	\$ 1,500.00
	NON-CIP	2021-17	Closed	7/29/2021	Bonsall Park prepare documentation for new easement and quit claim documentation for existing easement.		\$ 7,240.00	\$ 7,210.00
	CIP	2022-18	Pending	7/14/2022	Live Oak Park Bridge - Survey & Staking		\$ 7,500.00	\$ -
					Unspecified		\$ 53,387.00	
						TOTALS:	\$ 150,000.00	\$ 80,533.75
Title: As-Needed Land Surveying Services, PSA #18-15 Firm: Right-of-Way Eng. Expires: 8/29/22 CO-01 \$50K BoD 5/26/20, CO-02 \$50K BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 150,000.00		
	CIP	2021-10	Closed	1/11/2021	Topographic Survey - Rainbow Heights Road		\$ 8,820.00	\$ 8,525.00
	CIP	2021-11	Closed	1/19/2021	Easement Survey - Skycrest Drive.		\$ 7,710.00	\$ 4,162.60
	CIP	2021-12	Closed	2/4/2021	Easement Survey, Legal Desc./Plat Map - Camino Del Cielo. (Additional \$518 was approved by staff.)		\$ 5,490.00	\$ 6,007.50
	CIP	2021-13	Closed	2/23/2021	Easement Survey/County ROW Marking, Topo Map - Camino Del Cielo.	\$ 103,700.70	\$ 2,320.00	\$ 2,320.00
	CIP	2021-14	Closed	2/23/2021	Easement Survey - Skycrest Drive.		\$ 4,720.00	\$ 795.00
	CIP	2022-15	Closed	1/25/2022	Old Mission Road (LS-1) - Legal Description & Plat Map		\$ 2,940.00	\$ 2,940.00
	CIP	2022-16	Closed	2/1/2022	River Village-Daniels Market (LS-1) - Staking Easements Centerlines/Limits (Additional \$840 was approved by staff.)		\$ 1,470.00	\$ 2,490.00
	CIP	2022-17	Open	4/5/2022	Hutton/Turner - Locate Existing Easements & Stake Limits.		\$ 6,940.00	\$ 6,005.20
	CIP	2022-18	Open	4/28/2022	Hutton Site - Legal Description, Easements, Plats.		\$ 6,790.00	\$ 5,730.00
					Unspecified		\$ 32,569.30	
						TOTALS:	\$ 150,000.00	\$ 98,891.10
Title: As-Needed Civil Engineering Services, PSA #19-16 Firm: Dudek Expires: 6/25/22 CO-01 (\$100K) BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 50,000.00		
					Unspecified		\$ 38,212.50	\$ -
						TOTALS:	\$ 50,000.00	\$ 9,315.00

**AS-NEEDED CONTRACT EXPENDITURES REPORT
JULY 2022**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE
Title: As-Needed Civil Engineering Services, PSA #19-17 Firm: Omnis Consulting, Inc. Expires: 7/1/22 CO-01 \$150K BoD 6/23/20.								
CONTRACT AMOUNT:						\$ 300,000.00		
	CIP	2021-09	Closed	4/19/2021	Sarah Ann Waterline Replacement.		\$ 6,800.00	\$ 5,265.00
	CIP	2021-10	Closed	4/19/2021	Rainbow Water Quality Improvement Relocation Design. Amended for additional design services.		\$ 13,900.00	\$ 13,900.00
	CIP	2021-11	Open	6/9/2021	Wilt Road Water Pipeline Design.		\$ 45,905.00	\$ 33,214.00
	CIP	2021-10A	Closed	10/26/2021	Rainbow Water Quality Improvement Relocation Design. Amended for additional design services.		\$ 6,290.00	\$ 6,290.00
	CIP	2021-12	Closed	12/15/2021	Additional Services for Wilt Road Water Pipeline Design.		\$ 23,090.00	\$ 22,697.00
	NON-CIP	2021-13	Closed	2/3/2022	Rice Canyon Road - Prepare Street Improvement Plans		\$ 8,630.00	\$ 8,630.00
	CIP	2022-14	Closed	6/21/2022	Gird Road Water Main Upsize. Amended for additional design services.		\$ 5,865.00	\$ 5,865.00
					Unspecified		\$ -	\$ -
							\$ 8,795.00	\$ -
					TOTALS:	\$ 300,000.00	\$ 300,000.00	\$ 271,191.67
Title: As-Needed Civil Engineering Services, PSA #19-18 Firm: HydroScience Eng., Inc. Expires: 6/25/22 CO-01 \$40K BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 110,000.00		
	CIP	2022-02	Open	2/2/2022	Additional Services for Live Oak Park Road Bridge Crossing. Bid Support/Engineering Services during Construction.		\$ 24,290.00	\$ 8,625.55
					Unspecified		\$ 43,690.00	\$ -
					TOTALS:	\$ 110,000.00	\$ 110,000.00	\$ 50,645.55
Title: As-Needed Real Estate Appraisal Services, PSA #19-19 Firm: Anderson & Brabant, Inc. Expires: 6/25/22 CO-01 \$20K BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 40,000.00		
	CIP	2021-03	Closed	4/28/2021	Hutton Pump Station Site Appraisal. (Staff authorized additional work.)		\$ 7,500.00	\$ 7,500.00
	CIP	2021-04	Closed	8/11/2021	Thoroughbred Lift Station Appraisal. (Four Reports)		\$ 17,500.00	\$ 17,500.00
	CIP	2022-05	Closed	2/1/2022	S. Mission Road (LS-1) - Fair Market Appraisal		\$ 3,500.00	\$ 3,500.00
					Unspecified		\$ 500.00	\$ -
					TOTALS:	\$ 40,000.00	\$ 40,000.00	\$ 39,500.00
Title: As-Needed Real Estate Appraisal Services, PSA #19-20 Firm: ARENS Group, Inc. Expires: 6/11/22 CO-01 \$20 BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 40,000.00		
					Unspecified		\$ 28,200.00	\$ -
					TOTALS:	\$ 40,000.00		\$ 12,992.50

**AS-NEEDED CONTRACT EXPENDITURES REPORT
JULY 2022**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE	
Title: As-Needed Geotechnical Services, PSA #19-39 Firm: Leighton Consulting, Inc. Expires: 11/13/22.									
CONTRACT AMOUNT:						\$ 100,000.00			
	CIP	2021-02	Closed	4/15/2021	Turner Pump Station geotechnical exploration.		\$ 14,300.00	\$ 14,286.63	
	CIP	2021-03	Open	5/15/2021	Hutton Pump Station geotechnical exploration.		\$ 8,450.00	\$ 1,761.80	
					Unspecified		\$ 68,620.00	\$ -	
						TOTALS:	\$ 100,000.00	\$ 100,000.00	\$ 24,532.63
Title: As-Needed Geotechnical Services, PSA #19-40 Firm Ninyo & Moore G.E.S Expires: 11/1/22.									
CONTRACT AMOUNT:						\$ 100,000.00			
	NON-CIP	2021-03	Closed	5/6/2021	Dentro De Lomas - Geotech observation & material testing. Proj. #1		\$ 6,097.00	\$ 4,104.00	
	CIP	2022-04	Open	2/9/2022	Rice Canyon Road Improvements geotech observation & material testing.		\$ 3,422.00	\$ 2,395.00	
	CIP	2022-05	Open	7/5/2022	Live Oak Park Road Bridge Waterline Relocation geotech observation & material testing.		\$ 17,284.00		
					Unspecified		\$ 56,444.00	\$ -	
						TOTALS:	\$ 100,000.00	\$ 100,000.00	\$ 15,004.00
Title: As-Needed Geotechnical Services, PSA #19-41 Firm: ATLAS (SCST, LLC) Expires 11/20/22.									
CONTRACT AMOUNT:						\$ 100,000.00			
					Unspecified		\$ 63,381.00	\$ -	
						TOTALS:	\$ 100,000.00	\$ 100,000.00	\$ 17,563.00
Title: As-Needed Construction Management & Insp. Services, PSA #20-01 Firm: Harris & Associates Expires: 1/28/23 CO-01 \$20K BoD 6/22/21.									
CONTRACT AMOUNT:						\$ 170,000.00			
	CIP	2022-05	Open	1/6/2022	Continued District Wide Inspection Services.		\$ 20,000.00	\$ -	
					Unspecified		\$ 12,730.00	\$ -	
						TOTALS:	\$ 170,000.00	\$ 170,000.00	\$ 133,782.84
Title: As-Needed Construction Management & Insp. Services, PSA #20-02 Firm: ReillyConstruction Mnmt. Expires: 1/28/23 CO-01 (\$100K) BoD 6/22/21.									
CONTRACT AMOUNT:						\$ 50,000.00			
					Unspecified		\$ 50,000.00		
							\$ -	\$ -	
						TOTALS:	\$ 50,000.00	\$ 50,000.00	\$ -

**AS-NEEDED CONTRACT EXPENDITURES REPORT
JULY 2022**

CONTRACT INFO	FUND SOURCE	ASSIGN. NO.	STATUS	DATED	DESCRIPTION	CONTRACT AMOUNT	AUTHORIZED ASSIGNMENT	INVOICED TO DATE
Title: As-Needed Environmental Services, PSA #20-03 Firm: Helix Environmental Expires: 2/25/23 CO-01 \$110 BoD 6/22/21, CO-02 \$115K BoD 12/7/21.								
CONTRACT AMOUNT:						\$ 325,000.00		
	CIP	2021-07	Closed	3/25/2021	Rainbow Heights Pipe Installation - Bird Survey.		\$ 5,000.00	\$ 808.80
	CIP	2021-08	Open	5/21/2021	RMWD HQ - Biological Survey & Buffer Mapping.		\$ 11,684.00	\$ 7,771.25
	CIP	2021-09	Open	11/16/2021	CIP General Environmental Support Services		\$ 25,000.00	\$ 3,418.75
	CIP	2021-10	Open	11/30/2021	Hutton & Turner Pump Stations - Cultural, Biological, Noise Reports. CEQA - IS/MND.		\$ 46,603.00	\$ 18,963.50
	CIP	2021-11	Open	12/8/2021	Rice Canyon Pipeline - Cultural & Tribe Monitoring		\$ 111,400.00	\$ 41,759.33
	CIP	2022-12	Open	1/10/2022	LS-1 Environmental Compliance		\$ 48,798.00	\$ 10,185.08
					Unspecified		\$ (6,801.00)	\$ -
TOTALS:						\$ 325,000.00	\$ 325,000.00	\$ 142,133.95
Title: As-Needed Environmental Services, PSA #20-04 Firm: Rincon Consultants Expires: 2/25/23 CO-01 \$(15K) BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 85,000.00		
	NON-CIP	22-02	Open	3/3/2022	Nesting Bird Survey at Gopher, Morro and Canonta tanks, prior to tree/vegetation clearing.		\$ 4,185.25	\$ 3,394.85
					Unspecified		\$ 77,574.75	\$ -
TOTALS:						\$ 85,000.00	\$ 85,000.00	\$ 6,629.60
Title: As-Needed Environmental Services, PSA #20-05 Firm: Michael Baker International Expires: 3/24/23 CO-01 (15K) BoD 6/22/21.								
CONTRACT AMOUNT:						\$ 85,000.00		
					Unspecified		\$ 85,000.00	\$ -
TOTALS:						\$ 85,000.00	\$ 85,000.00	\$ -



**SEWER EQUIVALENT DWELLING UNITS (EDUs) STATUS REPORT
JULY 2022**

STATUS SUMMARY	EDUs
Total Treatment Capacity Purchased from Oceanside	8,333
Less 5% Contractual Allowance	417
EDUs Set Aside by Board for Emergencies	60
EDUs Connected	5,643 *
EDUs Unconnected/Committed	883
Total EDUs Available for Purchase:	1,330

DEVELOPMENTS WITH UNCONNECTED/COMMITTED EDUs	EDUs	CAPACITY FEES PAID/CREDIT
Bonsall Oaks (Polo Club) - 164 (SF & Other)	206	\$ 2,907,119
Citro (fka Meadowood) - 844 (SF/MF)	568	\$ 10,500,000
Passarelle (HRC Commercial)	97	\$ -
Other Development w/5 or less EDUs - (SF & Other)	13	\$ 164,833
TOTAL UNCONNECTED:	883	\$ 13,571,952

Notes:

*There is a delay between connections and new account activations.

1. Bonsall Oaks paid initial 50% of Sewer Capacity Fees. Remaining 50% due prior to issuance of building permits.
2. CITRO Annexation Agreement 4/30/20 - Sewer Capacity \$10.5M to be paid by the CFD in mid-2022. Total EDUs committed 926.6. Total EDUs processed to date 628.4 and 358.6 connected.
3. Passarelle last remaining EDUs.

BOARD OF DIRECTORS

August 30, 2022

SUBJECT

HUMAN RESOURCES REPORT FOR AUGUST 2022

DESCRIPTION

Personnel changes, human resources activities, and safety report for August 2022

STAFF UPDATES:

- Promotion: Claudia Ramirez was promoted from Part-Time HR Assistant to Full-Time HR Specialist I.

RECRUITMENT:

- The newly approved and added **Analyst** position in Engineering is now posted for Recruitment.

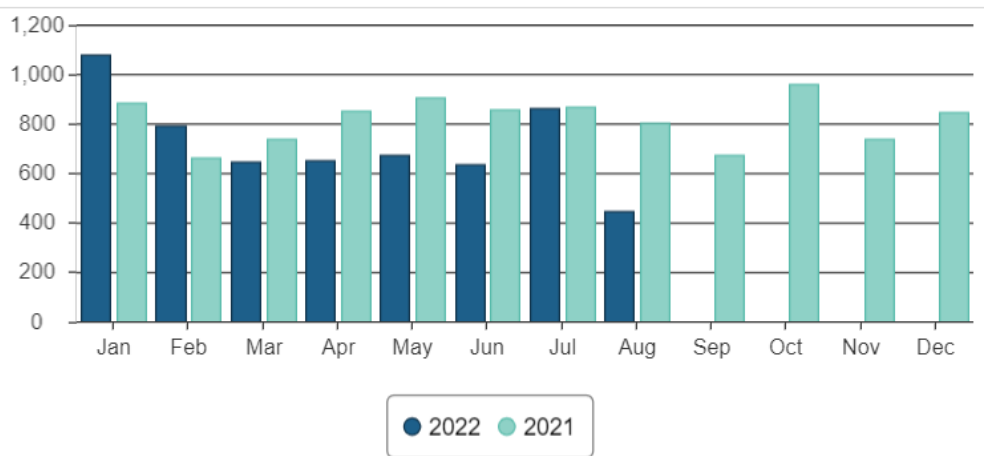
2023 BENEFITS:

The District has received the 2023 rates for the health insurance plans through ACWA-JPIA. Overall, the District’s cost could decrease by 1.8% if employee enrollment selections do not change significantly. Enrollment changes could result in either a further savings or increase in costs. Individual rate changes across plans are as follows:

- Anthem PPO/CDHP: 14.5% decrease
- Anthem HMO: 9.8% increase
- Kaiser CDHP: 3.1% aggregate increase, varies by tier
- Kaiser HMO: .8% aggregate increase, varies by tier

OVERTIME UPDATE:

The chart below shows the year-to-date aggregate overtime for the District, compared with 2021. Overall overtime has been lower most months, with the exception of January due to a series of leaks on a holiday weekend and quarantines related to the Omicron surge.



AUGUST ANNIVERSARIES:

8/10/2020	MICHAEL GONZALEZ	2 years
8/14/2019	MALIK TAMIMI	3 years
8/23/2021	JAMES VINCENT	1 year
8/26/2019	AMANDA CONSTANT	3 years
8/28/2014	THOMAS KENNEDY	7 years

COIN AWARDS: Congratulations to Bernardo Nunez and Dawn Washburn for earning all 5 Excellence Coin Awards in the month of July!

Coin Recognition	Employee	Department	Coin Nomination
Professionalism Honorable Mention	Bernardo Nunez Wayne Nault Bryan Ortiz	Construction	Bernie and Wayne have welcomed me with open arms and have helped me tremendously in my first month of being here at Rainbow Water District. They have been instrumental in setting me up for success in my new role, by being patient with all my questions, and being very approachable any time I need something.
Responsibility	Corynn Stalker Josh Cruz	Customer Service	Recently, Josh and Corynn took the initiative to re-organize the entire print/supply room in the Customer Service area. Corynn multi-tasked with incoming customers, calls, then would go right back to organizing in between. Whether this was a one-day or multiple day project, the room is now impressively organized to include printed and laminated labels & decluttered shelves.
Innovation	Bernardo Nunez *5th Coin Award*	Construction	Bernardo should be recognized for the innovative work ethics he continuously provides for RMWD. Prior to our new cad welding equipment, our team would struggle with getting the weld to hold causing us to spend more time ensuring it was secure. Bernie was able to discover helpful equipment that expedites the cathodic protection process. He singlehandedly coordinated with the vendor to ensure our Construction staff was provided with the proper training.
Innovation	Dawn Washburn *5th Coin Award*	Administration	Dawn did a great job finding a solution to organize the admin code into one bookmarked document efficiently. She did extensive research and found a way of doing this without redoing the document every time. Dawn was able to finish this task within minimal hours instead of the days it would have taken to rewrite the document. The public, staff, and Board members will be able to benefit from this, as they will be able to quickly locate any current District policy located within the admin code.

RISK MANAGEMENT:

Incidents

There were no lost time or modified duty due to a work-related incident.

Safety Training

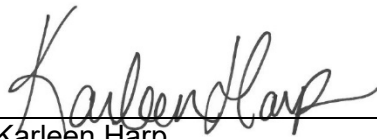
Vector Solutions online training: 7 completions for the July training period 2022. Future planning to increase safety awareness throughout the district to include:

- OSHA 30- Training for Supervisors and Crew Leaders August 29 and 31, Sept 12, 14 and 19th
- Fire Safety Training for Field Staff
- Traffic Control & Flagger Training Aug 10th
- Electrical Safety Training
- Ergonomics Certification for Risk Management Officer

Claims in Progress/Completed

Possible claims arising from Del Cielo Este mainline break.
Pending claims related to the break on Palomar Place.

Tailgate/ Office Safety Trainings



Karleen Harp
Human Resources Manager

8/30/2022

BOARD OF DIRECTORS

August 23, 2022

SUBJECT

FINANCE REPORT FOR AUGUST 2022

DESCRIPTION

Summary:

Water Sales:

Budgeted 13,500 AF

Actual June FYTD 21/22 14,890 AF

Actual June FYTD 20/21 15,963 AF

Actual June FYTD 19/20 13,257 AF

Actual June FYTD 18/19 13,771 AF

June FYTD 2021/2022 (Preliminary) Budget vs Actual:

For FY 2021/22 (FY22), the board followed the recommendation of staff and committee to budget future sales lower and more in line with the most recent years' trends at 13,500 AF, with operating expenses being budgeted within this lower operating revenue level as well. FY 21 sales were 16,246 AF, adjusted for sales made per day within the FY.

Fund Balance Projections:

Operating Fund Balances have been adjusted to comply with the Board Cash Reserve Policy 5.03.220. The Rate Stabilization Fund is being funded over a five-year period to be fully funded to the board approved level by FY26.

The New Water Sources Reserve Fund, established by the RMWD Board, sets aside funds to study and acquire alternate water sources for the purpose of reducing the District's reliance on imported water. The reserve is funded by the Water Service portion of the Standby Charge collected by the San Diego County Tax Collector from all parcels within the district. It reflects 38.1% of the revenue received from property tax revenues.

Capital Fund Balances have been updated to reflect the changes to developer projects for Water and Wastewater.

Treasury Report:

Interest Revenue for June 2022 was \$21,610 compared to \$6,571 for the prior month. Loss from assets sales was \$1,749 compared to loss of \$0 for the prior month. Investment valuation was down by \$73,916 from the prior month.

Water Purchases & Water Sales:

The Five-Year Water Purchases Demand Chart (Attachment D) reports purchases; this data is available in real time. Purchases for the fiscal year ending June 30, 2022 are below the 5-year average (blue line). FY23

Purchases for the first month are slightly above FY 22 and above the budgeted purchases that would support 13,500 AF in sales.

The Water Sales Summary Report (Attachment E) represents water that was billed to customers, so the data is time delayed in comparison to the Five-Year Water Purchases Demand Chart. Water Loss from meter inaccuracy and breaks is also not included in the Five-Year Demand Chart since this data is from purchases. These two reports will not correlate unless they are both presented for the same date; we provide the purchases report in real time to provide the board with the most current demand information available.

Monthly Call Volume:

The call volume for June included 969 calls to customer service compared to 1,250 for the same month one year prior. The average talk time was 3 minutes and 15 seconds. The average time in queue was 4 minutes and 6 seconds. The max time in queue was 30 minutes compared to 49 minutes for the same month one year prior.

Attachments:

- A. Budget vs Actuals (JUNE FYTD22)
- B. Fund Balance & Developer Projections (FY22)
- C. Treasury Report (JUNE FY22)
- D. Five-Year Water Purchases Demand Chart (through 07/31/2022)
- E. Water Sales Summary (JUNE FY22)
- F. Check Register (JUNE FY22)
- G. Directors' Expense Report (JUNE FY22)
- H. Credit Card Breakdown (JUNE FY22)
- I. RMWD Properties



Tracy Largent, CPA
Finance Manager

August 23, 2022

Statement of Revenues & Expenses Budget vs. Actual

Operating Funds (Water, Wastewater, & General Funds)

June 30, 2022



Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
Operating :						
41110-Water Sales-SF, MF, CM, IS	10,223,411	9,624,692	598,719	6%	9,624,692	
41112-Sewer Charges-Established Acct	2,989,535	3,754,655	-765,120	-20%	3,754,655	
42120-Monthly O & M Charges	9,876,454	10,349,497	-473,043	-5%	10,349,497	
42121-Monthly O&M Charges - CWA	5,402,987	5,242,912	160,076	3%	5,242,912	
43101-Operating Inc Turn On/Off Fees	1,650	5,000	-3,350	-67%	5,000	
43106-Operating Inc-Sewer Letter Fee	1,400	1,000	400	40%	1,000	
41120-Water Sales-Ag-Dom Non Cert	3,707,434	1,078,144	2,629,290	244%	1,078,144	
41160-Water Sales-Ag. Non Discount	5,348,006	3,961,854	1,386,151	35%	3,961,854	
41170-Water Sales-Construction	496,382	79,300	417,082	526%	79,300	
41180-Water Sales - Sawr Com	3,073,224	3,790,189	-716,964	-19%	3,790,189	Less customers in PSAWR than in TSAWR
41190-Water Sales-Sawr Ag/Dom	3,637,087	5,204,097	-1,567,010	-30%	5,204,097	Less customers in PSAWR than in TSAWR
42130-Readiness-To-Serve Rev Id#1	297,716	295,130	2,586	1%	295,130	
42140-Pumping Charges	615,983	608,312	7,672	1%	608,312	
-Water Sales	45,671,270	43,994,781	1,676,489	4%	43,994,781	
43102-Operating Inc Penalty/Int Chgs	296,032	500,000	-203,968	-41%	500,000	Credited interest & penalties due to arrearages program
43104-Operating Inc. R.P. Charges	269,091	245,665	23,426	10%	245,665	
43108-Operating Inc Plan Check Rev.	1,860	105,000	-103,140	-98%	105,000	Funds will be added when liabilities are reconciled for YE
43110-Operating Inc Inspections	1,088	20,000	-18,912	-95%	20,000	Funds will be added when liabilities are reconciled for YE
43111-Operating Inc Install Fees Hyd	4,830	2,000	2,830	142%	2,000	
43114-Operating Inc-Miscellaneous	7,664	7,000	664	9%	7,000	
43116-New Meter Sales/Install Parts	30,525	40,000	-9,475	-24%	40,000	
43117-Notice Delivery Revenue	-213	5,000	-5,213	-104%	5,000	
-Other Operating Revenue	610,877	924,665	-313,788	-34%	924,665	
42200-Overhead Trs From Water Sewer	7,812,768	7,812,768	-0	0%	7,812,768	
-Transfers from Water & Waste Water	7,812,768	7,812,768	-0	0%	7,812,768	
REVENUE-Operating Revenue	54,094,916	52,732,214	1,362,701	3%	52,732,214	

Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
50001-Water Purchases	21,531,519	18,917,958	2,613,561	14%	18,917,958	Seasonal
50003-Water In Storage	-19,286	-	-19,286		-	
50005-Ready To Serve Charge	439,855	466,806	-26,951	-6%	466,806	FC estimate for budget
50006-Infrastructure Access Charge	751,044	751,044	0	0%	751,044	FC estimate for budget
50008-Ag Credit-Sawr	-725,307	-1,204,869	479,562	-40%	-1,204,869	Less customers in PSAWR than in TSAWR
50010-Customer Service Charge	1,066,052	1,065,960	92	0%	1,065,960	
50011-Capacity Reservation Charge	461,472	461,478	-6	0%	461,478	FC estimate for budget
50012-Emergency Storage Charge	1,545,710	1,545,714	-5	0%	1,545,714	FC estimate for budget
50013-Supply Reliability Charge	981,783	981,786	-3	0%	981,786	FC estimate for budget
-Cost of Purchased Water Sold	26,032,842	22,985,877	3,046,965	13%	22,985,877	
56101-Regular Salaries	5,290,082	5,245,965	44,117	1%	5,245,965	
56103-Overtime Paid Comptime Earn.	477,733	398,000	79,733	20%	398,000	
56202-Director's Compensation	16,950	14,000	2,950	21%	14,000	
56518-Duty Pay	59,818	61,932	-2,114	-3%	61,932	
56520-Deferred Comp-Employer Contrib	142,461	134,505	7,957	6%	134,505	
-Salary & Labor Expenses	5,987,044	5,854,402	132,642	2%	5,854,402	
56501-Employer's Share FICA SSI	335,649	305,934	29,715	10%	305,934	
56502-Employer's Share Medicare	84,358	76,824	7,534	10%	76,824	
56515-Worker's Compensation Ins	258,838	159,006	99,833	63%	159,006	
56516-State Unemployment Ins E.T.T.	13,733	12,245	1,488	12%	12,245	
-Taxes	692,579	554,009	138,570	25%	554,009	
56503-Medical Insurance	942,486	911,667	30,819	3%	911,667	
56504-Dental Insurance	82,312	81,450	862	1%	81,450	
56505-Vision Insurance	11,862	11,405	458	4%	11,405	
56506-Life S/T L/T Disability Ins	50,197	53,412	-3,216	-6%	53,412	
56507-Retirement-CalPERS	534,406	525,888	8,519	2%	525,888	
56511-Employee Uniform Allowance	28,605	24,273	4,332	18%	24,273	
56512-Employee Training/Tuition Reim	35,034	21,600	13,434	62%	21,600	
56513-Employee Relations	14,607	16,270	-1,663	-10%	16,270	
56524-Other Post Employment Benefits	15,555	-	-		-	
56530-Gasb 68 Pension	644,806	430,000	214,806	50%	430,000	Entire Year Paid in July
-Fringe Benefits	2,359,871	2,075,965	283,905	14%	2,075,965	
52176-Overhead Transfer To Gen Fund	7,812,768	7,812,768	-0	0%	7,812,768	
-Transfers	7,812,768.00	7,812,768	-0	0%	7,812,768	
60000-Equipment	37,023	64,500	-27,477	-43%	64,500	

ATTACHMENT A

Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
60100-Computers	110,039	100,500	9,539	9%	100,500	
63100-Equipment Maintenance	125,293	159,700	-34,407	-22%	159,700	
63102-Equipment Maintenance Contract	26,265	31,725	-5,460	-17%	31,725	
63200-Equipment Rental	117,636	97,000	20,636	21%	97,000	
63400-Kitchen Supplies	16,047	14,000	2,047	15%	14,000	
63401-Building Maintenance	159,783	129,700	30,083	23%	129,700	
63404-Backflow Expenses	144,394	143,000	1,394	1%	143,000	
63421-Fuel And Oil	198,295	150,000	48,295	32%	150,000	
63422-Repair Supplies Auto	90,117	70,000	20,117	29%	70,000	
65000-Property/Liability Insurance	487,586	475,000	12,586	3%	475,000	Entire Year Paid in July
65100-District Paid Insurance Claims	77,684	170,000	-92,317	-54%	170,000	
65200-Miscellaneous Expense	1	-	1	0%	0	
69000-Postage	40,685	46,500	-5,815	-13%	46,500	
70000-Professional Services	635,455	1,067,200	-431,745	-40%	1,067,200	
70100-Annual Audit Services	31,392	35,000	-3,608	-10%	35,000	
70300-Legal Services	491,926	515,000	-23,074	-4%	515,000	
70400-Bank Service Charges	55,493	60,000	-4,507	-8%	60,000	
72000-Supplies & Services	2,847,611	1,482,300	1,365,311	92%	1,482,300	
72001-Right Of Way Expenses	160,714	200,000	-39,286	-20%	200,000	
72010-Tank Maintenance	1,056,557	1,004,000	52,557	5%	1,004,000	
72150-Regulatory Permits	77,111	66,600	10,511	16%	66,600	
72200-Books & Resources	565	2,600	-2,035	-78%	2,600	
72400-Dues & Subscriptions	546,245	577,903	-31,658	-5%	577,903	
72500-Safety Supplies	52,758	60,500	-7,742	-13%	60,500	
72600-Sewer Line Cleaning	160,549	40,000	120,549	301%	40,000	Using contractors - previously done in-house
72700-Printing & Reproductions	2,676	7,250	-4,574	-63%	7,250	
72702-Public Notices & Advertising	942	1,750	-808	-46%	1,750	
72900-Stationary & Office Supplies	4,585	5,000	-415	-8%	5,000	
73000-Small Tools & Equipment	50,845	62,800	-11,956	-19%	62,800	
74000-Communicatons & Phone Bills	11,803	13,000	-1,197	-9%	13,000	
74100-Phone Bill	102,019	90,000	12,019	13%	90,000	
75300-Travel, Conferences & Training	65,991	85,770	-19,779	-23%	85,770	
75400-Workforce Development	5,592	48,300	-42,708	-88%	48,300	
75500-Recruitment	15,327	16,000	-673	-4%	16,000	
77000-Sewage Treat.-Oceanside Plant	1,813,705	1,242,209	571,496	46%	1,242,209	A portion of this gets capitalized at year end.

ATTACHMENT A

Positive = Over Budget

Negative = Under Budget

	FY 21/22 YTD Revenues/Expenditures	FY 21/22 YTD Operating Budget	YTD Variance \$	YTD Variance %	FY 21/22 Annual Operating Budget	Notes
78000-Utilities - Electricity	869,088	587,500	281,588	48%	587,500	Electrical rates increased beyond what was projected
78300-Hazardous Waster Material Disposal	3,659	10,000	-6,341	-63%	10,000	
78700-Utilities - Propane	6,121	15,000	-8,879	-59%	15,000	
78900-Trash Pick-Up	17,575	10,000	7,575	76%	10,000	
-Other Operating Expenses	10,717,149	8,957,307	1,759,842	20%	8,957,307	←
EXPENSE-Operating Expense	53,602,253	48,240,328	5,361,926	11%	48,240,328	
Operating Revenue (Expenses)	492,662	4,491,887	-3,999,224	-89%	4,491,887	
Non Operating :						
49301-Property Tax Rev. - Ad Valorem	720,383	505,000	215,383	43%	505,000	
-Property Tax Revenue	720,383	505,000	215,383	43%	505,000	
49200-Interest Revenues	157,365	-	157,364.91			
49203 - Change in Investment Valuation	-804,217	-	-804,217			
-Investment Income	-646,852	-	-646,852			
49050-Revenue Billing Adjustments	-996,027	-	-996,027		-	Grant Funds - State Arrearages Program
49102-Non Oper Inc - NSF Check Fees	0	3,000	-3,000	-100%	3,000	
49107-Recycling Revenue	24,636	8,000	16,636	208%	8,000	
49108-Non Oper Inc-Rents And Leases	3,366	-	3,366			
49109-Miscellaneous Revenue	1,347,713	175,000	1,172,713	670%	175,000	
49110 - Gain/Loss from Sale of Assets	-38,426	-	-38,426			
49114-Misc Revenue - Eng. Services	8,750	5,000	3,750	75%	5,000	
49201-Grant Revenue	989,082	-	989,082			
57050-Expense Billing Adjustments	-	-	-		-	
57525-Loan Costs	-	-	-			
-Other Nonoperating Revenue/Expense	1,339,094	191,000	1,148,094	601%	191,000	
-Non Operating Revenue (Expenses)	1,412,624	696,000	716,624	103%	696,000	
Debt Service		2,374,827	-2,374,827	-100%	2,374,827	
Current Year Net Revenue Less Expense*	\$ 1,905,287				\$ 2,813,060	

*Does not Include: Depreciation Expense

Operating & Debt Service Fund Balances

Fund Balances:	Water Operating	Wastewater Operating	General Operating	Rate Stabilization	New Water Sources	Debt Service	TOTAL
	FY 22/23	FY 22/23	FY 22/23	FY 22/23	FY 22/23	FY 22/23	FY 21/22
Beginning Available Balance	\$2,733,343	\$799,694	\$1,415,445	\$1,622,352	\$1,539,015	\$829,804	\$8,939,653
Budgeted Operating Surplus (Loss)	4,172,601	(513,738)			200,000		3,858,864
Budgeted Transfer to Water Capital*	(3,500,000)				(600,000)		(4,100,000)
Transfer to/from Rate Stabilization	(800,000)			800,000			
Transfers In/(Out)							0
Projected Ending Available Balance	\$2,605,944	\$285,956	\$1,415,445	\$2,422,352	\$1,139,015	\$829,804	\$8,698,517

*Transfer from Operating to Capital is based on Cost of Service Study. The transfer amount in any FY on this sheet is from PY proceeds and is determined after year end close, audit, and completion of Reserve Policy Calculations.

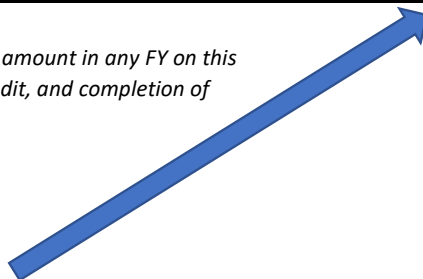
Water Capital - Fund 60 Projected Balance

	<i>Adjusted Budget</i> FY 21/22	<i>Year 1 Proposed Budget</i> FY 22/23	<i>Year 2 Proposed Budget</i> FY 23/24	<i>Year 3 Proposed Budget</i> FY 24/25	<i>Year 4 Proposed Budget</i> FY 25/26	<i>Year 5 Proposed Budget</i> FY 25/27
Fund Balances:						
Beginning Available Balance	\$8,555,327	\$7,488,906	\$5,379,016	\$5,555,797	\$8,573,788	\$7,198,337
Budgeted Transfer from Operating Reserves*	2,416,115	3,500,000	3,000,000	3,000,000	3,000,000	3,000,000
New Water Sources Funds		600,000	600,000	0	0	0
Forecasted Capacity Fees	2,756,301	1,162,750	356,781	3,342,991	3,384,549	2,598,257
Total Available Funding	13,727,743	12,751,656	9,335,797	11,898,788	14,958,337	12,796,594
Less Capital Project Budgets-Water	(6,238,837)	(7,372,640)	(3,780,000)	(3,325,000)	(7,760,000)	(5,750,000)
Projected Ending Available Balance	\$7,488,906	\$5,379,016	\$5,555,797	\$8,573,788	\$7,198,337	\$7,046,594

*Transfer from Operating to Capital is based on Cost of Service Study. The transfer amount in any FY on this sheet is from PY operating/rate revenue and is determined after year end close, audit, and completion of Reserve Policy Calculations.

Target Balance

Minimum (1 year of 5-year average CIP) \$ 5,597,528
 Ideal Target (2 year of 5-year average CIP) \$ 11,195,056



ATTACHMENT B

Water Capital Project Budgets:		Year-to-Date						
		Expended 6/30/2022 (preliminary)	Adjusted Budget	Year 1 Planned Budget	Year 2 Planned Budget	Year 3 Planned Budget	Year 4 Planned Budget	Year 5 Planned Budget
#	Project	FY 21/22	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 26/27
300007	Programatic EIR for Existing Easements**	\$ 199,696	\$ 202,765	\$ 75,000	\$ -	\$ -	\$ -	\$ -
300008	New District Headquarters	46,291	75,000	50,000	500,000	500,000	500,000	500,000
600001	Rainbow Heights PS (#1) Upgrades/Recon*	1,463,181	1,573,672					
600003	San Luis Rey Imported Return Flow Recovery	24,972	200,000	600,000	600,000			
600007	Pressure Reducing Stations	110,839	150,000	150,000	150,000	500,000	150,000	150,000
600009	Isolation Valve Installation Program	6,725	500,000	500,000				
600019	Water System Monitoring Program	168,838	184,375	185,000	25,000			
600026	Camino Del Rey Waterline Reloaction	142	25,000	25,000	25,000	25,000		
600030	Corrosion Prevention Program Development and Implementation****	520,739	638,000	600,000	600,000	600,000	600,000	
600034	Rice Canyon Tank Transmission PL to I-15/SR76 Corridor***	1,705,219	2,700,000	2,900,000				
600035	Morro Mixing	55,692	123,000					
600037	Live Oak Park Road Bridge Replacement	53,919	50,000	600,000				
600040	Vallecitos PS Relocation	124	-			500,000	1,400,000	200,000
600043	Eagles Perch Water Pipeline Improvements (PUP)		-			300,000	1,300,000	
600047	Communitity Power Resiliency Generator Grant (Generator at Sumac)	187,947	50,000		1,050,000			
600048	Northside Zone Supply Redundancy	-	-				150,000	
600050	Lookout Mountain Electrical Upgrade	-	-				1,000,000	1,000,000
600051	North Feeder and Rainbow Hills Water Line Replacements	-	-			150,000	1,850,000	
600058	Electrical Panel Switches	6,663	80,000		130,000			
600065	Rainbow Glen Water Main Replacement	9,322						
600067	Pala Mesa Fairways 383 A and C	-	-			250,000		
600068	Sarah Ann Drive Line 400 A	-	30,000	-			35,000	1,500,000
600069	Wilt Road (1331)	-	-				150,000	350,000
600070	Katie Lendre Drive Line (PUP)		-					250,000
600071	Del Rio Estates Line Ext 503	-	-					250,000
600072	East Heights Line 147L	-	-					150,000
600073	East Heights Line 147A	-	-					250,000
600074	Via Zara - PUP	-	-				125,000	250,000
600075	Roy Line Ext	-	-					250,000
600077	Rainbow Water Quality Improvement	32,537	150,000	920,000				
600080	Los Alisos South 243	-	-					150,000
600081	Heli-Hydrant on Tank	194,627	230,000					
	Moosa Line & Valves					200,000		
N/A	Department Level Capital Expenses	-	386,400	767,640	500,000	500,000	500,000	500,000
Total		\$ 4,788,621	\$ 7,348,212	\$ 7,372,640	\$ 3,780,000	\$ 3,325,000	\$ 7,760,000	\$ 5,750,000

Wholesale Water Efficiency Capital - Fund 62 Projected Balance

Funded by Western Alliance Loan

	<i>Adjusted</i>	Year 1	Year 2	Year 3		
	<i>Budget</i>	<i>Approved</i>	<i>Approved</i>	<i>Approved</i>		
Fund Balances:	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 25/26
Beginning Available Balance		(\$759,000)	\$4,144,000	\$0	\$0	\$0
Wholesale Water Efficiency Project Funding		9,700,000				
Total Available Funding	0	8,941,000	4,144,000	0	0	0
Less Capital Project Budgets-Wholesale Water Efficiency	(759,000)	(4,797,000)	(4,144,000)	0	0	0
Projected Ending Available Balance	(\$759,000)	\$4,144,000	\$0	\$0	\$0	\$0

Wholesale Water Efficiency Fund 62 Capital Project Budgets:

Funded by Western Alliance Loan

Project #	Project Name	Year-to-Date	Year 1	Year 2	Year 3	Year 4	Year 5
		Expended 6/30/2022 (preliminary) FY 21/22	Approved Budget FY 21/22	Approved Budget FY 22/23	Approved Budget FY 23/24	Approved Budget FY 24/25	Approved Budget FY 25/26
600008	Weese WTP Permanent Emergency Interconnect Pump Station	\$ 3,400	\$ 25,000	\$ 825,000	\$ -	\$ -	\$ -
600013	Hutton & Turner Pump Stations (SDCWA Shutdowns)	212,722	500,000	2,375,000	2,475,000		
600084	Morro Pump Station		50,000	250,000	1,225,000		
600078	Wilt Road Feeder (18 inch Water Line)	32,537	134,000	750,000	444,000		
600079	Gird Road 1,600' upsize from 12" to 18" or larger	-	50,000	597,000			
Total		\$283,080	\$759,000	\$4,797,000	\$4,144,000	\$0	\$0
		-	-	-	-	-	-
Financing		\$283,080	\$759,000	\$4,797,000	\$4,144,000	\$0	\$0
Projected Ending Available Balance			\$8,941,000	\$4,144,000	\$0		

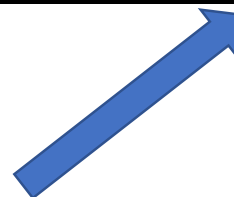
Wastewater - Fund 52 & 53 Projected Fund Balance

	<i>Adjusted Budget FY 21/22</i>	<i>Year 1 Proposed Budget FY 22/23</i>	<i>Year 2 Proposed Budget FY 23/24</i>	<i>Year 3 Proposed Budget FY 24/25</i>	<i>Year 4 Proposed Budget FY 25/26</i>	<i>Year 5 Proposed Budget FY 25/26</i>
Fund Balances:						
Beginning Available Balance*	\$6,430,455	(\$242,768)	(\$611,842)	(\$69,464)	\$11,372,272	\$11,805,449
Restricted CFD Funds (Citro)		10,500,000				
Interfund Loan**						
Transfer from Operating Reserves			500,000	500,000	500,000	500,000
Forecasted Sewer Connections	508,536	42,378	42,378	11,091,735	3,383,177	5,439,923
Total Available Funding	6,938,991	10,299,611	(69,464)	11,522,272	15,255,449	17,745,371
Less: Capital Project Budgets-Wastewater	(7,181,759)	(10,911,452)	0	(150,000)	(3,450,000)	(4,375,000)
Projected Ending Available Balance	(\$242,768)	(\$611,842)	(\$69,464)	\$11,372,272	\$11,805,449	\$13,370,371

Target Balance

Minimum (1 year of 5-year average CIP)
Ideal Target (2 year of 5-year average CIP)

\$ 4,338,642
\$ 8,677,284



Wastewater Capital Project Budgets:

Project #	Project Name	Year-to-Date Expended 6/30/2022 (preliminary)	Adjusted Budget FY 21/22	Year 1 Planned Budget FY 22/23	Year 2 Planned Budget FY 23/24	Year 3 Planned Budget FY 24/25	Year 4 Planned Budget FY 25/26	Year 5 Planned Budget FY 26/27
530001	Thoroughbred Lane Lift Station and Pipeline Repair (LS1 Replacement)	\$ 6,041,882	\$ 6,500,000	\$ 10,791,452	\$ -	\$ -	\$ -	\$ -
530006	Sewer System Rehabilitation Program	-	30,000					
530017	N River Road Land Outfall Rehabilitation (Operations Project)	454,593	536,759					
530018	Fallbrook Oaks Forcemain and Manhole Replacement	-	-				\$150,000	1,650,000
530019	CIPP 500' of line 8" VCP line near Pala Mesa/Palomar		50,000					100,000
530020	Rancho Viejo LS Wet Well Expansion	-	-				500,000	1,000,000
530023	Replace Rancho Monserate LS Emergency Generator	-	-					125,000
XXXXX	HQ B-Plant Dry Well		-				250,000	1,000,000
XXXXX	HQ B-Plant Generator Replacement		-			50,000	250,000	500,000
XXXXX	Pala Mesa Sewer CIPP Lining		-			50,000	650,000	
XXXXX	Oakcliff Sewer CIPP Lining		-			50,000	650,000	
XXXXX	Old River Road between LS#1 & LS#2		-				1,000,000	
N/A	Department Level Capital Expenses	-	65,000	120,000				
Total		\$ 6,496,475	\$ 7,181,759	\$ 10,911,452	\$ -	\$ 150,000	\$ 3,450,000	\$ 4,375,000

Rainbow MWD Developer Projections - Water

Installations

Developer/Development Name	Planned	Paid to RMWD as of 6/30/22						Total Sales	Timing
			FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+		
Bonsall Oaks/Polo Club	244		60		105		79	244	
West Lilac	28	0			28			28	
Ocean Breeze (Vessels)	396	0				198	198	396	
Rancho Viejo Phase 3	47	0				47		47	
Campus Park West	283	0			283			283	
Tripoint(FKA Parde)/Citro(FKA Meadowood)*	n/a	17	347	127				474	In Progress
SLR Horse Training Facility	3	0					3	3	
Single Service Laterals	n/a	n/a	5	8	5			18	See Notes**
TOTAL WATER METERS		17.0	412	135	421	245	280	1,493	

Revenue Projections

Meter Size (in)	Revenue Per Meter (Existing)								Total Sales
		FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+			
5/8	6,241	60		264	148	218		690	
3/4	10,401	343	128	147	79	59		756	
1	16,642	7	7	10	11			35	
1 1/2	27,043	1						1	
2	62,406							-	
3	124,812	1						1	
4	208,020				7	3		10	
Total		412	135	421	245	280		1,493	
Total Revenue without Citro		\$534,637	\$126,895	\$3,342,991	\$3,384,549	\$2,598,257		\$14,983,971	
Citro Balance Due after Credits		\$628,113	\$229,886					\$857,999	
Total Cash Revenue from Developer		\$1,162,750	\$356,781	\$3,342,991	\$3,384,549	\$2,598,257		\$15,841,970	

Notes:

*Actual amount will vary depending on final agreements.

**Average from last 10 years.

Rainbow MWD Developer Projections - Sewer

Installations

Development Name	Planned (EDUs)	Paid (EDUs) to RMWD as of 6/30/22						Total	Timing
			FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+		
Bonsall Oaks/Polo Club	205.8	102.9			96.2		98.6	195	Recent
West Lilac		0.0							
Ocean Breeze (Vessels)	479.0	0.0				239.5	239.5	479	Recent
Rancho Viejo Phase 3	47.0	0.0					47	47	Recent
Campus Park West	686.0	0.0			686			686	
Tripoint(FKA Parde)/Citro(FKA Meadowwood)*	926.6	n/a	422					422	
SLR Horse Training Facility		0.0						0	
Misc. SFR			3	3	3			9	
TOTAL EDUs	2,344.40	102.90	425	3	785	240	385	1,838	

Revenue Projections

			Purchased (EDUs)						Total
				FY 22/23	FY 23/24	FY 24/25	FY 25/26	FY 27+	
Existing Fee	\$	14,126	102.90	425	3	785	240	385	1,838
Meadowwood									
Total				425	3	785	240	385	1,838
Total Revenue				\$42,378	\$42,378	\$11,091,735	\$3,383,177	\$5,439,923	\$19,999,591

Notes:

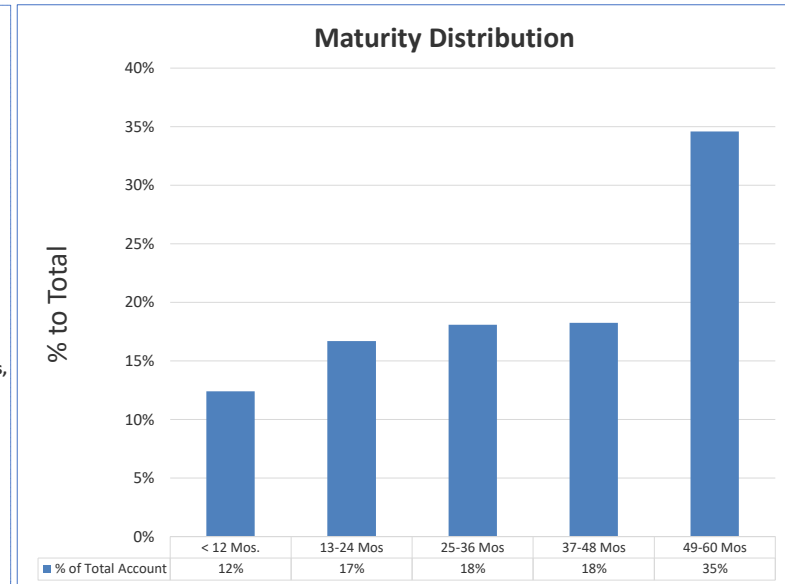
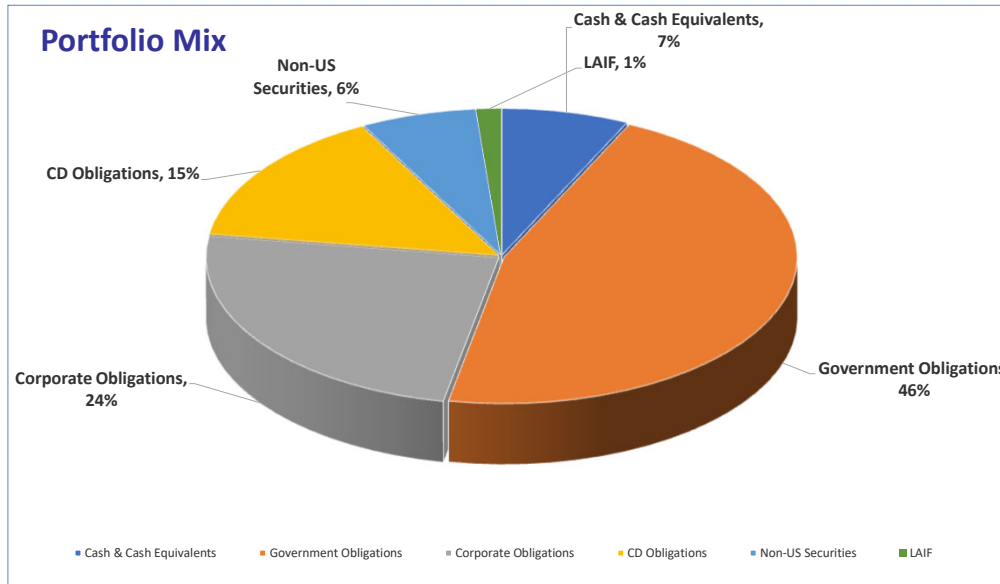
*Actual amount will vary depending on final agreements. \$10,500,000 will be paid from CFD.

RAINBOW MUNICIPAL WATER DISTRICT
 TREASURER'S MONTHLY REPORT OF INVESTMENTS
 PORTFOLIO SUMMARY
 6/30/2022



Quarter 4 FY 21/22

TYPE	ISSUER	CUSIP	Bond Rating	Date of Maturity	Par Value	Cost Basis	Market Value*	Interest Rate	Yield to Maturity	Semi-Annual Interest	Days to Maturity	Object
Money Market Funds	First American Government Trust	31846V567			\$	87,922	\$ 87,922				0	11508
		CSCDA 2017-01			\$	50,000	\$ 50,000				0	10301
Money Market Funds	Zions Bank	7326251D			\$	629,599	\$ 629,599	2.090%			0	10310
Money Market Funds	Zions Bank	7326250			\$	6	\$ 6	2.060%			0	10311
Money Market Funds	Zions Bank	7326251E			\$	41	\$ 41	2.090%			0	10309
Total Cash & Cash Equivalents					\$	-	\$ 767,568	\$ 767,568				
Non-Callable	FEDERAL FARM CR BKS	3133EHRU9	Aaa	07/19/22	\$ 200,000	\$ 200,938	\$ 200,032	1.900%	1.800%	\$ 1,909	19	11508
Non-Callable	FEDERAL FARM CR BKS	3130ARMQ1		10/28/24	\$ 500,000	\$ 542,565	\$ 535,108	2.700%	2.700%	\$ 7,325	851	11508
Non-Callable	FEDERAL FARM CR BKS	3133EDJY9		12/21/23	\$ 450,000	\$ 456,678	\$ 448,673	2.950%	2.950%	\$ 6,736	539	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130AP7B5		09/30/26	\$ 800,000	\$ 800,000	\$ 740,832	0.500%	0.500%	\$ 2,000	1553	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130APAM7		10/14/26	\$ 1,000,000	\$ 995,000	\$ 912,580	0.900%	0.900%	\$ 4,478	1567	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130AQF40		12/20/24	\$ 500,000	\$ 499,710	\$ 475,155	1.000%	1.000%	\$ 2,499	904	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130ARTC5		05/17/27	\$ 490,000	\$ 489,020	\$ 486,595	3.020%	3.000%	\$ 7,384	1782	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130ARQ61		10/21/24	\$ 500,000	\$ 502,195	\$ 495,080	2.200%	2.200%	\$ 5,524	844	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130ARJH5		04/22/27	\$ 500,000	\$ 500,000	\$ 494,095	3.150%	3.150%	\$ 7,875	1757	11508
Non-Callable	FEDERAL HOME LOAN BKS	3130ASKB4		12/29/23	\$ 245,000	\$ 245,813	\$ 244,980	3.350%	3.350%	\$ 4,117	547	11508
Total Government Obligations					\$	5,185,000	\$ 5,231,919	\$ 5,033,129				
Callable 9/10/25	AMERICAN HOND FIN CORP MTN	02665WDN8		09/10/25	\$ 500,000	\$ 506,050	\$ 455,985	1.000%	1.300%	\$ 2,500	1168	11508
Stepped 1/26/26	BANK OF AMERICA	06048WK82		01/26/26	\$ 500,000	\$ 498,500	\$ 434,055	0.610%	0.610%	\$ 1,525	1306	11508
Callable 9/30/23	CITIGROUP INC	17298CKE7	A3	09/30/23	\$ 1,000,000	\$ 1,000,000	\$ 891,200	1.000%	1.000%	\$ 5,000	457	11508
Callable 05/28/26	JPMORGAN CHASE & CO	48128G3N8		05/28/26	\$ 1,000,000	\$ 1,000,000	\$ 875,520	1.200%	1.200%	\$ 6,000	1428	11508
Total Corporate Issues					\$	3,000,000	\$ 3,004,550	\$ 2,656,760				
FDIC Ins. CD	BMW BANK NORTH AMER	05580AMB7		03/29/23	\$ 240,000	\$ 240,000	\$ 240,845	2.860%	2.900%	\$ 3,432	272	11508
FDIC Ins. CD	JPMORGAN CHASE BK NA COLUMBU	48128UHS1		07/31/25	\$ 249,000	\$ 249,000	\$ 228,410	0.550%	0.550%	\$ 685	1127	11508
FDIC Ins. CD	MERRICK BK SOUTH JORDAN UTAH	59013KBV7		07/31/24	\$ 249,000	\$ 249,000	\$ 243,445	2.200%	2.200%	\$ 2,739	762	11508
CD	MORGAN STANLEY PVT BK PURCHA	61760AL49		06/24/24	\$ 245,000	\$ 245,000	\$ 240,076	2.290%	2.250%	\$ 2,805	725	11508
FDIC Ins. CD	STATE BK INDIA CHICAGO ILL	856283N69		06/26/25	\$ 248,000	\$ 252,166	\$ 229,092	0.950%	0.940%	\$ 1,198	1092	11508
CD	SYNCHRONY BANK	87165HE89		10/08/26	\$ 248,000	\$ 248,000	\$ 224,723	0.950%	0.950%	\$ 1,178	1561	11508
CD	UNION BK SALT LAKE CITY UT - CD	90348JT59		09/22/26	\$ 249,000	\$ 249,000	\$ 225,288	0.950%	0.950%	\$ 1,183	1545	11508
Total CD Obligations					\$	1,728,000	\$ 1,732,166	\$ 1,631,878				
Medium Term Note	Credit Suisse Ag New York	22550L2G5		8/7/2026	\$ 800,000	\$ 801,916	\$ 699,296	1.250%	1.250%	\$ 5,012	1499	11508
Total Non-US Securities					\$	800,000	\$ 801,916	\$ 699,296				
Subtotal Long Term												
Pooled Investment					\$ 10,713,000	\$ 11,538,120	\$ 10,788,631					
Portfolio Totals	Local Agency Investment Fund (LAIF)**	1.000513375			\$	147,859	\$ 147,859				0	10103
						\$ 11,685,979	\$ 10,936,491					



This monthly report accurately reflects all District pooled investments. It is in conformity with the Investment Administrative code section 5.03.080. The District has sufficient cash flow to meet six months of obligations. This is in effect is in compliance with the current Investment Policy.

Tracy Largent

8/3/2022

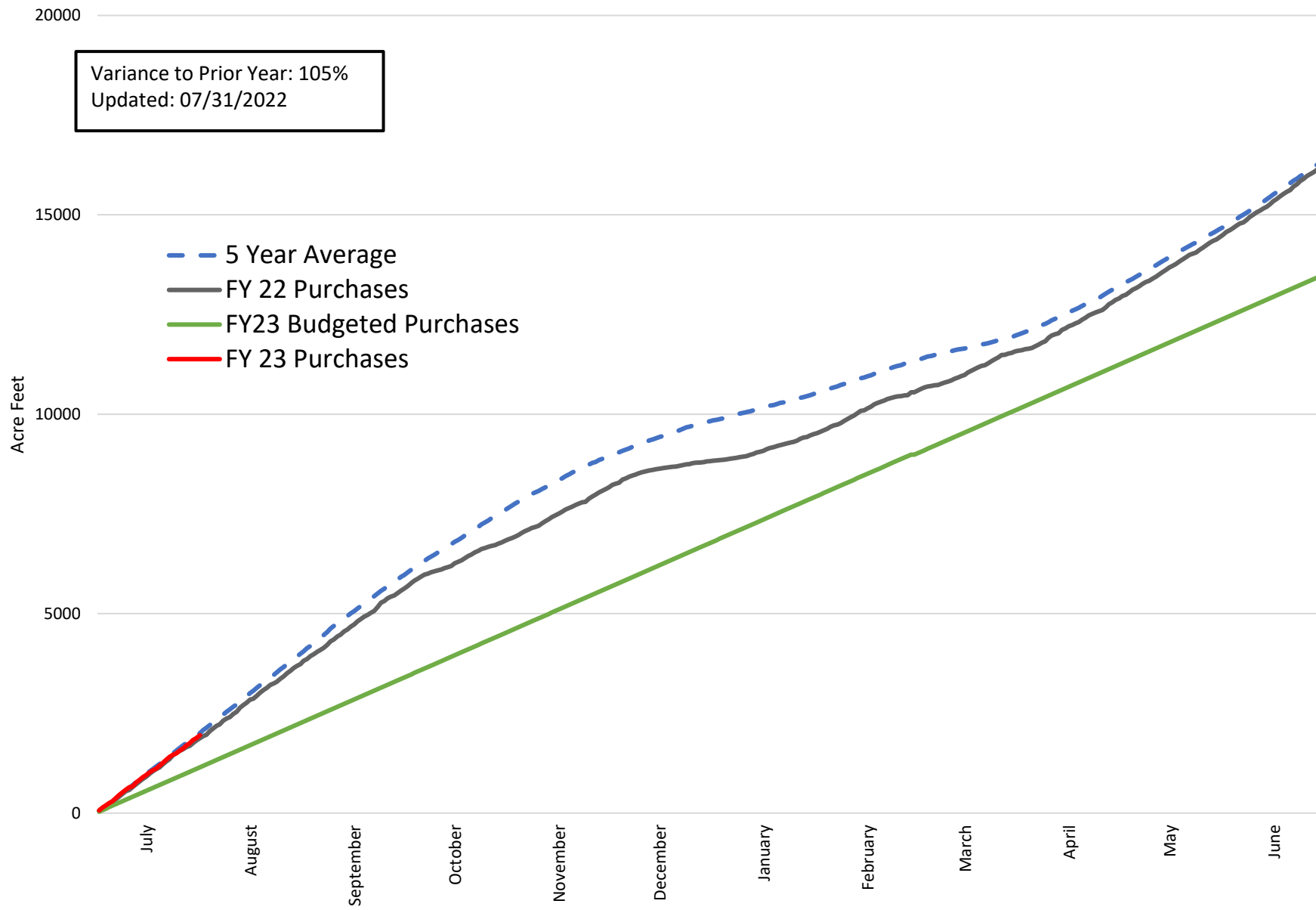
Tracy Largent, Treasurer

*Source of Market Value - US Bank monthly statements

**Source of LAIF FMV - CA State Treasurer Pooled Money Investment Account @ <https://www.treasurer.ca.gov/pmia-laif/reports/valuation.asp>

System Demands Comparison Chart

Variance to Prior Year: 105%
Updated: 07/31/2022



Comparative Water Sales YTD from Prior Years

FISCAL YEAR 2021-2022

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
549	AD	49,878	120,877	132,208	105,801	71,840	86,788	38,982	51,802	64,159	84,271	91,076	106,326	2,305
402	AG	126,020	156,517	188,678	141,035	94,403	113,507	37,037	60,738	86,971	113,642	116,997	152,105	3,186
271	CM	43,597	45,074	58,754	34,843	22,862	24,113	9,971	15,923	20,977	30,355	35,561	45,266	889
24	CN	9,809	7,353	8,900	4,999	8,247	7,795	9,526	6,874	8,636	10,292	7,407	10,392	230
21	IS	4,094	3,585	3,722	2,400	1,528	1,795	1,247	1,605	1,502	2,118	2,078	2,768	65
114	MF	14,171	12,501	14,634	11,363	10,797	11,216	10,215	8,410	10,807	12,185	11,054	12,426	321
	PC	105,195	87,728	98,194	76,152	51,934	66,232	14,314	38,479	44,840	61,700	64,338	72,724	1,795
	PD	104,423	101,695	108,445	85,321	56,327	69,973	16,562	44,821	50,216	71,313	78,419	86,099	2,006
319	SC	54,638	-	-	-	-	-	-	-	-	-	-	-	125
1012	SD	86,465	-	-	-	-	-	-	-	-	-	-	-	198
5851	SF	186,785	176,948	193,467	155,723	117,189	137,144	77,534	81,001	103,271	130,736	129,125	153,278	3,770
8563	Total	785,075	712,278	807,002	617,637	435,127	518,563	215,388	309,653	391,379	516,612	536,055	641,384	14,890

FISCAL YEAR 2020-2021

Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
549	AD	34,763	39,406	46,230	42,502	34,921	21,626	24,948	14,076	14,146	17,159	25,141	29,650	791
402	AG	109,886	131,840	137,233	129,675	105,410	64,136	68,514	39,558	46,221	51,415	88,199	93,587	2,446
271	CM	43,615	49,777	48,946	49,458	35,129	19,261	20,216	10,734	14,250	19,251	31,178	35,908	867
24	CN	6,330	12,547	10,164	14,057	8,403	5,244	9,069	7,677	4,613	6,070	10,043	14,126	249
21	IS	2,513	2,972	3,359	3,231	1,698	1,013	1,365	568	1,119	1,204	5,788	3,179	64
114	MF	14,151	14,484	14,090	14,996	12,993	9,384	12,462	8,972	8,359	10,592	12,286	12,115	333
	PC	-	-	-	-	-	-	-	1,234	14,315	17,961	48,237	74,634	359
	PD	-	-	-	-	-	-	83	3,574	24,420	30,477	61,382	79,016	457
319	SC	137,945	133,502	160,919	156,961	123,278	85,624	74,455	110,420	39,051	46,578	70,676	52,286	2,736
1012	SD	186,337	204,966	223,721	229,964	179,016	112,667	115,867	55,255	54,422	67,372	97,741	86,023	3,704
5851	SF	169,793	186,711	189,918	189,511	157,332	112,083	128,779	84,894	94,401	107,576	149,402	153,521	3,958
8563	Total	705,333	776,205	834,580	830,355	658,180	431,038	455,758	336,962	315,317	375,655	600,073	634,045	15,963

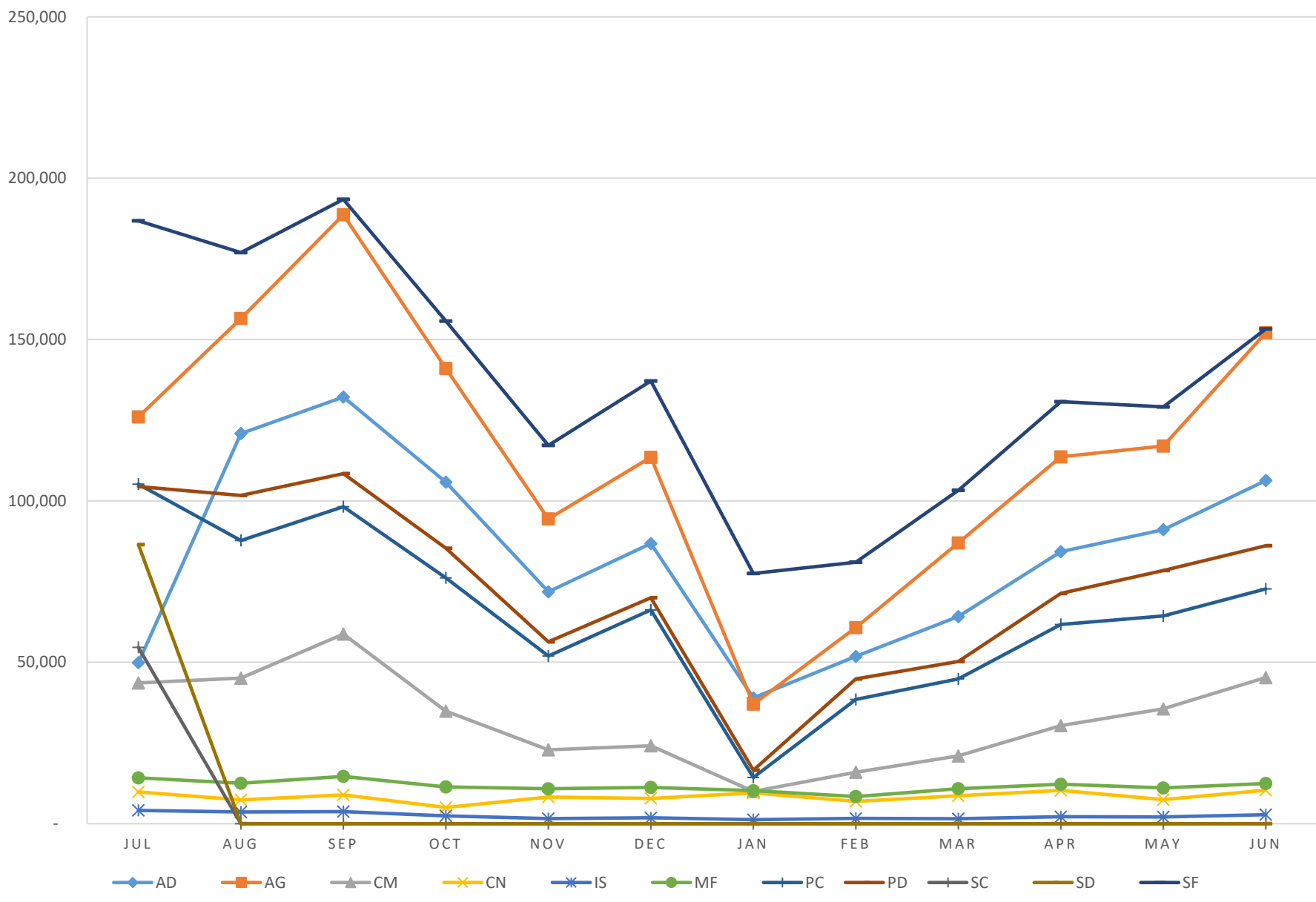
FISCAL YEAR 2019-2020

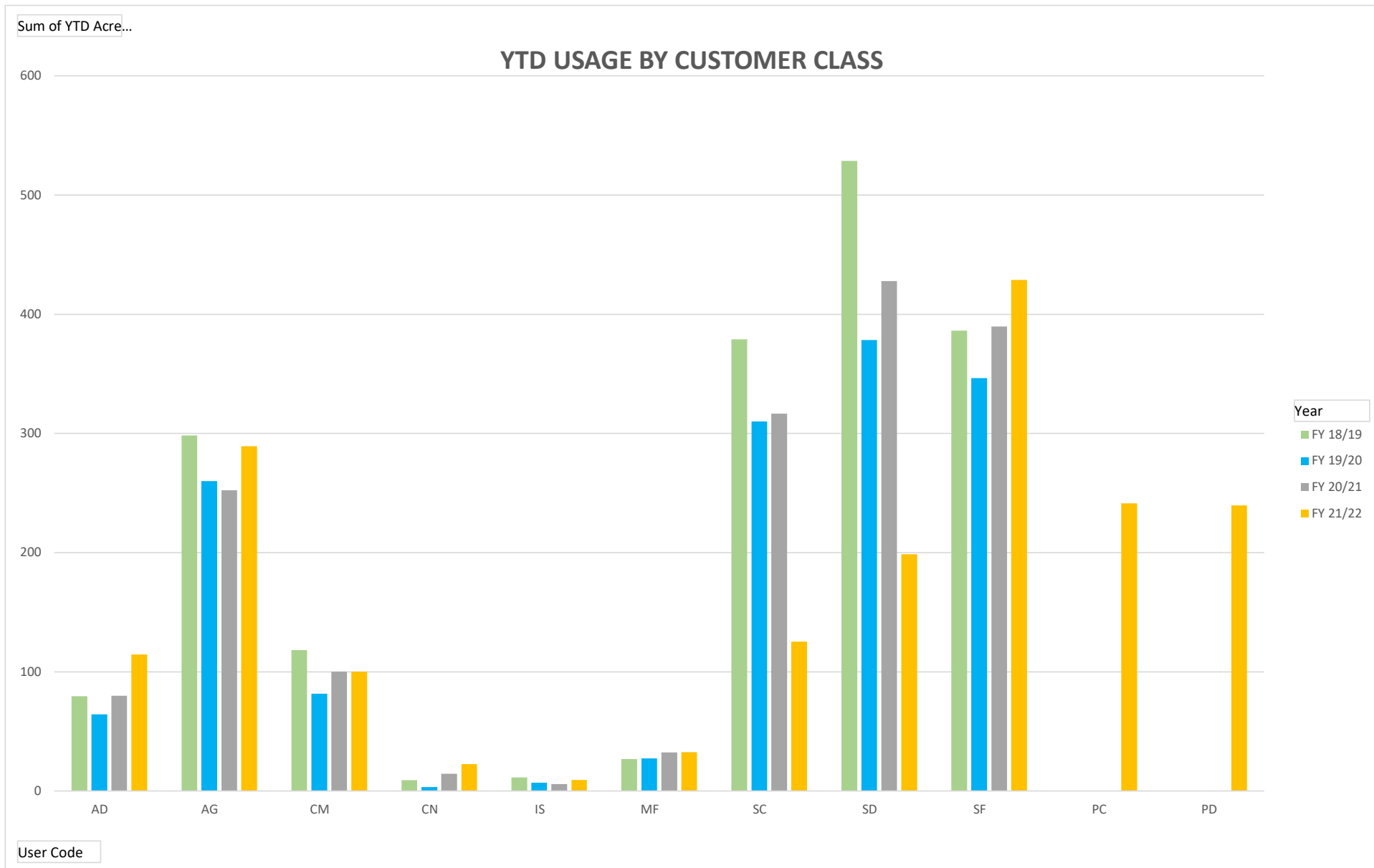
Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
553	AD	28,018	36,530	36,506	32,640	37,164	15,379	6,577	13,028	16,047	9,234	16,352	30,083	637
400	AG	113,285	139,802	139,715	135,633	132,703	48,601	25,028	47,900	52,506	30,084	57,514	97,887	2,343
267	CM	35,561	46,750	44,883	40,374	29,303	16,496	13,155	9,711	25,311	13,393	16,062	33,484	745
19	CN	1,484	1,549	1,183	1,041	1,286	314	490	1,126	5,662	448	402	1,304	37
21	IS	3,060	1,799	1,946	2,046	2,048	927	643	1,018	1,351	768	672	2,374	43
114	MF	11,910	11,187	11,539	11,065	12,605	8,386	7,568	9,074	8,716	9,124	8,443	12,418	280
323	SC	135,069	157,307	156,337	136,485	152,308	47,287	10,146	50,668	60,342	16,027	51,289	109,646	2,486
1021	SD	164,817	213,262	218,596	179,714	207,689	77,699	21,552	65,024	75,717	26,767	71,299	163,240	3,410
5536	SF	150,907	188,769	182,811	153,331	174,251	89,028	52,276	70,585	74,004	58,386	81,397	146,783	3,266
8254	Total	644,111	796,955	793,516	692,329	749,357	304,117	137,435	268,134	319,656	164,231	303,430	597,219	13,247

FISCAL YEAR 2018-2019

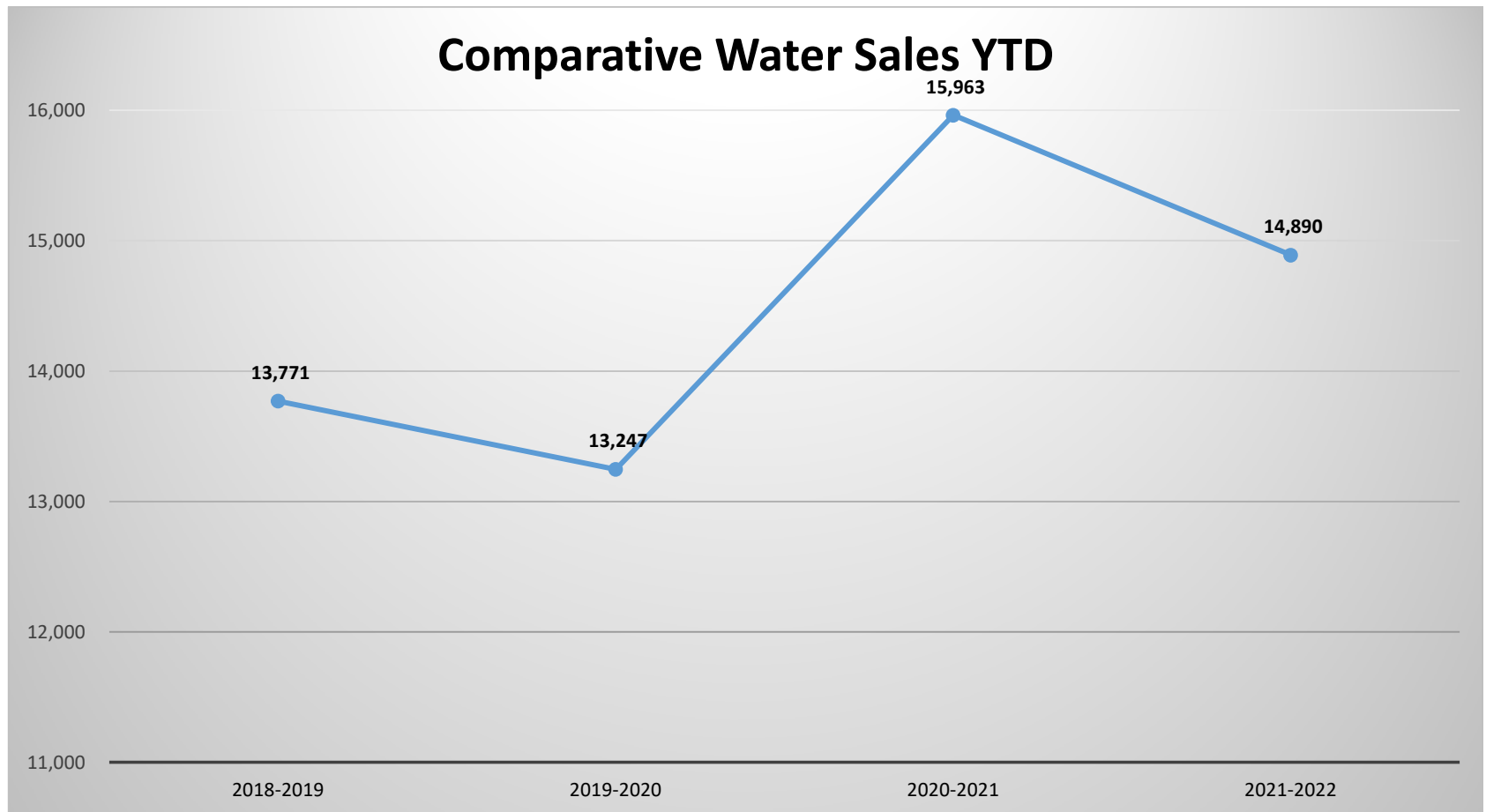
Quantity of Meters	User Code	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Acre Feet
562	AD	34,648	47,312	45,104	28,007	29,134	20,794	9,982	6,874	4,335	10,153	21,429	19,346	636
402	AG	129,946	149,080	154,084	110,908	93,077	70,762	33,893	21,947	18,274	46,890	83,296	60,363	2,233
264	CM	51,483	67,254	66,114	36,283	24,307	15,501	10,455	6,708	8,425	11,076	21,698	25,188	791
23	CN	3,982	27,189	4,915	2,545	3,115	2,815	2,831	829	547	636	993	847	118
21	IS	4,964	3,824	3,852	3,447	2,161	1,736	884	864	470	413	2,430	2,390	63
112	MF	11,653	12,856	13,798	11,513	11,816	10,461	8,551	7,929	6,940	8,289	10,710	10,866	288
323	SC	165,088	203,887	203,899	134,052	132,762	83,121	22,699	9,624	3,104	38,669	107,046	83,354	2,726
1024	SD	230,264	264,247	273,401	189,659	170,318	118,228	41,039	22,400	12,611	51,941	132,236	97,123	3,681
5468	SF	168,323	192,173	207,384	146,492	144,114	114,763	63,252	50,903	35,144	64,480	118,606	103,894	3,236
8199	Total	800,351	967,822	972,551	662,906	610,804	438,181	193,586	128,078	89,850	232,547	498,444	403,371	13,771

USAGE BY CUSTOMER CLASS FY 21-22





Comparative Water Sales YTD from Prior Years





Check Register

June 2022

Description	Bank Transaction Code	Issue Date	Amount
ACWA-JPIA	ACH	06/10/2022	78,967.87
AIRGAS USA, LLC	ACH	06/10/2022	2,504.17
ARAMARK UNIFORM SERVICES	CHECK	06/10/2022	2,555.40
ASTRA INDUSTRIAL SERV.INC	ACH	06/10/2022	3,011.05
BABCOCK LABORATORIES, INC	ACH	06/10/2022	244.74
BANNER BANK	CHECK	06/10/2022	49,477.22
BERNARDO NUNEZ	CHECK	06/10/2022	215.00
BOOT BARN INC	CHECK	06/10/2022	200.00
BRAX COMPANY, INC	CHECK	06/10/2022	33,479.57
CDW GOVERNMENT, INC.	CHECK	06/10/2022	293.82
CHRIS BROWN	ACH	06/10/2022	15,000.00
COLONIAL LIFE & ACCIDENT INS.	CHECK	06/10/2022	60.71
COMPUTERSHARE TRUST COMPANY, N.A.	CHECK	06/10/2022	2,000.00
CRAIG SHOBE	CHECK	06/10/2022	1,295.00
CUSTOM TRUCK BODY & EQUIPMENT, INC.	ACH	06/10/2022	3,897.61
DAILY JOURNAL CORPORATION	CHECK	06/10/2022	150.80
DIAMOND ENVIRONMENTAL SERVICES	CHECK	06/10/2022	492.53
DLM ENGINEERING, INC.	CHECK	06/10/2022	3,100.00
FALLBROOK AUTO PARTS	CHECK	06/10/2022	70.62
FALLBROOK IRRIGATION SUPPLIES	CHECK	06/10/2022	19.50
FALLBROOK WASTE AND RECYCLING	CHECK	06/10/2022	469.47
FEDEX	CHECK	06/10/2022	87.00
FERGUSON WATERWORKS #1083	CHECK	06/10/2022	84,629.50
FLYERS ENERGY LLC	ACH	06/10/2022	5,989.89
FREEWAY TRAILER SALES	ACH	06/10/2022	164.75

Description	Bank Transaction Code	Issue Date	Amount
GLOBAL POWER GROUP INC.	CHECK	06/10/2022	1,040.80
GRANGETTO'S-FALLBROOK	CHECK	06/10/2022	304.47
HACH	CHECK	06/10/2022	8,421.94
HARRIS & ASSOCIATES, INC.	ACH	06/10/2022	1,800.00
HASA INC.	CHECK	06/10/2022	2,381.01
HELIX ENVIRONMENTAL PLANNING INC	CHECK	06/10/2022	34,329.98
ICONIX WATERWORKS (US) INC	ACH	06/10/2022	35,651.84
IMPACT DESIGN	CHECK	06/10/2022	258.89
JAMES W FOWLER CO	CHECK	06/10/2022	940,067.17
JAUREGUI & CULVER, INC.	CHECK	06/10/2022	180.40
KENNEDY/JENKS CONSULTANTS INC	ACH	06/10/2022	8,953.75
KNOCKOUT PEST CONTROL& TERMITE, INC.	CHECK	06/10/2022	100.00
LANCE, SOLL & LUNGHARD LLP	CHECK	06/10/2022	9,612.00
LIQUID ENVIRONMENTAL SOLUTIONS OF CA, LLC	ACH	06/10/2022	210.00
MOBILE MINI, INC	CHECK	06/10/2022	1,010.31
MOBILE MODULAR	CHECK	06/10/2022	635.20
MODULAR BUILDING CONCEPTS, INC	CHECK	06/10/2022	1,536.51
NATIONAL SAFETY COMPLIANCE,INC	CHECK	06/10/2022	6.95
NUTRIEN AG SOLUTIONS, INC	CHECK	06/10/2022	1,237.59
O'REILLY AUTO PARTS	CHECK	06/10/2022	2.17
PACIFIC PIPELINE SUPPLY	CHECK	06/10/2022	3,693.91
PALOMAR BACKFLOW	ACH	06/10/2022	12,450.00
PARADISE CHEVROLET CADILLAC	ACH	06/10/2022	493.90
PERRAULT CORPORATION	CHECK	06/10/2022	983.88
PETERS PAVING & GRADING, INC	ACH	06/10/2022	15,925.00
PITNEY BOWES INC.	CHECK	06/10/2022	739.16
PRECISION MOBILE DETAILING	ACH	06/10/2022	880.40
QTX MOBILE ACCESSORIES, INC.	CHECK	06/10/2022	907.67
QUALITY CHEVROLET	ACH	06/10/2022	225.17
RIGHT-OF-WAY ENGINEERING SERV	CHECK	06/10/2022	5,730.00
SAFETY-KLEEN	ACH	06/10/2022	698.46
SAN DIEGO GAS & ELECTRIC	CHECK	06/10/2022	4,955.07
SDCWA WATER PURCHASE- APRIL 2022	WIRE	06/10/2022	2,432,723.16
SHRED-IT USA LLC	CHECK	06/10/2022	280.68

Description	Bank Transaction Code	Issue Date	Amount
SOLARWINDS, INC.	CHECK	06/10/2022	1,727.00
SPECIALTY MOWING SERVICES, INC.	ACH	06/10/2022	3,950.00
STREAMLINE	CHECK	06/10/2022	300.00
SUPERIOR READY MIX	CHECK	06/10/2022	1,704.02
T S INDUSTRIAL SUPPLY	CHECK	06/10/2022	683.28
TALLEY COMMUNICATIONS	CHECK	06/10/2022	158.17
TCN, INC	CHECK	06/10/2022	13.51
TEMECULA VALLEY HYDRO STRAWBERRY	CHECK	06/10/2022	1,532.63
ULINE	CHECK	06/10/2022	2,229.16
UNDERGROUND SERVICE ALERT	ACH	06/10/2022	290.34
UNITED RENTALS NORTHWEST, INC	CHECK	06/10/2022	2,538.29
VALLEY CONSTRUCTION MANAGEMENT	CHECK	06/10/2022	78,167.07
WATER WISE PRO TRAINING LLC	CHECK	06/10/2022	11,250.00
WATERLINE TECHNOLOGIES INC.	CHECK	06/10/2022	11,688.72
WELLS FARGO BANK_ESCROW	WIRE	06/10/2022	577,095.75
WORKFORCE PRODUCTS INC.	CHECK	06/10/2022	352.99
ZION BANCORPORATION, NATIONAL ASSOCIATION	CHECK	06/10/2022	1,201,551.46
UNION BANK CC - DAUGHERTY (MAY STATEMENT)	EFT	06/14/2022	450.68
UNION BANK CC - DELRIO (MAY STATEMENT)	EFT	06/14/2022	136.47
UNION BANK CC - DEMARY (MAY STATEMENT)	EFT	06/14/2022	156.02
UNION BANK CC - KENNEDY (MAY STATEMENT)	EFT	06/14/2022	113.86
UNION BANK CC - LAGUNAS (MAY STATEMENT)	EFT	06/14/2022	67.11
UNION BANK CC - RAMIREZ (MAY STATEMENT)	EFT	06/14/2022	517.56
UNION BANK CC - HARP (MAY STATEMENT)	EFT	06/14/2022	70.00
UNION BANK CC - LARGENT (MAY STATEMENT)	EFT	06/14/2022	45.00
CLEMMON TAYLOR	CHECK	06/16/2022	150.00
FLEET TRUCK & AUTO SHOP INC.	ACH	06/16/2022	2,554.71
SANEXEN WATER INC	CHECK	06/16/2022	74,800.00
ADP - ADVICE OF DEBIT #607988252	EFT	06/17/2022	1,264.78
AHMED KHATTAB	CHECK	06/24/2022	5,250.00
AIRGAS USA, LLC	ACH	06/24/2022	1,843.24
ANDERSON & BRABANT, INC.	CHECK	06/24/2022	6,500.00
ANN VAUGHN	CHECK	06/24/2022	1,100.00
ARAMARK UNIFORM SERVICES	CHECK	06/24/2022	922.45

Description	Bank Transaction Code	Issue Date	Amount
ART'S TRENCH PLATE & KRAIL SERVICE CO, INC.	ACH	06/24/2022	1,830.00
AT&T	CHECK	06/24/2022	170.97
AT&T	CHECK	06/24/2022	538.32
AT&T LONG DISTANCE	CHECK	06/24/2022	38.72
AZUGA, INC.	CHECK	06/24/2022	1,183.95
BABCOCK LABORATORIES, INC	ACH	06/24/2022	686.00
BANNER BANK	CHECK	06/24/2022	84,411.79
BONSALL PEST CONTROL	CHECK	06/24/2022	210.00
BP BATTERY INC.	ACH	06/24/2022	310.22
CDW GOVERNMENT, INC.	CHECK	06/24/2022	868.70
COLONIAL LIFE & ACCIDENT INS.	CHECK	06/24/2022	60.71
COUNTY OF SAN DIEGO DEPT OF PUBLIC WORKS	CHECK	06/24/2022	528.00
COUNTY OF SAN DIEGO, RCS	CHECK	06/24/2022	1,001.91
CRAIG SHOBE	CHECK	06/24/2022	760.00
CSDA, SAN DIEGO CHAPTER	CHECK	06/24/2022	150.00
CUSTOM TRUCK BODY & EQUIPMENT, INC.	ACH	06/24/2022	13,532.90
D & H WATER SYSTEMS INC	CHECK	06/24/2022	3,234.35
DAILY JOURNAL CORPORATION	CHECK	06/24/2022	48.10
DEXTER WILSON ENGINEERING	CHECK	06/24/2022	2,257.50
DIAMOND ENVIRONMENTAL SERVICES	CHECK	06/24/2022	349.27
DILIGENT CORPORATION	CHECK	06/24/2022	3,517.50
FALLBROOK AUTO PARTS	CHECK	06/24/2022	1,365.15
FALLBROOK EQUIPMENT RENTAL	ACH	06/24/2022	143.64
FARWEST CORROSION CONTROL COMPANY	CHECK	06/24/2022	184,348.74
FEDEX	CHECK	06/24/2022	265.93
FERGUSON WATERWORKS #1083	CHECK	06/24/2022	22,085.97
FLYERS ENERGY LLC	ACH	06/24/2022	11,971.25
FREEDOM AUTOMATION, INC.	CHECK	06/24/2022	3,840.00
GOVERNMENTJOBS.COM, INC.	ACH	06/24/2022	969.19
HAAKER EQUIPMENT CO.	ACH	06/24/2022	5,071.50
HACH	CHECK	06/24/2022	1,070.03
HARRIS & ASSOCIATES, INC.	ACH	06/24/2022	130.00
HASA INC.	CHECK	06/24/2022	2,271.01
HILL BROTHERS CHEMICAL CO.	CHECK	06/24/2022	2,824.56

Description	Bank Transaction Code	Issue Date	Amount
HYDROSCIENCE ENGINEERS, INC	CHECK	06/24/2022	2,485.00
ICONIX WATERWORKS (US) INC	ACH	06/24/2022	274,536.35
INFOSEND, INC.	CHECK	06/24/2022	5,384.80
J&R ENGINEERING & CONSULTING	ACH	06/24/2022	2,400.00
JAMES W FOWLER CO	CHECK	06/24/2022	1,603,823.98
KEVIN MILLER	ACH	06/24/2022	363.00
KING CITY AUTO	CHECK	06/24/2022	20.00
L-COM INFINITE ELECTRONICS INTERNATIONAL, INC.	CHECK	06/24/2022	3,222.99
LINCOLN NATIONAL LIFE INSURANCE COMPANY	CHECK	06/24/2022	4,625.76
MICHAEL MACK	CHECK	06/24/2022	52.30
MISSION RESOURCE CONSERVATION DISTRICT	ACH	06/24/2022	201.50
MOBILE MINI, INC	CHECK	06/24/2022	1,135.14
NATIONAL SAFETY COMPLIANCE,INC	CHECK	06/24/2022	472.35
OCEAN BREEZE RANCH LLC	CHECK	06/24/2022	7,500.00
OMNIS CONSULTING INC.	CHECK	06/24/2022	3,494.00
OPR COMMUNICATIONS, INC.	CHECK	06/24/2022	7,500.00
PACIFIC PIPELINE SUPPLY	CHECK	06/24/2022	1,574.23
PALOMAR BACKFLOW	ACH	06/24/2022	55,875.00
PALOMAR HEALTH	CHECK	06/24/2022	85.00
PARKHOUSE TIRE, INC.	ACH	06/24/2022	2,710.46
PERRAULT CORPORATION	CHECK	06/24/2022	4,081.78
PETERS PAVING & GRADING, INC	ACH	06/24/2022	12,400.00
PRECISION MOBILE DETAILING	ACH	06/24/2022	447.45
PRINCIPAL LIFE INSURANCE COMPANY	ACH	06/24/2022	7,905.10
QUALITY CHEVROLET	ACH	06/24/2022	383.43
QUINN COMPANY	CHECK	06/24/2022	192.59
RAIN FOR RENT RIVERSIDE	CHECK	06/24/2022	615.93
RHO MONSERATE C.C.H.A.	CHECK	06/24/2022	534.09
ROBCAR CORPORATION	CHECK	06/24/2022	1,903.75
ROLLIN C BUSH	CHECK	06/24/2022	5,355.00
RT LAWRENCE CORPORATION	ACH	06/24/2022	612.32
SALIZCO INC	CHECK	06/24/2022	3,136.00
SAN DIEGO GAS & ELECTRIC	CHECK	06/24/2022	33,515.59
SOUTHWEST ANSWERING SERVICE, INC.	CHECK	06/24/2022	940.48

Description	Bank Transaction Code	Issue Date	Amount
SOUTHWEST VALVE & EQUIPMENT	CHECK	06/24/2022	1,477.71
SPECIALTY MOWING SERVICES, INC.	ACH	06/24/2022	20,333.58
SUPERIOR READY MIX	CHECK	06/24/2022	908.76
TIAA COMMERCIAL FINANCE, INC.	CHECK	06/24/2022	5,974.80
TRENCH SHORING COMPANY	ACH	06/24/2022	3,086.98
UNITED BUILDING MAINTENANCE CENTER LLC	CHECK	06/24/2022	3,800.00
VERIZON WIRELESS	CHECK	06/24/2022	6,123.74
VILLAGE NEWS	CHECK	06/24/2022	69.95
WATERLINE TECHNOLOGIES INC.	CHECK	06/24/2022	5,844.37
WEX - ADMINISTRATION FEES	EFT	06/24/2022	89.90
WILLIAM STEWART	CHECK	06/24/2022	111.78
RMWD EASEMENT-5256 S. MISSION RD, BONSALE	WIRE	06/27/2022	500,000.00
HOME DEPOT CC - ALL (JUNE 2022 STATEMENT)	EFT	06/29/2022	1402.32
ARAMARK UNIFORM SERVICES	CHECK	06/30/2022	521.11
ASTRA INDUSTRIAL SERV.INC	ACH	06/30/2022	5,493.95
BP BATTERY INC.	ACH	06/30/2022	144.54
BRYAN ORTIZ	CHECK	06/30/2022	443.00
CALIFORNIA AIR RESOURCES BOARD	CHECK	06/30/2022	735.00
CDW GOVERNMENT, INC.	CHECK	06/30/2022	1,089.51
COMMUNICATION SERVICES	ACH	06/30/2022	515.64
COMPUTERSHARE TRUST COMPANY, N.A.	ACH	06/30/2022	2,000.00
CORRPRO COMPANIES, INC.	CHECK	06/30/2022	238.05
DIAMOND ENVIRONMENTAL SERVICES	CHECK	06/30/2022	492.53
ELECTRICAL SALES, INC.	CHECK	06/30/2022	32.71
FALLBROOK WASTE AND RECYCLING	CHECK	06/30/2022	469.47
FEDEX	CHECK	06/30/2022	82.87
FERGUSON WATERWORKS #1083	CHECK	06/30/2022	26,533.53
GOLDEN STATE INDUSTRIAL COATINGS, INC.	CHECK	06/30/2022	4,800.00
INFOSEND, INC.	CHECK	06/30/2022	1,488.16
INLAND KENWORTH (US) INC	ACH	06/30/2022	751.86
LAYFIELD USA CORPORATION	ACH	06/30/2022	14,907.00
LIQUID ENVIRONMENTAL SOLUTIONS OF CA, LLC	ACH	06/30/2022	210.00
MOBILE MODULAR	CHECK	06/30/2022	3,499.30
OCCUPATIONAL HEALTH CENTERS OF CA, A MEDICAL CORP	CHECK	06/30/2022	75.00

Description	Bank Transaction Code	Issue Date	Amount
PETERS PAVING & GRADING, INC	ACH	06/30/2022	2,350.00
PRECISION MOBILE DETAILING	ACH	06/30/2022	242.95
SAN DIEGO GAS & ELECTRIC	CHECK	06/30/2022	45,065.40
T S INDUSTRIAL SUPPLY	CHECK	06/30/2022	4,384.87
TRAFFIC SAFETY SOLUTIONS, LLC	ACH	06/30/2022	5,385.00
US BANK	ACH	06/30/2022	291.67
WESTERN LANDSCAPE MAINTENANCE PLUS, INC.	ACH	06/30/2022	532.51
		TOTAL:	8,881,508.70

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
07/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS		\$ 150.00	\$ 150.00	\$ 150.00		
	Monthly Totals	\$ -	\$ 150.00	\$ 150.00	\$ 150.00	\$ -	\$ -
08/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS		\$ 150.00	\$ 450.00	\$ 450.00		\$ 150.00
	Monthly Totals	\$ -	\$ 150.00	\$ 491.44	\$ 450.00	\$ -	\$ 150.00

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
09/30/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 750.00	\$ 450.00		\$ 300.00
	TRAVEL EXPENSES			\$ 770.40	\$ 1,125.86		
	MILEAGE AND EXPENSES						
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	<u>\$ 150.00</u>	<u>\$ 150.00</u>	<u>\$ 1,520.40</u>	<u>\$ 1,575.86</u>	<u>\$ -</u>	<u>\$ 300.00</u>
10/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 300.00	\$ 150.00		\$ 300.00
	TRAVEL EXPENSES						
	MILEAGE AND EXPENSES						
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	<u>\$ 150.00</u>	<u>\$ 150.00</u>	<u>\$ 300.00</u>	<u>\$ 150.00</u>	<u>\$ -</u>	<u>\$ 300.00</u>

Director's Expenses FY 2021-2022

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
11/30/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.)	\$ 725.00		\$ 725.00	\$ 725.00		
	TRAINING	\$ 40.00					
	COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 600.00	\$ 300.00	\$ 300.00	
	TRAVEL EXPENSES			\$ 602.50	\$ 327.12	\$ 25.02	
	MILEAGE EXPENSE			\$ 202.72	\$ 57.12		
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 915.00	\$ 150.00	\$ 2,130.22	\$ 1,409.24	\$ 325.02	\$ -
12/31/21	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.)						
	TRAINING						
	COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 450.00	\$ 450.00		
	TRAVEL EXPENSES			\$ 685.20	\$ 322.29	\$ 36.64	
	MILEAGE EXPENSE			\$ 53.76	\$ 57.12		
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 150.00	\$ 150.00	\$ 1,188.96	\$ 829.41	\$ 36.64	\$ -
REPORT TOTAL FOR 2021:		\$ 1,365.00	\$ 900.00	\$ 5,781.02	\$ 4,564.51	\$ 361.66	\$ 750.00

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
01/31/22	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS Monthly Totals	\$ 150.00	\$ 300.00	\$ 800.00	\$ 650.00	\$ 450.00	\$ -
2/29/2022	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS Monthly Totals	\$ 150.00	\$ 150.00	\$ 150.00	\$ 175.00 \$ 450.00	\$ 300.00	\$ -

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
03/31/22	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	
	Monthly Totals	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ -
04/30/22	WATER AGENCIES ASSOC OF S.D. CSDA,SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING COUNCIL OF WATER UTILITIES DIRECTORS' PER DIEMS TRAVEL EXPENSES MILEAGE EXPENSE REIMBURSEMENT FROM DIRECTORS	\$ 649.00			\$ 600.00		
	Monthly Totals	\$ 2,922.22	\$ 150.00	\$ 150.00	\$ 2,124.12	\$ 300.00	\$ -

**Director's Expenses
FY 2021-2022**

Disbursement Date	Description	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
05/31/22	WATER AGENCIES ASSOC OF S.D. CSDA-SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING	\$ 775.00		\$ 850.00		\$ 775.00	
	COUNCIL OF WATER UTILITIES					\$ 25.00	
	DIRECTORS' PER DIEMS	\$ 600.00	\$ 150.00	\$ 900.00	\$ 150.00	\$ 750.00	
	TRAVEL EXPENSES	\$ 2,288.77		\$ 1,446.03		\$ 1,329.54	
	MILEAGE EXPENSE	\$ 60.84		\$ 115.13		\$ 26.33	
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 3,724.61	\$ 150.00	\$ 3,311.16	\$ 150.00	\$ 2,905.87	\$ -
06/30/22	WATER AGENCIES ASSOC OF S.D. CSDA-SAN DIEGO CHAPTER CONFERENCES (CSDA, ACWA, etc.) TRAINING						
	COUNCIL OF WATER UTILITIES						
	DIRECTORS' PER DIEMS	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 300.00	
	TRAVEL EXPENSES						
	MILEAGE EXPENSE						
	REIMBURSEMENT FROM DIRECTORS						
	Monthly Totals	\$ 150.00	\$ 150.00	\$ 150.00	\$ 150.00	\$ 300.00	\$ -
	REPORT TOTAL FOR 2022:	\$ 7,396.83	\$ 1,200.00	\$ 4,861.16	\$ 3,999.12	\$ 4,555.87	\$ -

**Director's Expenses
FY 2021-2022**

	Miguel Gasca	Claude Hamilton	Michael Mack	Pam Moss	William Stewart	Carl Rindfleisch
REPORT TOTAL (Fiscal Year 2021-22):	\$ 8,761.83	\$ 2,100.00	\$ 10,642.18	\$ 8,563.63	\$ 4,917.53	\$ 750.00



AMERICAN EXPRESS

JUNE 2022

GL Finance Code	GL Transaction Amount	Description
GL 01 34 73000	303.73	49ER COMMUNICATIONS
GL 03 44 60100	(160.55)	AMAZON #111-7427466-8129043
GL 03 44 60100	214.60	AMAZON #112-5176928-5715430
GL 03 44 60100	349.43	AMAZON #112-6621405-7936249
GL 03 44 60100	132.23	AMAZON #112-9508809-1772254
GL 03 44 60100	145.44	AMAZON #113-0314920-4783439
GL 03 44 60100	103.98	AMAZON #113-1611886-4381019
GL 03 41 63401	97.24	AMAZON #113-2649951-3996241
GL 03 44 60100	117.35	AMAZON #113-3970903-5150657
GL 03 41 63400	77.46	AMAZON #113-6169270-4788235
GL 03 41 63400	318.65	AMAZON #113-6475921-7603446
GL 03 44 60100	49.32	AMAZON #113-7989509-7101808
GL 02 61 72000	31.22	AMAZON #113-8075346-0174606
GL 03 44 60100	956.93	AMAZON #113-8572001-3241827
GL 03 41 63400	(69.98)	AMAZON #113-8725853-0447464
GL 03 41 63400	327.08	AMAZON #113-8725853-0447464
GL 03 41 63400	36.66	AMAZON #113-8725853-0447464
GL 03 44 60100	54.93	AMAZON #113-8993161-3065013
GL 03 44 60100	55.98	AMAZON #113-9272250-8407462
GL 01 33 72000	39.86	AMAZON #114-0370487-2259458
GL 03 41 72000	16.13	AMAZON #114-9800389-7934613
GL 03 44 60100	0.41	AMAZON WEB SERVICES
GL 03 43 56512	210.00	AMERICAN SOCIETY
GL 01 34 72000	1.29	AMEX CC - FRAUD CHARGE
GL 01 34 72000	1.29	AMEX CC - FRAUD CHARGE
GL 01 34 72000	1.29	AMEX CC - FRAUD CHARGE
GL 01 34 72000	1.29	AMEX CC - FRAUD CHARGE

GL Finance Code	GL Transaction Amount	Description
GL 01 34 72000	1.29	AMEX CC - FRAUD CHARGE
GL 01 34 72000	1.29	AMEX CC - FRAUD CHARGE
GL 01 34 72000	3.26	AMEX CC - FRAUD CHARGE
GL 01 34 72000	3.26	AMEX CC - FRAUD CHARGE
GL 01 34 72000	3.26	AMEX CC - FRAUD CHARGE
GL 03 43 72000	2.99	APPLE.COM
GL 03 44 60100	41.89	APPLEPAY
GL 03 44 60100	78.88	APPLEPAY
GL 03 44 72400	110.00	ATLASSIAN
GL 03 44 60100	40.00	AUTHORIZE.NET
GL 03 20 75300	278.00	BM AIRFARE
GL 03 44 72400	192.50	CORELOGIC
GL 03 41 72400	72.00	CRADLEPOINT
GL 03 51 75300	600.00	CSDA
GL 03 20 75300	650.00	CSDA
GL 03 41 63401	90.30	CULLIGAN
GL 03 44 60100	71.99	DIRECT TV
GL 03 41 72400	300.00	FALLBROOK CHAMBER OF COMMERCE
GL 03 51 75300	318.00	FM AIRFARE
GL 03 51 75300	1,525.73	FM HOTEL STAY
GL 03 51 75300	560.08	FM HOTEL STAY
GL 03 51 75300	49.97	FM MEAL
GL 03 51 75300	70.67	FM MEAL - IRON CACTUS
GL 03 41 63400	92.50	FRUIT GUYS #5597976
GL 03 41 63400	46.25	FRUIT GUYS #5598291
GL 03 41 63400	92.50	FRUIT GUYS #5598701
GL 03 41 63400	46.25	FRUIT GUYS #5599062
GL 03 41 63400	92.50	FRUIT GUYS #5599556
GL 03 41 75300	1,564.49	GM HOTEL STAY
GL 03 36 72000	(1,036.28)	HOME DEPOT
GL 03 36 72000	1,938.47	HOME DEPOT
GL 03 42 56513	47.45	I SEE ME!
GL 03 41 74100	1,152.60	JIVE
GL 03 44 60100	190.99	MICROSOFT

GL Finance Code	GL Transaction Amount	Description
GL 03 44 60100	130.00	MISAC
GL 03 41 72000	944.48	NNA SERVICES - KKILMER
GL 03 41 72000	946.88	NNA SERVICES - KKILMER
GL 03 41 70300	7,561.50	NOSSAMAN #535031
GL 03 91 70300	3,372.50	NOSSAMAN #535031
GL 03 91 70300 700014	781.00	NOSSAMAN #535031
GL 53 99 70300 530001	213.00	NOSSAMAN #535031
GL 60 99 70300 600008	497.00	NOSSAMAN #535031
GL 03 91 70300 300020	5,223.54	NOSSAMAN #535032
GL 03 41 70300 300024	10,840.00	NOSSAMAN #535033
GL 03 41 70300 300022	456.00	NOSSAMAN #535034
GL 03 41 70300 300021	285.00	NOSSAMAN #535035
GL 03 91 70300 700027	630.00	NOSSAMAN #535036
GL 03 41 70300 300027	82.80	NOSSAMAN #535037
GL 53 99 70300 530001	9,497.50	NOSSAMAN #535038
GL 53 99 70300 530001	380.00	NOSSAMAN #535039
GL 60 99 70300 600013	475.00	NOSSAMAN #535040
GL 53 99 70300 530001	4,625.00	NOSSAMAN #535041
GL 53 99 70300 530001	7,980.00	NOSSAMAN #535042
GL 03 91 70300 300007	7,900.01	NOSSAMAN #535043
GL 03 41 70300	2,092.20	NOSSAMAN #535044
GL 03 91 70300	130.00	NOSSAMAN #535044
GL 60 99 70300 600049	1,202.50	NOSSAMAN #535044
GL 03 41 72900	26.39	OFFICE DEPOT #237495344002
GL 03 41 72900	42.10	OFFICE DEPOT #237972307001
GL 03 41 72900	64.71	OFFICE DEPOT #240351228001
GL 03 41 72900	72.86	OFFICE DEPOT #242767109001
GL 03 41 72900	14.61	OFFICE DEPOT #242767109002
GL 03 41 72900	308.20	OFFICE DEPOT #243644506001
GL 03 91 72000	69.27	PALA MESA RESORT
GL 03 41 75300	17.65	PREPASS
GL 03 41 60100	10.00	RING
GL 03 43 72000	82.69	SMARTSIGN
GL 03 20 75300	(414.96)	SOUTHWEST AIRLINES

GL Finance Code	GL Transaction Amount	Description
GL 03 44 60100	79.15	SP LINQAPP
GL 03 51 75300	(30.00)	SR ACCT AIRFARE
GL 03 51 75300	30.00	SR ACCT AIRFARE
GL 03 51 75300	30.00	SR ACCT AIRFARE
GL 03 51 75300	30.00	SR ACCT AIRFARE
GL 03 51 75300	878.58	SR ACCT HOTEL STAY
GL 03 51 75300	18.66	SR ACCT MEAL
GL 03 51 75300	12.99	SR ACCT MEAL
GL 03 51 75300	35.73	SR ACCT MEAL
GL 03 51 75300	50.00	SR ACCT MEAL - IRON CACTUS
GL 03 44 60100	311.84	WASABI
GL 03 36 72000	45.44	WHIP AROUND
GL 03 36 72000	383.06	WHIP AROUND
GL 01 35 72000	40.25	ZOHO
GL 03 44 72400	299.87	ZOOM
	81,461.34	American Express (June Statement)

Rainbow Municipal Water District
Property spreadsheet

APN	Description of Use	Acreage
1023000800	North Reservoir	4.8
1023001100	U-1 Pump Station	0.14
1023005000	Rainbow Creek Crossing near North Reservoir	0.89
1023005300	Connection 9	0.01
1024300900	Pump Station across PS1 (not in use)	0.12
1025702000	U-1 Tanks	1.08
1026305400	Pump Station #1	0.33
1026602000	Booster Pump Station #4	0.03
1027001600	Pump Station #3	0.67
1071702800	Connection 7	1.60
1071702900	Pala Mesa Tank	10.35
1080206900	Northside Reservoir	9.23
1082210600	Beck Reservoir	27.25
1082210900	Near Beck Reservoir	4.82
1082211000	Near Beck Reservoir	6.23
1082211800	Near Beck Reservoir - Excess Property (not in use)	4.68
1084210600	Rice Canyon Tank	1.00
1084410300	Canonita Tank	2.41
1091410700	Gomez Creek Tank	1.00
1092310900	Rainbow Heights Tank	0.35
1092330300	Rainbow Heights Tank	0.99
1092341000	Rainbow Heights Concrete Tank - used for SCADA	1.74
1093101800	Vallecitos Tank	0.55
1093822800	Magee Tank	1.03
1093912400	Magee Pump Station	0.3
1100721000	Huntley Road Pump Station	0.52
1102203700	Huntley Chlorination Station (not in use)	0.2
1212011000	Morro Tank	0.31
1212011100	Morro Tank	4.85
1212011200	Morro Reservoir	13.01
1213300900	Morro Reservoir	6.79
1250703200	Sumac Reservoir (Not in Use)	1.72
1250902600	Headquarters	7.38
1250903400	Headquarters	4.43
1250903500	Headquarters	3.40
1250903800	Headquarters	17.03
1251002100	Rancho Viejo Lift Station #5	0.05
1252311800	Hutton Tank	1.39
1252312600	Hutton Tank	0.89
1260803100	Via de los Cepillos Easement	0.47
1261708700	Lift Station #2	0.08
1261708900	Lift Station #2	0.12
1263004200	Lift Station #1	0.01
1270710500	Bonsall Reservoir (Not in Use)	6.19
1270710600	Connection 6	0.28
1271512300	Turner Tank	15.12
1721404300	Gopher Canyon Tank	1.84
	<i>Total</i>	167.68

