## **Notice of Determination**

To:

X

State Clearinghouse

https://ceqanet.opr.ca.gov/

From: CITY OF CARLSBAD

**Planning Division** 1635 Faraday Avenue Carlsbad, CA 92008

(442) 339-2600

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Assessor/Recorder/County Clerk Attn: Fish and Wildlife Notices

1600 Pacific Highway, Suite 260

San Diego, CA 92101

MS: A-33

**Project No:** CUP 2022-0010, SUP 2022-0006 (DEV 2022-0139)

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

Carlsbad Desalination Plan Intake and Discharge Modifications

**Project Title** 

2004041081

Scott Donnell, Senior Planner

(442) 339-2618

State Clearinghouse No.

Lead Agency, Contact Person

**Telephone Number** 

4590 Carlsbad Boulevard and adjacent areas in and along Agua Hedionda Lagoon, all in Carlsbad, CA 92008 (San Diego County)

**Project Location (include County)** 

Name of Applicant: Poseidon Resources (Channelside) LP

Applicant's Address: 5780 Fleet St., Ste. 140, Carlsbad, CA 92008

Applicant's Telephone Number: (760) 655-3900

Modify the intake and discharge systems of the Carlsbad Desalination Plant, **Project Description:** including installation of a partially submerged intake system in Agua Hedionda Lagoon (including a new Dual Flow Screens structure, new deck structure and a floating boom) and a temporary parking lot along Carlsbad Blvd. The project is part of the transition to permanent stand-alone operation of the desalination plant following the decommissioning of the Encina Power Station.

On June 13, 2006, the City of Carlsbad certified a Final Environmental Impact Report (EIR 03-05) (State Clearinghouse No. 2004041081) for and approved the Precise Development Plan and Carlsbad Desalination project. An Addendum to EIR 03-05 was prepared by the San Diego County Water Authority, acting as the Lead Agency, in compliance with all requirements contained in CEQA and CEQA Guidelines. The City of Carlsbad, after considering the public comments received and the evidence and testimony before it, determined the Final EIR and Addendum, as supplemented by the Dudek September 2022 memorandum, reflect the independent judgement of the city as the Responsible Agency; and that the Final EIR and Addendum, as supplemented by the Dudek September 2022 memorandum, are adequate and provide good-faith disclosure of available information on the project and all reasonable and feasible alternatives thereto; and that the Final EIR and Addendum, as supplemented by the Dudek September 2022 memorandum, have eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091.

This is to advise that the City of Carlsbad, as a Responsible Agency, has approved the above described project on Oct. 5, 2022, and has made the following determination regarding the above described project.

1. The project **will not** have a significant effect on the environment.

2.	$\boxtimes$	An Environmental Impact Report (EIR) was previously prepared for this project pursuant to the provisions of CEQA (SCH No. 2004041081).	
		A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.  This project was reviewed previously and a(n) EIR/Negative Declaration was prepared pursuant	
		to the provisions of CEQA	
3.	Mitigation measures $\underline{\text{were}}$ made a condition of the approval of the project in accordance with		
	previ	ously certified EIR.	
4.	A mitigation reporting or monitoring plan <u>was</u> adopted for this project in accordance with the previously certified EIR.		
5.			
	Section 21083 et. seq.) Guidelines Section 15164, and as demonstrated by the substantial evidence		
	contained in the Addendum as supplemented by the Dudek September 2022 memorandum and the		
	assoc	ciated administrative record, the project activities [ $igtime$ are $igcup$ are not ] covered by and within the	
		e of the project approved by a previously certified EIR, the previous certified EIR [ $oxtime$ does $oxtime$	
		not] adequately describe the project for purposes of CEQA, and therefore, no further	
	envir	ronmental documentation is required	
Thi	s is to	certify that the final <b>EIR</b> with comments and responses and record of project approval is available	
to the General Public at THE CITY OF CARLSBAD.			
	in	11100	
1/11/5 MIKESTRANG FOR 10/13/22			
ERIC LARDY, City Planner Date			
Dat	Date received for filing at OPR:		