

# VOLUME I - RESPONSES TO COMMENTS



FINAL ENVIRONMENTAL IMPACT REPORT  
**DENNISTON / SAN VICENTE WATER SUPPLY PROJECT**  
**COASTSIDE COUNTY WATER DISTRICT**

**FEBRUARY 2015**

LEAD AGENCY:

Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94109



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PREPARED BY:

Analytical Environmental Services  
1801 7th Street, Suite 100  
Sacramento, CA 95811  
(916) 447-3479  
[www.analyticalcorp.com](http://www.analyticalcorp.com)



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October 3, 2014

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October 10, 2014

Letter A4 – Clemens Heldmaier, General Manager, Montara Water and Sanitary District,  
October 30, 2014

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November 3, 2014

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# **SECTION 1.0**

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**INTRODUCTION**

# 1.0 INTRODUCTION

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## 1.1 OVERVIEW

These Responses to Comments have been prepared to address comments received by the Lead Agency, the Coastside County Water District (CCWD or District) on the Draft Environmental Impact Report (Draft EIR) for the proposed Denniston/San Vicente Water Supply Project (Proposed Project). The Draft EIR was submitted to the State Clearinghouse for public review on August 19, 2014 (SCH# 2011102038). These Response to Comments together with the Draft EIR, as revised, comprise the Final EIR.

An EIR is an informational document that must be considered by the Lead Agency prior to project approval. CEQA *Guidelines* Section 15132 specifies that the Final EIR shall consist of:

- The Draft EIR or a revision of the draft (revised text of Draft EIR is presented in Volume II of this Final EIR).
- Comments and recommendations received on the Draft EIR either verbatim or in summary (**Section 2.0** of this Final EIR Response to Comments).
- A list of persons, organizations, and public agencies commenting on the Draft EIR (**Section 2.0** of this Final EIR Response to Comments).
- Responses of the Lead Agency to significant environmental points raised in the review and consultation process (**Section 3.0** of this Final EIR Response to Comments).
- Any other information added by the Lead Agency.

## 1.2 PUBLIC PARTICIPATION PROCESS

The process of environmental review for the Proposed Project was initiated with public release of the Notice of Preparation (NOP) on October 19, 2011. The Notice of Availability (NOA) of the Draft EIR was released on August 19, 2014. The NOA announced a 45-day comment period extending from August 19 to October 3, 2014.

The public comment period provides an opportunity for interested public and private parties to provide input regarding the completeness and adequacy of an EIR. CEQA *Guidelines* Section 15151 addresses the standards by which EIR adequacy is measured:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.

Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.

CEQA *Guidelines* Section 15204(a) encourages parties to focus comments on the “sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated.” Commenters are advised:

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.

### 1.3 RESPONSES TO COMMENTS ORGANIZATION

These Responses to Comments consist of this introduction and the sections outlined below:

**Section 2, Comments on the Draft EIR** – This section includes a list of all agencies, organizations, and individuals who submitted written comments during the public review period for the Draft EIR. The list is followed by copies of original written comments received during the public review period for the Draft EIR. Comment letters are each assigned a number, and individual comments are bracketed in the margin.

**Section 3, Responses to Comments** – This section provides individual responses to each written comment submitted during the public review period for the Draft EIR. Responses are keyed to the bracketed comment numbers provided in **Section 2.0**.

**Section 4, Mitigation Monitoring and Reporting Plan** – This section presents the Mitigation Monitoring and Reporting Plan for the Proposed Project.

# **SECTION 2.0**

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**COMMENTS ON THE DRAFT EIR**

## 2.0 COMMENTS ON THE DRAFT EIR

This section contains written comments that were received during the public review period of the Draft EIR prepared for the Denniston/San Vicente Water Supply Project (Proposed Project). The Draft EIR was submitted to the State Clearinghouse (SCH #2011102038) and released for public and agency review for a 45-day review and comment period on August 14, 2014. The comment period closed on October 3, 2014. A total of 20 comment letters were received by the Coastside County Water District (District or CCWD) in response to the Draft EIR during the comment period. The agencies, organizations, and individuals who provided comments on the Draft EIR are listed in **Table 2-1**. Individual comment letters are provided following this table. As discussed in **Section 1.0**, each individual letter and comment has been provided a number in the right-hand margin. This number is cross-referenced with a specific response in **Section 3.0**.

**TABLE 2-1**  
PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES COMMENTING IN WRITING

Comment Letter Number	Name	Agency/Organization	Date Received
<b>Agency Comment Letters</b>			
A1	Frank Dean	National Park Service	10/6/2014
A2	Scott Morgan	Governor's Office of Planning and Research	10/6/2014
A3	Scott Wilson	Regional Manager, CDFW	10/10/2014
A4	Clemens Heldmaier	Montara Water and Sanitary District	10/30/2014
A5	Marlene Finley	County of San Mateo Parks Department	11/3/2014
<b>Individual/Organization Comment Letters</b>			
I1	Tricia Suvari	Peninsula Open Space Trust	10/2/2014
I2	Randy Dardenelle	Cypress Flower Farm	10/31/2014
I3	Lennie Roberts	Committee for Green Foothills	11/3/2014
<b>Extension Requests</b>			
ER1	Clemens Heldmaier	Montara Water and Sanitary District	9/9/2014
ER2	Randy Dardenelle	Cypress Flower Farm	9/19/2014
ER3	Marlene Finley	County of San Mateo Parks Department	9/22/2014
ER4	Lennie Roberts	Committee for Green Foothills	9/24/2014
ER5	Corinne Gray	California Department of Fish and Wildlife	10/2/2014
<b>Administrative Record</b>			
AR1	Charles Plummer	Golden Gate National Recreation Area	8/29/2014
AR2	Lennie Roberts	Committee for Green Foothills	9/23/2014
AR3	David Dickson	Coastside County Water District (CCWD)	9/24/2014
AR4	David Dickson	CCWD	9/24/2014
AR5	David Dickson	CCWD	9/24/2014
AR6	David Dickson	CCWD	9/24/2014
AR7	David Dickson	CCWD	10/2/14

Neither the comments received on the Draft EIR nor the responses thereto indicate new significant impacts or significant new information that would require recirculation of the Draft EIR pursuant to CEQA *Guidelines* Section 15088.5.



United States Department of the Interior

NATIONAL PARK SERVICE  
Golden Gate National Recreation Area  
Fort Mason, San Francisco, California 94123

RECEIVED

IN REPLY REFER TO:  
L76 (GOGA-PLAN)

OCT - 3 2014

OCT - 6 2014

COASTSIDE COUNTY  
WATER DISTRICT

David R. Dickson, General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019

Re: NPS Comments on Denniston/San Vicente Water Supply Project Draft Environmental Impact Report

Dear Mr. Dickson:

Golden Gate National Recreation Area (GGNRA) has reviewed the Coastside County Water District (CCWD) Denniston/San Vicente Water Supply Project (Proposed Project) Draft Environmental Impact Report (DEIR) dated August 2014. As described in our scoping comments in 2011, the National Park Service (NPS) has an interest in this project as the proposed actions would occur on, or directly adjacent to, federal property that is managed by GGNRA.

A1-01

We appreciate CCWD consideration of our scoping comments, and have enclosed our comments on the DEIR for your review. Please note, however, that NPS still has major concerns with the Proposed Project as it will affect the natural resources within the park that we manage. Specifically, the DEIR does not:

- Address impacts to the wetland habitats below the proposed water diversion location
- Adequately address effects to federally threatened species
- Consider opportunities to restore conditions for coho salmon and steelhead trout
- Suggest measures to minimize spreading invasive plants, planting native vegetation or weed control
- Specify efforts to restore areas impacted by construction

A1-02

As the manager of lands directly affected by CCWD's Proposed Project, any actions related to the project that occur on NPS lands require our approval. These discretionary approvals are required to comply with the National Environmental Policy Act (NEPA). NPS requests that CCWD consult with our staff on proposed activities and provide adequate time to complete the appropriate NEPA compliance in order for NPS to conduct informed decision-making.

A1-03

We are available to meet with your staff regarding these concerns to ensure collaboration moving forward. If you have any questions or require further clarification regarding our comments, please contact Nancy Hornor, Planning Division Chief, at (415) 561-4937 or nancy\_hornor@nps.gov.

A1-04

Sincerely,

Frank Dean  
General Superintendent

Enclosures (1): GGNRA Comments on Denniston/San Vicente Water Supply Project Draft EIR 10/3/14

GGNRA Comments on Denniston/San Vicente Water Supply Project Draft EIR – 10/3/14

**General**

- 1. The National Park Service was created through the Organic Act of 1916, “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations” (NPS 2006). With respect to management of native plants and animals, we are directed, whenever possible, to allow natural processes to maintain native plant and animal species and influence natural fluctuations in populations of these species (NPS 2006). Implementation of the Proposed Project may affect the natural resources within the park that we manage. Please refer to the letter regarding Natural Resource issues submitted to CCWD on 12/21/09.
- 2. Add GGNRA and Cabrillo Farms property boundaries to Figures 3.3 and 4.3.

A1-05

A1-06

**Compliance**

- 3. Agency Approval: List NPS under the federal agencies to contact for permits and approvals under Section 3.4. As the manager of lands directly affected by the Proposed Project, NPS authorization is required for activities occurring on federal land under the National Environmental Policy Act (NEPA).
- 4. Project Impacts: Section 5.3 of the DEIR indicates, “No significant and unavoidable impacts would result from implementation of the Proposed Project if all recommended mitigation measures are adopted.” Per the comments in this letter, NPS anticipates potentially significant impacts from the Proposed Project and does not agree with the conclusion in the DEIR.
- 5. Regulatory Setting: Section 4.1.3 of the DEIR mentions the project area is subject to the regulations of the San Mateo County General Plan and the San Mateo County Local Coastal Program. The DEIR does not discuss inconsistencies between the Proposed Project and these regulatory plans. Consistency analysis with these land use plans should examine existing physical conditions as well as potential future conditions if the project is implemented (CEQA Guidelines Sec. 15125).

A1-07

A1-08

A1-09

**Vegetation**

- 6. Wetlands: The DEIR (Figure 4.3-1) describes the vegetation habitat types within the defined project site. However, the text, map and subsequent list of acreages (Table 4.3-1) do not include habitats downstream or downgradient from the point of diversion that may be affected by water withdrawals. NPS completed a wetlands map in 2009 that documents at that time, the extent of park scrub-shrub wetland and forested wetland habitats along the length of San Vicente Creek below the proposed water diversion location. DEIR (page 4.3-48) and technical memorandum by Balance Hydrologics (Appendix H, dated June 12, 2014) argue that San Vicente Creek would receive groundwater contributions and coastal fog. The basis for their determination are streamflow and specific conductance records above and below the point of diversion. There is no information from shallow groundwater wells along San Vicente Creek. There is no water budget information for us to assess effects. Given the significant resources, risk and potential adverse effects to wetland resources, the DEIR should include specific adaptive management mitigation measures. Mitigation Measure 4.3-2b refers to a Riparian Restoration and Monitoring Plan which would include performance standards. There are no details to evaluate the adequacy of such a plan to protect Park resources. At a minimum, the DEIR should include an adaptive management plan that includes an enforceable commitment to monitoring and consensus-based mitigation to ensure no net loss of wetland function and extent.

A1-10

A1-11

- 7. Loss of Riparian Vegetation: As noted above, the DEIR (Appendix H, section 4.2) states that the Proposed Project will not significantly impact riparian habitat along the stream corridors. Given the proposal for full appropriation of instream flows and the lack of concrete evidence for recharge from groundwater or fog, this claim is unfounded. We expect that full appropriation will result in losses of the understory component of riparian habitat because the understory herbaceous species are not able to access groundwater sources. In the longer term, we can also expect loss of the overstory species since they depend upon surface water for recruitment. We would also expect immediate loss of faunal species associated with the riparian habitat such as stream invertebrates. Finally, the impacts of the proposed diversion include the lost potential for restoration (see below).

A1-12

The DEIR concludes that although diversions on San Vicente and Denniston creeks will reduce stream flows, riparian vegetation will be maintained by groundwater or stream underflow (Reference 4.3-49). Though *existing* vegetation may be supported by groundwater or stream underflow, the diversions will affect the riparian vegetation processes that rely on the flow variability of a natural hydrograph (Note that NPS is not contending for maintenance of a natural hydrograph in terms of volume). The DEIR does not address the effects of diversion beyond maintenance of *existing* riparian vegetation.

- 8. Rare Plants: The list of Mitigation Measures for Biological Resource Impacts (4.3-1) calls out surveys/avoidance measures for fragrant fritillary in coastal scrub. Other rare plants that occur in the vicinity should also be included in surveys, such as Hickman’s cinquefoil, San Francisco wallflower, and Franciscan thistle, among others.

A1-13

On page 4.3-31 only fragrant fritillary is discussed. Why are no other rare plants considered to potentially occur in the area? Specifically Hickman’s potentilla, federally endangered, is known to have occurred in Moss Beach and was discovered less than 20 years ago in Montara.

- 9. Species Composition: Mitigation Measure 4.3-1g refers to replacement of consistent riparian vegetation. There is no definition of consistent replacement beyond a reference to CDFW approved methods. Will species compositions be mimicked? What is the propagule source? What will be done if invasive non-natives (Blue gum eucalyptus and cape-ivy) were primary components of the vegetative cover in an area?

A1-14

- 10. Non-Native Vegetation: Mitigation Measure 4.3-5 requires compliance with the San Mateo County Significant Tree Ordinance. The park requests that any Eucalyptus spp. trees that are impacted on GGNRA land not be replaced/planted, and instead, native plants are installed in place of the non-native tree.

A1-15

- 11. Topsoil: In Mitigation Measure 4.8-1, there is mention of topsoil being used as an important resource. While the native plant seeds potentially in the soil may allow for some revegetation benefit, due to the non-native plants present in many of the project areas, we recommend sorting topsoil and salvaging and re-using topsoil in areas with only native plants. Re-using or improperly disposing of topsoil infected with invasive plants, particularly cape-ivy, will spread infestations.

A1-16

- 12. On page 4.3-14 when describing coastal prairie vegetation, *Antirrhinum orontium* is a non-native forb.

A1-17

Creek Resources and Restoration

- 13. Restoration Potential: As noted previously, the DEIR indicates that the reach downstream of the San Vicente point of diversion is a gaining reach. However, it is unclear whether this condition is the result of past and current adverse land practices. For example, in Marin County, past agricultural uses have resulted in incised channels that have resulted in the draining and loss of adjoining freshwater wetlands (Striplen et al.2004). A substantial portion of the San Vicente creek below the point of diversion flows through an incised channel and may intercept shallow groundwater such that is a gaining reach. Proposed diversion could preclude any future creek restoration alternatives that involve raising streambed elevations if surface flows are not present for stream aquatic life. The DEIR should consider the potential for future restoration.
- 14. Instream Resources: Other than discussion on salmonid resources, the DEIR does not state what instream resources are present in San Vicente Creek and how they may be affected by the proposed surface diversion.
- 15. Denniston Reservoir Off-Stream Alternative (Page 6-3): Dismissal of this water supply alternative effectively precludes the restoration of this creek for coho and steelhead because it is the ultimate passage barrier. NPS requests reconsideration of this water supply alternative.
- 16. Effects on Stream Flow: Dewatering of the creeks below the points of diversion within the boundaries of a national park is obviously of great concern to NPS. The DEIR asserts that groundwater contribution, natural run-off, and fog contribution will make the impact on the creeks less than significant (Reference 6.0-9). However, even in light of the predicted impact to the creeks, the DEIR does not quantify or estimate the contribution to flow of groundwater, natural run-off, or fog, or to estimate the length of the dewatered reaches below the points of diversion. Given the predicted effects on stream flow and the conclusion of less than significant impact, a conclusory dismissal of this issue is inappropriate.

A1-18

A1-19

A1-20

Permit 15882 states that no water from San Vicente Creek may be diverted by the District from June 1 to October 1 unless there is "surface flow" passing the southerly boundary of the Torello Ranch. As a Mitigation Measure, the DEIR states that, pursuant to the terms of Permit 15882, diversion from San Vicente Creek will allow bypass flow that provides a "wetted channel" at the southwesterly border of Torello Ranch (Reference Mitigation Measure 4.8-2). This "wetted channel" standard appears to be used in other parts of the DEIR (Reference 4.8-27; Table 2-1). In contrast, the DEIR uses the "surface flow" standard when tabulating existing rights (Reference note 2, Table 4.8-1). From a non-technical perspective, there appears to be a significant difference between "surface flow" and a "wetted channel". Given that the Proposed Project proposes to dewater the creeks to varying degrees below the points of diversion, compliance with the permit terms using the appropriate standard is important. The DEIR should seek to address the dewatering issue with the appropriate standard.

A1-21

Regarding San Vicente Creek, Mitigation Measure 4.8-2 states that bypass flow will provide the "wetted channel" necessary to comply with Permit 15882. The DEIR asserts that the bypass flow is impossible to quantify (reference 4.8-27), but is willing to conclude that the bypass flow will provide the "wetted channel" necessary to comply with Permit 15882. It seems appropriate to better quantify or estimate the bypass flow, given that it forms the basis of a mitigation measure that purportedly will eliminate an important impact of the Proposed Project. If the appropriate standard under the permit terms is "surface flow" (reference Permit 15882, Paragraph 14) the likelihood of bypass flow meeting that standard and thereby forming the basis of a mitigation measure is even less.

17. Climate Change: The DEIR discusses the potential effects of climate change, in a general sense, in Section 4.2.4. However, given the projected effects on San Vicente and Denniston creeks of expansion of use pursuant to Permit 15882, the DEIR should attempt to project the effects of climate change on a more localized basis; more specifically, on the stream flows of the creeks. NPS recognizes the uncertainty associated with projecting such effects, but consideration should be given to such potential effects, particularly given that significant reductions in stream flow caused by climate change could greatly impact the ability of the Proposed Project to meet its goals and likely exacerbate the negative effects of water diversion on the subject creeks.

A1-22

18. Expand Water Supply Through Groundwater: In the alternatives identified in the DEIR, consideration should be given to an alternative that seeks to expand CCWD water supply base solely through use of groundwater. NPS recognizes potential regulatory constraints posed by the California Coastal Commission. Nevertheless, considering such an alternative is appropriate for the following reasons.

- a. The DEIR, in assessing the effects of expanded use of surface water pursuant to Permit 15882, indicates that San Vicente Creek will be dewatered under the San Vicente Preferred Scenario during dry years, average years, and for 9 months during wet years. Under the Denniston Preferred Scenario, San Vicente Creek would experience similar, though not as severe, dewatering (Reference Table 4.8-6).
- b. The DEIR, in assessing the effects of expanded use of surface water pursuant to Permit 15882, indicates that Denniston Creek, under the Denniston Preferred Scenario, will experience a significant increase in the number of dewatered months in dry, normal, and wet years (Reference Table 4.8-7).
- c. The Airport Aquifer recharges quickly and completely with precipitation (Reference 4.8-39).
- d. Though there is limited storage in the Airport Aquifer, the aquifer is recharged by San Vicente and Denniston creeks, and lesser diversions in the creeks would allow for greater reliance on groundwater (Reference 6.4.1-9).
- e. San Vicente Creek is a gaining stream in its lower reaches which indicates a high water table and excess groundwater (Reference 4.8-39).
- f. Expanding CCWD reliance on groundwater meets the Proposed Project's objectives of improving reliability of water supply and increasing use of local supplies.
- g. Reliance on groundwater largely would avoid the projected dewatering of the creeks under the Proposed Project and reduce or eliminate resulting effects on riparian flora and fauna.

A1-23

**Wildlife / Threatened and Endangered Species**

19. California Red-Legged Frog: The DEIR does not adequately assess effects to federally threatened California red-legged frogs (CRLF). There is no information as to how loss of instream flows in San Vicente Creek would affect use by CRLF. It is unknown whether CRLF use San Vicente Creek for breeding, but fluctuating water levels during the breeding season could make habitat unsuitable for breeding or could result in stranding of egg masses. Loss of instream flows could also adversely affect rearing habitat for tadpoles and non-breeding habitat for juvenile and adult frogs. Proposed actions would drastically change the hydrology of the creek, particularly during the summer. Under existing conditions, average streamflow would accommodate preexisting diversions such that streamflows would still be present even under dry year conditions (Table 4.8-6).

A1-24

# Comment Letter A1

The DEIR notes that the intake structure will be equipped with a barrier to prevent entrainment of CRLF tadpoles and juveniles. Provide further information to evaluate the validity of this statement such as screen size, entrainment and sweeping velocities.

A1-25

The DEIR provides insufficient data to support its claim that sediment removal will benefit CRLF (p3-9, p4.3-48) and that maintaining Denniston Reservoir at a larger size would provide more edge for CRLF (page 4.3-35). No topographic cross-section data of the proposed and current reservoir condition is provided to indicate that shallowly flooded habitat that CRLF would prefer for breeding and rearing (and as refugia from large predatory fish) would be increased under the Proposed Project.

A1-26

20. San Francisco Garter Snake (4.3-36): The DEIR states that the San Francisco garter snake (SFGS) has not been observed in the project area and that sightings in the vicinity are of mixed reliability. We have had a consultant conduct a literature review and field surveys in the Rancho Corral de Tierra area (Swaim 2007). Although no SFGS were found during her surveys, she noted that a noted SFGS specialist (Sean Barry) had conducted visual surveys between 1972 and 1977 and again in 1996 and had found SFGS.

A1-27

21. Steelhead: The DEIR indicates that the stretch of San Vicente that runs through the project site does not support suitable habitat for steelhead. There is no information regarding the distribution of stream habitats along the creek and whether any surveys have been conducted to document presence/not found status of steelhead downstream of the diversion. While habitat conditions may be degraded because of past and current uses, full appropriation of instream flows would preclude any future stream restoration actions for steelhead.

A1-28

22. Woodrats: On page 4.3-37, you make reference to woodrats not occurring at the site, yet your maps refer to a woodrat nest in the project area. On our land, we have observed several dusky-footed woodrat nests within 250 feet of the project area, and their occupation in one of these nests was captured via wildlife cameras in 2014.

A1-29

23. Coho Salmon: The DEIR does not indicate that Denniston Creek previously supported coho salmon population. Becker et al. (2008) cites a California Department of Fish and Game 1941 memo which indicated that Denniston Creek historically supported spawning runs of coho salmon and steelhead. The DEIR focuses its attention on the fact that other impediments, including Pillar Point Harbor hydraulics, limit any salmonid potential. NPS would agree that currently impaired conditions exist for salmonids, however the park is committed to restoration opportunities.

A1-30

24. Noise Impacts on Wildlife: The scoping comments requested that noise impacts be evaluated for wildlife protection. Although Section 4.9 addresses noise issues related to impacts on residents in the area, it does not address high and low frequency sounds outside the range of human audibility.

A1-31

## Construction Impacts

25. Pipeline Alignment/Sediment Disposal: Pipe alignment is described as "along the unpaved farm road to minimize disturbance to vegetation". Please provide clarity. Will the pipe be laid within the road footprint? How much area will be used for staging equipment? What efforts will be undertaken to restore areas impacted by construction?

A1-32

26. Dredge Material Disposal: The DEIS does not adequately describe impacts on GGNRA property from disposal of increased amounts of dredged materials in the easterly and westerly disposal areas along Denniston Creek. The document should evaluate and describe those potential impacts, identify mitigation measures and commit to consultation with NPS to obtain necessary permits.

A1-33

# Comment Letter A1

27. Roadway Impacts: There are several more references in general to the pipes along Bridgeport than along Coral Reef, i.e. the description of construction on 4.2-6. Please provide more clarity on differences in project impact. The end of Coral Reef provides emergency turnaround and parking for the GGNRA property; blocking this road impacts our visitors and operations.
28. Protection Against Invasive Plants: Project areas highlighted on GGNRA property occur where recent invasive plant and trail work has been completed. To prevent the re-introduction of invasive plants within that corridor, proper equipment cleaning methods should be employed for all vehicles, equipment, materials (including fill), and gear (shoes, etc.) to prevent the introduction of propagules into the project area.
29. Historic Pig Farm: A pig farm was present adjacent to San Vicente Creek in the vicinity of the Upper and Lower San Vicente Reservoirs. The DEIR should address the potential effects of construction activities or diversion from San Vicente Creek in relation to the presence of the historic pig farm.

A1-34

A1-35

A1-36

## Literature Cited

Becker, G.S. and I.J. Reining. October 2008. Steelhead/rainbow trout (*Oncorhynchus mykiss*) resources south of the Golden Gate, California. 425 pp.  
National Park Service (NPS). 2006. Management Policies 2006. 168 pp.

Striplen, C., R. Grossinger, and J. Collins. 2004. Wetland habitat changes in the Rodeo Lagoon watershed, Marin County, CA. A technical report of the Historical Ecology and Wetlands Programs, SFEI Contribution 116, San Francisco Estuary Institute, Oakland, CA.

Swaim Biological, Inc. Results of surveys for the San Francisco garter snake at Milagra Ridge and Rancho Corral de Tierra for Golden Gate National Recreation Area, San Mateo County, California. 57 pp.

URS. August 8, 2009. Results of the 2009 vegetation and Cowardin wetland mapping for the Golden Gate National Recreation Area (GGNRA) newly acquired and expansion lands in San Mateo County, CA. Technical memo prepared for Sharon Farrell, Golden Gate National Parks Conservancy. 10 pp.

A1-37



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

October 3, 2014

David R. Dickson  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019

Subject: Denniston/San Vicente Water Supply Project  
SCH#: 2011102038

Dear David R. Dickson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on October 2, 2014, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

RECEIVED

OCT -6 2014

COASTSIDE COUNTY  
WATER DISTRICT

A2-01

**SCH#** 2011102038  
**Project Title** Denniston/San Vicente Water Supply Project  
**Lead Agency** Coastside County Water District

OCT -6 2014  
COASTSIDE COUNTY  
WATER DISTRICT

**Type** EIR Draft EIR

**Description** The District proposes to implement water supply improvements along Denniston and San Vicente Creeks to enable the expanded beneficial use of local water supply. The Proposed Project would entail the installation of a permanent diversion structure and pump station on San Vicente Creek, and the replacement of 2,000 ft of existing pipeline and installation of approximately 4,100 ft of new pipeline to convey water to the existing Denniston Reservoir pump station. The capacity of the Denniston water treatment plant would be expanded to 1,500 gpm. In addition, a new booster pump station and 3,460 feet of new pipeline along Bridgeport Drive would augment water delivery into the distribution system. The Proposed Project would authorize an extension of time for Permit 15882 and an expanded sediment dredging program from the Denniston Reservoir.

**Lead Agency Contact**

**Name** David R. Dickson  
**Agency** Coastside County Water District  
**Phone** (650) 726-4405 **Fax**  
**email**  
**Address** 766 Main Street  
**City** Half Moon Bay **State** CA **Zip** 94019

**Project Location**

**County** San Mateo  
**City**  
**Region**  
**Lat / Long** 37° 31' 12.9" N / 122° 29' 20.9" W  
**Cross Streets** U.S. Highway 1  
**Parcel No.** 037-320-150  
**Township** 5S **Range** 6W **Section** 2 **Base** MDB&M

**Proximity to:**

**Highways** US-1  
**Airports** Half Moon Bay  
**Railways**  
**Waterways** Pacific Ocean, San Vicente Creek, Denniston Creek  
**Schools** Robin's Nest Preschool  
**Land Use** Rural Development (Agriculture and Private Recreation) District

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Geologic/Seismic; Noise; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Cumulative Effects

**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Air Resources Board; State Water Resources Control Board, Division of Drinking Water; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Board, Region 2; Native American Heritage Commission

**Date Received** 08/19/2014 **Start of Review** 08/19/2014 **End of Review** 10/02/2014

A2-01  
(cont)



State of California – The Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Bay Delta Region  
7329 Silverado Trail  
Napa, CA 94558  
(707) 944-5500  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



October 10, 2014

Mr. David Dickson  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019

Dear Mr. Dickson:

Subject: Denniston/San Vicente Water Supply Project, Draft Environmental Impact Report, SCH #2011102038, Coastside County Water District, San Mateo County

The California Department of Fish and Wildlife (CDFW) has reviewed the draft Environmental Impact Report (EIR) for the proposed Denniston/San Vicente Water Supply Project (Project). CDFW is submitting comments on the EIR to the Coastside County Water District (CCWD) as the Lead Agency, regarding potentially significant impacts to biological resources associated with the proposed Project. CDFW is a Trustee Agency pursuant to the California Environmental Quality Act (CEQA) § 15386. As trustee for the State’s fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species. CDFW also acts as a Responsible Agency based on its discretionary authority over activities that impact streams and lakes (Fish and Game Code §§ 1600 – 1616), or result in the “take” of any species listed as candidate, threatened, or endangered pursuant to the California Endangered Species Act (CESA) (Fish and Game Code, § 2050 et seq.). CDFW received an extension from CCWD to the deadline for submitting comments to October 10, 2014.

A3-01

**Project Location and Description**

The proposed Project is located in and adjacent to, San Vicente and Denniston creeks approximately one mile east of Highway 1 and north of the City of El Granada in western San Mateo County. The proposed Project involves construction of a permanent diversion structure at the location of an existing diversion structure on San Vicente Creek and other activities associated with the expansion of CCWD’s current water diversion operations covered under Water Application #22680 (Permit #15882). Water diverted from San Vicente Creek would be conveyed via 6,100 feet of upgraded and new piping to the existing Denniston Creek Pump Station, which is located adjacent to the Denniston Reservoir. The proposed pipeline would be installed within existing CCWD easements. The existing portion of the pipeline would be replaced using open cut trenching and a new underground pipeline would be installed to the existing pump station at Denniston Reservoir. The Project would also expand the area and scope of the ongoing sediment removal program and expand storage to approximately 30-acre feet (AF).

**Biological Resource Impacts**

The proposed Project area is known to support special-status species such as San Francisco garter snake (SFGS, *Thamnophis sirtalis tetrataenia*) and California red-legged frog (CRLF, *Rana draytonii*). Steelhead trout (*Oncorhynchus mykiss*) are also present in the reservoir and in downstream reaches of Denniston Creek.

A3-02

Mr. David Dickson  
October 10, 2014  
Page 2

The Project, as proposed, includes construction, dredging and diversion activities which may result in impacts to SFGS and CRLF. Measures to avoid or minimize potential impacts to these species resulting from construction activities may be adequate, but the EIR does not include measures sufficient to protect SFGS and CRLF during diversion operations and expanded dredging operations. Because SFGS is fully protected under § 5050 of the Fish and Game Code, take of the species cannot be authorized by CDFW except for necessary scientific research, including efforts to recover the species. Take is defined in § 86 of the Fish and Game Code, as "to hunt, pursue, catch, capture, or kill, or to attempt to hunt, pursue, catch, capture, or kill." Since the proposed Project does not meet the requirements as stated in Fish and Game Code § 5050 (scientific research or recovery), any take of SFGS resulting from dredging or diversion would be unlawful. CRLF is a State Species of Special Concern and listed as threatened under the federal Endangered Species Act (ESA). CRLF adults, larvae and metamorphs have the potential to be present in the Project area during construction, operation and maintenance of the diversion facilities, and have the potential to be impacted by the proposed Project as described below.

A3-02  
(cont)

**Dredging**

Denniston Creek and Denniston Reservoir are occupied by several sensitive and special-status species as indicated above. Long-term impacts to biological resources from expanded dredging operations have not been clearly evaluated in the EIR. Adverse impacts can include entrapping or entraining SFGS, CRLF and steelhead and other native species, a reduction in available habitat, disruption in food web links and loss of benthic invertebrates that may serve as important prey items for aquatic species. Expanding the capacity of Denniston Reservoir may also affect the frequency and duration of flows into Denniston Creek below the reservoir.

A3-03

CDFW recommends that the EIR identify potential dredging and reservoir expansion impacts on special-status species and their habitats, and include adequate avoidance and minimization measures including bypass flows and mitigation measures, such as habitat enhancement to reduce impacts to less-than-significant. CDFW also recommends that the EIR include measures such as de-watering the Project area and installing proper CDFW-approved exclusion fencing prior to dredging. The CCWD should consult with the U.S. Fish and Wildlife Service (USFWS) and CDFW on developing additional protective measures for special-status species to be implemented during dredging operations.

Sedimentation of the reservoir has been ongoing issue and CDFW has recommended that alternatives to dredging be evaluated to address reservoir operations and capacity issues. In 2004 and 2005, staff from CCWD and other state and federal resource agencies attended several consultation meetings to discuss restoration options for Denniston Reservoir that would provide both water resources for the agricultural community and CCWD customers and enhancement habitat for fish and wildlife resources. Limited dredging of Denniston reservoir was considered as an interim solution while restoration opportunities were explored. The EIR should evaluate alternative project designs that would alleviate or limit the need for maintenance dredging. CDFW is interested in working collaboratively with CCWD to determine appropriate alternatives that will limit ongoing impacts to biological resources while maintaining water supply.

A3-04

**Water Diversion Operations**

Current diversion operations at Denniston Reservoir may be having an adverse impact on instream flow needed to maintain sensitive species. CDFW has determined that the existing

A3-05

Mr. David Dickson  
October 10, 2014  
Page 3

dam may also be a complete barrier to steelhead trout present in Denniston Creek. As detailed in our previous correspondence to CCWD and the State Water Resources Control Board (SWRCB) on the Petition for Extension of Time for Water Application (WA) 22680, current operations are adversely affecting biological resources and continue to occur without appropriate authorization from CDFW. It was recommended in that correspondence that the EIR address direct and cumulative impacts on biological resources from operation of the dam and diversion of water under current water rights authorizations, and include measures to minimize these impacts to the greatest extent possible. Please be aware that it is unlawful to maintain a dam (Fish and Game Code § 5900) that prevents or impedes fish from passing in a stream (Fish and Game Code § 5901). Fish and Game Code § 5937 also states that the owner of any dam shall allow sufficient water at all times to pass through a fishway, or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam.

A3-05  
(cont)

**Expanded Diversion Operations**

Direct and cumulative impacts on biological resources from the expanded diversion of water under WA 22680 must be assessed and mitigated through appropriate site-specific measures during environmental review. The Water Availability Analysis in the EIR does not provide enough detail to determine whether there is sufficient water in the system for further diversion. In fact, it appears to suggest that in many years flow below San Vicente Creek and Denniston Creek will cease as a result of diversion operations and current mitigation is limited to existing language in the current Water Right. Specifically, Mitigation Measure 4.8-2 states that "The District shall control the diversion on San Vicente Creek such that the flow bypassed during diversions from June 1 through October 1 meets the current permit term requirement of a wetted channel at the southwesterly border of Torello Ranch." This term does not quantify the amount of water needed to meet the "wetted channel" criteria nor is there a discussion of whether this measure is sufficient to maintain all life history stages of sensitive species. Bypass flows should be sufficient to protect all life history stages of sensitive species, including passage, spawning and rearing. A site-specific instream flow study will be necessary to determine the amount of water needed to maintain instream habitat below each point of diversion. Without an accurate accounting of the amount of water needed for biological resources, a determination of water availability cannot be made. As such, the EIR should specify that a study plan will be provided to CDFW, USFWS and National Marine Fisheries Service (NMFS) for review and approval. The plan should be implemented and the results should be used to develop appropriate avoidance and minimization measures for diversion operations. The plan should include, at a minimum, the following:

A3-06

1. A habitat-based stream assessment done at a seasonally appropriate time period that incorporates habitat, species, and life history criteria which may be impacted by the new and existing points of diversion.
2. A site-specific instream flow study plan to determine appropriate minimum bypass flows for maintenance of aquatic habitat, fish and wildlife. The study should specifically address bypass flows needed to maintain all life history stages of SFGS, CRLF and steelhead species. The study should also consider the impacts of the existing on-stream reservoir on passage and channel-forming flows with a specific proposal to provide periodic channel maintenance and flushing flows that are representative of the natural hydrograph.

A3-07

Mr. David Dickson  
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Page 4

- 3. A hydrologic study to determine if the production of each watershed at each point of diversion is sufficient to provide the water requested when in compliance with proposed minimum bypass flows and season of diversion.

A3-07  
(cont)

**Lake and Streambed Alteration Agreement**

Our records indicate that none of the current diversion operations conducted by CCWD are covered under a Lake and Streambed Alteration Agreement (LSAA) (Fish and Game Code § 1600 et seq.). In order to authorize ongoing dam operation and maintenance activities, the CCWD should include that, as a condition of approval, the CCWD apply for an LSAA. Issuance of an LSAA is subject to CEQA. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. The CEQA document should identifies temporary and permanent impacts to the stream, wetland and/or riparian resources and should provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the LSAA. The EIR for this Project should address CDFW recommendations in this letter. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/> or to request a notification package, contact CDFW's Bay Delta Regional Office at (707) 944-5500.

A3-08

**Conclusion**

CDFW appreciates the opportunity to provide comments on the EIR for the subject Project. If you have any questions, please contact Ms. Corinne Gray, Senior Environmental Scientist (Specialist), at (707) 944-5526 or [corinne.gray@wildlife.ca.gov](mailto:corinne.gray@wildlife.ca.gov); or Ms. Brenda Blinn, Senior Environmental Scientist (Supervisory), at (707) 944-5541 or [brenda.blinn@wildlife.ca.gov](mailto:brenda.blinn@wildlife.ca.gov).

Sincerely,



Scott Wilson  
Regional Manager  
Bay Delta Region

cc:  
State Clearinghouse  
William Stevens, NOAA Fisheries West Coast Region – [william.stevens@noaa.gov](mailto:william.stevens@noaa.gov)  
Kathryn Hart, SF Bay Regional Water Quality Control Board – [kathryn.hart@waterboards.ca.gov](mailto:kathryn.hart@waterboards.ca.gov)  
Ryan Olah, U.S. Fish and Wildlife Service – [ryan\\_olah@fws.gov](mailto:ryan_olah@fws.gov)



## Montara Water & Sanitary District

Serving the Communities of Montara and Moss Beach

P.O. Box 370131

Tel: (650) 728-3545

8888 Cabrillo Highway

Fax: (650) 728-8556

Montara, CA 94037-0131

E-mail: [mwsd@coastside.net](mailto:mwsd@coastside.net)

Visit Our Web Site: <http://www.mwsd.montara.com>

---

October 30, 2014

David R. Dickson, General Manager  
Coastside County Water District  
766 Main St.  
Half Moon Bay, CA 94019

Re: Denniston/San Vicente Water Supply Project Draft Environmental Impact Report  
("DEIR")

Dear David:

This letter includes comments of the Montara Water and Sanitary District ("MWSD") regarding the DEIR for Coastside County Water District's ("CCWD's") Denniston/San Vicente water supply project ("Project"). Initially, I wish to express our appreciation for extending the comment period on our behalf. Your courtesy has allowed us to provide further information which I believe will be of benefit for both of our Districts.

Enclosed with this letter is a letter from Mark Woysner, Senior Consultant and Director of Balance Hydrologic's, Inc., dated October 30, 2014 which explains in more detail MWSD's concerns with certain portions of the the DEIR that require further exposition. The enclosure also includes mitigation measures that, as indicated above, are beneficial for both MWSD and CCWD.

MWSD is concerned that the hydrologic analysis with particular regard to the Airport Aquifer is based on data collected or referenced during a period when pumping by MWSD from its three (3) "Airport Wells," which are entirely dependent upon that Aquifer, was at historic low levels unrelated to climatic conditions. That data was insufficient for analysis purposes because the Airport Wells remain significant supply resources upon which MWSD's service projections are highly dependent. Likewise, the

A4-01

A4-02

## Comment Letter A4

conclusions and mitigation measures contained in the DEIR are based primarily on data collected during a limited time period, without consideration of long term drought conditions. We also take note that there is a potential decrease of recharge to our wells by any change in existing irrigation practices that constitute a reasonable foreseeable change by the project as detailed in the attached letter.

A4-2  
(cont)

A4-03

As stated in Mr. Woyschner's analysis, the Project requires a monitoring and adaptive management plan as mitigation which, to a certain extent, would also serve as the foundation for a groundwater management plan for the Airport Aquifer and environs. That management plan would also serve, at least in part, as a basis for a groundwater sustainability plan in conjunction with the formation of a groundwater sustainability agency under the recently enacted Sustainable Groundwater Management Act (Water Code §10720 et seq.).

A4-04

MWSD hopes that our comments included in the enclosure will be taken by CCWD as constructive and positive in pursuit of our mutual goal of protecting the environment and preserving our precious water supply. We look forward to working with CCWD toward that goal.



Very truly yours,

Clemens Heldmaier  
General Manager

A4-05

Encl.

cc: MWSD Board of Directors

Glen Reynolds, President, Coastside County Water District

Jim Porter, Director, San Mateo County Public Works

Ramona Arechiga, Natural Resource Manager, San Mateo County Parks

Randy Dardenelle, Farmer, Moss Beach

George Turk, General Manager, Millenium Housing



800 Baneroft Way • Suite 101 • Berkeley, CA 94710-2227 • (510) 704-1000  
www.balancehydro.com • email: office@balancehydro.com  
Berkeley • Santa Cruz • Truckee

October 30, 2014

David R. Dickson, General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, California 94019  
[ddickson@coastsidewater.org](mailto:ddickson@coastsidewater.org)

**RE: Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project, San Mateo County, CA**

Dear Mr. Dickson:

The Draft Environmental Impact Report (DEIR) for the Denniston/San Vicente Water Supply Project was released on August 19, 2014, and the comment period will conclude on November 3, 2014. Montara Water and Sanitary District (MWSD) has asked Balance Hydrologics (Balance) to review the hydrology and water quality section of the DEIR, and assist MWSD with the preparation of comments regarding potential impacts to groundwater supplies for MWSD and for the Pillar Ridge Manufactured Home Community (PRMHC). We appreciate this opportunity to contribute to the EIR process.

On behalf of the MWSD, we posed the following three questions in our November 15, 2011 comment letter to the Notice of Preparation:

1. *Will the proposed project significantly impact the groundwater source for MWSD and PRMHC?*
2. *Will the proposed project significantly impact stream and riparian habitat?*
3. *Will the health of Pillar Point Marsh be affected by the proposed project?*

We recommended a number of reasonable approaches to answer these questions including an analysis of the project effects during a wet season, dry season, normal year, wet year, and a multi-year drought. We recognize and appreciate the effort by the CEQA team to address the concerns expressed in the November 15, 2011 comment letter to the Notice of Preparation. We do, however, see additional work needed to help the analysis and the development of appropriate mitigation for impacts identified (below), especially as it relates to dry years and multi-year drought conditions when groundwater recharge is reduced and during periods when pumping capacity is maximized. Though not exclusively, the hydrologic analysis in the DEIR, particularly as it relates to MWSD's concerns, were largely based on new data collected during a period when pumping from the aquifer was at historic low levels. MWSD has historically pumped significantly more groundwater from the Airport Aquifer than it had during the past three years, during which time baseline data for this DEIR was collected. The MWSD Public Works Plan (amended December 2013) and the 2011 Water System Master Plan identifies the Airport Aquifer as a primary source of water, and MWSD has only recently reduced pumping as an interim operations measure. In addition, MWSD will soon operate the existing PRMHC wells. There is good information presented in the DEIR, and recognizing the need for CCWD to not waste water, we would appreciate additional information as to how the project will be managed when MWSD is pumping their wells at historic rates, particularly during dry years and during multi-year drought conditions, and potentially what mitigation would be implemented.

A4-5  
(cont)

A4-06

October 30, 2014  
Mr. David R. Dickson  
Page 2

Droughts are expected to be longer and more severe as a result of climate change with potentially more draw from aquifers, and new groundwater legislation<sup>1</sup> calls for sustainable planning. The DEIR is deficient in its analysis of effects as they relate to climate change and sustainability, and seems to rely on the notion that streams draining Montara Mountain are regionally unique and are thus drought resistant.<sup>2</sup> We contend that further resolution of the impacts is needed in this regard.

A4-07

Most alarming, the project proposes to affect streamflows rather significantly, particularly in San Vicente Creek, without assurance that the proposed mitigation, or the lack thereof, is effective. We recognize the need and utility for a monitoring and adaptive management plan as mitigation, and perhaps more important than comprehensive quantitative analyses that might be better suited as an element in a groundwater management plan. MWSD would be interested in reviewing a mitigation contingency monitoring plan, as well as relevant action items for a potential groundwater management plan.

The conceptual understanding of the Airport Aquifer put forth in the DEIR is a reasonable start to a groundwater management plan, though further development is needed. For example, elevated chloride concentrations are found in wells located along fault traces in the region, potentially suggesting groundwater upwelling along faults. Appendix H alludes to their potential contribution of water and salts to the aquifer, but the evidence for this system seems to have been inadvertently not included in body of the DEIR. Given that groundwater from the CCWD Denniston wells was age dated at about 4 years (Moran and others, 2004), and portions of the aquifer have higher specific conductance levels than found in the Denniston wells, these deeper groundwater inflows may be significant in portions of the aquifer. Additional age dating of groundwater from other portions of the aquifer would help with the understanding of this potential inflow to the aquifer.

A4-08

On a positive note, the project proposes a reasonable approach to peak- or high-flow harvesting, and partnership with farmers to share a POD and piping. Assuming appropriate mitigation is resolved, this approach may be of interest for MWSD in the Martini Creek and Ocean View Farms area, an area identified by DWR (1999) for potential development of water resources.

***Section 4.8 Hydrology and Water Quality***

The project proposed a significant change in flow in San Vicente Creek downstream of the POD. Impact 4.8-2 addresses the affects to surface water, and Impact 4.8-2, the affects to groundwater.

**IMPACT 4.8-2** (pdf page 203) “The Proposed Project would change the water volume and/or pattern of seasonal flows in a manner that could result in a significant reduction in water supply downstream of the diversion for senior water right holders and a significant reduction in the available aquatic habitat or riparian habitat for native species of plants or animals.”

A4-09

<sup>1</sup> The Sustainable Groundwater Management Act consisting of AB1739, SB1168 and SB1319 comprise a package of new legislation.

<sup>2</sup> Second paragraph of page 4.8.17 (pdf page 186): “. . . areas upstream of the Proposed Project’s PODs provide large amounts of recharge to the groundwater basin (Balance Hydrologics, 2014; Appendix H). Percolated water is not stored in the granitic bedrock around the creeks, but travels relatively quickly to the terrace deposits, where it accumulates (Kleinfelder, 2008).” We propose a more appropriate way of saying this is that the alluvium (and colluvium) upstream of the Proposed Project’s PODs has a relatively high infiltration rate and percolating water flows relatively quickly through the alluvium to the downgradient terrace deposits where there is more storage, with some groundwater also percolating to the underlying weathered and fractured granitic rock. Age dating of groundwater from CCWD Denniston wells suggests this travel time is about 4 years (Moran and others, 2004).

October 30, 2014  
Mr. David R. Dickson  
Page 3

Last paragraph of page 4.8-14 (pdf page 183): “. . . diversions would be timed so as not to impact other water right holders.” This intent does not appear in the mitigation for Impact 4.8-2. Has the DEIR correctly identified all water-right holders, as riparian rights diverters may not be filing with the SWRCB? Please describe whether diversions by the Cypress Flower Farm, located downstream of the POD, will be affected by the project. We further ask whether all riparian diverters downstream of the two diversions have been notified of the release of the DEIR.

A4-09  
(cont.)

The preferred scenario (Table 4.8-6; Figure 4.8-4) shows all water in San Vicente Creek to be diverted during typical normal and dry years with only the largest storms during the wet-season of a wet year to pass flow downstream of the POD. This scenario conforms with the proposed intent to maximize the beneficial use of the CCWD water right. Recognizing the stated inefficiency of the new diversion structure as to bypass some unquantifiable amount, and the permit requirement to maintain a ‘wetted channel’<sup>3</sup> at Etheldore Street (the southwestern boundary of the Cowell-Torrello Ranch), this preferred scenario significantly reduces flow in the creek from the POD to the ocean. Nevertheless, with the proposed project in place, flow in this downstream reach of San Vicente Creek will rely nearly completely on runoff and groundwater inflows within this downstream reach, with the exception of the largest storms that exceed 2 cfs and are bypassed per the permit requirement. The project preferred scenario (Table 4.8.6) shows this effect but the analysis doesn’t describe what quantity of additional inflows to this downstream reach can be expected during typical dry, normal and wet years.

The reach downstream of the POD sometimes gains flow from groundwater, and sometimes loses flow to groundwater (DEIR Appendix H, and Balance Hydrologics 2010); losses are greatest during dry years and most pronounced during the dry season. Mitigation Measure 4.8-2 (pdf page 208) is simply a condition of the permit. Prior to June 1 and after October 1, a wetted channel is not required. Under these conditions, the preferred scenario of the proposed project may significantly impact downstream habitat unless CCWD can explain how this will be achieved, and without a mitigation monitoring plan to verify that the stream is being regulated as proposed. We contend that the impact to aquatic and riparian habitat may be significant and unavoidable without a monitoring and adaptive management plan adopted as mitigation.<sup>4</sup>

A4-10

Footnote 2 of Table 4.8-1 (pdf page 171): “The District may only divert from San Vicente between June and October if there is surface flow at the boundary of Torello Ranch downstream.” Please show this location on a map relative to the POD. Our understanding is that it is at the Etheldore Street bridge, but this needs confirmation in the EIR.

The term ‘wetted channel’ is used in the mitigation for Impact 4.8-2 and needs further explanation, particularly as it relates to flow. In open channel flow, the wetted perimeter of a channel is defined as the surface of the channel bottom and sides in direct contact with the aqueous body. Does a ‘wetted channel’ mean there is continuous flow in the stream, or does it mean there is discontinuous flow and isolated pools, or does it mean the channel has dried down and there is wet bed sediment? Please then use a well stated definition in the analysis of impacts.

**IMPACT 4.8-3** (pdf page 208) “The Proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in

A4-11

<sup>3</sup> It is unclear in the DEIR what a ‘wetted channel’ means in terms of bypass flows.

<sup>4</sup> We note that the San Vicente Creek reach downstream of the POD is a Class II stream, where seasonal or year-round habitat exists for aquatic non-fish vertebrates and/or aquatic benthic macroinvertebrates. Highlighting its ecological importance, if this non-anadromous habitat were as part of an anadromous stream system, there would be well defined bypass flow terms imposed by the State Water Board.

October 30, 2014  
 Mr. David R. Dickson  
 Page 4

aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).”

The second paragraph of the discussion of this impact “. . . San Vicente Creek is a gaining stream in its downstream reaches, which indicates there is a high water table and excess groundwater. . .” is an over simplification. Preliminary and limited flow data presented in Appendix H of the DEIR indicates that the reach of San Vicente Creek downstream of the POD is sometimes gaining and sometimes losing. Section 4.2 of Appendix H describes the reach as “often a gaining stream”. These data also were collected during years of limited pumping from the aquifer, much less than historic norms. Under higher rates of pumping, conditions could be significantly different, especially during multi-year and extreme droughts. For example, during the dry season of 2009, the third year of a three-year drought, downward gradients were reported at the MWSD Oak Street well adjacent to San Vicente Creek (Balance, 2010); additional monitoring would confirm the frequency of this condition of losing water. Under conditions when the reach below the diversion is losing water, some of this surface water enters the Airport Aquifer (in addition to groundwater flow from San Vicente canyon<sup>5</sup>). This recharge generally flows downgradient toward the wells supplying the Pillar Ridge Manufactured Home Community, as indicated in the attached groundwater flow model results (Hydrofocus, 1999). In addition, given these modeled flow paths, project-related additional recharge from Denniston Creek would not necessarily reach these PRMHC wells.

A4-11  
 (cont.)

Given the DEIR did not discuss groundwater conditions, contours, and flowpaths when pumping from the Airport Aquifer is at full capacity, and/or during multi-year and extreme droughts, it is unknown whether Impact 4.8-3 is significant to the MWSD wells, the PRMHC wells, and to domestic wells. However, as with Impact 4.8-2 (discussed above), implementing an approved monitoring plan including contingent actions if certain standards are not met would seem to be appropriate mitigation for this impact.

The fourth paragraph of the discussion of this impact seems to lay the groundwork for a practical mitigation measure “. . . the Proposed Project cannot operate below 0.5 cfs (or approximately 225 gpm). This operational threshold would offset the impacts of the Proposed Project during a dry year.” This threshold should be identified and discussed as part of the preferred scenario (Table 4.8-6; Figure 4.8-4).

***DEIR Appendix H***

Appendix H of the DEIR addresses MWSD concerns in November 15, 2011 comment letter to the Notice of Preparation. For clarity, we ask further explanation of the following points:

- Last paragraph of page 3 (pdf page 633): “A number of investigations over the years (Lowney, 1974; Luhdorff and Scalmanini/Earth Sciences Associates, 1991, 1992; Woyshner and others, 2010) have established that the Airport Aquifer fills quickly and completely in most years, often during the first few storms of the year.” We contend that the referenced documents have not established this as a fact. In addition, the term “fills completely” is misleading and needs further

A4-12

<sup>5</sup> Kleinfelder (2008) proposed a default assumption that 15 percent of groundwater flow to the Airport aquifer and 85 percent towards Moss Beach, based on groundwater contours by Lowney-Kaldveer Associates, (1974). Kleinfelder was not able to develop new recommendations. During multi-year drought conditions proportions may differ. In addition, the last paragraph of page 4.8-15 (pdf page 184): “The Airport Subbasin has accumulated coarse-grained alluvial fan and stream deposits that are primarily made up of decomposed granite from Montara Mountain, deposited by San Vicente Creek on the north and Denniston Creek on the south (Balance Hydrologics, 2002).” At a general level, this statement suggests that there are permeable sediments likely connecting the streams with the aquifer, and not perched on low permeable deposits.

October 30, 2014  
 Mr. David R. Dickson  
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clarification. The large mid-winter storms after about 10 inches of cumulative rain are generally most significant for groundwater recharge. Water-table rise from recharge by these mid-winter storms can vary significantly from year to year. MWSD can provide supporting data for this recharge process. This ambiguous concept of “fills completely” is also carried over in the main body of the DEIR. Last full paragraph on page 4.8-18 (pdf page 187): “Due to the unique geology of the watershed, the aquifer refills quickly and nearly completely from precipitation. . .” Omitted from this statement was “during normal and wet years” as described in Appendix H. In addition, the last sentence of the last paragraph of page 4.8-15 (pdf page 184) reads: “The Airport Aquifer has young groundwater, dated less than 10 years old, and is classified as a “highly vulnerable area”. . .” Groundwater was sampled from the CCWD well field along Denniston Creek (wells 1, 3, 4 and 5) and dated at about 4 years with an uncertainty of 1.5 to 1.9 (Moran and others, 2004). Given that these wells are strongly influenced by recharge from Denniston Creek, these data may not represent other portions of the Aquifer, such as the MWSD wells in the center portion of the aquifer, the Pillar Ridge wells to be operated by MWSD) in the western portion of the aquifer near Seal Cove Fault, and the irrigation wells at the north end of the aquifer near San Vicente Creek. The classification “highly vulnerable area” refers to the aquifer’s vulnerability to contamination. Some contaminated areas of the aquifer have been notably slower to remediate. Appendix H of the DEIR also shows higher dissolved solids in the other portions of the aquifer, potentially coming from the base of the aquifer through fault boundaries and from the underlying fractured Purisima formation. We recommend sampling these other portions of the aquifer to further support the understanding of recharge to the aquifer.

A4-12  
 (cont.)

- Table 1. Monthly flow volumes along San Vicente Creek and dry-season differences (page 6; pdf page 636) and the related discussion needs explanation of errors and accuracy in an attempt to bracket the results. Recognizing the difficulty with gaging Montara mountain stream related to sediment and stage shifts, what are the gaging issues with the stations and how does that relate to the results? Why does there not appear to be a correlation with water-year type? Why does August and September of WY2012 show a gaining reach after it had been losing water to the aquifer? Important points not discussed are (a) December of WY2012 indicates that the stream recharges the aquifer during significant mid-winter dry spells; (b) after storms have passed, stream recharge is important even during wet years; and (c) recharge from the stream is shown to be highest during WY2013, the second consecutive dry year. The points suggest the importance of recharge from the Creek during times of need such as during droughts, the dry season, and mid-winter dry spells. WY2014 (not presented) should also prove to be important drought-year data.

A4-13

- Section 3.2.2, specific conductance data from San Vicente Creek (page 7; pdf page 637): An average 17 percent increase in specific conductance from the POD to downstream station is being used to support the notion that recharge from the stream is “negligible” without explanation of other sources (such as upwelling along a fault) or how it relates to the flow data presented that the reach is sometimes a losing reach and sometimes a gaining reach. More importantly, the analysis reaches an over simplified conclusion “. . . that net recharge from San Vicente Creek to the Airport Aquifer downstream of CCWD’s diversion is negligible. . .” without discussion of seasonality and in influence of multi-year drought conditions and/or when municipal pumping from the aquifer is significantly higher, nor was there mention of the need for further monitoring to better resolve this notion.

A4-14

- Section 3.2.6, Summary of Conclusions Regarding Infiltration based on Flow and Salinity Data: “. . . it appears that the preponderance of recharge from San Vicente and Denniston Creeks occurs above the diversion points for the Proposed Project. Therefore, we do not expect significant

A4-15

October 30, 2014  
 Mr. David R. Dickson  
 Page 6

impact to the Airport Aquifer as a result of the Proposed Project.” This is an important finding worth noting that would seem to require some level a monitoring for assurance.

A4-15  
 (cont.)

- Section 4.1 Groundwater source for MWSD and PRMHC: “During dry years and particularly during multi-year droughts, infiltration of surface water becomes a more important source of groundwater recharge.” This is an important finding. “However, the Proposed Project cannot operate below roughly 0.5 cfs (~225 gpm) combined for both San Vicente and Denniston Creeks. Thus, under drought conditions, no water will be diverted from the CCWD diversions on San Vicente and Denniston Creeks, preventing impacts from the Proposed Project during periods of extended drought.” This is an unsupported conclusion and implies that a drought analysis is not needed, with which we do not agree. The project proposes to increase storage in Denniston Reservoir, which will serve as a flow buffer to regulate inflows to the treatment plan when streamflows decline. We also did not see where in the DEIR this diversion limitation was described. The last paragraph of page 4.8-27 (pdf page 196) describes it as “some bypass will occur, although it is an unquantifiable amount. . .” In addition, no mitigation is based on this limitation. Further clarification is needed in the EIR.

A4-16

***Groundwater Recharge from Cabrillo Farm Fields***

“The Cabrillo Farms water rights allow for the licensed diversion of up to 98 acre-feet (AF) to offstream storage in the two reservoirs (49 AF per reservoir) from San Vicente Creek and additional water based on the riparian right documented by Statements of Diversion (Kleinfelder, 2008). Cabrillo Farms shares this POD [point of diversion] with CCWD. . . Water stored in Upper and Lower San Vicente reservoirs is pumped out and used to irrigate the agricultural fields to the south and west.” (Page 4.8-6; pdf page 175). “On average, approximately 186 AF of water is currently diverted from San Vicente Creek under the Cabrillo Farms and West Coast Farms licenses and riparian rights. All but the 6 AF used by West Coast Farms is diverted from San Vicente Creek at the POD that will be upgraded as part of the Proposed Project.” (Page 4.8-7; pdf page 176) CCWD may divert up to two cfs all year, per their water rights permit 15882 (Table 4.8-1; pdf page 171). “Through voluntary cooperative agreements between CCWD and the other water users on the stream (Cabrillo Farms and West Coast Farms), CCWD has agreed to divert water only if and when the senior water right holders have sufficient water available to divert under their licenses and statements of diversion.” (Page 4.8-37; pdf page 206)

A4-17

MWSD operates three source wells immediately downgradient of the Cabrillo Farms Brussel sprout fields. Appendix H and the body of the DEIR states that direct rainfall recharge is the major pathway of recharge to the MWSD wells, but the analysis does not include potentially significant contributions to recharge from irrigation, both directly and indirectly by increasing soil moisture. The analysis also does not consider the potential impact of decreased or discontinued irrigation.<sup>6</sup> For example, consider the possibility of diversion and irrigation practices by Cabrillo Farms changing significantly (potentially from changes to agricultural or land use practices, or under a subsequent agreement with CCWD), allowing CCWD to increase their diversion, and thereby reducing recharge to the MWSD wells. Within reason, we request analysis and mitigation for this potentially significant impact. Possible considerations for mitigation could include: (a) optimizing recharge from the San Vicente off-channel reservoirs; and (b) implementing a recycled-water recharge program, from which MWSD wells (and potentially CCWD well #9 and PRMHC wells) would benefit.

<sup>6</sup> Reasonably foreseeable changes in the environment must be considered in determining significant environmental effects of a project (14 CCR ,15064).

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Page 7

**Recommendations for Permitting**

We initially can see two realistic permit conditions for the project as it related to impact discussed in the comment letter:

1. CCWD, per their existing water rights permit, may divert from San Vicente all year, but between June and October only if there is a wetted channel at the downstream boundary of Torello Ranch (at Etheldore Street). The DEIR states in its analysis of impacts that some unquantifiable amount of streamflow will bypass the diversion based on the design of the structure. We agree that it is reasonable and practical for the project to offer a small amount of leeway for bypass flows in order to avoid downstream impacts highlighted in this comment letter; we therefore have presented information that this small amount of bypass flow (needed to maintain a wetted channel) be included as year-round mitigation and as a permit condition. In addition, to minimize surface-water and groundwater impacts highlighted in this comment letter, the wetted channel condition should be required through the reach downstream of the diversion to the west boundary of the aquifer, generally considered at the Seal Cove fault. We view this as an appropriate modification in light of new data presented and interpreted in the DEIR that surface water from Denniston and San Vicente Creeks provides "very limited" recharge to the Airport Aquifer.<sup>7</sup> If this newly proposed notion proves to be reasonably correct, then this recommendation to divert from San Vicente only if there is a wetted channel at the Seal Cove fault would not be notably different from the existing requirement. However, if the reach downstream of the diversion is important for recharge to the Airport Aquifer then the suggested modification would mitigate any potential impacts.
  
2. We note throughout this comment letter the importance and need for the project to include contingency monitoring to mitigate for potential impacts highlighted in this comment letter, as well as for uncertainty in the analysis, especially given the reasonably significant changes in streamflow proposed by the preferred diversion scenario. Initially, we recommend that the mitigation monitoring plan should at minimum include (a) streamflow gaging, and (b) groundwater elevation monitoring to evaluate seasonal changes in groundwater flow to and from the creeks. The plan should also include adaptive management conditions for action. MWSD would be interested in reviewing plan and providing meaningful comments. MWSD also monitors water levels in a well adjacent to San Vicente Creek at Oak Avenue in Moss Beach, which may be useful to include in the plan.

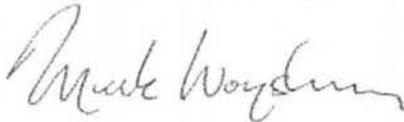
A4-18

A4-19

A4-20

Sincerely,

BALANCE HYDROLOGICS, INC.



Mark Woyshner, M.Sc.Eng.  
Senior Consultant and Director

A4-21

Enclosure: Figure illustrating groundwater flow modeling results by HydroFocus Inc., 1999

<sup>7</sup> Based on new data presented in Appendix H of the DEIR.

# Comment Letter A4

Balance Hydrologics, Inc.

October 30, 2014  
Mr. David R. Dickson  
Page 8

References:

Balance Hydrologics, Inc., 2010. Midcoast Groundwater Study Phase III, San Mateo County, California. Prepared for County of San Mateo Planning and Building Department. Available online at: <http://www.balancehydro.com/pdf/209093MidcstGWPhIII6-9-10.pdf>.

Lowney-Kaldveer Associates, 1974, Groundwater investigation, Denniston Creek Vicinity, San Mateo County, California: Consulting report prepared for Coastside County Water District, Half Moon Bay, California, 12 p. + appendices and plate.

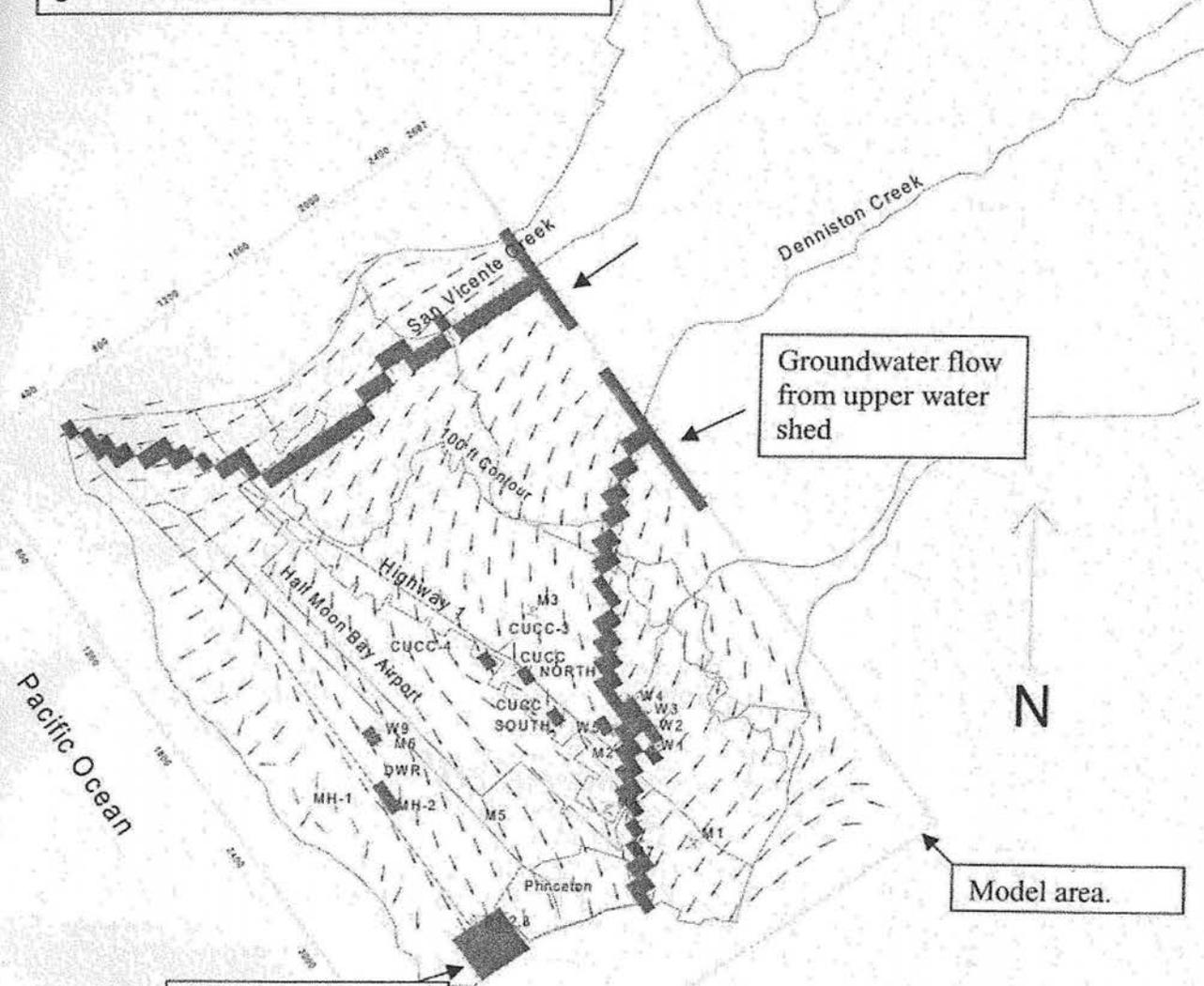
Moran, J.E., Hudson, G.B., Easton, G.F., Leif, R., 2004, California aquifer susceptibility, A Contamination Vulnerability Assessment for the Santa Clara and San Mateo County Groundwater Basins: Lawrence Livermore National Laboratory, UCRL-TR-201929, January 2004, 49 p.

Montara Water and Sanitary District Public Works Plan (PWP 2-06-006), Amended December 2013

SRT Consultants, 2011, Montara Water and Sanitary District 2011 Water System Master Plan

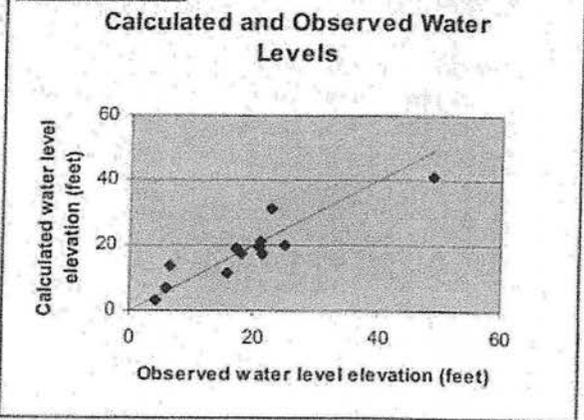
A4-21  
(cont.)

Figure 4. Groundwater flow model results. Arrows show direction of groundwater flow.



Ground-Water Flow Modeling by Steven Deverel (HydroFocus Inc., 1999)

Figure 5.





**COUNTY OF SAN MATEO**  
**PARKS DEPARTMENT**

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November 3, 2014

Attn.: David Dickson, General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019

Subject: Draft Environmental Impact Report (DEIR) for the Coastside County Water District (CCWD)  
Denniston/San Vicente Water Supply Project

Dear Mr. Dickson,

Thank you for extending the public comment period to enable San Mateo County Park staff to review the DEIR. San Mateo County Parks Department is the downstream land manager and we are in the process of initiating a pilot project for the restoration of San Vicente Creek on our property at this time with the goal of expanding that effort over time. In that context we offer the following comments on the DEIR:

A5-01

1) Water Diversions

Controversial issues outlined in Section 2.4 of the DEIR have not fully been addressed. San Mateo County Parks is concerned primarily with the downstream effects of water diversions, specifically in drought years. As stated in the DEIR "a full analysis of water availability in the San Vicente and Denniston Creeks must be performed to identify potential changes to water quality, hydrological impacts to downstream uses, and potential depletion of groundwater levels." As the DEIR is written it does not adequately address how exercising the full and beneficial use of the water right will affect downstream users during periods of drought. Kleinfelder (2008) indicates that the Moss Beach and airport aquifers are marginal for municipal water and irrigation. The Parks Department acknowledges the lack of long term data for the San Vicente and Denniston Creeks, and suggests that continued monitoring of the hydrology and water quality in order to obtain enough information to appropriately evaluate the effects of a fully exercised CCWD water right on downstream hydrological function, water quality, and biological resources.

A5-02

2) Biological Resources

The Draft EIR submitted by CCWD does not adequately address downstream impacts to San Vicente Creek's Biological Resources. The following points are related to the Initial Study which is an appendix to the DEIR:

Page 18 - 4(a) The project has the potential to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CADFW) or US Fish and Wildlife Service (USFWS)?

San Mateo County Parks does not believe this was adequately addressed for the downstream biological resources. A reduction of flow through the Fitzgerald Marine Reserve (FMR) may modify the riparian and wetland habitat that supports a variety of wildlife and has the potential to support California red-legged frogs (CARLF). Within FMR sensitive marshes, creeks and tide pools have been identified. When preparing the environmental document for the Fitzgerald Marine Reserve Coastal Trail which involved a clear span bridge across San Vicente Creek, the presence of CARLF was identified. In the Pillar Point Marsh area surveys by the US Air Force have verified the presence of CARLF. Additional information has come to light from two recent surveys from wildlife biologists that CARLF occur in both Fitzgerald Marine Reserve and Pillar Point Marsh and were documented in 2014. Patrick Kobernus, a consultant with Coast Ridge Ecology who is an on-call contractor with San Mateo County Parks, will be submitting paperwork to CNDDDB from his observations on Oct. 30, 2014.

A5-03

3) Sensitive Biological Resources

Page 18 - 4(b) The project has the potential to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CADFW or USFWS?

According to the Local Coastal Program (LCP) for San Mateo County Fitzgerald Marine Reserve has a designation of marine and estuarine habitats. The LCP also provides information concerning the sensitive marshes and tide pools within Fitzgerald Marine Reserve.

A5-04

4) Impact to Protected Wetlands

a) Page - 18 4(c) The project has a substantial adverse effect on federally protected wetlands as defined by the Section 404 of the federal Clean Water Act through hydrological interruption or other means.

The DEIR does not adequately address impacts to hydrological function for the San Vicente watershed downstream of the point of diversion (POD). San Vicente Creek has not been included in the municipal water budget previously; additionally very little data exists concerning the impacts of long-term drought. Groundwater is believed to be responsible for the SVC flows downstream however no long term data exists documenting how long-term drought affects alluvial ground flows or aquifer recharge in this area. The DEIR focus' is primarily on the airport aquifer which is partially fed by San Vicente and Denniston Creeks. Balance Hydrologics asserts that rainfall may provide previously unrealized recharge for the airport aquifer, but this is a new claim and warrants further study.

A5-05

5) Impacts to Hydrology and Water Quality

The Draft EIR submitted by CCWD does not adequately address downstream impacts to San Vicente Creek’s Hydrology and Water Quality concerning

- a. Page 29 - 9(b) The project has the potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

San Vicente Creek feeds two aquifers, the airport aquifer and the Moss Beach aquifer. According to Balance Hydrologics (2002) well logs imply that the aquifer underlying the Moss Beach area is “unconfined” and potentially a shallow aquifer (Laduzinsky and others 1998; Hecht and others 1989, Balance Hydrologics 1999 in Balance Hydrologics 2002). In the Montara-Moss Beach area where San Vicente drains into the Fitzgerald Marine Reserve this aquifer shows one-third the yield and twice the salinity as the alluvial aquifers (Woysner and Hecht 1999 in Balance Hydrologics 2002). This could be a significant issue if additional alluvial groundwater recharge is compromised by significant multi-year drought. This was not adequately addressed in the DEIR.

A5-06

- b. Page - 29 - 9(g.i) The change in water volumes and/or the pattern of seasonal flows in the affected watercourse result in a significant cumulative reduction in the water supply downstream of the diversion.

The Parks Department does not believe that the DEIR has adequately addressed the effects of drought on water supply downstream of the diversion. Balance Hydrologics asserts that "...“Montara-type” watersheds function with lower peak runoff and higher base flows." However, few studies specifically address base flow rates and recharge rates in light of periods of significant drought in the Moss Beach aquifer.

A5-07

- c. Page 30 - 9(g.iii) a significant reduction in the available aquatic habitat or riparian habitat for native species of plants and animals.

As stewards of the FMR this particular point was not adequately addressed for the aquatic and native riparian habitat of San Vicente Creek downstream during significant years of drought; such as those in the late 1980’s and 1970’s.

A5-08

The primary focus of the CCWD DEIR is the Pillar Point graben often referred to as the “airport” aquifer. San Mateo County Parks Department is charged with the stewardship of Fitzgerald Marine Reserve which contains areas within both the airport aquifer and the Moss Beach/ San Vicente Creek sub basin which contains the Moss Beach aquifer recharged by water from San Vicente Creek. The DEIR neglected to adequately address groundwater recharge of the Lower Moss Beach aquifer which relies on San Vicente Creek’s alluvial flows. The DEIR excludes an evaluation of how recharge of the Moss Beach aquifer would be affected by significant periods of drought.

The modeling done by Balance Hyrdologics in the DEIR uses a commonly accepted method of modeling similar creeks to extrapolate the few data points that exist for San Vicente Creek into a larger data set based on the data points from a similar creek; Pescadero Creek in this case. The Balance Hydrologics report does not include the correlations for low flow and drought scenarios in Appendix G. Concerns for downstream users of San Vicente Creek are more likely to be affected by

A5-09

## Comment Letter A5

low flow periods or when there are periods of significant drought. Therefore, this information and the ability to draw conclusions from the modeled data based on the strength of the correlation of low flow periods is an important consideration. These low flows and drought flows pose the most uncertainty for maintaining both the hydrological function of the aquifer and riparian resources (hydrologic and biological) found downstream of the POD in San Vicente Creek. Balance Hydrologics points out those Montara-type streams are often larger than other coastal streams, which are usually smaller. However, despite the differences of San Vicente Creek as compared to other coastal streams the differences were only partially incorporated into the model used to determine project impacts (Balance Hydrologics 2013), which is problematic to make assumptions because the models for these two creeks may not be similar.

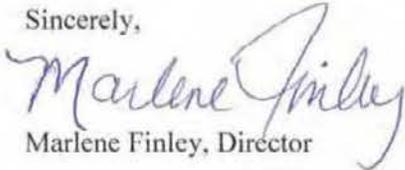
A5-09  
(cont.)

Additionally, Balance Hydrologics point out that the primary goal for the Appendix G report was "... to develop a flow correlation model to summarize monthly unimpaired flow at the 'Above Diversion' stream gage stations on Denniston and San Vicente Creeks.". This self-acknowledged statement in the report should indicate that additional research, monitoring, and analysis is necessary to accurately inform the drought ("very-dry" year) flows. The Balance Hydrologics report asserts that the airport aquifer is more influenced by rainfall recharge than previously believed, a new hypothesis concerning the importance of rainfall recharge. However, this point warrants further validation and study and should not be used as the definitive finding in determining potential impacts to downstream users' dependent on both the airport and the Moss Beach aquifers.

A5-10

Thank you for the opportunity to comment to the DEIR. We would appreciate being added to your mailing list when responses to comments are prepared.

Sincerely,



Marlene Finley, Director

CC: Supervisor Don Horsley  
Scott Lombardi, Superintendent  
Ramona Archiga, Natural Resource Manager  
Sam Herzberg, Senior Planner



# Peninsula Open Space Trust

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Walter T. Moore

October 2, 2014

David R. Dickson, General Manager  
 Coastside County Water District  
 766 Main Street  
 Half Moon Bay, CA 94019

Re: Comments on Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project, San Mateo County, CA

Dear Mr. Dickson,

Thank you for the opportunity to comment on the above-referenced EIR. As you know, Peninsula Open Space Trust ("POST") is the former owner of the Cabrillo Farms property referenced in the EIR, and is now the holder of a conservation easement on the Cabrillo Farms property.

Section 4.8.2 of the EIR incorrectly states that Cabrillo Farms leases land from the National Park Service (NPS). In fact, POST sold the Cabrillo Farms property in February 2014 to David Lea, the long-term operator of Cabrillo Farms. This comment letter is made in close coordination with David Lea.

Section 4.8.2 of the EIR addresses the various water rights from Denniston and San Vicente Creeks. However the EIR fails to adequately mention the existing agreements between CCWD and Half Moon Bay Properties ("HMBP agreements"), a previous owner of Cabrillo Farms, which govern the water use from these creeks. Specifically, the Grant Reciprocal Easement Agreement dated February 27, 1985 between CCWD and HMBP grants rights to use the San Vicente diversion and pipeline to Cabrillo Farms, and gives priority use to Cabrillo Farms during the summer months (April 1 to October 31) and to CCWD during the winter months (November 1 to March 31). The agreement also stipulates that CCWD is required to have both San Vicente reservoirs full at March 31<sup>st</sup> if they use the San Vicente diversion.

We request that the EIR be revised to reflect that the various rights and easements given to the owner of Cabrillo Farms in the HMBP agreements will remain in effect during and after the Proposed Project is completed. In particular, the historical use by Cabrillo Farms of the San Vicente proposed diversion site, intake, and pump station as described in Section 4.8 will continue to fall under the HMBP agreements and Cabrillo Farms will continue to hold a right to use those facilities.

11-01

11-02



Mr. David R. Dickson  
October 2, 2014  
Page 2 of 2

In addition, we would like to request that there be specific construction plans to minimize the impact to Cabrillo Farms during the construction period.

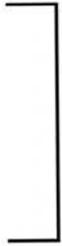
Thank you for the opportunity to comment. If you have any questions, please contact Noelle Thurlow at (650) 854-7696.

Sincerely,



Tricia B. Savari  
Vice President & General Counsel

Cc: David Lea



11-03



# CYPRESS FLOWER FARM

333 Cypress Avenue, Moss Beach, CA 94038 • 728-0728

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OCT 31 2014

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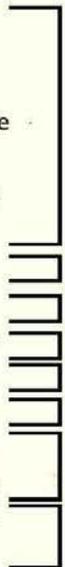
COASTSIDE COUNTY WATER DISTRICT COASTSIDE COUNTY WATER DISTRICT

October 30, 2014

Coastside County Water District  
766 Main Street  
Half Moon Bay, California 94109

In response to the Draft Environmental Report Denniston/San Vicente Water Supply Project:

- 1. What monitoring will be in place to ensure adequate water downstream from the project site on San Vicente Creek, specifically for:
  - A. Frog habitats between Etheldore and Hwy One and next to the Coastal Trail at North Lake Street
  - B. Sufficient fresh water to prevent salt water intrusion along the Seal Cove Fault
  - C. Irrigation at Cypress Flower Farm
  - D. Recharge of ground water for wells near San Vicente Creek
- 2. Clarification of subordination of water rights by CCWD to farming (Cabrillo Farms)
- 3. Clarification of the term "wetted channel" i.e. gallons per minute/gallons per day
- 4. As a downstream water user, what recourse will I have if agreed on conditions have not been met or there is inadequate or improper monitoring
- 5. If Proposition 1 passes in November will its implementation have any effect on this project or how CCWD approaches their water supply problem.



Sincerely,

Randy Dardenelle

Cypress Flower Farm

# Comment Letter I3

**From:** [David Dickson](#)  
**To:** [Annalee Sanborn](#)  
**Cc:** [Alan Lilly \(abl@bkslawfirm.com\)](mailto:abl@bkslawfirm.com); [Pete Bontadelli](#)  
**Subject:** FW: Comments on Denniston/San Vicente project  
**Date:** Monday, November 03, 2014 8:18:25 AM  
**Attachments:** [CGF CCWD DEIR Denniston.San Vicente.doc](#)  
[ATT00001.txt](#)

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Committee for Green Foothills comments.

David R. Dickson  
General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019  
650-726-4405

-----Original Message-----

From: Lennie Roberts [<mailto:lennie@darwin.ptvy.ca.us>]  
Sent: Sunday, November 02, 2014 11:52 PM  
To: David Dickson  
Subject: Comments on Denniston/San Vicente project

Dear Dave,

Please see attached my comments on behalf of Committee for Green Foothills on the DEIR for the proposed Denniston/San Vicente Water Supply Project. I wish I had had more time to review the document - there is a lot of good information in there!

Please keep me informed as to the progress of the project and EIR.

I will also be looking for the San Mateo County Planning Commission's consideration of the Coastal Development Permit.

Thanks again for the opportunity to comment, and the extension of time.

Sincerely,

Lennie Roberts

I3-01



COMMITTEE FOR GREEN FOOTHILLS

November 3, 2014

Mr. David Dickson, General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019

**Re: Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project, San Mateo County**

Dear Mr. Dixon,

Thank you very much for sending the Draft EIR for the above-referenced project and for the extension of time for Committee for Green Foothills (CGF) to comment.

As you are undoubtedly aware, CGF has a long-standing interest in the San Vicente and Denniston Creek watersheds as well as other areas of high resource value on the San Mateo County coast.

CGF was successful in convincing the Coastal Commission to rescind its Categorical Exclusion for agricultural wells in the Airport Aquifer east of Highway One some years ago, due to concerns about the cumulative impacts of groundwater withdrawal upon the Pillar Point Marsh.

As the Final Groundwater Technical Memorandum, Balance Hydrologics, June 12, 2014, (Appendix H of DEIR) notes, the California Coastal Commission has limited the annual groundwater pumping of the Airport Aquifer to 459 acre feet per year (afy). This limit could be further restricted if there are adverse impacts from pumping of wells upon the sensitive habitats of the Pillar Point Marsh.

When the County of San Mateo considers a Coastal Development Permit for the proposed Denniston/San Vicente project, CGF will be looking for information regarding the total annual pumping of the various wells plus diversions affecting the Airport Aquifer, and impacts upon the Pillar Point Marsh particularly during the most recent multi-year drought period.

CGF notes that an additional agricultural well (beyond those noted in the DEIR) has been pumping from this aquifer. This well is located on the northern property owned by the Big Wave Group (just to the south of the Pillar Ridge Manufactured Home Community). The well has been used for the past several years to irrigate the two agricultural fields along Airport Street between Princeton and the Pillar Ridge community. Pumping from this well should be included in the overall calculations of annual pumping from the aquifer.

CGF also notes that San Vicente Creek is a designated sensitive habitat within the Fitzgerald Marine Reserve. The San Mateo County Parks Department is planning a major restoration of the creek and its riparian corridor in the near future. By diverting all of the stream flow from San Vicente creek except during winter storm periods, the proposed project has the potential to create a significant adverse impact upon the creek and its biological resources within the FMR.

13-01  
(cont.)

13-02

13-03

## Comment Letter I3

Committee for Green Foothills

November 3, 2014

Page 2 of 2

CGF has been kindly provided the comments by Balance Hydrologics on the DEIR on behalf of Montara Water and Sanitary District dated October 30, 2014, and we concur with their observations, comments, and recommendations for permitting.

I3-04

Thank you again for the opportunity to comment on the DEIR. We look forward to reviewing the Coastal Development Permit when it is considered by the San Mateo County Planning Commission.

Sincerely,



Lennie Roberts, San Mateo County Legislative Advocate  
339 La Cuesta Drive  
Portola Valley, CA 94028



**Montara Water  
and Sanitary District**  
*Serving the Community of Montara and Moss Beach*

P.O. Box 370131  
8888 Cabrillo Hwy  
Montara, CA 94037-0131  
t: 650.728.3545 • f: 650.728.8556

9/9/2014

Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94109

**RE: Request for Extension of Review Period for Draft EIR Denniston/San Vicente Project**

Dear David,

Montara Water and Sanitary District (MWSD) is aware of the recent release of Denniston / San Vicente Water Supply Project draft EIR, and understands that a 45-day comment period that commenced on August 19, 2014, will conclude on October 3, 2014. As you may likely know, the period for public review of a draft EIR often defaults to 45 days but may be as long as 60 days. Given that MWSD is an involved and potentially affected stakeholder of the basin, and that we are sincerely interested in and committed to a well-managed groundwater basin for all stakeholders, we respectfully request that the comment period be extended to 60 days to allow for a meaningful review and discussion of the potential project effects, particularly as it relates to the complexities of surface-water and groundwater interactions. We appreciate your effort to support well-informed decision making process among the basin stakeholders.

Sincerely

A handwritten signature in blue ink, appearing to read 'Clemens Heldmaier', is written over a white background.

Clemens Heldmaier

General Manager

cc. Analytical Environmental Services, 1801 7th Street, Suite 100, Sacramento, California, 95881



# CYPRESS FLOWER FARM

333 Cypress Avenue, Moss Beach, CA 94038 • (415) 728-0728

SEPT 19, 2014

RE: SAN VICENTE CREEK DIVERSION  
ENVIRONMENTAL IMPACT REPORT

DEAR C@WD

YOU ARE REQUIRED TO PROVIDE THIS ENVIRONMENTAL REPORT TO ALL THOSE AFFECTED, WITH SUFFICIENT AMOUNT OF TIME TO RESPOND. THIS WAS NOT DONE IN MY CASE. I AM RECEIVING THE REPORT FOR THE FIRST TIME TODAY. TO AVOID FURTHER ACTION BY ME AND OTHERS, I AM REQUESTING A 30 DAY EXTENSION FOR COMMENTS ON THIS REPORT.

THANKS

RANDY DARDENELLE (650) 455-2603

CC: M WSD

**RECEIVED**

SEP 19 2014

COASTSIDE COUNTY

	<b>COUNTY OF SAN MATEO</b>	BOARD OF SUPERVISORS
	<b>PARKS DEPARTMENT</b>	DAVE PINE CAROLE GROOM DON HORSLEY WARREN SLOCUM ADRIENNE J. TISSIER
455 COUNTY CENTER, 4 <sup>TH</sup> FLOOR • REDWOOD CITY • CALIFORNIA 94063-1665 • PHONE (650) 363-4020 • FAX (650) 599-1721		MARLENE FINLEY DIRECTOR

September 22, 2014

Attn: David Dickson, General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019

Dear Mr. Dickson,

On September 16, 2014 we received a written notice about the Draft Environmental Impact Report (DEIR) for the Denniston/San Vicente Water Supply Project being initiated by Coastside Water District. We had not previously received written notice about the scoping of this EIR, and did not receive written notice of this Draft EIR being available August 19, 2014 when it had been released. We understand the comment period expires October 3, 2014, which is not enough time for San Mateo County Park staff to review and respond. As you know San Mateo County Parks Department is the downstream land manager, and is currently initiating a pilot project for the restoration of San Vicente Creek on Parks property. We are concerned about the potential impact of the proposed diversion to San Vicente Creek. In order for Park staff to have enough time to review the DEIR and comments I am respectfully requesting a 30-day extension to provide time for San Mateo County Parks Department to respond in writing. Appreciate your consideration of this request.

Sincerely,



Marlene Finley  
Director

CC: Supervisor Don Horsley, 3<sup>rd</sup> District  
Scott Lombardi, Superintendent  
Ramona Arechiga, Natural Resources Manager  
Sam Herzberg, Senior Planner

**David Dickson**

---

**From:** Lennie Roberts <lennie@greenfoothills.org>  
**Sent:** Wednesday, September 24, 2014 1:41 PM  
**To:** David Dickson  
**Subject:** Re: CCWD DEIR Notice of Availability

Hi Dave, Thanks for sending me the Notice of Availability. Since I just heard about this Notice, I would like to request an extension of time to comment.

Also, if you have an extra hard copy of the DEIR, I would greatly appreciate receiving one. Because of my surgery (melanoma removal) on my leg a couple of weeks ago, I'm supposed to keep my leg elevated, and therefore am limited as to the time I can sit at the computer. I would be glad to pay for a hard copy. You can mail it to me at:

Lennie Roberts, Legislative Advocate  
Committee for Green Foothills  
339 La Cuesta  
Portola Valley, CA 94028

Thanks!

Lennie

On Sep 23, 2014, at 4:43 PM, David Dickson <[DDickson@coastsidewater.org](mailto:DDickson@coastsidewater.org)> wrote:

Hi, Lennie –

As we discussed this morning, I'm forwarding a copy of the Notice of Availability for our Draft Environmental Impact Report. It was published in the Half Moon Bay Review on 8/20/14 and mailed to interested parties who responded to our Notice of Preparation.

Please email or call me if you have any questions.

David R. Dickson  
General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019  
650-726-4405

<Draft EIR Notice of Availability.pdf>



State of California – The Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Bay Delta Region  
7329 Silverado Trail  
Napa, CA 94558  
(707) 944-5500  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



October 2, 2014

Mr. David Dickson  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019

Dear Mr. Dickson:

Subject: Denniston/ San Vicente Water Supply Project, Draft Environmental Impact Report, SCH #2011102038, Coastside County Water District, San Mateo County

California Department of Fish and Wildlife (CDFW) is requesting an extension (until close of business on October 10, 2014) to provide comments on the Denniston/ San Vicente Water Supply Project, Draft Environmental Impact Report. We appreciate the opportunity to provide comments on the EIR for the subject Project. If you have any questions, please feel free to contact me at (707) 944-5526 or [corinne.gray@wildlife.ca.gov](mailto:corinne.gray@wildlife.ca.gov) or Brenda Blinn, Senior Environmental Scientist (Supervisory), at (707) 944-5541 or [brenda.blinn@wildlife.ca.gov](mailto:brenda.blinn@wildlife.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to be "Corinne Gray", with a long horizontal stroke extending to the right.

Corinne Gray  
Senior Environmental Scientist (Specialist)  
Bay Delta Region

**From:** Annalee Sanborn  
**To:** ["charles\\_plummer@nps.gov"](mailto:charles_plummer@nps.gov)  
**Cc:** ["GBrazil@coastsidewater.org"](mailto:GBrazil@coastsidewater.org); ["jwhelen@coastsidewater.org"](mailto:jwhelen@coastsidewater.org)  
**Subject:** FW: Copies of Denniston/San Vicente Water Supply Project DEIR  
**Date:** Friday, August 29, 2014 11:32:00 AM

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Hi Charles,

This is just to follow up on our phone conversation this morning. AES will send 1 hard copy of the Draft EIR and 2 CDs, free of charge, to the address you provided below. Any additional copies that your office wants would cost \$100 to cover the cost of printing and shipping. Please let me know if you do end up needing those additional copies, and I will take care of it.

Best regards,

Annalee

ANNALEE SANBORN  
ANALYTICAL ENVIRONMENTAL SERVICES  
deputy project manager | [asanborn@analyticalcorp.com](mailto:asanborn@analyticalcorp.com)  
1801 7th Street, Ste 100 | Sacramento, CA 95811  
916.447.3479 | Fax 447.1665  
[www.analyticalcorp.com](http://www.analyticalcorp.com)

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**From:** Gina Brazil [<mailto:GBrazil@coastsidewater.org>]  
**Sent:** Friday, August 29, 2014 9:50 AM  
**To:** Annalee Sanborn  
**Subject:** FW: Copies of Denniston/San Vicente Water Supply Project DEIR

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**From:** Plummer, Charles [[mailto:charles\\_plummer@nps.gov](mailto:charles_plummer@nps.gov)]  
**Sent:** Friday, August 29, 2014 9:23 AM  
**To:** Gina Brazil; JoAnne Whelen  
**Subject:** Copies of Denniston/San Vicente Water Supply Project DEIR

Good Morning:

On behalf of Nancy Hornor, Planning Division Chief at Golden Gate National Recreation Area, I'm asking if you would be able to send three copies of the Denniston/San Vicente Water Supply Project DEIR?

You can address them to:

Nancy Hornor, Chief  
Planning Division  
Golden Gate NRA  
201 Fort Mason  
San Francisco, CA 94123

Sincerely,

=====  
Charles M. Plummer  
Administrative Assistant, Planning Division  
Golden Gate National Recreation Area  
National Park Service  
(415) 561-4930/FAX (415) 561-4939  
=====

**Annalee Sanborn**

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**To:** David Dickson  
**Subject:** RE: Add to interested parties

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**From:** David Dickson [<mailto:DDickson@coastsidewater.org>]  
**Sent:** Tuesday, September 23, 2014 2:00 PM  
**To:** Annalee Sanborn  
**Subject:** Add to interested parties

Hi, Annalee –

I got a call this morning from Lennie Roberts of the Committee for Green Foothills (CFG) saying she'd "just heard by word of mouth" that the DEIR was out. Please add her to the interested parties list – [Lennie@greenfoothills.org](mailto:Lennie@greenfoothills.org). I don't have an address or phone.

Thanks.

Dave

David R. Dickson  
General Manager  
Coastside County Water District  
766 Main Street  
Half Moon Bay, CA 94019  
650-726-4405



September 24, 2014

Mr. Clemens Heldmaier  
General Manager  
Montara Water & Sanitary District  
P.O. Box 370131  
Montara, CA 94037

**Re: Request for Extension of Review Period for Denniston/San Vicente  
Project Draft EIR**

Dear Clemens:

I write in response to your letter dated September 9, 2014 requesting an extension of time to prepare comments on Coastside County Water District's Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project. The District will extend the period for receiving your comments until November 3, 2014.

Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David R. Dickson". The signature is fluid and cursive, with a prominent initial "D".

David R. Dickson  
General Manager



September 24, 2014

Lennie Roberts  
Legislative Advocate  
Committee for Green Foothills  
339 La Cuesta  
Portola Valley, CA 94028

**Re: Request for Extension of Review Period for Denniston/San Vicente  
Project Draft EIR**

Dear Lennie:

I write in response to your email dated September 24, 2014 requesting an extension of time to prepare comments on Coastside County Water District's Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project. The District will extend the period for receiving your comments until November 3, 2014.

Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David R. Dickson". The signature is fluid and cursive, with a prominent initial "D".

David R. Dickson  
General Manager



September 24, 2014

Ms. Marlene Finley  
Director  
County of San Mateo Parks Department  
455 County Center, 4<sup>th</sup> Floor  
Redwood City, CA 94063-1665

**Re: Request for Extension of Review Period for Denniston/San Vicente  
Project Draft EIR**

Dear Ms. Finley:

I write in response to your letter dated September 22, 2014 requesting an extension of time to prepare comments on Coastside County Water District's Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project. The District will extend the period for receiving your comments until November 3, 2014.

Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David R. Dickson". The signature is fluid and cursive, with a long horizontal stroke at the end.

David R. Dickson  
General Manager



September 24, 2014

Mr. Randy Dardenelle  
Cypress Flower Farm  
333 Cypress Avenue  
Moss Beach, CA 94038

**Re: Request for Extension of Review Period for Denniston/San Vicente  
Project Draft EIR**

Dear Mr. Dardanelle:

I write in response to your letter dated September 19, 2014 requesting an extension of time to prepare comments on Coastside County Water District's Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project. The District will extend the period for receiving your comments until November 3, 2014.

Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David R. Dickson".

David R. Dickson  
General Manager



October 2, 2014

Ms. Corinne Gray  
Senior Environmental Scientist  
Department of Fish and Wildlife  
7329 Silverado Trail  
Napa, CA 94558

**Re: Request for Extension of Review Period for Denniston/San Vicente  
Project Draft EIR**

Dear Ms. Gray:

I write in response to your letter dated October 2, 2014 requesting an extension of time to prepare comments on Coastside County Water District's Draft Environmental Impact Report for the Denniston/San Vicente Water Supply Project. The District will extend the period for receiving your comments until close of business on October 10, 2014.

Please call me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "David R. Dickson". The signature is fluid and cursive, with a prominent initial "D".

David R. Dickson  
General Manager

# **SECTION 3.0**

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## **RESPONSES TO COMMENTS**

## 3.0 RESPONSES TO COMMENTS

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Responses to comments are organized below in four sections. Comments received from federal, State, and local agencies are addressed in **Section 3.1, Agency Comments**. **Section 3.2, Individual Comments** provides responses to comment letters received from individuals and organizations. **Section 3.3** addresses comment period extension requests, and **Section 3.4** provides an overview of the comment letters and communications cataloged in the administrative record for the Proposed Project. All of the comments, which have been bracketed and numbered in the margin for ease of reference, are provided in **Section 2.0**. Once an issue is addressed, subsequent responses to similar comments reference the initial response. This format eliminates redundancy where multiple comments have been submitted on the same issue.

### 3.1 AGENCY COMMENTS

#### **Comment Letter A1 – Frank Dean, General Superintendent, National Park Service, October 3, 2014**

##### Response to Comment A1-01

The Draft EIR and this Final EIR (collectively, EIR) were prepared in accordance with the California Environmental Quality Act (CEQA, California Public Resources Code § 21000-21178) and the CEQA *Guidelines* (California Code of Regulations [CCR], Title 14) to provide the Lead Agency (the Coastside County Water District [District or CCWD]) with an informational document to be used in the planning and decision-making process, as stated in Section 1.1 of the Draft EIR. In accordance with CEQA *Guidelines* § 15063, the Initial Study (Appendix A of the Draft EIR), in conjunction with comments received during scoping (Appendix B of the Draft EIR), was used to focus the scope and content of the EIR. The environmental resources determined during scoping to have the potential to be significantly affected by the Proposed Project, which were therefore addressed in detail in the Draft EIR, include: Aesthetics and Visual Resources, Air Quality, Biological Resources, Cultural and Paleontological Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise.

This Final EIR includes comments received on the Draft EIR, responses to those comments, and appropriate revisions to the Draft EIR as a result of comments in accordance with CEQA *Guidelines* § 15132. Collectively, the Draft EIR and Final EIR inform the Lead Agency and public of the potential, significant environmental effects of the Proposed Project and identify measures, methods, and/or practices that can be employed to avoid or significantly reduce environmental impacts, pursuant to the General Concepts of CEQA *Guidelines* (Section 15002).

#### Response to Comment A1-02

Potential impacts of the Proposed Project are fully described in the Final EIR, Volume II, which includes the Draft EIR with revisions to address the comments received during the public comment period. The Draft EIR addressed impacts to wetland habitats in Section 4.3 and Section 4.8. Potential impacts to wetlands below the point of diversion (POD), specifically the Pillar Point Marsh within the Fitzgerald Marine Reserve, are addressed in Appendix H of the Draft EIR and in **Response to Comment A1-10**. The effects to federally threatened species were analyzed in Section 4.3.5, Impact 4.3-1, of the Draft EIR. Potential impacts to Central California Coast coho salmon (*Oncorhynchus kisutch*) and Central California Coast steelhead (*Oncorhynchus mykiss*) were discussed in Section 4.3 of the Draft EIR. Opportunities to restore conditions for these species were not discussed in the Draft EIR because they are beyond the scope of the Proposed Project. Section 4.3.3 of the Draft EIR concluded that there are no historical records of anadromous fish runs within San Vicente Creek, nor does it currently support anadromous fish species.

Measures requiring weed control and the planting of native vegetation are recommended in Section 4.3.5 of the Draft EIR. Specifically, Mitigation Measure 4.3-1g requires the use of native vegetation for bank stabilization, and Mitigation Measure 4.3-1r requires that best management practices (BMPs) consistent with the San Mateo County Planning Department are followed for the use of herbicide and pesticides for weed control. Areas that will be impacted by construction will be restored pursuant to a Riparian Restoration and Monitoring Plan (RRMP), which is required in Mitigation Measures 4.3-2b and 4.3-2c of the Draft EIR.

Mitigation Measure 4.3-2d has been added in Section 4.3, Biological Resources, of the Final EIR (Volume II) to add additional protection against the spread of invasive species. This mitigation measure states that “To reduce the potential for off-site tracking of sediment and to eliminate the spread of invasive plant species, all construction equipment will be inspected for seeds or plant parts before entering and leaving the site. If seeds or plant parts are found, the equipment will be washed in the staging area.” This updated mitigation measure does not change the conclusion of impacts presented in Section 4.3.5 of the Draft EIR.

#### Response to Comment A1-03

The District either owns in fee or has an easement to use the lands that are proposed for construction activities, water diversions, and the diversion, conveyance, and treatment facilities that are or will be located on the lands. This land ownership and these easements predate the acquisition of the land by National Park Service (NPS), and the activities under this Proposed Project are consistent with the existing easements that were in place when the land was acquired by NPS. CCWD owns in fee the location of the San Vicente POD. The existing

pipeline runs approximately 2,000 feet southwest from District-owned land, through an easement granted to the District on NPS land, and then to private agricultural land (Upper San Vicente Reservoir). The boundary of NPS land bisects the upstream half of the Denniston Reservoir, and the District holds easements for this portion of the reservoir and for the two dredge disposal areas.

The land ownership and easements allow the District to operate its diversion and related facilities without any discretionary approvals from NPS. The Proposed Project, although requiring construction of additional infrastructure, is an extension of an ongoing water diversion program that has been operating continuously on Denniston Creek and periodically on San Vicente Creek since the 1980s. The Proposed Project will not result in new land uses within the easement area. Because no discretionary approvals are required from NPS, analysis under the National Environmental Policy Act (NEPA) is not necessary.

#### Response to Comment A1-04

Comment noted.

#### Response to Comment A1-05

Comment noted. The December 21, 2009 letter referred to in this comment was not submitted as part of the CEQA process for the Proposed Project; therefore, it is not part of the administrative record and is not applicable to this Final EIR. The December 21, 2009 letter was submitted to the State Water Resources Control Board (SWRCB), Division of Water Rights (Division) as a protest against the District's Petition for Extension of Time. On July 2, 2010, the Division responded to NPS and did not accept the protest. According to the Division, the NPS protest "raises concerns related to issuance of a new appropriative right. The action before the Division is extension of the development period under an existing water right permit. The decision regarding how much water to authorize for diversion was made at the time that the permit was issued. The protest does not describe any potential impacts related solely to the time extension. Consequently, the protest is not acceptable." The Lead Agency (the District) and Responsible Agency (SWRCB) will limit their decisions to matters concerning the Proposed Project, which is described in Section 3.0 of Volume II of the Final EIR.

#### Response to Comment A1-06

The Golden Gate National Recreation Area (GGNRA) and Cabrillo Farms property boundaries and easements held by the District have been added to Figure 3-5.

Response to Comment A1-07

Refer to **Response to Comment A1-03** regarding the applicability of NEPA and the need for NPS permits or discretionary approvals.

Response to Comment A1-08

Comment noted. Refer to Response to Comment A1-01 regarding the adequacy of the Draft EIR. Specific comments to the Draft EIR are addressed below.

Response to Comment A1-09

According to CEQA *Guidelines* § 15125(d), the “EIR shall discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. Such regional plans include, but are not limited to... natural community conservation plans and regional land use plans for the protection of the Coastal Zone...” The San Mateo County General Plan (General Plan) and the San Mateo County Local Coastal Program (LCP) are discussed throughout the Draft EIR, and the Proposed Project is analyzed consistent with all applicable plans under each relevant issue area. A consistency analysis with the General Plan and San Mateo County LCP is found in the Draft EIR for: Aesthetics and Visual Resources (Section 4.1, page 4.1-2 through 4.1-6); Air Quality (Section 4.2, page 4.2-4 through 4.2-9); Biological Resources (Section 4.3, page 4.3-4 through 4.3-12 and 4.3-39); Cultural Resources (Section 4.4, page 4.4-7 through 4.4-10); Geology and Soils (Section 4.5, page 4.5-11 through 4.5-14); Hazards and Hazardous Materials (Section 4.7, page 4.7-6 through 4.7-10); Hydrology and Water Quality (Section 4.8, page 4.8-25 through 4.8-43); and Noise (Section 4.9, page 4.9-6 through 4.9-13).

Response to Comment A1-10

The Draft EIR presented a general discussion of downstream riparian habitat in Section 4.3.4, and analyzes impacts to downstream riparian habitat and flows in Impact 4.3-2 and Impact 4.8-2. Consistent with CEQA and the CEQA *Guidelines*, the Draft EIR limited its discussion of habitat acreages in Section 4.3.4 to the area of direct impact. However, as discussed in Impacts 4.3-2 and 4.8-2, downstream habitats dependant on stream flow may be affected by proposed water diversions. The discussion of downstream habitat types on San Vicente and Denniston creeks has been expanded and clarified in Section 4.3.4 of the EIR (page 4.3-26). As discussed therein, two freshwater shrub/forested wetland areas are located downstream of the project site within the San Vicente Creek watershed, in an area adjacent to and hydrologically influenced by San Vicente Creek. Downstream habitats associated with Denniston Creek include the riparian corridor, which consists primarily of willows, an emergent wetland, and a pond.

To ensure that the proposed diversions do not significantly impact the downstream riparian corridor or wetlands along San Vicente Creek, Mitigation Measure 4.8-2 has been revised. This measure, discussed further in **Response to Comment A1-21** below, will ensure that the District only diverts water from San Vicente Creek when surface flows are present at two downstream monitoring locations. These monitoring locations are at the Etheldore Bridge and the California Avenue stream gage. This mitigation measure is designed to ensure that there are less-than-significant impacts to groundwater, the riparian corridor, and wetlands downstream of the POD on San Vicente Creek.

The Proposed Project's potential impacts to Denniston Creek were analyzed in Section 4.8.4 of the Draft EIR. Project impacts were analyzed under two diversion scenarios: the San Vicente Preferred and Denniston Preferred Scenarios. Each of these scenarios prioritizes the diversion and use of water from one creek. As stated in that section of the Draft EIR:

These two scenarios represent the maximum amounts of water that CCWD could feasibly divert under Permit 15882 based on the largest water treatment plant (WTP) capacity upgrade as proposed by the District. Under each scenario, the primary source of water is from the preferred stream, with additional water taken from the other stream as needed, up to the capacity of the Denniston WTP. Although actual CCWD diversions will be operationally balanced between the two streams based on factors such as water availability, water year type, and other diverters' usage, this analysis of these two scenarios provides for the maximum range of impacts that could arise in each creek from implementation of the Proposed Project.

Therefore, the Denniston Preferred Scenario demonstrates the greatest possible impacts to Denniston Creek as a result of the Proposed Project. As shown in Figure 4.8-5 of the Draft EIR, the impacts to downstream flows in Denniston Creek as a result of both the San Vicente and the Denniston preferred scenarios are less than significant for any water year type. Therefore, impacts to the aquatic resources and riparian habitat of Denniston Creek, both within and outside of the project site, are less than significant.

The Draft EIR was prepared in accordance with CEQA and the CEQA *Guidelines*. Shallow groundwater well data was utilized by Balance Hydrologics, Inc. (Balance) in preparation of the technical support for the Draft EIR, included as Appendix E, Appendix G, and Appendix H of the Draft EIR. Section 4.8 of the Draft EIR presented a water budget for the Proposed Project, including the existing conditions on both San Vicente and Denniston creeks (Table 4.8-3 and Table 4.8-5, respectively), and proposed diversion scenarios (Tables 4.8-6 and 4.8-7).

Response to Comment A1-11

As described in Impact 4.3-2 of the Draft EIR, the RRMP required in Mitigation Measure 4.3-2b mitigates for direct impacts to riparian habitat as a result of construction of the Proposed Project. As stated in Mitigation Measure 4.3-2c:

Examples of restoration include but are not limited to re-contouring of the creek to offset the impacts from the current inefficient diversion and the related undercutting of the stream channel which has occurred, the replanting of native vegetation to offset any unavoidable removal of trees or understory and possible measures designed to avoid further erosion and the removal of debris from both creeks and their associated riparian habitat.

The RRMP will be focused on District property or easements in the vicinity of the Proposed Project to reduce impacts to riparian habitat to less-than-significant levels. The commenter requests that an adaptive management plan be prepared rather than the proposed RRMP. However, an adaptive management plan to protect riparian resources on NPS property is not appropriate to address direct construction impacts to riparian habitat, and would be inconsistent with CEQA *Guidelines* § 15126.4.

As discussed in **Response to Comment A1-21** below, Mitigation Measure 4.8-2 has been revised to further ensure that the Proposed Project will not significantly impact biological resources or downstream diverters. The revised Mitigation Measure 4.8-2 will ensure that there is no loss of wetland function and extent as a result of the Proposed Project, as the District will be required to monitor stream flow at two additional downstream monitoring points prior to and during diversions from San Vicente Creek. When there are not flows in San Vicente Creek (which feeds Pillar Point Marsh) at the two downstream monitoring points defined in Mitigation Measure 4.8-2, CCWD will not divert water from San Vicente Creek. This measure will ensure that the Proposed Project will not cause any adverse impacts to the downstream wetlands; therefore, the adaptive management plan requested by this commenter is not necessary.

Response to Comment A1-12

The immediate loss of fauna would likely be limited to stream invertebrates and would occur as a function of reduced aquatic habitat. However, as discussed in the BRA, included as Appendix C to the Draft EIR, the project site does not provide habitat for any listed or special status invertebrates. The immediate loss of stream invertebrates would be a temporary impact, although there may be a permanent reduction in the biomass of stream invertebrates. As discussed in this comment, the requirements for existing riparian vegetation differ from those of young plants in their establishment period that have shallower roots and require more water. Therefore, the revisions to Mitigation Measure 4.8-2 are protective of both existing and

emergent riparian vegetation and ensure that there is water at the surface of the stream that is readily available to both establishing and existing riparian plants.

The riparian vegetation and stream invertebrates within Denniston Creek are currently supported by significant and ongoing leakage flows below Denniston Dam. The maximum diversion from Denniston Creek will not result in any significant changes in the flow downstream of the dam; therefore, significant impacts to riparian vegetation and stream invertebrates will not occur.

#### Response to Comment A1-13

The thresholds for significant impacts to biological resources were stated in Section 4.3.5 of the Draft EIR, in accordance with CEQA and the CEQA *Guidelines* Appendix G. The definitions of special status plant and wildlife species that meet the definitions of rare or endangered under CEQA is defined in Section 4.3.3 of the Draft EIR.

A list of regionally occurring special-status plant species for the project site was compiled using the results of scientific database queries including the California Natural Diversity Database (CNDDB) query for the Half Moon Bay and Montara Mountain USGS 7.5-minute topographic quadrangles (quads), as well as a 5-mile radius search; the California Native Plant Society (CNPS) database query for the Half Moon Bay and Montara Mountain quads; the USFWS query for the Half Moon Bay and Montara Mountain quads; and the USFWS query for San Mateo County (Appendix C of the Draft EIR). The habitat requirements of regionally occurring special-status species were compared to the habitat types that exist within the project site as well as the known elevation range or geographical distribution of a species to determine which special-status species have potential to occur onsite. For listed plants, all species identified by the above queries were considered, although special consideration was given for those species with CNDDB-documented occurrences within a five-mile radius of the project site (CDFW, 2013). A list of 21 special status plants determined to have the potential to occur on the project site was compiled (Table 2 of Appendix C). Consistent with CEQA and the CEQA *Guidelines*, biological and botanical surveys of the project site were conducted on February 2, 3, 16, 17, 2010, May 16 and 17, June 2, and July 11, 2011, and November 13, 2013, which was during the identifiable and evident blooming period of all but one of the plant species. None of the 21 special status plant species were identified during the surveys, although one special-status species (*Fritillaria liliacea*) could not be definitively ruled out. Therefore, implementation of the Proposed Project was determined to have a potentially significant effect, either directly or through habitat modifications, to the special status plant species *Fritillaria liliacea* and Mitigation Measures 4.3-1a through 4.3-1c were provided in the Draft EIR to reduce impacts to less-than-significant levels.

As discussed in the Biological Resources Assessment (BRA; Appendix C of the Draft EIR), the surveys were conducted within the evident and identifiable bloom season for Hickman's cinquefoil or Hickman's potentilla (*Potentilla hickmanii*) and Franciscan thistle (*Cirsium andrewsii*), the species mentioned in this comment. They were considered to be potentially occurring species in Table 2 of the BRA; however, as they were not observed on the project site or in the vicinity during botanical surveys, they were not considered to occur on the project site and were not included in Section 4.3 of the Draft EIR. The San Francisco wallflower (*Erysimum franciscanum*), mentioned in this comment, is listed as Rank 4.2 by the CNPS, meaning that it is considered a plant of limited distribution in California. As discussed above and in Section 4.3.4 of the Draft EIR, plants were considered that meet the definition of rare or endangered plants under CEQA, including those plants considered by the CNPS to be "rare, threatened, or endangered in California" (Lists 1A, 1B, and 2). Rank 3 and Rank 4 plants are not protected under CEQA.

#### Response to Comment A1-14

Comment noted. Mitigation Measure 4.3-1g has been revised in the EIR to include species composition for replacement of riparian vegetation, propagule sources, and replacement of non-native riparian vegetation with native species. No invasive species will be utilized for replacement planting. Mitigation Measure 4.3-1g now reads:

Mitigation Measure 4.3-1g: To the extent feasible, the stream banks shall be returned to original grade slope after construction, and riparian vegetation shall be enhanced or replaced consistent with CDFW-approved methods. Bank stabilization measures, such as planting of riparian trees, the use of biodegradable jute netting, and/or hydro seeding with a native seed mix, shall be implemented to reduce potential for erosion and sedimentation within the stream channel. Replacement of directly impacted riparian vegetation shall include planting of native species in similar species composition and densities as identified within the areas immediately upstream of the POD for each creek. Propagule material shall be obtained from an approved supplier of native vegetation.

#### Response to Comment A1-15

Although trees covered by provisions in the County's Significant Tree Ordinance have been identified within the project site, it is not anticipated that any of these trees will be removed or otherwise impacted by implementation of the Proposed Project. Mitigation Measure 4.3-5 has been revised in the EIR to include replacement of any impacted non-native tree species with suitable native tree species. Mitigation Measure 4.3-5 now reads:

Mitigation Measure 4.3-5: If trees covered by the County Tree Ordinance are required to be removed, the applicant shall comply with the policies identified within the San Mateo

County Significant Tree Ordinance, including an arborist report and specific mitigation including replacement planting. No trees over 38 inches are currently anticipated to be removed under this project. In the event that non-native tree species are to be removed, they shall be replaced with the appropriate number of native tree species.

Response to Comment A1-16

Comment noted. Mitigation Measure 4.8-1 has been revised in the EIR to limit use of topsoil used for restoration purposes to topsoil salvaged from areas with only native plant species. This will limit the spread of invasive plants and enhance the restoration of riparian vegetation to native species.

Response to Comment A1-17

Comment noted. The description of the coastal prairie vegetation has been revised in Section 4.3.3 of the EIR to indicate that *Antirrhinum orontium* is a non-native forb species.

Response to Comment A1-18

CEQA *Guidelines* § 15125 (a) states that an EIR “must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published...This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.” In accordance with CEQA *Guidelines* § 15082, a Notice of Preparation (NOP) was circulated to the public, local, State, and federal agencies, and other known interested parties for a 30-day public and agency review period which began on October 19, 2011 (included as Appendix A of the Draft EIR). The incised channel downstream on San Vicente Creek referenced in this comment is an existing and ongoing condition of the creek prior to the publication of the NOP. Therefore, use of the October 19, 2011 baseline is appropriate for analysis of the potential impacts of the Proposed Project.

It is unclear what the commenter means by stating the Draft EIR should consider the “potential for future restoration.” The Draft EIR considers the impacts of the Proposed Project to San Vicente Creek and provides mitigation to reduce all impacts to less-than-significant levels. In addition, as discussed in **Response to Comment A1-21** below, Mitigation Measure 4.8-2 has been revised to further ensure that the Proposed Project will not impact biological resources and downstream diverters as a result of implementation of the existing CCWD water right on San Vicente Creek. Section 4.3.3 of the Draft EIR concludes that there are no historical records of anadromous fish runs within San Vicente Creek, nor does it currently support anadromous fish species. Specific restoration activities for salmonids within San Vicente Creek were not identified by the commenter; however, the Proposed Project would not preclude future

restoration potential, as this project has a less-than-significant impact to downstream reaches with inclusion of mitigation.

#### Response to Comment A1-19

Additional text has been added to the discussion of habitats in Section 4.3.4 of the EIR. This section identifies the instream resources that are present in San Vicente Creek and Denniston Creek, as well as describes special status species that may be supported by the stream habitat. Aquatic resources within San Vicente Creek include typical stream invertebrates and native fishes, as well as potential breeding, non-breeding, and foraging habitat for California red-legged frog (CRLF; *Rana draytonii*). CRLF are known to occur within Denniston Creek, which may also have potential foraging habitat for San Francisco garter snake (SFGS; *Thamnophis sirtalis tetrataenia*), as SFGS preys on CRLF. The potential impacts to these species are addressed in Impact 4.3-1.

#### Response to Comment A1-20

CEQA *Guidelines* § 15126.6 requires that an EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” The Lead Agency determines a reasonable range of alternatives to be evaluated in an EIR and, consistent with CEQA, considers these alternatives within the context of achieving project objectives.

The commenter does not state which project impacts would be reduced by implementation of the Denniston Reservoir Off-Stream Alternative. As discussed in Section 6.3.1 of the Draft EIR:

...these off-stream alternatives would not prevent the other water right user from diverting from this location under their existing riparian rights (#S009375 and #S009376), thus it could not guarantee effectively creating an off stream alternative. Even if CCWD were to abandon the on-stream Denniston Reservoir as it is currently permitted, the other water right users would be under no obligation to do so. While building an off-stream reservoir could allow CCWD to meet its project objectives, it would eliminate CCWD's routine dredging maintenance and support of the jointly used POD shared with the senior water rights holder at Denniston Reservoir; this could lead to additional impacts downstream. Without the maintenance and support provided by CCWD, it is uncertain whether the other water users would be capable of maintaining the original POD. Therefore, moving CCWD's POD to a different location would not be a beneficial alternative when considering the currently permitted and established use of water from this POD.

Diversions from Denniston Reservoir are authorized by water right Permit 15882, which is held by the District, and by the water rights covered by Statements of Water Diversion and Use S009375 and S009376. If the District were to construct an off-stream reservoir in another location, there are no mechanisms by which the Lead Agency, the District, could force the farmer to stop diverting water from Denniston Reservoir. The off-stream alternative would not guarantee the removal of Denniston Reservoir, and therefore is not a viable alternative.

CEQA *Guidelines* § 15126.6(a) states that “an EIR is not required to consider alternatives which are infeasible,” while CEQA *Guidelines* § 15126.6(b) clarifies that “the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project.” The Denniston Reservoir Off-Stream Alternative is not feasible and would not substantially lessen any impacts of the Proposed Project as discussed in Section 6.3.1 of the Draft EIR; to the contrary, it would likely result in greater impacts to riparian habitat, sensitive wildlife, and sensitive plant communities.

#### Response to Comment A1-21

The analysis in the Draft EIR quoted by the commenter specifically references San Vicente Creek, because this creek was monitored by Balance and found to be a gaining stream (Appendix H of the Draft EIR). In light of comments received on the Draft EIR, the District has developed additional mitigation to ensure that the diversions under water right Permit 15882 will have less-than-significant impacts on downstream reaches of San Vicente Creek.

Mitigation Measure 4.8-2 originally required compliance with the existing permit term (surface flow at the Torello Ranch boundary during the period June 1 through October 1). The District has conclude that this measure would not be adequately protective of downstream resources for two reasons: 1) the Torello Ranch boundary is located just upstream of the San Vicente POD and so monitoring flows at this location would not adequately monitor flows downstream of the District’s POD; and 2) this requirement would have been applicable only during the summer months. Therefore, two additional monitoring locations were chosen as points of compliance, and the requirement has been extended to apply year-round, as described in the revised Mitigation Measure 4.8-2:

**Mitigation Measure 4.8-2:** No water shall be diverted from San Vicente Creek under Permit 15882 unless there are surface water flows at both the Etheldore Bridge and California Street points of compliance/monitoring locations (depicted on Figure 4.8-1). This measure applies year-round to CCWD’s diversions from San Vicente Creek.

At the Etheldore Bridge monitoring location, the existence of surface water flows may be established by either a flow gage or by monitoring groundwater levels in a piezometer

(well) to be constructed a short distance from the San Vicente Creek channel. If the water level in the piezometer is at or above the channel thalweg<sup>1</sup> elevation, or if there is surface water at this location, then the condition requiring surface-water flow at Etheldore Bridge will be considered as being met. If the water level in this piezometer is below the thalweg elevation and there is no surface water at this location, then this condition will be considered as not being met, and CCWD shall not divert any water from San Vicente Creek. If a piezometer is used and water levels in the stream and piezometer differ, the water levels in the stream shall govern.

At the California Avenue monitoring location, surface water shall be visually observed at or near the existing stream gage. If surface water is observed at this gage, then the condition requiring surface water flow at California Avenue will be considered as being met. If there is no surface water at this gage, then this condition will be considered as not being met, and CCWD shall not divert any water from San Vicente Creek.

These locations were chosen in consultation with Balance in response to comments received on the Draft EIR, as discussed in a technical memorandum included as **Appendix I** to this EIR. The existing point of compliance identified in water right Permit 15882 is the Torello Ranch boundary, which is an imprecise location that has been determined to be upstream of the Proposed Project's POD on San Vicente Creek. The Etheldore Bridge and California Avenue monitoring locations will provide points of compliance downstream from the Proposed Project's POD to ensure that the Proposed Project does not adversely impact San Vicente creek from the POD all the way to the mouth of the creek. The California Avenue monitoring location is near the western boundary of the Airport Aquifer, near the Seal Cove fault (part of the San Gregorio fault zone). The revised mitigation measure also describes a definitive method of measuring surface flow at the Etheldore Bridge monitoring location. The present term in water right Permit 15882 regarding surface-water flows in San Vicente Creek applies only during the summer months, while the new mitigation measure will be a year-round requirement.

Many commenters requested clarification on the term "wetter channel" used in the Draft EIR. Any remaining instances of the phrase have been updated to say "surface flow." Surface flow has been defined for the purposes of monitoring project impacts in the revised Mitigation Measure 4.8-2, as discussed above.

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<sup>1</sup> In hydrological systems, the thalweg is the deepest portion of the channel, defined as a line drawn to join the lowest points along the entire length of a stream bed or valley in its downward slope.

Response to Comment A1-22

Climate change and the Proposed Project's potential to contribute to greenhouse gas (GHG) emissions and climate change are discussed in Section 4.6 of the Draft EIR. As discussed therein, the Proposed Project would have a less-than-significant impact on climate change.

There is ample evidence that global climate change will affect precipitation. However, the exact effect of climate change on streamflow within this watershed in the future is uncertain. Potential impacts were analyzed in dry, normal, and wet water year types in Section 4.8.4 of the Draft EIR; in addition, project alternatives were analyzed in dry, normal, and wet year scenarios in Section 6.4. The analysis of Proposed Project in multiple dry years provides a full range of impacts that are applicable to current and future conditions.

Because specific effects of climate change on future streamflow within the watershed are uncertain, CEQA *Guidelines* § 15145 does not require a quantitative impact analysis. According to CEQA *Guidelines* § 15145, "if, after thorough investigation, a Lead Agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact."

Response to Comment A1-23

CEQA *Guidelines* § 15126.6 requires an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." The groundwater alternative described in this comment would not meet one of the primary project objectives, as discussed in Section 3.2.4 of the Draft EIR, which is to "complete the construction of infrastructure originally anticipated in existing water right Permit 15882."

In addition, the use of groundwater from the Airport Aquifer is capped by the safe yield limit of 459 acre-feet per year (afy), as determined by the California Coastal Commission (CCC) and discussed further in Section 4.8.2 of the Draft EIR. As discussed in Section 3.3.1 of the Draft EIR, the District already pumps groundwater from the Airport Aquifer under a Coastal Development Permit (CDP) that limits the District's total annual production from the Denniston wells to 399 afy. Historically, CCWD has never utilized the full amount of groundwater available from these wells due to limitations of the Denniston WTP. The Denniston WTP has a limited ability to treat water with high turbidity, and therefore expanding the treatment and use of groundwater from the Denniston wells would require costly WTP upgrades and construction. This is not economically feasible for the District, as the CCC pumping limit of 399 afy does not allow the District to extract enough groundwater to pay for upgrades to the plant.

Therefore, Section 6.0 of the Draft EIR analyzes a reasonable range of alternatives pursuant to CEQA, including various infrastructure alternatives to those proposed under the project, including: lower (1,200 gpm) Denniston WTP Capacity; Current (1,000 gpm) Denniston WTP Capacity; and No Project/Baseline Alternative. Pursuant to CEQA *Guidelines* § 15126.6 (f), these alternatives were governed by the “rule of reason” and defined in order to allow an assessment of a reasonable range of alternatives that will assist the Lead Agency with making an informed decision on the project.

Response to Comment A1-24

As discussed in Section 4.3.4 of the Draft EIR, the project site occurs within the 34,952-acre SNM-1, Cahill Ridge unit designated critical habitat for CRLF. Denniston Creek and Denniston Reservoir are known to support breeding and foraging habitat for CRLF. Upper San Vicente Creek also falls within critical habitat unit SNM-1, although lower San Vicente Creek provides only marginal habitat for CRLF. As discussed in **Response to Comment A1-10**, impacts to downstream flows within Denniston Creek are less than significant, even in the highest proposed (Denniston preferred) diversion scenario. Therefore, impacts to CRLF in downstream Denniston Creek will not be significant.

As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that there are surface flows at two new downstream points of compliance on San Vicente Creek whenever the District diverts water from the creek. The requirement for surface flows at the Etheldore Bridge and California Avenue monitoring locations whenever the District is diverting water from San Vicente Creek under water right Permit 15582 will ensure that the Proposed Project will have less-than-significant impacts to any CRLF that may utilize downstream riparian habitat.

Response to Comment A1-25

Comment noted. Mitigation Measure 4.3-11 has been updated to provide additional description of the intake structure screen, including the use of a screen mesh size not greater than 5 millimeters. Mitigation Measure 4.3-11 now reads:

**Mitigation Measure 4.3-11:** New intake structures shall be equipped with a barrier to prevent CRLF juveniles or tadpoles or SFGS from being entrained. The barriers shall consist of box-like structures of a minimum size of one square foot and shall be screened with no greater than material of a mesh size not to exceed five millimeter mesh diameter-millimeters.

Response to Comment A1-26

Dredging Denniston Reservoir creates increased shallow water habitat by sediment removal, vegetation clearing, and increasing the size of the reservoir. The term “edge effect” used in Section 4.3.4 of the Draft EIR refers to the diversification of habitat within Denniston Reservoir, as the removal of the tule monoculture on the edges of the reservoir and the deepening of the reservoir provides more diverse habitat types that benefit all life stages of CRLF. Biological monitors who observed previous dredging operations noted an apparent increase in the number and types of wildlife species, including CRLF, that utilized Denniston Reservoir following dredging operations. Therefore, the “edge effect” discussion in Section 4.3.4 and Impact 4.3-1 of the EIR have been revised accordingly.

Response to Comment A1-27

Although the Draft EIR states that San Francisco garter snake (SFGS) has not been observed within the project site, results from the literature review conducted by Swaim in 2007 stated that a SFGS expert (Sean Barry) observed SFGS between 1972 and 1976 and again in 1996 in the Rancho Corral de Tierra Park area, although the specific locations of these SFGS observations were not provided. The surveys mentioned in this comment were added to Section 4.3.4 of the EIR (page 4.3-38). However, as mentioned in this comment, the field surveys conducted by Swaim (2007) did not document SFGS within the project site or vicinity. This is consistent with the field surveys conducted by biologists during preparation of the BRA and Draft EIR. Please see **Response to Comment A1-13** for a discussion of the biological surveys conducted at the project site.

Although SFGS are unlikely to be present on the site, Mitigation Measures 4.3-1i through 4.3-1x in the EIR are included in the event that SFGS are found to occur on the project site. These measures will reduce potential impacts to SFGS to less-than-significant levels.

Response to Comment A1-28

There are no known historical occurrences of Central Coast steelhead (*Oncorhynchus mykiss irideus*) in San Vicente Creek (AES, 2014). A general assessment of the existing conditions within the reach of San Vicente Creek between the diversion and the Pacific Ocean was conducted, as described in Section 4.3.4 of the Draft EIR and the BRA included as Appendix C of the Draft EIR. This assessment concluded that this reach consists of shallow pools dominated by sand and fine substrate with no suitable spawning gravels present (AES, 2014). Based on the fact that no Central Coast steelhead runs have occurred in San Vicente Creek and there is no suitable habitat, no additional surveys are needed.

Response to Comment A1-29

The commenter is correct that the dusky-footed woodrat was not observed during biological surveys conducted in 2010, 2011, and 2013, and there are no CNDDDB records for this species within a five-mile radius of the project site (AES, 2014). It is correct that a woodrat nest was observed on the project site and is depicted on Figure 4.3-1b, although it is unknown if that was for a common woodrat or the listed dusky-footed woodrat. Therefore, since woodrat nests were observed on the project site, the implementation of Mitigation Measures 4.3-1ee and Mitigation Measure 4.3-1ff would reduce any potential impact to dusky-footed woodrat to less than significant.

Response to Comment A1-30

Central California Coast Coho salmon (*Oncorhynchus kisutch*) was discussed in the BRA included as Appendix C to the Draft EIR. As noted in this comment, the most recent observation of Coho salmon in the project site or vicinity is from 1941; this species now is extirpated from the system and was not present as of the environmental baseline considered in the analysis of the Proposed Project. Refer to **Response to Comment A1-18** for a discussion of the environmental baseline. Therefore, the species was not discussed in-depth in the Draft EIR. Similar to the discussion of steelhead presented in Impact 4.3-1, Coho salmon would be prevented from entering the system due to numerous significant barriers to anadromy, including the Half Moon Bay Harbor and numerous culverts and bridges downstream of the project site.

Central California Coast Coho salmon would be highly unlikely to become reestablished in Denniston Creek due to the influence of Pillar Point Breakwater. Additional discussion of the Pillar Point Breakwater as a barrier to anadromy is presented in Section 4.3.4 of the Draft EIR. Implementation of Mitigation Measures 4.3-1d through 4.3-1g would reduce potential impacts to anadromous salmonids (including Coho salmon, in the unlikely event they are found to occur in Denniston Creek) to less-than-significant levels. While the District appreciates the NPS commitment to potential future restoration efforts, such a circumstance is not within the scope of this CEQA document.

Response to Comment A1-31

CEQA and CEQA *Guidelines* require that an EIR identify the significant environmental effects of the project (CEQA *Guidelines* § 15126), but does not identify specific thresholds of significance for the noise impacts to wildlife mentioned in this comment. Instead, CEQA *Guidelines* § 15064(b) states that “the determination.... calls for careful judgment on the part of the public agency involved” and that “an ironclad definition of significant effect is not possible because the significance of an activity may vary with the setting.” The fundamental definition of significant effect under CEQA is “a substantial adverse change in physical conditions.” For other impact categories that are more qualitative or are entirely dependent on the immediate setting, a hard-

and-fast threshold is not generally feasible, and the "substantial adverse change in physical conditions" is applied as the significance criterion.

The impacts of noise due to construction and operation of the Proposed Project are considered in Section 4.9 of the Draft EIR, and all impacts were mitigated to less-than-significant levels. Noise impacts due to construction would be temporary in nature and would not significantly affect wildlife. The only ongoing operational noise sources are the two proposed pump stations. The Booster Pump Station located adjacent to the Denniston WTP would not increase ambient noise levels beyond those produced in the environmental baseline condition. The proposed San Vicente pump station near the POD may increase ambient noise levels. In order to minimize air quality and greenhouse gas impacts, the pump will be an electrical pump, which will be quieter than the diesel-powered alternatives. In addition, Mitigation Measure 4.9-2 requires noise-reducing shielding, which will also reduce impacts to wildlife to less-than-significant levels.

#### Response to Comment A1-32

As stated on page 4.2-6 of the Draft EIR, "approximately 6,100 feet of upgraded and new 8-inch diameter pipe will be installed within the right of way of an existing unpaved farm road (from the San Vicente Creek POD to the Denniston Creek Pump Station)." This pipeline alignment would be within the existing road footprint and would not disturb vegetation on the road shoulders. The proposed staging area for the project would be located adjacent to the existing Denniston Pump Station on existing disturbed land owned by the District, as shown on Figure 3-5 of the Draft EIR. All potential impacts due to pipeline construction and staging areas are mitigated to less-than-significant levels in the Draft EIR. Specifically, the road would be returned to its original state after trenching of the pipeline, and impacted riparian vegetation would be replanted following the standards within the RRMP, which is required in Mitigation Measures 4.3-2b and 4.3-2c of the Draft EIR.

#### Response to Comment A1-33

The visual impacts that could arise due to the increased dredging program were addressed in Impact 4.1-1 of the Draft EIR; additional text has been added to clarify the impacts of the disposal of the dredged material. The clarified text in the EIR reads "Disposal of dredged materials within the westerly and easterly dredge disposal areas may result in visual impacts, as the dredged material would be piled in-place in the disposal area. However, this is an extension of an ongoing dredging program, and these areas are already used for disposal in their existing state. The Proposed Project would not substantially increase the impacts to visual resources in the dredge disposal areas; furthermore, these areas are surrounded by thick groves of eucalyptus and are shielded from public view."

Impact 4.3-4 of the Draft EIR analyzed the potential impacts of the dredge disposal to biological resources, specifically those in the vicinity of the dredge disposal areas. This significant impact would be reduced to less-than-significant levels after implementation of Mitigation Measures 3.2-4a through 4.3-4d, which require testing and proper disposal of any dredge materials. This is further discussed in Impact 4.7-4, which addresses the long-term use of equipment for the dredging and disposal, and ensures that potential impacts to the disposal areas are reduced to less-than-significant levels.

Refer to **Response to Comment A1-03** regarding the applicability of NPS discretionary permits within District-held easements.

#### Response to Comment A1-34

The full project description is provided in Section 3.0 of the Draft EIR and is shown in Figure 3-3. As stated in Section 3.2.2, “The Proposed Project includes installation of 3,460 feet of new transmission pipeline along Bridgeport Drive and Coral Reef Avenue, connecting to the 12-inch main at the intersection of Coral Reef and Doelger Drive (see Figure 3-3).” For simplicity, this entire length of pipeline was referred to as the “Bridgeport Pipeline” in the Draft EIR, including the section referenced in this comment; however, it encompasses both the Bridgeport Drive and Coral Reef Avenue segments. Therefore, the full length of pipeline along both roads, including in the air quality section mentioned in this comment, was included in the Draft EIR analysis.

The District notes that the end of Coral Reef Avenue provides emergency turnaround and parking for the GGNRA property, and CCWD does not intend to block access. As stated in Section 3.2.2 of the Draft EIR:

To complete pipeline construction within public rights-of-way, CCWD must obtain an Encroachment Permit from the San Mateo County Department of Public Works. CCWD must comply with all conditions of the permit, including the provisions for the protection of traffic circulation in the area. These include, but are not limited to: barricades, warning lights, and flaggers. All work shall be planned and carried out so that there will be the least possible inconvenience to the traveling public. CCWD will also devise a traffic management plan and file it with the appropriate San Mateo County authority and will notify any affected homeowners in advance of any road work or service disruptions.

CCWD will follow San Mateo County Department of Public Works regulations and conditions of the encroachment permit to ensure that there are no significant impacts to emergency access.

Response to Comment A1-35

As discussed in **Response to Comment A1-02**, Mitigation Measure 4.3-2d has been added to the Final EIR to provide additional protection against the spread of invasive species.

Response to Comment A1-36

A Cultural Resources Study was completed for the Proposed Project; all cultural resources work was performed in compliance with Section 106 of the National Historic Preservation Act (NHPA) as amended, and the implementing regulations found at 36 CFR Part 800, as well as CEQA. As discussed in Section 4.4.2 of the Draft EIR, a records search was conducted at the Northwest Information Center (NWIC), the Native American Heritage Commission (NAHC) was consulted, and a multi-day field survey of the project site and vicinity was completed. The field survey resulted in no observations of a historic pig farm in the location described by the commenter. In addition, no identifiable pig farm eligible for listing in the National Register of Historic Place (NRHP) or California Register of Historic Resources (CRHR) is in the vicinity of the project site.

As stated in Section 4.4.4 of the Draft EIR, “CEQA *Guidelines* § 15064.5 defines historic resource as a resource (1) listed on, or determined to be eligible by the State Historic Resources Commission for listing on, the CRHR; (2) listed in a local register of historic resources or as a significant resource in a historical resource survey; or (3) considered to be “historically significant” by a lead agency as supported by substantial evidence in the record.” Given that no historic resources are located within the project area, the Proposed Project would not cause a substantial adverse change in the significance of a historic resource as defined in PRC 21083.2 and CEQA *Guidelines* § 15064.5, and it would not cause a substantial adverse change in the significance of a unique archaeological resource pursuant to CEQA *Guidelines* § 15064.5. Therefore, there are no significant impacts to cultural resources.

Response to Comment A1-37

Comment noted.

**Comment Letter A2 – Scott Morgan, Director, State Clearinghouse,  
October 3, 2014**

Response to Comment A2-01

Comment noted. In accordance with California Public Resources Code § 21091(a), the Draft EIR was published by the State Clearinghouse on August 19, 2014 (SCH# 2011102038) and circulated for a 45-day public comment period.

### **Comment Letter A3 – Scott Wilson, Regional Manager, California Department of Fish and Wildlife, October 10, 2014**

#### Response to Comment A3-01

Comment noted.

#### Response to Comment A3-02

Comment noted. Responses to the commenter's specific comments concerning the Draft EIR and mitigation measures are addressed in **Response to Comments A3-03** and **A3-04** below.

As the commenter notes, the San Francisco garter snake is a fully protected species under the California Fish and Game Code, and therefore CDFW cannot authorize take of this species. This language has been removed from page 4.3-44 of the EIR.

#### Response to Comment A3-03

As discussed in Section 4.3 of the Draft EIR, the project site may provide potential habitat for sensitive wildlife species, including SFGS and CRLF. However, Central California Coast steelhead, which is mentioned in this comment, is unlikely to occur on the project site due to downstream barriers and the Pillar Point breakwater. Mitigation Measures 4.3-1a through 4.3-1ii are provided to reduce impacts to sensitive species to less-than-significant levels. As mentioned in this comment, expanded dredging impacts may also impact sensitive species. The impacts of disposal of dredge material are addressed in Impact 4.3-4, and this significant impact was reduced to less-than-significant levels through implementation of Mitigation Measures 4.3-4a through 4.3-4d. To clarify the mitigation measures for protection of special-status species during dredging operations, Mitigation Measures 4.3-1k, 4.3-1n, and 4.3-1o have been revised to include biological monitoring during dredging activities, consultation with CDFW and USFWS regarding de-watering areas of Denniston Reservoir prior to dredging, installation of exclusion fencing prior to dredging activities, and habitat enhancement measures to reduce impacts to less than significant.

#### Response to Comment A3-04

CCWD desires to work cooperatively with the regulatory agencies, including CDFW, which has discretionary authority over streams and lakes pursuant to Fish and Game Code § 1600 et seq., which require a lake and streambed alteration agreement for the dredging operations at Denniston Reservoir. Maintenance of Denniston Reservoir at a size and capacity nearer to its original size and capacity is one of the fundamental objectives of the Proposed Project, which were developed in accordance with CEQA *Guidelines* § 15124. No alternatives have been identified by the Lead Agency that would maintain Denniston Reservoir at its original size and capacity without maintenance dredging, and the comment does not provide any details or

suggestions of possible alternatives to dredging. Please refer to **Response to Comment A1-20** regarding the alternatives analysis presented in Section 6.0 of the Draft EIR. Refer to **Response to Comment A1-33** regarding the analysis of dredge disposal impacts in the Draft EIR.

Response to Comment A3-05

As discussed in **Response to Comment A1-05**, the current diversion operations at Denniston Reservoir are authorized by water right Permit 15882 (Application 22680). The SWRCB set the maximum authorized diversion rate for these diversions when it issued that permit. Refer to **Response to Comment A1-20** for a discussion of the off-stream reservoir alternative.

Nothing in the Proposed Project, whether it is the expansion of existing dredging operations or the relatively minor increase in diversion from Denniston Creek, would significantly modify the environmental baseline on the creek as discussed in Impact 4.8-2 of the EIR. There are no reasonably foreseeable restoration efforts proposed on the creek, nor are there any documented runs of anadromous fish in Denniston Creek since the Pillar Point breakwater was installed 50 years ago (page 4.3-33 of the Draft EIR). As noted in Section 5.2.2 of the Draft EIR, there are no significant cumulative impacts from the Proposed Project.

Refer to **Response to Comment A1-05** regarding the current diversion operations as they relate to water right Permit 15882. The ongoing flow in Denniston Creek that is present below the dam due to spillage and seepage will remain largely unaltered and is sufficient to maintain any fish life in the creek below the dam in good condition.

Response to Comment A3-06

California Water Code Section 1260(k) states that an application to appropriate water must provide “sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation.” However, the California Water Code only requires this analysis for applications for new appropriative water right permits; it does not require this analysis for petitions to change previously permitted water rights like Permit 15882. In addition, the project site is outside the geographic range of the SWRCB’s *Policy for Maintaining Instream Flows in Northern California Coastal Streams* (Policy) and CDFW’s *Guidelines for Maintaining Instream Flows to Protect Fisheries Resources Downstream of Water Diversion in Mid-California Coastal Streams* (Draft Guidelines), both of which provide specific criteria for completion of a water availability analysis (WAA). The Policy superseded the Draft Guidelines following its adoption by the SWRCB in Resolution No. 2010-0021. The Policy, which provides specific criteria and requirements for a WAA within its geographic range, does not apply to the Proposed Project. Therefore, the analysis provided in Section 4.8 of the Draft EIR is a valid analysis for the assessment of project impacts under CEQA.

The analysis of surface water supplies in the Draft EIR acknowledges the maximum amount of water diversion authorized by water right Permit 15882 (2.0 cubic feet per second [cfs]). This limit would not be exceeded by the Proposed Project, which includes constructing infrastructure for diversions of water at up to the maximum diversion rates authorized by the existing water right permit. The completion of the infrastructure to allow diversions from both creeks will facilitate a better integrated operation that will result in impacts at or below the “Denniston Preferred and San Vicente Preferred Scenarios” described and analyzed in the Draft EIR. As discussed in **Response to Comment A1-05** above, the SWRCB previously declined to accept a protest from CDFW regarding the amount of water authorized for diversion by Permit 15882, because the “decision regarding how much water to authorize for diversion was made at the time that the permit was issued.”

The additional two monitoring locations at Etheldore Bridge and California Avenue are protective measures beyond those currently in Permit 15882. Refer to **Response to Comment A1-21** regarding clarification of the phrase “wetted channel” in the Draft EIR.

The life stages of CRLF and SFGS are discussed in Section 4.3 and Appendix C of the Draft EIR, and are also briefly discussed in the following paragraphs.

*California Red-legged Frog.* As discussed in **Response to Comment A1-24**, diversion of water from San Vicente Creek could adversely affect CRLF life stages if a surface flow were not maintained. As previously mentioned, revised Mitigation Measure 4.8-2 requires determinations of whether or not surface flows are present at two points downstream of the POD on San Vicente Creek, and prohibits diversions from San Vicente Creek under Permit 15582 when such flows are not present. This measure will ensure that the Proposed Project does not negatively impact CRLF life stages. As discussed in **Response to Comment A1-11**, the Proposed Project’s impacts to downstream flows within Denniston Creek are less than significant, even under the Denniston Preferred Scenario. Therefore, impacts to CRLF in downstream Denniston Creek will not be significant.

*San Francisco Garter Snake.* SFGS may have the potential to occur in downstream reaches of Denniston or San Vicente creek, although the water level is generally not sufficient for SFGS, which prefers depths of at least one foot. However, as discussed above for CRLF, the Proposed Project with revised mitigation measures included in the Final EIR will not significantly impact the downstream habitat for SFGS.

*Central Coast Steelhead and Central Coast Coho Salmon.* As discussed in Section 4.3 of the Draft EIR and the BRA prepared for the Proposed Project (Appendix C of the Draft EIR), it is unlikely that any life stages of anadromous salmonids currently utilize either Denniston or San

Vicente creeks. Refer to **Response to Comment A1-28** for a discussion of the lack of historical salmonid runs in San Vicente Creek.

Response to Comment A3-07

As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project will not impact biological or hydrological resources in San Vicente Creek. Mitigation Measure 4.8-2 will ensure that there is no loss of wetland function and extent directly attributable to the Proposed Project, because the District will be required to monitor stream flows at both monitoring points and not divert any water from San Vicente Creek under Permit 15882 when such flows are not occurring. This measure will ensure that the Proposed Project will not cause any adverse impacts to the downstream wetlands or riparian corridor; therefore, the instream flow study requested by this commenter is not necessary for San Vicente Creek.

The impacts to Denniston Creek were analyzed in Section 4.8.4 of the Draft EIR. The greatest possible impacts to Denniston Creek as a result of the Proposed Project would occur under the Denniston Preferred Scenario. As shown in Figure 4.8-5 of the Draft EIR, in all water year types, the impacts to Denniston Creek as a result of both the San Vicente and the Denniston Preferred Scenarios are minimal. Impacts to downstream flows in Denniston Creek, even in dry years, are less than significant and will not adversely affect downstream resources. Therefore, the instream flow study requested by this commenter is not necessary for Denniston Creek.

Response to Comment A3-08

Impacts of the Proposed Project are fully described in Volume II of this Final EIR, and a Mitigation Monitoring and Reporting Plan (MMRP) is included within **Section 4.0** of this Volume I. The Final EIR has been prepared to meet the CEQA requirements for approval of a Lake or Streambed Alteration Agreement (LSAA) by CDFW.

**Comment Letter A4 – Clemens Heldmaier, General Manager, Montara Water and Sanitary District, October 30, 2014**

Response to Comment A4-01

Comment noted. Responses to the commenter's specific comments concerning the Draft EIR and mitigation measures are provided below.

Response to Comment A4-02

As noted in this comment, Montara Water and Sanitary District (MWSD) was pumping at lower levels than usual during the 2010 to 2013 monitoring period that is discussed in Balance

Hydrologics, Inc. (Balance) 2014 Technical Memorandum (Appendix H of the Draft EIR). This does not invalidate the work completed by Balance. Rather, this work provides data that is useful as a baseline condition of the Airport Aquifer. As discussed in the Balance 2014 Technical Memorandum, the full rate of MWSD and CCWD pumping in the 1987-to-1990 drought was utilized by the CCC when determining the safe yield limit for the Airport Aquifer. This safe yield limit of 459 acre-feet per year (afy) is utilized by CCC to limit pumping in the groundwater basin to protect sensitive resources, while allowing MWSD access to its primary source of water, as acknowledged in Section 4.3 of the Technical Memorandum (Balance, 2014).

#### Response to Comment A4-03

Comment noted. Responses to the commenter's specific comments concerning the potential for decrease of recharge will be discussed further in **Response to Comment A4-17** below.

#### Response to Comment A4-04

After review of the administrative record and comments received on the Draft EIR, the District has developed additional mitigation and monitoring to ensure that the Proposed Project will not cause any significant impacts due to increased diversions from San Vicente Creek. As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to further ensure that the Proposed Project will not impact downstream biological or hydrological resources as a result of implementation of the proposed water diversions on San Vicente Creek. Mitigation Measure 4.8-2 requires that the District monitor stream flow at two points of compliance and not divert any water from San Vicente Creek under Permit 15582 when such flows are not present. This measure will ensure that the Proposed Project will not cause any loss of wetland extent or function or any impacts to the riparian corridor. Therefore, the adaptive management plan requested by this comment is not necessary.

This comment requests a groundwater sustainability plan for the Airport Aquifer. As discussed in Section 4.8.2 of the Draft EIR, the area in the vicinity of the project site is part of the Half Moon Bay Terrace Basin (Basin Number 2-22) described in the Department of Water Resources (DWR) Bulletin 118. The Half Moon Bay Terrace Basin includes the Airport Subbasin (or Airport Aquifer), which is further divided into several subareas: the Airport Terrace Subarea, Denniston Upland Subarea, Denniston Stream Valley Subarea, San Vicente Upland Subarea, and the San Vicente Stream Valley Subarea (Figure 4.8-3; Kleinfelder, 2008). The District is one of several water users of the Airport Aquifer, which also include municipal suppliers like MWSD and private agricultural and domestic users.

As stated in CEQA *Guidelines* § 15002 (a), the basic purpose of CEQA is to “prevent significant, avoidable damage to the environment by requiring changes in projects through the use of

alternatives or mitigation measures.” The Draft EIR was prepared in accordance with CEQA and the CEQA *Guidelines*, which require mitigation measures for reducing project-scale impacts. The basin-wide groundwater sustainability plan requested in this comment is not an appropriate mitigation for any impacts of the Proposed Project. CCWD may be interested in participating with other local agencies in future discussions regarding a sustainable groundwater management plan for the Airport Aquifer, but this is not within the scope of this EIR because the Proposed Project’s diversions are not anticipated to significantly impact the groundwater basin.

#### Response to Comment A4-05

Comment noted.

#### Response to Comment A4-06

The three questions posed in the November 15, 2011 scoping letter that are reiterated in this comment were addressed in Appendix H of the Draft EIR, as well as in Sections 4.3.5 and 4.8.5 of the Draft EIR. The November 15, 2011 scoping letter is included in Appendix B of the Draft EIR. The scoping process was completed in accordance with CEQA *Guidelines* § 15083, which states that scoping is useful to determine the “range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR.” Refer to **Response to Comment A4-02** for a discussion of the validity of the monitoring conducted from 2010 to 2013.

#### Response to Comment A4-07

The Draft EIR discusses the regionally unique geomorphology of the Montara Mountain streams; specifically, Section 4.8.2 of the Draft EIR states that: “The regional geology’s unique combination of hydrologic, sedimentologic, hydrogeologic, and geomorphic processes leads to streams with muted and lagged storm and seasonal hydrographs.” The Draft EIR does not claim that the streams are drought-resistant, as stated in this comment. To the contrary, the Draft EIR utilizes data gathered by Balance (2012 and 2014) and states that the streams are highly dependent on precipitation, and that the regional geology has a unique affect on the stream response to precipitation events. As stated in Section 4.8.2, “during dry years and multi-year droughts, precipitation is limited and surface water may become a more important source of recharge.” The Draft EIR appropriately characterizes the local watershed as one that is dependent on precipitation, which is a primary source of recharge to the groundwater aquifer.

This comment correctly states that the effects of climate change may increase the severity and longevity of droughts in the future. The Draft EIR analyzes the Proposed Project impacts in dry, normal, and wet water year types in Section 4.8.5; in addition, project alternatives are analyzed in dry, normal, and wet year scenarios in Section 6.4. Refer to **Response to Comment A1-22** regarding the potential effects of climate change on Denniston and San Vicente creeks, and the

need to model climate change effects in this EIR. As discussed above, the analysis of the Proposed Project under dry, normal, and wet water year types provides sufficient analysis for the Lead Agency to make determinations regarding project impacts in current and future climate scenarios. The establishment of the two new monitoring points and the measure allowing diversions under Permit 15582 only during times when there are surface flows at these monitoring points, regardless of the water year type, will prevent the Proposed Project from having significant impacts on affected resources.

Refer to **Response to Comment A4-04** regarding the District's potential participation in future groundwater management plans.

#### Response to Comment A4-08

As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project will not significantly impact downstream resources on San Vicente Creek. This measure will ensure that the Proposed Project will not cause any adverse impacts to San Vicente Creek, including during dry or multiple dry years, because the monitoring will be required in all years. Also, the Proposed Project will not significantly change flows in Denniston Creek below the dam that result from spillage and seepage, and these are the primary flows that sustain riparian vegetation in this creek reach. Therefore, the adaptive management plan requested by this comment is not necessary. Refer to **Response to Comment A4-04** regarding the District's possible participation in future groundwater management plans.

#### Response to Comment A4-09

In accordance with CEQA *Guidelines* § 15082, an NOP was circulated to the public, local, State, and federal agencies, and other known interested parties for a 30-day public and agency review period which began on October 19, 2011 (included as Appendix A of the Draft EIR). The comment letters received (included as Appendix B of the Draft EIR) were used to focus the scope of the environmental analysis; all parties who responded to the NOP were added to the interested parties distribution list. In accordance with CEQA *Guidelines* §15087, a Notice of Completion (NOC) was submitted to the Office of Planning and Research on August 19, 2014 (SCH# 2011102038) when the Draft EIR was circulated for a 45-day public comment period. In addition, a Notice of Availability (NOA) was published in the Half Moon Bay Review, a newspaper of general circulation in the project area, on August 20, 2014 notifying the public of the availability of the Draft EIR. Beginning on August 19, 2014, the NOA was also posted in the following locations: the San Mateo County Clerk Office; the Lead Agency's office at 766 Main Street, Half Moon Bay, California 94019; and the Half Moon Bay Library at 620 Correas Street, Half Moon Bay, CA 94019. The NOA was sent to interested parties, including neighboring property owners and those who responded to the NOP during the scoping period.

Riparian diverters are required under California Water Code § 5101 to file Statements of Water Diversion and Use with the Division of Water Rights every three years. During development of the Draft EIR, the District reviewed the Division of Water Right's electronic database of water rights and consulted with Division personnel; this consultation determined that no water right permits exist and no Statements of Diversion and Use have been filed with the Division for the Cypress Flower Farm. If a downstream riparian user does not file Statements of Diversion with the Division, he or she may not have been notified of the Draft EIR via direct mailing. However, the Lead Agency made a reasonable effort to notify all local persons through the methods listed above, in accordance with CEQA and the CEQA *Guidelines*. Specific impacts of the Proposed Project on Cypress Flower Farm are discussed in the responses to **Comment Letter I2**, below.

#### Response to Comment A4-10

To clarify the Draft EIR terminology, the "Denniston Preferred Scenario" and the "San Vicente Preferred Scenario" are the names given to two different operating scenarios for the purpose of the Draft EIR analysis; the District does not have a preference for one alternative or the other. As stated in Draft EIR Section 4.8.4, "actual CCWD diversions will be operationally balanced between the two streams based on factors such as water availability, water year type, and other diverters' usage, this analysis of these two scenarios provides for the maximum range of impacts that could arise in each creek from implementation of the Proposed Project."

Therefore, the "preferred scenarios" indicate the maximum amount of impact that could occur to either stream in order to present a conservative analysis. It is neither the intent nor preference of the District to rely exclusively on one of the "preferred scenarios."

Under the San Vicente Preferred Scenario, the District would divert water from San Vicente Creek at rates up to the authorized rate of 2.0 cfs that is specified in Permit 15882, but only to the extent that such diversions may occur while the flow requirements at the new downstream monitoring locations specified in Mitigation Measure 4.8-2 are met. As shown in Figure 4.8-4 of the Draft EIR and stated in this comment, under this scenario flows in the creek from the POD to its outflow at the Pacific Ocean would be significantly reduced. Additional inflows to the stream below the POD include runoff and groundwater inflow, but such inflows are not quantified in the San Vicente Preferred Scenario table, so that it shows the greatest possible impacts of the Proposed Project. Mitigation Measure 4.8-2 has been updated so that it now uses the two new monitoring locations to ensure the presence of surface flows. Please refer to **Response to Comment A1-21** for further discussion of the wetted channel versus surface flow clarification.

The GPS location of the monitoring point of Permit 15882 is given on page 4.8-27 of the Draft EIR; this location is 37.5317 North, -122.4919 West. This location was found via multiple methods, including: 1) projection of the quarter-quarter sections given in Permit 15882 as "NW

¼ of NW ¼ of projected Section 2, Township 5S, Range 6W”; 2) researching the current owner of the Torello Ranch and finding the parcel through the San Mateo County Assessor’s Database; and 3) researching old grants and deeds for parcels in the area through the San Mateo County Recorder’s Division online database. This location does not correspond to the Etheldore Street Bridge, as stated in this comment. However, the Etheldore Street Bridge has been added as a monitoring location in the updated Mitigation Measure 4.8-2, along with another location (California Avenue) farther downstream. In addition, the monitoring and diversion limitations in this mitigation measure would be year-round, rather than the more limited time period required by water right Permit 15882.

Response to Comment A4-11

The body of the Draft EIR contains a simplified analysis of certain technical data, in accordance with CEQA *Guidelines* § 15147. According to this guideline:

The information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

Under this guideline, it is appropriate that the body of the Draft EIR present a limited discussion of the groundwater aquifer, without the highly technical “conditions, contours, and flowpaths” requested by this commenter, and that the technical appendices, of which Balance Hydrologics, Inc. was a primary author, contain the more-technical information, graphs, and figures. Refer to **Response to Comment A1-01** regarding the adequacy of the Draft EIR.

This comment correctly quotes the Draft EIR at Section 4.8.4, which states that “the Proposed Project cannot operate below 0.5 cfs (or approximately 225 gpm). This operational threshold would offset the impacts of the Proposed Project during a dry year” (page 4.8-40 of the Draft EIR). This operational limit refers to the operational threshold of the Denniston WTP, which cannot operate efficiently if the incoming untreated water is less than 0.5 cfs; this has been clarified in the EIR. Presenting the San Vicente and Denniston Preferred Scenarios without the operational limit in the Draft EIR provided an analysis that may have overstated the Proposed Project’s impacts. Because this 0.5 cfs operating threshold alone might not be adequate to reduce the level of the Proposed Project’s impacts to less than significant, Mitigation Measure 4.8-2 has been modified to require monitoring of surface flows at two points on San Vicente

Creek and to prohibit diversions from San Vicente Creek under Permit 15582 whenever surface flows are not present at both of these monitoring points.

Response to Comment A4-12

This comment contends that portions of Appendix H were misquoted in the Draft EIR, stating that “the statement ‘during normal and wet years’ as described in Appendix H” was omitted from the Draft EIR. However, the quote mentioned in this comment is a direct quote from the Executive Summary of Appendix H. It reads in its entirety:

Additionally, the local geologic conditions allow the Airport Aquifer below the project site to refill quickly and completely following the first storms of each rainy season. New data indicate that there is very limited recharge from the surface water of Denniston and San Vicente Creeks to the Airport Aquifer.

The Groundwater Technical Memorandum (Appendix H of the Draft EIR) acknowledges and explains that surface water infiltration becomes a more significant source of recharge in dry and multiple dry years. With the revisions to Mitigation Measure 4.8-2 discussed in **Response to Comment A1-21** above, the Proposed Project will not significantly impact the surface flows in San Vicente Creek downstream of CCWD’s POD that play a role in aquifer recharge. Mitigation Measure 4.8-2 is more appropriate to address project-level impacts than the sampling program suggested by this comment, which would involve sampling wells throughout the aquifer on land that may be privately owned and may not be accessible to the District. In addition, the monitoring proposed in this comment is not an acceptable mitigation measure in accordance with CEQA *Guidelines* § 15370, because it would not minimize or reduce the Proposed Project’s impacts.

Refer to **Response to Comment A4-04** regarding the District’s participation in future groundwater management plans.

Response to Comment A4-13

This comment raises several questions regarding data presented in Appendix H of the Draft EIR. These questions concern the limitations to the data presented in the Draft EIR, which are similar to the limitations of any scientific data set. The Draft EIR appropriately focused its discussion on project-level impacts, and did not attempt to draw conclusions from this data set for the questions raised in this comment, including: “Why does there not appear to be a correlation with water-year type? Why does August and September of WY2012 show a gaining reach after it had been losing water to the aquifer?” Refer to **Response to Comment A4-02** for a discussion of the validity of the monitoring data conducted from 2010 to 2013. Although Appendix H clearly states that “new data indicate that there is very limited recharge from the

surface water of Denniston and San Vicente Creeks to the Airport Aquifer,” to recognize there are some uncertainties in this aquifer, the text of the Draft EIR has been clarified in Section 4.8.2 (page 4.8-18) to state that:

Balance Hydrologics has been collecting data along San Vicente and Denniston Creeks for multiple years to determine the nature of the groundwater in the vicinity of the project site. Their technical memorandum ~~recent data~~, presented in **Appendix H**, used stream gaging, well monitoring, and specific conductance data to monitor and extrapolate the groundwater-surface water interaction along San Vicente and Denniston Creeks. The data collected on San Vicente Creek show ~~determined~~ that there are “measureable groundwater discharges into San Vicente Creek” from the underlying aquifer. ~~Therefore,~~ In normal and wet years, San Vicente Creek is a gaining stream in the reaches downstream of the Proposed Project’s POD, as a result of groundwater discharges into the creek. However, in dry years, San Vicente Creek may be a losing stream, because water may flow from the creek into the aquifer.

The revised mitigation measure presented in **Response to Comment A1-21** will ensure that, regardless of any deficiencies in the data presented in the Balance memorandum (Appendix H of the Draft EIR), the Proposed Project will not divert water from San Vicente Creek during times when there are no surface flows at the two downstream monitoring points. This measure will ensure that the Proposed Project will not significantly impact groundwater recharge from San Vicente Creek surface flows.

#### Response to Comment A4-14

The specific conductance data on San Vicente Creek provided in Appendix H of the EIR shows a trend that supports the conclusion that this section of San Vicente Creek normally is a gaining reach. Seasonality and influence of pumping and other diversions are reflected in the data, which were collected during 2010 through 2013, during different seasons and different water year types. Additional data are not necessary to assess the impacts of the Proposed Project or to recommend additional mitigation measures, because this already has been accomplished.

#### Response to Comment A4-15

This comment correctly states that the 2014 Balance Technical Memorandum found that the Airport Aquifer is more influenced by precipitation than previously believed and that infiltration from Denniston and San Vicente creeks occurs largely upstream of the project site. While this observation may warrant further study, and while ongoing monitoring by the CCWD and other organizations in the area is occurring, these facts do not undermine the EIR’s analysis of the Proposed Project’s potential impacts.

Response to Comment A4-16

The 0.5 cfs operational limit for the Denniston WTP is not a diversion limitation, as stated in this comment, and it is unrelated to the statement quoted by the commenter regarding bypasses at CCWD's San Vicente Creek diversion. Refer to **Response to Comment A4-11** for clarification that the 0.5 cfs operational limit is due to the inability to operate Denniston WTP at lower rates. The commenter is correct that "some bypass will occur [from the San Vicente POD], although it is an unquantifiable amount" (see page 4.8-27 of the Draft EIR). As with any diversion structure, some water may pass in, under, or around the structure and be a functional bypass that is not diverted. The Draft EIR presented an analysis under which the flows in San Vicente Creek decreased to zero cfs in some months. Because it actually may be impossible for the Proposed Project to divert all flows, and thus to completely dewater San Vicente Creek, the Draft EIR's analysis may have overstated the Proposed Project's actual impacts. Refer to **Response to Comment A1-21** for a discussion of the revised mitigation measure designed to protect downstream reaches of San Vicente Creek and associated groundwater recharge.

Response to Comment A4-17

The Draft EIR acknowledges the contribution of current irrigation practices to groundwater recharge, from both the storage of water in the two offstream storage reservoirs that receive water from San Vicente Creek and the use of that water to irrigate agricultural fields. Specifically, page 4.8-18 of the Draft EIR states:

As noted above, surface streams within the project area are utilized by a number of water permit holders for agricultural and consumption uses... Additionally, the diversion to irrigation and to storage on these streams allows more time for surface water to percolate into groundwater, thereby facilitating the recharge of the Airport Terrace Aquifer.

The future decisions of a private owner of lands in the vicinity of the project site are outside the control or full knowledge of the District. It is not reasonably foreseeable that Cabrillo Farms will decrease or discontinue irrigation. CEQA *Guidelines* §15064, subsection (f)(5), states that "the decision as to whether a project may have one or more significant effects shall be based on substantial evidence in the record of the lead agency... Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion support by facts." There is no evidence in the record that Cabrillo Farms plans to alter its current operating regime. Impacts associated with such changes therefore are not reasonably foreseeable impacts that would result from the Proposed Project and would require consideration in the EIR.

Furthermore, CCWD has entered into cooperative agreements with Cabrillo Farms and West Coast Farms to minimize impacts to the agricultural users. As stated in Section 4.8.4 of the

Draft EIR, “CCWD has agreed to divert water only if and when the other water right holders have sufficient water available to divert under their licenses and statements of diversion.” Therefore, the Proposed Project will not inhibit Cabrillo Farms’ ability to divert and irrigate under its existing appropriative water rights and riparian water rights, and it therefore is not reasonably foreseeable that the Proposed Project would result in Cabrillo Farms’ decreasing or discontinuing irrigation.

Response to Comment A4-18

Refer to **Response to Comment A1-21** regarding clarification of the phrase wetted channel in the Draft EIR. Refer to **Response to Comment A4-10** regarding the location of the Torello Ranch monitoring point. Refer to **Response to Comment A4-16** regarding the functional bypass around the San Vicente POD and the inability to fully rely on this bypass to mitigate all potential impacts. As discussed previously, the revised Mitigation Measure 4.8-2 requires two new downstream monitoring points on San Vicente Creek and prohibits diversions under Permit 15582 during times when there are no surface flows at these two points. This measure will ensure that there will be no significant impacts to the creek from the Proposed Project. The additional mitigation requested in this comment is not required to reduce impacts to less-than-significant levels pursuant to CEQA *Guidelines* § 15064.

Response to Comment A4-19

After review of the administrative record and comments received on the Draft EIR, the District revised its proposed mitigation and monitoring requirements to ensure that the Proposed Project’s increased diversions from San Vicente Creek will not cause any significant impacts. As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project’s diversions from San Vicente Creek will not impact downstream biological or hydrologic resources. The downstream California Avenue monitoring location is immediately adjacent to the Seal Cove fault, as requested by this comment.

Response to Comment A4-20

As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project’s diversions from San Vicente Creek will not impact downstream biological or hydrological resources. The monitoring proposed by this comment therefore is not necessary (see **Appendix I.**)

Response to Comments A4-21 and A4-22

Comment noted.

## **Comment Letter A5 – Marlene Finley, Director, County of San Mateo Parks Department, November 3, 2014**

### Response to Comment A5-01

Comment noted. Responses to the commenter's specific comments concerning the Draft EIR and mitigation measures are addressed below.

### Response to Comment A5-02

A full analysis of water availability in the Denniston and San Vicente creek watersheds is provided in the Draft EIR, specifically in Section 4.8, Hydrology. The Draft EIR utilized: over 12 years of studies of the watersheds from Balance (2002, 2005, 2010, 2012, 2013, and 2014), West Yost Associates (2010), and Kleinfelder (2008); and technical data collected by Balance (2014) included new groundwater monitoring data from 2010 through 2013, which included drought years. These new data collected during drought years allowed Balance to make an assessment of the Airport Aquifer and its relation to downstream sensitive resources such as Pillar Point Marsh. As stated in Draft EIR Appendix H, "upward groundwater gradients were observed throughout 2012 and 2013 (the first and second dry years in a row), as well as during 1991 (at the end of the five year drought of the 1980s), when the Airport Aquifer was heavily pumped by both CCWD and MWSD's predecessor" (Balance, 2014; Appendix H of the Draft EIR). These upward groundwater gradients protect the health of Pillar Point Marsh, including in drought years. In addition, new specific conductance and synoptic flow data collected by Balance indicate that "San Vicente Creek and Denniston Creek exchange water with their underlying aquifers, but that net infiltration is likely negligible under all but the most extreme drought conditions" (Balance, 2014; Appendix H of the Draft EIR).

After review of the administrative record and comments received on the Draft EIR, the District has proposed additional mitigation and monitoring to ensure that there are no significant impacts due to the Proposed Project's diversions on San Vicente Creek, particularly in drought years. As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project's diversions from San Vicente Creek will not impact downstream biological or hydrological resources.

### Response to Comment A5-03

Refer to **Response to Comment A1-24** regarding potential impacts to CRLF due to proposed diversions from San Vicente Creek.

### Response to Comment A5-04

Refer to **Response to Comment A1-12** regarding potential impacts to riparian vegetation due to proposed diversions from San Vicente Creek.

Response to Comment A5-05

Refer to **Responses to Comments A1-10 and A1-11** regarding potential impacts to wetlands due to proposed diversions from San Vicente Creek.

Response to Comment A5-06

The Draft EIR discusses potential impacts to groundwater in Impact 4.8-3. This discussion is supported by numerous technical studies included as Appendix E (Balance, 2012), Appendix G (Balance, 2013), and Appendix H (Balance, 2014) to the Draft EIR. As discussed on page 4.8-39 of the Draft EIR, the “reach of San Vicente Creek downstream of the POD ‘exchanges water readily with the underlying aquifer(s) and... infiltrates a negligible amount to the underlying aquifer.’ The measurement period includes two consecutive dry years in which water would have been expected to be infiltrating from San Vicente Creek into the aquifer.” The data collected by Balance (2014) indicate that, during wet and normal years, the Airport Aquifer recharges quickly and completely from the early precipitation events of the season, and that surface water flows become more important for aquifer recharge during dry years. Refer to **Response to Comment A4-02** for a discussion of the validity of the monitoring data collected from 2010 to 2013. As discussed in **Response to Comment A1-21**, new monitoring locations on San Vicente Creek downstream of CCWD’s diversion and the prohibition on diversions under Permit 15582 during times when there are not surface flows at these locations will ensure that the Proposed Project does not significantly impact biological or hydrological resources on San Vicente Creek during any water year type.

The Proposed Project will cause only marginal reductions in Denniston Creek streamflows, compared to the CEQA baseline,<sup>2</sup> as shown in Figure 4.8-5 of the Draft EIR. Therefore, impacts to the Airport Aquifer from the Proposed Project’s Denniston Creek diversions will be less than significant. With implementation of Mitigation Measures 4.8-2 and 4.8-3, the Proposed Project’s impacts to San Vicente Creek biological and hydrological resources will be reduced to less-than-significant levels. The specific conductance data, synoptic flow measurements, and monitoring well data taken at the measuring points along San Vicente Creek indicate that the aquifer will not be significantly impacted by the Proposed Project’s diversions (see Appendix H of the Draft EIR). Also, the mitigation measures referenced above to protect surface flow also will protect groundwater recharge, because as they will ensure that the Proposed Project’s

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<sup>2</sup> The CEQA baseline was calculated for San Vicente Creek and Denniston Creek in Table 4.8-3 and Table 4.8-5, respectively. The CEQA baseline for each creek is the unimpaired flow minus the authorized diversions on that creek, and represents the total amount of water available for diversion. This is described further in Section 4.8.2 of the Draft EIR.

diversions from San Vicente Creek will occur only when there are surface flows in the creek at the two monitoring locations.

Response to Comment A5-07

Drought is addressed in Section 4.8.2, pages 4.8-11, 4.8-15, 4.8-18, and 4.8-39, and in Appendix E and Appendix H, of the Draft EIR. Analysis of the Proposed Project's impacts to surface flows is provided in Section 4.8.4, and analysis of the impacts to surface flows from the project alternatives is provided in Section 6.0. These analyses include an assessment of impacts in dry years, which are indicative of drought conditions with the unique geology of the aquifer. Cumulative impacts of the Proposed Project in combination with impacts of past, present, and reasonably foreseeable future projects are provided in Section 5.2.2 of the Draft EIR. The revisions to Mitigation Measure 4.8-2 ensure that CCWD will not divert water from San Vicente Creek during times when there are no surface flows at the downstream monitoring locations. This limitation on diversions is likely to occur more frequently during drought conditions.

Response to Comment A5-08

Refer to **Response to Comment A1-12** regarding potential impacts to riparian vegetation and **Response to Comment A1-11** regarding potential impacts to wetlands. Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project's diversions from San Vicente Creek will not impact downstream biological or hydrological resources. Mitigation Measure 4.8-2 will ensure that the Proposed Project will not have any impacts to riparian vegetation or wetlands because the District will be required to monitor surface flow at both the Etheldore Bridge and California Avenue monitoring locations and not divert any water from San Vicente Creek during times when there are not flows at both of these locations. This measure will ensure that the Proposed Project will not cause adverse impacts to the downstream riparian vegetation or stream invertebrates; therefore, the adaptive management plan requested by this comment is not necessary. Mitigation Measure 4.8-2 also will ensure that recharge of the Moss Beach aquifer during significant periods of drought will not be reduced by the Proposed Project, because diversions of water from San Vicente Creek under Permit 15582 will not occur during times when there are not surface flows at the monitoring points.

Response to Comment A5-09

The commenter correctly states that extrapolating the San Vicente stream dataset into a larger dataset based on correlation with similar creeks is a "commonly accepted method" of modeling. The complete model and discussion is provided in Appendix G of the Draft EIR, and summarized in Section 4.8 of the Draft EIR. Refer to **Response to Comment A4-11** for a discussion of the level of technical detail to be included in a Draft EIR.

As discussed in Appendix G, multiple streams were considered for the model of San Vicente Creek, including: San Geronimo Creek, Pine Creek, Pilarcitos Creek, San Gregorio Creek, and Pescadero Creek. San Geronimo Creek, a tributary to Lagunitas Creek in Marin County, is a well-studied stream with a 32-year streamflow record; however, it is geographically far from San Vicente Creek and the in-season variability did not correlate well with San Vicente Creek. Pine Creek has numerous factors that make it a good match for San Vicente Creek, including the watershed, which is closer in size to the project watersheds; the lack of diversion regulation in the watershed; and a similar seasonal scatter. However, Pine Creek did not correlate well with San Vicente Creek in dry years, which, as the commenter notes, is an important concern for downstream water users. Therefore, this creek was not chosen. Pilarcitos Creek had less in-season variation, but has two upstream dams that regulate flow, making it an artificial system that would not accurately mirror the natural state of San Vicente Creek. Similar dam and impoundments on San Gregorio Creek eliminated it from further consideration. Pescadero Creek has some impoundments, but most of them downstream of the gage so they do not affect the gage readings. The Pescadero Creek data have the best statistical correlation with the available data for San Vicente Creek. Furthermore, Pescadero Creek has a 61-year dataset that begins in 1951, which includes the 1958 – 1959, 1977, 1986 – 1991, and 2008 – 2014 droughts. Therefore, contrary to the commenter's assertion, the model presented in Appendix G of the Draft EIR does include multiple dry years and multi-year droughts in the analysis.

#### Response to Comment A5-10

The purpose of Appendix G of the Draft EIR, as stated therein, is to “estimate unimpaired flow for the two streams over a sequence of years within the climatic variability typical of the region.” The purpose of Appendix G is to provide the baseline streamflow for both San Vicente and Denniston Creeks to facilitate future analysis of project impacts. It is unclear how this statement indicates that additional monitoring is necessary, as this comment claims. As discussed in **Response to Comment A5-09**, multiple droughts and dry years occurred in the period of record for Pilarcitos Creek, meaning that droughts and dry years were included in the model of San Vicente Creek flows. Furthermore, this report is not intended to provide an analysis of project impacts; these impacts are analyzed in the Draft EIR and in Appendix H.

This comment is correct that the 2014 Balance Technical Memorandum (Appendix H of the Draft EIR) found that the Airport Aquifer is more influenced by precipitation than previously believed. While this observation may warrant further study, and ongoing monitoring by the CCWD and other organizations in the area is occurring, this does not undermine the Draft EIR's analysis of the Proposed Project. The analysis in the Draft EIR relies on numerous project-specific technical reports, studies conducted for the local region and watershed, and exhaustive research of the sources presented in EIR Section 8.0. The conclusions in the EIR were reached

after reviewing the full body of literature cited in accordance with CEQA *Guidelines* §15064, and did not rely solely on the one fact mentioned in this comment. With the mitigation measures presented in the EIR, there are no significant residual impacts to any identified resource area; furthermore, the limitations on future diversions on San Vicente Creek in revised Mitigation Measure 4.8-2 will ensure that, regardless of future conditions, surface flows must be present in San Vicente Creek at downstream monitoring locations during times when the District is diverting water from the creek.

## 3.2 INDIVIDUAL COMMENTS

### **Comment Letter I1 – Tricia Suvari, Vice President, Peninsula Open Space Trust, October 2, 2014**

#### Response to Comment I1-01

The EIR text has been revised on page 4.8-2 to correctly identify the current property ownership of Cabrillo Farms.

#### Response to Comment I1-02

The EIR text has been revised on page 4.8-2 to correctly reflect the terms and conditions of the Half Moon Bay Properties agreements mentioned in this comment.

#### Response to Comment I1-03

The times of the District's construction activities will be limited to the construction windows described in Section 3.5 of the Draft EIR, which limit construction activities to the dry season (March 15 through October 15). In addition, Mitigation Measure 4.9-1 limits construction activities to the hours of 7:00 am to 6:00 pm Monday through Friday and 9:00 am to 5:00 pm Saturday. According to CEQA *Guidelines* §15004(b), the EIR "should be prepared as early as feasible in the planning process to enable environmental considerations to influence project program and design." Therefore, complete construction plans are not available and are not required to be finalized prior to completion of the EIR. However, the commenter can work with the District outside of the CEQA process as necessary to further address these concerns.

### **Comment Letter I2 – Randy Dardenelle, Cypress Flower Farm, October 30, 2014**

#### Response to Comment I2-01

Refer to **Response to Comment A1-24** regarding potential impacts to CRLF due to proposed diversions from San Vicente Creek. Refer to **Response to Comment A1-10** regarding downstream wetlands and CRLF habitat.

Response to Comment I2-02

As discussed in **Response to Comment A1-21**, the Seal Cove fault (part of the larger San Gregorio fault zone) is near the western boundary of the Airport Aquifer. The California Avenue monitoring location in Mitigation Measure 4.8-2 is near this fault. The presence of surface flow at the California Avenue monitoring location whenever CCWD is diverting water from San Vicente Creek under Permit 15582 will ensure that the Proposed Project does not cause or exacerbate salt water intrusion.

Response to Comment I2-03

As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project's diversions from San Vicente Creek will not impact downstream hydrological resources. Mitigation Measure 4.8-2 will require the District to monitor stream flows at the Etheldore Bridge and the California Avenue monitoring locations and will allow the District to divert water from San Vicente Creek under Permit 15582 only when there are surface flows at both of these locations

Response to Comment I2-04

As discussed in **Response to Comment A1-21**, Mitigation Measure 4.8-2 has been revised to ensure that the Proposed Project will not impact downstream hydrological resources. As discussed in **Appendix I**, when there is surface flow at the two downstream monitoring locations, recharge to the Airport Aquifer from San Vicente Creek will be as high as possible and CCWD's diversions from the creek under Permit 15582 will not significantly impact groundwater resources.

Response to Comment I2-05

See **Response to Comment A4-17** for a discussion of the relative priorities of diversions by CCWD and diversions by Cabrillo Farms.

Response to Comment I2-06

Refer to **Response to Comment A1-21** regarding clarification of the phrase "wetted channel" in the Draft EIR.

Response to Comment I2-07

In accordance with CEQA *Guidelines* § 15097, CCWD has established a program to monitor and report on measures adopted as part of this environmental review process to mitigate or avoid significant effects on the environment. **Section 4.0** of this Final EIR is an MMRP that is designed to ensure that the mitigation measures identified in the EIR for the Proposed Project

are fully implemented. The MMRP, as presented **Table 4-1** in **Section 4.0**, describes the timing and frequencies of mitigation implementation responsibilities and standards, and verification of compliance for the mitigation measures identified in the EIR. As the CEQA Lead Agency, the District will ensure that mitigation measures are implemented and will serve as a point of contact for the public.

Response to Comment I2-08

Proposition 1 was passed by California voters on November 4, 2014. It enacted the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (hereafter referred to as “Water Bond”). The Water Bond authorizes over 7 billion dollars in bonds for water supply infrastructure projects in California, including public water system improvements, surface and groundwater storage, drinking water protection, water recycling and advanced water treatment technology, water supply management and conveyance, wastewater treatment, drought relief, emergency water supplies, and ecosystem and watershed protection and restoration. The Water Bond will prioritize public spending on water infrastructure projects, but it is unknown at this time how much money would be available in grants or other forms of funding for local water districts. The passage of Proposition 1 will not affect the source of funding for the Proposed Project, and will therefore not have an effect on the Proposed Project or the CEQA process. All environmental analyses contained within the EIR are valid, regardless of the source of funding for the Proposed Project. There are no future plans by CCWD to procure funding through the Water Bond, and any such plans in the future by the District are beyond the scope of this EIR.

**Comment Letter I3 – Lennie Roberts, Committee for Green Foothills, November 3, 2014**

Response to Comment I3-01

Comment noted. Responses to the commenter’s specific comments concerning the Draft EIR are provided below.

Response to Comment I3-02

Comment noted. Additional agricultural or domestic wells, beyond the CCWD and MWSD wells noted in the Draft EIR, may exist within the Airport Aquifer, but it is assumed that they are operating under the proper permits and within the overall pumping limit set by the CCC. As discussed on page 4.8-18 of the Draft EIR, “in 1994, the CCC adopted a limit of 459 AFY on groundwater extractions to ensure seawater intrusion is avoided and impacts to the regional marsh habitats were avoided.” CCWD operates its wells within the CDP issued to it in 1976. As noted in the EIR, nothing in this Proposed Project will modify the CCC cap on pumping of groundwater. Also, revised Mitigation Measure 4.8-2 will address the groundwater recharge issues.

Response to Comment I3-03

Potential impacts to downstream habitat are discussed in **Response to Comment A1-10**, **Response to Comment A1-11**, and **Response to Comment A1-12**.

Response to Comment I3-04

Please see the responses to **Comment Letter A4** for individual responses to the MWSD and Balance letter.

### 3.3 EXTENSION REQUESTS

In accordance with California Public Resources Code § 21091(a), the Draft EIR was published by the State Clearinghouse on August 19, 2014 (SCH# 2011102038) and circulated for a 45-day public comment period that closed on October 3, 2014. Several commenters requested additional time to review and comment on the Draft EIR. The commenters who requested additional time to review the Draft EIR were granted extensions of the October 3, 2014 deadline. **Comment Letters ER-01** through **ER-04** were for extensions that ranged from an additional 15 to 30 days. In **Comment Letter ER-05**, CDFW requested an extension for an additional eight days, to October 10, 2014. This request was granted. The responses to these individuals from the District are provided in **Comment Letters AR-03** through **AR-07**.

### 3.4 ADMINISTRATIVE RECORD

All comments received during the Draft EIR public comment period are included in this Final EIR and in the administrative record, and will be used by the Lead Agency and Responsible Agency when making a final determination on the Proposed Project. **Comment Letter AR-01** is from the NPS requesting a hard copy of the Draft EIR for review, and the response from the Lead Agency EIR consultant clarifying the number of copies. **Comment Letter AR-02** is an official request to add the Committee for Green Foothills to the interested parties mailing list. **Comment Letters AR-03 through AR-07** are responses from the Lead Agency to those parties who requested extended review periods, as discussed in **Section 3.3** of this Final EIR.

# **SECTION 4.0**

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## **MITIGATION MONITORING AND REPORTING PLAN**

## 4.0 MITIGATION MONITORING AND REPORTING PLAN

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### 4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency establish a program to report on and monitor measures adopted as part of the environmental review process to mitigate or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Plan (MMRP) is designed to ensure that the mitigation measures identified in the Environmental Impact Report (EIR) for the Denniston/San Vicente Water Supply Project (Proposed Project) are fully implemented. The MMRP, as presented **Table 4-1**, describes the timing and frequencies of mitigation implementation responsibilities and standards, and verification of compliance for the mitigation measures identified in the Proposed Project EIR.

**Table 4-1** presents all recommended mitigation measures and is organized by topic in the same order as the contents of the EIR. Several entities have been assigned monitoring responsibilities under this MMRP. All monitoring actions, once completed, will be reported (in writing) to the Coastside County Water District (CCWD; District), which will maintain mitigation monitoring records for the Proposed Project. The MMRP will be considered by the Lead Agency in conjunction with review and approval of the project, and will be adopted as a condition of project approval.

The components of this table are addressed below.

**Mitigation Measure:** The mitigation measures are taken verbatim from the Draft EIR or, when a revision has been made, from the Final EIR. Mitigation measures are assigned the same numbers they have in the EIR.

**Timing and Frequencies of Actions:** Identifies the timing or frequency for the implementation of each action.

**Responsibility for Implementation:** Identifies the authority responsible for implementing the mitigation measure.

**Responsibility for Monitoring:** Identifies the authority responsible for monitoring implementation of the mitigation measure.

**Verification of Compliance:** Identifies verification of compliance with each identified mitigation measure.

**TABLE 4-1**  
MITIGATION MONITORING AND REPORTING PLAN

Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
<b>4.2 AIR QUALITY</b>				
<b>Mitigation Measure 4.2-1</b>				
The following mitigation measures shall be implemented by CCWD to reduce construction and operational related criteria emissions:				
<ul style="list-style-type: none"> <li>▪ All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> <li>▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power seeping is prohibited.</li> <li>▪ All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.</li> <li>▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.</li> <li>▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.</li> <li>▪ Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>				
<b>4.3 BIOLOGICAL RESOURCES</b>				
<b>Mitigation Measure 4.3-1</b>				
<b>(a)</b>	A qualified botanist shall conduct a focused botanical survey within the blooming period (February through April) for fragrant fritillary prior to commencement of construction activities within the coastal scrub, California annual grassland, and coastal prairie habitats. A letter report shall be prepared and submitted to the CCWD following the preconstruction survey to document the results. Should no fragrant fritillary be observed, then no additional mitigation will be required.	Prior to Construction (February – April)	CCWD	CCWD
<b>(b)</b>	Should fragrant fritillary be observed during the focused botanical survey, the	Notify CDFW within one day of	CCWD/CDFW	CCWD/CDFW

CCWD = Coastside County Water District

CDFW = California Department of Fish and Wildlife

USFWS = U.S. Fish and Wildlife Service

	Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
	botanist shall contact the CCWD and the CDFW within one day following the preconstruction survey to report the findings. If feasible, a ten-foot buffer shall be established around the species using construction flagging prior to commencement of construction activities.	preconstruction survey			
(c)	Should avoidance of fragrant fritillary, a CNPS-listed 1B species protected under the Native Plant Protection Act, be infeasible, the qualified botanist would salvage and relocate the individuals to an area comprised of suitable habitat in the vicinity of the project site that would not be impacted by the Proposed Project.	Prior to construction, as necessary	CCWD/CDFW	CCWD/CDFW	
(d)	All work within the bed or on the banks of either San Vicente or Denniston Creeks shall be restricted to low-flow periods, generally between July 1 and October 15. If the channel is dry, construction may occur outside of this period.	Construction	CCWD	CCWD	
(e)	In the event the channels are not sufficiently dry to allow work within them, water shall be diverted around the stream reach where the diversion structure is to be installed using coffer dams or other CDFW-approved methods.	Construction	CCWD	CCWD	
(f)	Best management practices (BMPs), including but not limited to, silt screens and sediment curtains, shall be placed downstream of the construction site to prevent transport of sediments from the project area to downstream reaches of the stream.	Construction	CCWD	CCWD	
(g)	To the extent feasible, the stream banks shall be returned to original grade slope after construction, and riparian vegetation shall be enhanced or replaced consistent with CDFW-approved methods. Bank stabilization measures, such as planting of riparian trees, the use of biodegradable jute netting, and/or hydro seeding with a native seed mix, shall be implemented to reduce potential for erosion and sedimentation within the stream channel. Replacement of directly impacted riparian vegetation shall include planting of native species in similar species composition and densities as identified within the areas immediately upstream of the POD for each creek. Propagule material shall be obtained from an approved supplier of native vegetation.	Prior to completion of construction	CCWD	CCWD	
(h)	The new POD shall be screened for CRLF (see <b>Mitigation Measure 4.3-1i</b> ).	Operation	CCWD	CCWD	
(i)	Removal of the existing diversion structure and construction of the new diversion structure and pump station within San Vicente Creek and within the riparian vegetation surrounding San Vicente Creek, installation of the pipeline within the	Construction	CCWD	CCWD	

CCWD = Coastside County Water District

CDFW = California Department of Fish and Wildlife

USFWS = U.S. Fish and Wildlife Service

Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
riparian vegetation surrounding San Vicente Creek, and maintenance activities associated with dredging activities to maintain Denniston Reservoir shall be limited to the period of September 1 through October 15, which is after CRLF larval development and before the breeding season.				
<b>(j)</b> The proposed replacement of the existing pipeline and the installation of the new pipeline within the nonnative annual grassland and all other habitats within 1.6 kilometers of aquatic features shall be limited to the period of March 15 to October 15.	Construction	CCWD	CCWD	
<b>(k)</b> An approved biological monitor shall be present on site during all construction and dredging activities. This biological monitor shall have the authority to temporarily halt construction for the protection of listed wildlife species.	Construction and Dredging	CCWD	CCWD	
<b>(l)</b> New intake structures shall be equipped with a barrier to prevent CRLF juveniles or tadpoles or SFGS from being entrained. The barriers shall consist of box-like structures of a minimum size of one square foot and shall be screened with material of a mesh size not to exceed five millimeters.	Construction and Operation	CCWD	CCWD	
<b>(m)</b> To the degree cofferdams are needed and flows will be bypassed during construction, flow shall be restored to the affected stream immediately upon completion of work at that location. Flow diversions shall be done in a manner that shall prevent pollution and/or siltation and which shall provide flows to downstream reaches of Denniston Creek and San Vicente Creek.	Construction	CCWD	CCWD	
<b>(n)</b> During dredging activities at Denniston Reservoir, any decrease in water surface elevation (WSE) shall be controlled such that WSE does not change at a rate that increases turbidity to Denniston Creek that could be deleterious to aquatic life and/or the likelihood of stranding aquatic life in the manmade reservoir. Dredging activities shall be limited to the period of September 1 through October 15, which is after CRLF larval development and before the breeding season.	Construction and Dredging	CCWD/CDFW/ USFWS	CCWD/CDFW/ USFWS	
An approved biological monitor shall be present during all dredging activities. CCWD shall consult with CDFW and USFWS regarding the feasibility of de-watering areas of Denniston Reservoir to be dredged and installation of CDFW-approved exclusion fencing around these areas prior to dredging. To the extent feasible, dredging shall provide for a balance of shallow and deep water habitat to enhance habitat for CRLF and SFGS.				
<b>(o)</b> At least 14 days prior to the onset of any construction or maintenance activities,	At least 14 days prior to	CCWD/CDFW/	CCWD/CDFW/	

CCWD = Coastside County Water District

CDFW = California Department of Fish and Wildlife

USFWS = U.S. Fish and Wildlife Service

	Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
	including dredging of Denniston Reservoir, the applicant shall submit the name(s) and credentials of biologists who shall conduct activities specified in the following measures. No project activities shall begin until the applicant has received written approval from the USFWS/CDFW that the biologist(s) is qualified to conduct the work.	commencement of construction or dredging	USFWS	USFWS	
(p)	Upon completion of the Section 7 consultation process, the USFWS will consider if an appropriate relocation site exists in the event a need arises to relocate either of the species. The applicant would be required to obtain a biological opinion with an incidental take statement from the USFWS in the event that the USFWS determines that the Proposed Project would result in take of CRLF. If the USFWS approves moving CRLF, the approved biologist will be allowed sufficient time to move them from the work site before work activities begin. Close biological monitoring (see <b>Mitigation Measure 4.3-1k</b> above) and encouraging the species to leave the work area of their own accord would be the preferred method. Only USFWS-approved biologists shall participate in activities associated with the capture, handling, and monitoring of CRLF. Any SFGS found to occur shall be allowed to leave the work area of their own accord, and shall be monitored as practical by the biologist to ensure they do not reenter the work area. Furthermore, if SFGS are observed, exclusion fencing shall be considered in consultation with CDFW and USFWS to prevent the return of the SFGS.	Construction	CCWD	CCWD/USFWS	
(q)	Prior to commencement of any groundbreaking activities, all construction personnel will receive training on listed species and their habitats by an approved biologist. The importance of these species and their habitat will be described to all employees as well as the minimization and avoidance measures that are to be implemented as part of the Proposed Project. An educational brochure containing color photographs of all listed species in the work area(s) will be distributed to all employees working within the project site. The original list of employees who attend the training sessions will be maintained by the applicant and be made available for review by the USFWS and the CDFW upon request.	Prior to construction	CCWD	CCWD	
(r)	All BMPs prescribed by the San Mateo County planning office for work within sensitive habitat areas will be implemented to the full extent such as eliminating the use of herbicide or pesticide in a riparian area, protecting native vegetation, minimizing soil compaction, seed or plant temporary vegetation for erosion control, protect down slope drainage courses, streams, and storm drains with hay bales, temporary drainage swales, silt fences, berms or storm drain inlet filters (County of San Mateo Public Works).	Construction	CCWD	CCWD	

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	Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
(s)	Construction equipment used to remove the existing diversion structure and construct the new diversion structure and pump station along San Vicente Creek and the additional and ongoing dredging of Denniston Reservoir shall be located adjacent to aquatic habitats in upland areas with the least amount of riparian vegetation, to minimize disturbances to the maximum extent practicable.	Construction and Dredging	CCWD	CCWD	
(t)	All vehicles associated with construction and excavation activities will be clustered within designated staging areas at the end of each work day or when not in use to minimize habitat disturbance and water quality degradation.	Construction	CCWD	CCWD	
(u)	Before vehicles move from the staging areas at the start of each work day or before they return to this location at the end of each work day, the onsite biological monitor will check under the vehicles and their tires to ensure no listed species are utilizing the equipment as temporary shelter. In addition, the qualified biologist shall inspect the vicinity of the anticipated work area that will support the construction equipment. Any vehicle parked within the project site for more than 15 minutes shall be inspected by the biological monitor before it is moved to ensure that CRLF or SFGS have not moved under the vehicle.	Construction	CCWD	CCWD	
(v)	Fifteen miles per hour speed limits shall be enforced while driving in the project site, including transporting excavated material to the disposal site for the dredging material associated with Denniston Reservoir to the previously identified and used disposal sites within the eucalyptus grove.	Construction	CCWD	CCWD	
(w)	Prior to deposition of fill at the disposal site associated with the eucalyptus grove, the biological monitor shall inspect the areas to verify that CRLF or SFGS are not present. If any CRLF or SFGS are present, the excavated material shall not be placed until the individuals leave the area or unless the qualified biologist is permitted by the USFWS to capture and relocate the CRLF.	Construction and Dredging	CCWD	CCWD	
(x)	Because CRLF and SFGS may take refuge in cavity-like and den-like structures such as pipes and may enter stored pipes and become trapped, all construction pipes, culverts, or similar structures that are stored at a construction site for one or more overnight periods will be either securely capped prior to storage or thoroughly inspected by the biological monitor for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way.	Construction	CCWD	CCWD	
(y)	Construction equipment used to remove the existing diversion structure and construct the new diversion structure and pump station along San Vicente Creek	Construction	CCWD	CCWD	

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Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
and to dewater and dredge the manmade reservoir along Denniston Creek shall be located adjacent to aquatic habitats in upland areas with the least amount of riparian vegetation, to the maximum extent practicable.				
<b>(z)</b> Prior to commencement of any groundbreaking activities, all construction personnel will receive training on WPT. The training will be incorporated as described for CRLF and SFGS.	Prior to construction	CCWD	CCWD	
<b>(aa)</b> Before vehicles move from the staging areas at the start of each work day or before they return to this location at the end of each work day, the biological monitor will check under the vehicles and their tires to ensure no WPT are utilizing the equipment as temporary shelter. In addition, the qualified biologist shall inspect the vicinity of the anticipated work area that will support the construction equipment.	Construction	CCWD	CCWD	
<b>(bb)</b> Prior to commencement of daily construction or excavation activities, the biological monitor will conduct a preconstruction survey for WPT. If WPT is present, the biologist will be allowed sufficient time to move them from the work site before work activities begin.	Construction	CCWD	CCWD	
<b>(cc)</b> If any trees are proposed for removal, a qualified wildlife biologist shall conduct a focused survey for roosting bats no more than 14 days prior to the anticipated date of tree removal. Trees that contain cavities will be thoroughly investigated for evidence of bat activity. A letter report shall be prepared and submitted to the applicant following the preconstruction survey to document the results. If the preconstruction survey determines that there is no evidence of roosts, then no additional mitigation will be required so long as construction commences within 14 days prior to the preconstruction survey.	Construction	CCWD	CCWD	
<b>(dd)</b> If special status bats are found roosting within any trees slated for removal, the areas shall be demarcated by exclusionary fencing and avoided until a qualified biologist can assure that the bats have vacated.	Construction	CCWD	CCWD	
<b>(ee)</b> A qualified biologist shall conduct a preconstruction survey to determine if active woodrat nests occur within a ten-foot buffer of areas to be cleared of riparian vegetation within 14 days prior to commencement of construction activities. Similar surveys shall be conducted in and immediately adjacent to the use of the existing dredge disposal sites. A letter report shall be prepared and submitted to the applicant following the preconstruction survey to document the results. If the preconstruction survey determines that there is no evidence of nests, then no	Within 14 days prior to construction	CCWD	CCWD	

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Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
additional mitigation will be required so long as construction commences within 14 days prior to the preconstruction survey.				
<b>(ff)</b> If woodrat nests are present and determined to be occupied, each woodrat shall be relocated to suitable habitat in consultation with the CDFW. If young are found within the nest, the nest material shall remain in its existing condition and a ten-foot buffer around the nest shall be established. No work shall occur within the ten-foot buffer until a qualified biologist determines that the young have been weaned (up to six weeks from birth), at which point the biologist should dismantle and relocate the nest to an area with suitable habitat that would not be impacted by the Proposed Project.	Construction	CCWD	CCWD	
<b>(gg)</b> Should any trees be anticipated for removal, they should be removed between September 16 and March 14, which is outside of the nesting bird season (the nesting bird season is between March 15 and September 15).	Construction	CCWD	CCWD	
<b>(hh)</b> Should removal be required outside of the dates identified in 4.3-1ff then a qualified biologist shall conduct a preconstruction survey within 14 days prior to commencement of any construction activities associated with the Proposed Project should construction be anticipated to commence during the nesting season for birds of prey and migratory birds (between March 15 and September 15). A letter report shall be prepared and submitted by the applicant following the preconstruction survey to document the results. If surveys show that there is no evidence of nests, then no additional mitigation will be required so long as construction commences within 14 days prior to the preconstruction survey.	Within 14 days prior to construction	CCWD	CCWD	
<b>(ii)</b> If any active nests are located within the vicinity of the project site, a buffer zone shall be established around the nests. A qualified biologist shall monitor nests weekly during construction to evaluate potential nesting disturbance by construction activities. The biologist should delimit the buffer zone with construction tape or pin flags within 100 feet of the active nest and maintain the buffer zone until the end of breeding season or the young have fledged. Guidance from the CDFW will be requested if establishing a 100-foot buffer zone is impractical. A letter report shall be prepared and submitted to the applicant following the preconstruction survey to document the results.	Weekly during construction	CCWD	CCWD	
<b>Mitigation Measure 4.3-2</b>				
<b>(a)</b> The applicant shall comply with the policies identified within the sensitive habitat component of the LCP and the General Plan by obtaining a CDP from the County.	Prior to construction	CCWD	CCWD	

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4.0 Mitigation Monitoring and Reporting Plan

Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
<b>(b)</b> The applicant shall comply with a Riparian Restoration and Monitoring Plan (RRMP). The RRMP shall include performance criteria and development standards for development permitted within the riparian vegetation.	Construction	CCWD	CCWD	
<b>(c)</b> Riparian habitat impacts shall be replaced or enhanced in the area of impact or, if infeasible, within reasonable proximity to the project site as identified in the RRMP. Examples of restoration include but are not limited to re-contouring of the creek to offset the impacts from the current inefficient diversion and the related undercutting of the stream channel which has occurred, the replanting of native vegetation to offset any unavoidable removal of trees or understory and possible measures designed to avoid further erosion and the removal of debris from both creeks and their associated riparian habitat. If additional measures are required in the State or Federal Permitting process then they shall also be followed and included in the RRMP.	Construction	CCWD	CCWD	
<b>(d)</b> To reduce the potential for off-site tracking of sediment and to eliminate the spread of invasive plant species, all construction equipment shall be inspected for seeds or plant parts before entering and leaving the site. If seeds or plant parts are found, the equipment shall be washed in the staging area.	Construction	CCWD	CCWD	
<b>Mitigation Measure 4.3-3</b>				
<b>(a)</b> Unavoidable impacts to waters of the United States shall be mitigated consistent with the existing agreements between the USACE and the USEPA with an emphasis on for onsite restoration to ensure a no net loss to waters of the United States and of the state.	Construction	CCWD	CCWD	
<b>(b)</b> Avoid the 0.01 acre seasonal wetland during construction of the pipeline.	Construction	CCWD	CCWD	
<b>Mitigation Measure 4.3-4</b>				
<b>(a)</b> Prior to dredging, soils to be removed will be sampled and tested for contaminants. The samples shall at a minimum be tested for the following constituents: Antimony, Arsenic, Barium, Beryllium, Cadmium, Chromium, Cobalt, Copper, Lead, Mercury, Molybdenum, Nickel, Selenium, Silver, Thallium, Vanadium, and Zinc. If sampling of the dredged materials indicates that soils may constitute hazardous materials, then they shall be disposed of in accordance with corresponding California statutory regulations at an approved dredge disposal site. Recycleworks.org is a program of San Mateo County and is a guide for building contractors on how to properly dispose of hazardous materials.	Prior to dredging	CCWD	CCWD	

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	Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
(b)	Dredging shall generally be from the dam side and along the road in order to minimize impacts to the surrounding environment.	Construction and Dredging	CCWD	CCWD	
(c)	To the degree feasible the dredging shall be done in a manner that restores an upstream channel of Denniston Creek coming into the reservoir.	Construction and Dredging	CCWD	CCWD	
(d)	All dredged material will be disposed of at one of the two on-site disposal areas if sampling indicates that soils do not constitute hazardous materials.	Construction and Dredging	CCWD	CCWD	
<b>Mitigation Measure 4.3-5</b>					
If trees covered by the County Tree Ordinance are required to be removed, the applicant shall comply with the policies identified within the San Mateo County Significant Tree Ordinance, including an arborist report and specific mitigation including replacement planting. No trees over 38 inches are currently anticipated to be removed under this project. In the event that non-native tree species are to be removed, they shall be replaced with the appropriate number of native tree species.		Construction	CCWD	CCWD	
<b>4.4 CULTURAL RESOURCES</b>					
<b>Mitigation Measure 4.4-1</b>					
(a)	Should any buried archaeological material, such as flaked stone, historic debris, or human remains be inadvertently discovered during ground-disturbing activities, work should stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop treatment measures in consultation with appropriate agencies.	Construction	CCWD	CCWD	
(b)	If human remains are discovered during project construction, work will stop at the discovery location and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5). The San Mateo County coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of prehistoric Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner will contact the NAHC. The most likely descendants (MLD) of the deceased will be contacted, and work will not resume until the appointed MLD has made a recommendation to the landowner or the person responsible for the excavation work for means of treating and disposing of, with appropriate dignity, the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Work may resume if NAHC is unable to identify a descendant or the descendant fails to make a recommendation within 48 hours.	Construction	CCWD	CCWD	

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<b>4.6 GREENHOUSE GAS EMISSIONS</b>				
<b>Mitigation Measure 4.6-1</b>				
Implement <b>Mitigation Measure 4.2-1</b> , which would reduce project-related GHG emissions by three percent.	Construction	CCWD	CCWD	
<b>4.7 HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Mitigation Measure 4.7-1</b>				
(a) During construction, staging areas, welding areas, or areas slated for development using spark-producing equipment shall be cleared of dried vegetation or other materials that could serve as fire fuel. To the extent feasible, the contractor shall keep these areas clear of combustible materials in order to maintain a firebreak.	Construction	CCWD	CCWD	
(b) Any construction equipment that normally includes a spark arrester shall be equipped with an arrester in good working order. This includes, but is not limited to, vehicles, heavy equipment, and chainsaws.	Construction	CCWD	CCWD	
<b>Mitigation Measure 4.7-2</b>				
Personnel shall follow written Standard Operating Procedures (SOPs) for filling and servicing construction equipment and vehicles. The SOPs, which are designed to reduce the potential for incidents involving the hazardous materials, shall include the following:	Construction	CCWD	CCWD	
<ul style="list-style-type: none"> <li>▪ Refueling shall be conducted only with approved pumps, hoses, and nozzles;</li> <li>▪ Catch pans shall be placed under equipment to catch potential spills during servicing;</li> <li>▪ All disconnected hoses shall be placed in containers to collect residual fuel from the hose;</li> <li>▪ Vehicle engines shall be shut down during refueling;</li> <li>▪ No smoking, open flames, or welding shall be allowed in refueling or service areas;</li> <li>▪ Refueling shall be performed away from bodies of water to prevent contamination of water in the event of a leak or spill;</li> <li>▪ Service trucks shall be provided with fire extinguishers and spill containment equipment, such as absorbents;</li> <li>▪ Should a spill contaminate soil, the soil shall be put into containers and disposed of in accordance with local, State, and Federal regulations;</li> <li>▪ All containers used to store hazardous materials shall be inspected at least once per week for signs of leaking or failure. All maintenance and refueling areas shall be inspected monthly. Results of inspections shall be recorded in a logbook that would be maintained on site; and</li> </ul>				

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<ul style="list-style-type: none"> <li>The amount of hazardous materials used in project construction and operation shall be consistently kept at the lowest volumes needed.</li> </ul>				
<b>4.8 HYDROLOGY AND WATER QUALITY</b>				
<b>Mitigation Measure 4.8-1</b>				
<p>CCWD shall comply with the SWRCB NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Permit). The SWRCB requires that all construction sites have adequate control measures to reduce the discharge of sediment and other pollutants to streams to ensure compliance with Section 303 of the Clean Water Act. To comply with the NPDES permit, prior to construction the applicant shall file a Notice of Intent with the SWRCB and prepare a Storm Water Pollution Prevent Plan (SWPPP), which includes a detailed, site-specific listing of the potential sources of stormwater pollution; pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills); a description of the type and location of erosion and sediment control best management practices (BMPs) to be implemented at the project site; and a BMP monitoring and maintenance schedule to determine the amount of pollutants leaving the Proposed Project site. A copy of the SWPPP must be current and remain on the project site. Control measures are required prior to, and throughout, the rainy season. Water quality BMPs identified in the SWPPP shall include, but are not limited to, the following:</p>	Prior to construction	CCWD	CCWD	
<ul style="list-style-type: none"> <li>Temporary erosion control measures (such as silt fences, staked straw bales, and temporary revegetation) shall be employed for disturbed areas. No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.</li> <li>Sediment shall be retained onsite by the detention basin, onsite sediment traps, or other appropriate measures.</li> <li>A spill prevention and countermeasure plan shall be developed which would identify proper storage, collection, and disposal measures for potential pollutants (such as fuel, fertilizers, pesticides, etc.) used onsite. The plan would also require the proper storage, handling, use, and disposal of petroleum products.</li> <li>Construction activities shall be scheduled to minimize land disturbance during peak runoff periods and to the immediate area required for construction. Soil conservation practices shall be completed during the fall or late winter to reduce erosion during spring runoff. Existing vegetation will be retained where possible. To the extent feasible, grading activities shall be limited to the immediate area required for construction.</li> <li>Surface water runoff shall be controlled by directing flowing water away from critical areas and by reducing runoff velocity. Diversion structures such as terraces, dikes, and ditches shall collect and direct runoff water around</li> </ul>				

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<p>vulnerable areas to prepared drainage outlets. Surface roughening, berms, check dams, hay bales, or similar devices shall be used to reduce runoff velocity and erosion.</p> <ul style="list-style-type: none"> <li>▪ Sediment shall be contained when conditions are too extreme for treatment by surface protection. Temporary sediment traps, filter fabric fences, inlet protectors, vegetative filters and buffers, or settling basins shall be used to detain runoff water long enough for sediment particles to settle out. Store, cover, and isolate construction materials, including topsoil and chemicals, to prevent runoff losses and contamination of groundwater.</li> <li>▪ Topsoil removed during construction shall be carefully stored and treated as an important resource. Berms shall be placed around topsoil stockpiles to prevent runoff during storm events. Re-use of topsoil for restoration of native vegetation shall be limited to topsoil salvaged from areas with only native plant species.</li> <li>▪ Establish fuel and vehicle maintenance areas away from all drainage courses and design these areas to control runoff.</li> <li>▪ Disturbed areas shall be revegetated after completion of construction activities.</li> <li>▪ Provide sanitary facilities for construction workers.</li> </ul>				
<b>Mitigation Measure 4.8-2</b>				
<p>No water shall be diverted from San Vicente Creek under Permit 15882 unless there are surface water flows at both the Etheldore Bridge and California Street points of compliance/monitoring locations (depicted on Figure 4.8-1 of the EIR). This measure applies year-round to CCWD's diversions from San Vicente Creek.</p>	Construction and Operation	CCWD	CCWD	
<p>At the Etheldore Bridge monitoring location, the existence of surface water flows may be established by either a flow gage or by monitoring groundwater levels in a piezometer (well) to be constructed a short distance from the San Vicente Creek channel. If the water level in the piezometer is at or above the channel thalweg elevation, or if there is surface water at this location, then the condition requiring surface-water flow at Etheldore Bridge will be considered as being met. If the water level in this piezometer is below the thalweg elevation and there is no surface water at this location, then this condition will be considered as not being met, and CCWD shall not divert any water from San Vicente Creek. If a piezometer is used and water levels in the stream and piezometer differ, the water levels in the stream shall govern.</p>				
<p>At the California Avenue monitoring location, surface water shall be visually observed at or near the existing stream gage. If surface water is observed at this gage, then the condition requiring surface water flow at California Avenue will be considered as being met. If there is no surface water at this gage, then this condition will be considered as not being met, and CCWD shall not divert any water from San Vicente Creek.</p>				

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Mitigation Measure	Timing or Frequency of Action	Responsible for Implementing	Responsibility for Monitoring	Verification of Compliance
<b>4.9 NOISE</b>				
<b>Mitigation Measure 4.9-1</b>				
<p>Construction activities shall be limited to the hours of 7:00 am to 6:00 pm Monday through Friday and 9:00 am to 5:00 pm Saturday. Construction activities shall not be conducted on Sundays or holidays.</p> <p>In addition, the contractor shall implement the following BMPs to further reduce noise impact due to construction:</p> <ul style="list-style-type: none"> <li>▪ Stationary equipment and staging areas shall be located as far as practical from noise-sensitive receptors.</li> <li>▪ All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and acoustical shields or shrouds, in accordance with manufacturers' recommendations.</li> <li>▪ To the extent feasible, existing barrier features (structures) shall be used to block sound transmission between noise sources and noise sensitive land uses.</li> <li>▪ The general contractors for all construction and demolition activities shall provide a contact number for citizen complaints and a methodology for dealing with such complaints such as designating a noise disturbance coordinator. This noise disturbance coordinator shall receive all public complaints about construction-related noise and vibration, shall be responsible for determining the cause of the complaint, and shall implement any feasible measures to be taken to alleviate the problem. All complaints and resolution of complaints shall be reported to the County weekly.</li> </ul>	Construction	CCWD	CCWD	
<b>Mitigation Measure 4.9-2</b>				
<p>Noise generated by the electric pump located at the new San Vicente POD shall be equipped with a noise-reducing shielding, so that noise generated by the pump does not exceed the County's noise threshold of 55 CNEL, dbA at a distance of 50 feet.</p>	Construction and Operation	CCWD	CCWD	

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