

## Notice of Determination

## Appendix D

**To:**

☒ Office of Planning and Research

200048

**U.S. Mail:**

P.O. Box 3044

Sacramento, CA 95812-3044

**Street Address:**

1400 Tenth St., Rm 113

Sacramento, CA 95814

**From:**

Public Agency: Olivenhain Municipal Water District

Address: 1966 Olivenhain Road

Encinitas, CA 92024

Contact: Karen Ogawa

Phone: (760) 753-6466

☒ County Clerk

**FILED**

Ernest J Dronenburg, Jr. Recorder County Clerk

County of: San Diego

Address: 1600 Pacific Hwy, Ste. 260

San Diego, CA 92101

**MAR 19 2020**

**K. Ortiz**

BY DEPUTY

Lead Agency (if different from above):

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2019129097

Project Title: Manchester Avenue Recycled Water Pipeline

Project Applicant: Olivenhain Municipal Water District

Project Location (include county): Manchester Avenue and El Camino Real, between Via Poco and Tennis Club Drive, Encinitas, San Diego County, California.

**Project Description:**

The proposed project includes the installation of approximately 7,400 linear feet of 6-inch polyvinyl chloride (PVC) recycled water pipeline within the paved right-of-way of Manchester Avenue and El Camino Real.

Construction of the project is expected to begin in winter of 2020. The new pipeline would be constructed via standard cut and cover technique with the bottom of the trench extending 4 to 6 feet below grade and between 24 to 32 inches wide. Typical construction equipment employed would include a backhoe, flatbed supply trucks, pickup trucks, excavator, and dump trucks. Project construction activity could occur in one or two phases, dependent upon the prices received during bidding, with construction lasting approximately six months. Construction equipment would not be located at a single point for an extended period of time. Rather, multiple pieces of construction equipment would move along the alignment. Based on an average working distance of 350 feet per day, when the active work area is directly adjacent to a given receiver, construction activities throughout the day would be an average distance of 175 feet along an active portion of the alignment from any adjacent receiver. Project construction would occur between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday only (not on the weekend) and excluding federal holidays.

This is to advise that the Olivenhain Municipal Water District has approved the above  
(☒ Lead Agency or ☐ Responsible Agency)

described project on March 18, 2020 and has made the following determinations regarding the  
(date)  
above described project.

## Notice of Determination

Appendix D

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

<https://ceqanet.opr.ca.gov/2019129097/2>

Signature (Public Agency): *Kimberly D. Rivera* Title: General Manager  
Date: 3/18/20 Date Received for filing at OPR: 12/31/2019

Governor's Office of Planning & Research

**MAR 20 2020**

**STATE CLEARINGHOUSE**

FILED IN THE OFFICE OF THE COUNTY CLERK  
San Diego County on MAR 19 2020  
Posted MAR 19 2020 Removed \_\_\_\_\_  
Returned to agency on \_\_\_\_\_  
Deputy K. Ortiz

RESOLUTION NO. 2020-02

RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
OLIVENHAIN MUNICIPAL WATER DISTRICT  
CERTIFYING THE ENVIRONMENTAL INITIAL STUDY AND  
FINAL MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED  
MANCHESTER AVENUE RECYCLED WATER PROJECT

WHEREAS, pursuant to the California Environmental Quality Act, as amended (hereinafter referred to as "CEQA"), State of California Guidelines for Implementing CEQA, and the Olivenhain Municipal Water District Guidelines for implementing CEQA, the Olivenhain Municipal Water District's Board of Directors has caused to be prepared an Initial Study (hereinafter referred to as the "IS") and a draft and final Mitigated Negative Declaration (hereinafter referred to as the "MND") for the proposed Manchester Avenue Recycled Water project (Manchester RW); and

WHEREAS, the IS and the draft and final MND have been prepared per CEQA statutes and guidelines by RECON Environmental, Inc.;

WHEREAS, the Manchester RW Project will have less-than significant or no impacts in the following areas: Aesthetics, Agriculture and forestry reserves, Air quality, Geology/soils, Greenhouse gas emissions, Hydrology/water quality, Land use and planning, Mineral resources, Noise, Population and housing, Public services, Recreation, Transportation/traffic, and Utilities and service systems; and

WHEREAS, the Manchester RW Project may potentially have significant effects in the areas of: Biological resources, Cultural resources, Geology/soils, and Tribal cultural resources; however, each impact can be mitigated to avoid the impact or reduce it to a less significant level as described in the Mitigation Monitoring and Reporting Plan included in the Final MND; and

WHEREAS, on November 13, 2019, following the review of the IS and Draft MND, the Board of Directors released the IS and draft MND for public review and gave notice of a public review period running from December 1, 2019 to January 15, 2020 for the receipt of written comments from responsible agencies, interested agencies, and interested persons and set the time and place for a public hearing; and

WHEREAS, the IS, Draft MND, and Notice of Intent to adopt an MND and a Notice of Public Hearing were mailed to responsible and trustee agencies and to other potentially interested agencies; and

WHEREAS, a Notice of Intent to adopt an MND and Notice of Public Hearing was sent to all parties located within 1000 feet of the proposed project on December 18, 2019, published on the District's website, and published in the San Diego Union Tribune, a paper of general circulation, on December 27, 2019 and January 5, 2020; and

WHEREAS, a Notice of Intent to adopt an MND was filed in the Office of the County Clerk January 8, 2020; and

WHEREAS a public hearing was held on January 15, 2020 at 5:30 p.m. No public comments were received at the meeting; and

WHEREAS, the District received comments from the Governor's office of Planning and Research and the California Department of Transportation; however, the comments are administrative in nature and no written comments regarding environmental impacts of the Manchester RW project were received; and

WHEREAS, after review of all written comments, preparation of responses to comments hereto, preparation of a Mitigation Monitoring and Reporting Program, and changes to the Draft MND, a Final MND is to be presented to the Board of Directors on Wednesday, March 18, 2020; and

WHEREAS, having heard, considered, and reviewed the documents and the information, and being fully advised regarding the environmental consequences of the proposed project, it is in the interest of the Olivenhain Municipal Water District and the people it serves to certify the Final MND as complete and adopt the mitigation measures contained within the Final MND.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE OLIVENHAIN MUNICIPAL WATER DISTRICT DOES HEREBY FIND, DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. The foregoing facts are found and determined to be true and correct.

Section 2. Pursuant to CEQA, State of California Guidelines for Implementing CEQA, and the Olivenhain Municipal Water District Guidelines for implementing CEQA, the Olivenhain Municipal Water District's Board of Directors certifies that the IS and Final MND, as described in Exhibit "A," has been completed in compliance with and satisfies all requirements of CEQA, and that the Board of Directors has independently reviewed and considered the IS and Final MND prior to approval of the Manchester Avenue Recycled Water Project.


Section 3. The Board of Directors of the Olivenhain Municipal Water District directs the District's management to file a Notice of Determination stating that the Board of Directors has approved the project and that following mitigation, the project will not have a significant environmental effect, and that a Final MND has been prepared pursuant to the provisions of CEQA.

Section 4. The Board of Directors finds and determines that all significant environmental effects of the project have been mitigated to a level of insignificance as a result of mitigation

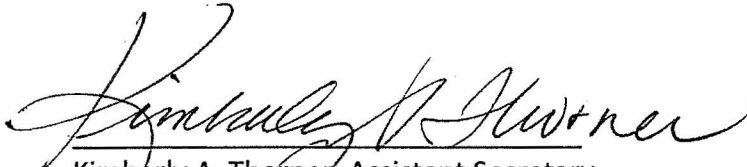
measures described in Exhibit "A," Final MND attached hereto and incorporated herein by reference.

Section 5. The Board of Directors of the Olivenhain Municipal Water District hereby orders and directs that all mitigation measures described in Exhibit "A" are made a part of the conditions of approval of the project. The Board of Directors of the Olivenhain Municipal Water District further adopts the Final MND described in Exhibit "A", attached hereto and incorporated herein by reference.

PASSED, ADOPTED, AND APPROVED by the Board of Directors of Olivenhain Municipal Water District at a regularly scheduled Board Meeting held on March 18, 2020.

  
Edmund K. Sprague, President  
Board of Directors  
Olivenhain Municipal Water District

ATTEST:

  
Kimberly A. Thorner, Assistant Secretary  
General Manager  
Olivenhain Municipal Water District



# San Diego County



Transaction #: 4542410  
Receipt #: 2020147004

Ernest J. Dronenburg, Jr.  
Assessor/Recorder/County Clerk  
1600 Pacific Highway Suite 260  
P. O. Box 121750, San Diego, CA 92112-1750  
Tel. (619) 237-0502 Fax (619) 557-4155  
[www.sdarcc.com](http://www.sdarcc.com)

Cashier Date: 03/19/2020  
Cashier Location: SD

Print Date: 03/19/2020 10:26 am

## Payment Summary

Total Fees:	\$2,456.75
Total Payments:	\$2,456.75
Balance:	\$0.00

## Payments

CHECK PAYMENT #24578	\$50.00
CHECK PAYMENT #024644	\$2,406.75

Total Payments \$2,456.75

## Miscellaneous Item

### FISH & WILDLIFE FEES

Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Fees:	Fish & Wildlife Mitigated/Negative Declaration	\$2,406.75
Total Fees Due:		<u>\$2,456.75</u>

Grand Total - All Documents: \$2,456.75



State of California - Department of Fish and Wildlife

**2020 ENVIRONMENTAL FILING FEE CASH RECEIPT**

DFW 753.5a (Rev. 12/10/19) Previously DFG 753.5a

200048

## RECEIPT

37-2020- 0205

STATE CLEARINGHOUSE NUMBER (If applicable)

2019129097

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.**

LEAD AGENCY	LEAD AGENCY EMAIL	DATE
OLIVENHAIN MUNICIPAL WATER DISTRICT	--	03/19/2020
COUNTY/STATE AGENCY OF FILING	DOCUMENT NUMBER	
San Diego County	*2020-0048*	
PROJECT TITLE		
MANCHESTER AVENUE RECYCLED WATER PIPELINE		
PROJECT APPLICANT NAME	PROJECT APPLICANT EMAIL	PHONE NUMBER
OLIVENHAIN MUNICIPAL WATER DISTRICT	--	(760) 753-6466
PROJECT APPLICANT ADDRESS	CITY	STATE
1966 OLIVENHAIN ROAD	ENCINITAS	CA
		ZIP CODE
		92024

**PROJECT APPLICANT (Check appropriate box)**

☐ Local Public Agency ☐ School District ☒ Other Special District ☐ State Agency ☐ Private Entity

**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	\$2,406.75
<input type="checkbox"/> Certified Regulatory Program document (CRP)	\$1,136.50	\$	

☐ Exempt from fee☐ Notice of Exemption (attach)☐ CDFW No Effect Determination (attach)☐ Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

**PAYMENT METHOD:**

☐ Cash ☐ Credit ☒ Check ☐ Other 024644, 024578 **TOTAL RECEIVED** \$ **\$2,456.75**

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

San Diego County

K.ORTIZ

, Deputy