



S Wells PFAS Groundwater Treatment and Disinfection Facility Project

Responses to Comments on the Draft IS-MND

prepared by

Santa Clarita Valley Water Agency

26521 Summit Circle

Santa Clarita, California 91350

Contact: Orlando Moreno, P.E., Senior Engineer

prepared with the assistance of

Rincon Consultants, Inc.

250 East 1st Street, Suite 1400

Los Angeles, California 90012

June 2023



RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

rinconconsultants.com

Table of Contents

Responses to Comments on the Draft IS-MND	1
Topical Response A: Direct and Indirect Impacts of Groundwater Extraction to Biological and Hydrological Resources	2
Letter 1	13
Letter 2	30
Letter 3	41
Letter 4	45
Letter 5	54
Letter 6	59
Letter 7	63

This page intentionally left blank.

Responses to Comments on the Draft IS-MND

This section includes comments received during the circulation of the Draft Initial Study-Mitigated Negative Declaration (IS-MND) prepared for the Santa Clarita Valley Water Agency's (SCV Water) S Wells PFAS Groundwater Treatment and Disinfection Facility Project (Project).

The Draft IS-MND was circulated for a 32-day public review period that began on November 18, 2022 and ended on December 19, 2022. SCV Water received seven comment letters on the Draft IS-MND. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter		Page No.
State Agencies		
1	Miya Edmonson, LDR/CEQA Branch Chief, California Department of Transportation	11
2	Erinn Wilson-Olgin, Environmental Program Manager I, California Department of Fish and Wildlife	14
3	Lori Schmitz, Environmental Scientist, State Water Resources Control Board	39
Local Organizations		
4	Candice Meneghin, Board Member, and Jim Danza, Chair, Friends of the Santa Clara River	42
5	Nate Bousfield, Board Member, Santa Clarita Organization for Planning and the Environment	51
Members of the Public		
6	Dr. Randy Martin, OMD	58
7	Stacy Fortner	61

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

In addition, a number of comments are related to the direct and indirect effects of groundwater extraction to biological and hydrological resources associated with the Santa Clara River or make parallel arguments related to these topics. To address concerns raised in multiple comments, a Topical Response has been prepared and is included below prior to the individual comment letters. This Topical Response is referenced as appropriate in responses to individual comments that raise similar issues in order to minimize unnecessary repetition.

Any changes made to the text of the Draft IS-MND are noted in the following responses. Changes in text are signified by strikeouts (~~strikeouts~~) where text is removed and by underlined font (underlined font) where text is added.

Topical Response A: Direct and Indirect Impacts of Groundwater Extraction to Biological and Hydrological Resources

Several comments express concern the proposed project could result in significant adverse impacts to biological and hydrological resources associated with the nearby Santa Clara River. In response to these comments, the following clarifications have been made to the IS-MND to clarify the project background and context, proposed project operations, the relationship of the project to the Santa Clara River Valley East Groundwater Subbasin Groundwater Sustainability Plan (GSP), the likely impacts of the proposed project to biological and hydrological resources associated with the Santa Clara River (including groundwater-dependent ecosystems [GDEs]), the requirements of Mitigation Measure BIO-3, and the effectiveness of Mitigation Measure BIO-3.

As detailed further in individual responses to comments (Responses 2.3, 2.4, and 2.5), with these clarifications and with implementation of the mitigation measures identified in the Draft IS-MND groundwater extraction under the proposed project would not result in significant direct or indirect impacts to biological or hydrological resources associated with the Santa Clara River. As a result, the conclusions of the IS-MND are unchanged. Because no new, avoidable significant effects have been identified and no new mitigation measures are proposed, recirculation of the Draft IS-MND is not required pursuant to CEQA Guidelines Section 15073.5.

8. Description of Project - Background

Santa Clara River Valley East Groundwater Subbasin Groundwater Sustainability Plan

The Santa Clarita Valley Water Agency (SCV Water) operates numerous groundwater extraction wells in the Upper Santa Clara River Groundwater Basin (Basin). The Basin is roughly 100 square miles in size and contains a shallow alluvial aquifer and the deeper Saugus Formation with groundwater extracted from both aquifers. For decades, SCV Water's 2003 Groundwater Management Plan and Urban Water Management Plans described the planned approach to pump groundwater from the Basin to provide groundwater supply as part of an overall conjunctive use strategy that includes use of imported supplies. More recently, due to statewide regulatory efforts, state-required Groundwater Sustainability Agencies were formed to develop Groundwater Sustainability Plans.

The Santa Clarita Valley Groundwater Sustainability Agency (SCV GSA) is operated via a Joint Powers Agreement between the following member agencies: the City of Santa Clarita, Los Angeles County Regional Planning, Los Angeles County Waterworks District No. 36, and SCV Water. Its Board meets quarterly. SCV Water provides administrative services to the SCV GSA, which include the Basin monitoring called for in the Santa Clara River Valley East Groundwater Subbasin Groundwater Sustainability Plan (GSP) (including groundwater-dependent ecosystem [GDE] monitoring), preparation of regular reports on Basin conditions, and preparation of an annual report.

After a robust public process, the SCV GSA adopted the GSP in 2022. The GSP adhered to the pumping plan approaches in the Urban Water Management Plan and determined the Basin can be operated sustainably over the long term in conjunction with specialized monitoring. The GSP

concludes that, with the evaluated groundwater pumping plan, any changes to future non-storm surface water flows out of the Basin will not be substantially different from historic non-storm flows (SCV GSA 2022). Groundwater pumping conducted in a manner that is consistent with GSP modeling assumptions would not be expected to result in any significant direct or indirect changes to streamflow. In the event GSP sustainable management criteria (e.g., groundwater elevations) are not met due to groundwater extraction, the GPS contains management actions that must be implemented to address the issue.

Development of the GSP included use of a peer-reviewed groundwater flowmodel and considered well-by-well pumping for all municipal wells during different local hydrologic periods. This well-by-well-pumping approach was consistent with the pumping approaches in the Urban Water Management Plan. Going a step further, groundwater extraction by well was finetuned in the GSP in order to maintain groundwater elevations in the entire Basin to safeguard against creating “undesirable results” related to five sustainability indicators: Chronic Lowering of Groundwater Levels, Chronic Reduction in Groundwater Storage, Degraded Groundwater Quality, Land Subsidence, and Depletion of Interconnected Surface Water. As described below, there are special criteria for the Santa Clara River related to GDEs.

More specifically, the GSP identifies “undesirable results” to GDEs as follows:

- Permanent loss or significant degradation of existing native riparian or aquatic habitat due to lowered groundwater levels caused by groundwater pumping throughout the GDE area
- In areas that currently provide essential habitat to unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*; UTS) and native fishes (sensitive aquatic species in the vicinity of the Interstate 5 Bridge), cessation of surface flow and pools during low-flow conditions in the river channel caused by groundwater extraction is an undesirable result

For the “Depletion of Interconnected Surface Water” Sustainability Indicator, the GSP sets forth a minimum threshold groundwater level to protect against surface water depletion caused by groundwater extraction. In addition, the GDE trigger level was established two feet higher than the minimum threshold groundwater level at and upstream from Interstate 5. If the GDE trigger level is reached, the SCV GSA is required to conduct an assessment of the GDE condition and determine if the GDE is experiencing undesirable results due to lowered groundwater levels beyond minimum thresholds, caused by groundwater extraction. During GSP implementation, and as data gaps are filled and studies completed, the sustainable management criteria in the GSP, including GDE trigger levels, and minimum thresholds may be revised by the SCV GSA Board of Directors.

The GSP is designed so that if it is determined that “undesirable results” to GDEs may occur due to groundwater pumping, then “management actions” will be implemented, which could include reducing groundwater pumping in areas of concern and/or importing additional water supplies to offset groundwater pumping.

Additionally, the GSP recognizes that UTS have been present in the Santa Clara River approximately two miles west of the project site near Interstate 5 (near the GDE-B monitoring well). The well-by-well pumping approaches, the specialized monitoring, and the GDE evaluation program mentioned above work together to protect against undesirable results from groundwater extraction, including cessation of surface flow and pools during low-flow conditions in the river channel, at this downstream location that currently provides essential habitat for UTS.

Furthermore, the GSP recognizes that the GDE-A area near the project site may not be a GDE and indicates more monitoring is needed to support a final determination. This observation that the GDE-A area may not be a GDE was made by others during GSP development, including the California Department of Fish and Wildlife (CDFW) because the groundwater elevations near GDE-A have been recorded to be 30 or more feet below ground surface (SCV GSA 2022). For example, in summer 2022, the groundwater elevation was approximately 35 feet below ground surface, and historical records at nearby well N indicate the historical low is deeper still (SCV GSA 2022 and 2023). The structure of the alluvial aquifer system along the Santa Clara River allows for groundwater depths to be deep at GDE-A, while at the same time relatively shallow at GDE-B. The geology and groundwater conditions at GDE-B (approximately two miles downstream of the project site), where UTS are known to be present, are different than at GDE-A because the groundwater is shallower, and alluvium thinner, at the downstream GDE-B (depth to groundwater at GDE-B measured at approximately 7 to 8 feet below ground surface during 2022) while depth to groundwater at GDE-A was measured at approximately 32 to 35 feet below ground surface on same day during 2022) (SCV GSA 2023).

The SCV GSA is in its second year of GSP implementation. Consistent with the public process and GSP, it is working toward filling known data gaps, including those regarding GDEs. As these data gaps are filled, such as with collection of new empirical groundwater elevation data in and near the Santa Clara River (including groundwater monitoring at GDE-A near the project site), the GSP's groundwater flowmodel and flowmodel calibration will be further refined and improved in a collective effort to avoid negative impacts to GDEs from groundwater extraction.

Project Background

The Santa Clarita Valley Water Agency (SCV Water) operates 3 existing wells (S6, S7 and S8), a bank of S wells, located along the north side of the Santa Clara River between McBean Parkway and Parkwood Lane within the Bridgeport community in the city of Santa Clarita. The three wells can generate up to a total of 6,000 gallons per minute of potable water that is distributed to the Valencia Division service area. The well-by-well GSP modeling currently identifies this bank of S wells can produce up to 4,288 acre-feet per year (depending on hydrologic year type) without resulting in adverse impacts to sustainable groundwater management. The wells were taken offline in 2019 and 2020 due to the detection of per- and polyfluoroalkyl (PFAS) substances that exceeded the State's response levels. To make up for the loss of groundwater production, SCV Water has relied on the purchase of additional imported water supplies to meet local demand.

8. Description of Project – Project Description - Operation and Maintenance

Under the proposed project, Wells S6, S7, and S8 would be reactivated, and the proposed S9 groundwater well would be brought online. The wells and treatment facility would operate up to 24 hours per day, 365 days per year. The four well pumps would be individually controlled and monitored through supervisory control and data acquisition (SCADA), allowing SCV Water to turn on any combination of one to four well pumps at a time. It is anticipated that approximately 2,700 to 4,288 acre-feet per year of groundwater would be pumped, depending on hydrologic year type. Annual groundwater pumping rates under this project for the four wells would be consistent with historical pumping rates for the existing three wells - S6, S7, and S8 - and would not exceed the pumping quantities provided in the groundwater level

simulations used in the GSP. Through consistent monitoring of groundwater levels at SCV Water's new monitoring wells in the local area, pumping rates will be adjusted as needed to prevent adverse impacts to downstream GDEs consistent with the GSP monitoring program. Operation of the proposed project would require approximately 2,300 to 2,700 kilowatt-hours (kWh) of electricity daily, or approximately 840 to 986 megawatt-hours (MWh) annually.¹ Approximately one to two maintenance staff would visit the project site daily. Resin media would be replaced two to three times a year, which would require the use of a semitruck for delivery. In addition, chemical deliveries to the proposed disinfection building would occur approximately twice a month via a midsize delivery truck. Maintenance vehicles would park within the proposed groundwater treatment and disinfection facility. The vessels would have a life expectancy of approximately 30 to 50 years and may be re-coated approximately every 10 years.

Section 4, Biological Resources, Threshold A

Aquatic Wildlife Species

~~Direct impacts to~~ Aquatic and semi-aquatic species, including arroyo toad ~~and~~, western pond turtle, and UTS, have the potential to occur within the Santa Clara River in proximity to the project site. Arroyo toad, western pond turtle, and UTS are documented in the California Natural Diversity Database (CNDDDB) within five miles of the project site. UTS is known to occupy several reaches of the Santa Clara River, and multiple CNDDDB occurrences are documented within five miles of the project site in the Santa Clara River (CNDDDB Occurrence Numbers 3, 10, 11, 13, 15), both upstream and downstream of the project site. Although none of these occurrences overlap the project site, UTS may migrate to the portion of the Santa Clara River directly south of the project site during moderate to high flow conditions. Direct impacts to these aquatic and semi-aquatic species would not occur because ground disturbance would not occur within the riparian corridor of the Santa Clara River and instead would be confined to the developed, ornamental, and disturbed land cover types to the north of the Santa Clara River that do not provide suitable habitat for these species. However, potentially significant indirect impacts to special status aquatic and semi-aquatic species may occur as a result of if groundwater extraction via the existing Wells S6, S7, and S8 and the new Well S9 were to lower groundwater levels near GDEs that would result in undesirable results per the GSP. The Fremont cottonwood forest and woodland vegetation community located near the project site is identified as a potential ~~groundwater dependent ecosystem (GDE)~~ that provides suitable habitat for special status aquatic and semi-aquatic species including aquatic plant cover for UTS (Santa Clarita Valley Groundwater Sustainability Agency [SCV GSA] 2022). ~~Although SCV Water would not increase basin-wide groundwater extraction, r~~ Reactivated operation of existing Wells S6, S7, and S8 in conjunction with operation of the new Well S9 would entail individual operation and monitoring of each well, allowing SCV Water to turn on any combination of one to four well pumps at a time to stay within the pumping values described in the GSP and avoid ~~could~~ depleteing local groundwater levels beyond the minimum thresholds for depletion of interconnected surface waters established in the Santa Clara River Valley East Groundwater Subbasin Groundwater Sustainability Plan (GSP). As noted in the GSP, the groundwater

¹ Electricity estimate based on 12-month billing period for a similar SCV Water groundwater treatment and disinfection facility for the N Wells (Moreno 2022).

elevations beneath the Santa Clara River channel nearest to the project site is greater than 30 feet below the low-flow channel during much of the year, well below the root zones of riparian vegetation, and disconnected from the river channel (SCV GSA 2022). The monitoring well data indicates that surface water flow in this river segment is not augmented by groundwater upwelling. As a result, reactivated operation of existing Wells S6, S7, and S8 would not impact GDEs or sensitive aquatic species such as the arroyo toad, western pond turtle, or UTS at this river segment.

Further downstream near the confluence of San Francisquito Creek and for several miles downstream of the I-5 bridge, groundwater elevations are known to be closer to the surface and contribute to surface water flows. In these areas, GDEs are maintained by perennial shallow groundwater. The GSP identifies this river segment as supporting GDEs and has established minimum thresholds and triggers to ensure that groundwater levels are maintained to be protective of GDEs. The GSP requires that groundwater extraction activities, including those that would occur under the proposed project, consider potential effects to GDEs. Conformance with the monitoring and management actions of the GSP would ensure operation of the wells would not lower groundwater levels beyond the minimum thresholds determined for depletion of interconnected surface waters as established in the GSP. The minimum thresholds for depletion of interconnected surface waters were developed in the GSP expressly to avoid impacts to GDEs. These thresholds are based generally on historic low groundwater elevations, recognizing that the existing GDEs have been sustained despite historic groundwater variability. In a few locations, such as near the I-5 bridge, the minimum thresholds are established above historic low elevations to ensure management actions are implemented before acute impacts to GDEs occur. Monitoring wells have been installed at the GDEs nearest the project site (i.e., GDE-A and GDE-B) to provide continuous elevation data that will be used to determine the need for management actions. If groundwater levels reach triggers, which are shallower than the minimum thresholds, the GSP calls for an evaluation of the GDE conditions, and if groundwater extraction is leading to undesirable results, then implementation of management actions would be called upon such as reducing groundwater pumping if needed to prevent acute and chronic impacts to GDEs. ~~and could thus impact the Fremont cottonwood forest and woodland vegetation community. As a result-~~ Mitigation Measure BIO-3 reinforces the requirement to monitor groundwater levels near these GDEs and to evaluate the GDE conditions, and potentially implement management actions, if needed, to avoid impacts to GDEs and also to avoid potentially significant impacts to aquatic special status species associated with these GDEs. Therefore, compliance with the GSP and implementation of Mitigation Measure BIO-3 would be required to ~~reduce~~ ensure potential indirect impacts to arroyo toad ~~and~~, western pond turtle, and UTS are avoided, resulting in less-than-significant impacts to a less-than-significant level.

Non-Aquatic Wildlife Species

The coastal scrub and Fremont cottonwood forest and woodland vegetation communities within the project site provide suitable habitat for special status avian species, including least Bell's vireo. No direct impacts to the species would occur because suitable nesting and foraging habitat would not be directly impacted by the project. However, if least Bell's vireo is present within the vicinity of the project during construction, the proposed project has the potential to indirectly impact the species if construction noise, dust, and other human disturbances cause a nest to fail. Therefore, indirect impacts to least Bell's vireo would be potentially significant, and

implementation of Mitigation Measures BIO-4 would be required to reduce these potential indirect impacts to a less-than-significant level.

Additionally, ~~depleted~~ lowered local groundwater levels could negatively impact GDEs supporting habitat for least Bell's vireo. However, as indicated above, riparian habitat near the project site is not supported perennially by groundwater and would not be affected by lowered groundwater levels that are more than 30 feet below the Santa Clara River channel for much of the year. Further downstream, GDEs are supported by groundwater, but conformance with the monitoring and management actions of the GSP would ensure operation of the wells would not lower groundwater levels beyond the minimum thresholds determined for depletion of interconnected surface waters as established in the GSP. Mitigation Measure BIO-3 reinforces the requirement to monitor groundwater levels near these GDEs and to implement management actions if groundwater levels reach action triggers, in order to avoid impacts to GDEs and also avoid potentially significant indirect impacts to LBVI. Therefore, compliance with the GSP and implementation of Mitigation Measures BIO-3 and BIO-4 would be required to reduce these potential indirect impacts to least Bell's vireo to a less-than-significant level.

Section 4, Biological Resources, Threshold A, Mitigation Measures

BIO-3 ~~Groundwater Pumping Regime~~ Elevation Monitoring and Management

SCV Water shall establish a groundwater pumping ~~regime~~ plan for Wells S6, S7, S8, and S9 in accordance with the sustainable management criteria for depletion of interconnected surface waters outlined in ~~the most recently adopted iteration of~~ the Santa Clara River Valley East Groundwater Subbasin GSP. SCV Water shall monitor groundwater levels ~~at this location near the S Wells and downstream near the I-5 Bridge~~ by utilizing the monitoring wells ~~previously installed within GDE-A and GDE-B the potential GDE area that may be affected by the proposed project (currently identified as GDE-A in the GSP)~~ to ensure that if GDE triggers specified in the GSP are reached in these wells, a GDE evaluation will be commenced to determine if groundwater extraction may lead to depletion of interconnected surface waters that may affect ecological values of GDEs, including special status species potentially occurring within surface water ecosystems created by groundwater upwelling and adjacent riparian habitat. ~~Should the trigger level outlined in the most recently adopted GSP for any GDE area the GDE areas near the project site (currently identified as "Santa Clara River Below Mouth of Bouquet Canyon" in the GSP) be exceeded at the monitoring location,~~ Should trigger levels be exceeded at GDE-A or GDE-B, SCV Water shall implement an the GDE evaluation program outlined in the GSP that includes reviewing whether the low water levels and water level trends are caused by groundwater extraction at Wells S6, S7, S8, and/or S9 and whether the undesirable results to GDEs outlined in the GSP arising from groundwater extraction are anticipated to occur. If significant and unreasonable effects are anticipated from groundwater extraction, SCV Water shall implement the necessary management actions in a timely manner to resolve the exceedance of the trigger level for the GDE area. Management actions may include but are not limited to shifting pumping to another location, reducing or halting pumping at Wells S6, S7, S8, and/or S9. The evaluation process and implementation of necessary management actions shall be conducted in accordance with the procedures outlined in Section 9.5.5 of the GSP.

Section 4, Biological Resources, Threshold A, Significance after Mitigation

Implementation of Mitigation Measure BIO-1 would require training all construction personnel in identifying special status wildlife species, and Mitigation Measure BIO-2 would involve implementation of general BMPs that are protective of special status wildlife species. Implementation of Mitigation Measure BIO-3 would result in sustainable pumping of groundwater from Wells S6, S7, S8, and S9 such that indirect impacts to the potential GDE and associated special status wildlife species would be avoided. The initial trigger level identified in Mitigation Measure BIO-3 is sourced from Table 8-6 of the GSP (SCV GSA 2022). The trigger level referenced in Mitigation Measure BIO-3 was developed as part of the GSP to achieve the sustainable management criterion of avoiding depletion of interconnected surface waters. The potential undesirable results which this criterion seeks to avoid consist of:

- Permanent loss or significant degradation of existing native riparian or aquatic habitat due to lowered groundwater levels caused by groundwater pumping throughout the GDE area and
- In areas that currently provide essential habitat to UTS and native fishes (sensitive aquatic species in the vicinity of Interstate 5 Bridge), cessation of surface flow and pools during low-flow conditions in the river channel caused by groundwater extraction is an undesirable result (Table 8-1 of the GSP; SCV GSA 2022).

The associated minimum threshold for avoiding these undesirable results is “surface water depletion caused by groundwater extraction as measured by groundwater levels falling below the lowest predicted future groundwater elevation measured at GDE-area monitoring wells” (SCV GSA 2022). In accordance with the procedures outlined in the GSP, whether this minimum threshold is exceeded would be analyzed based on the average of future modeled groundwater elevations using the same data set as that used to develop the minimum threshold. As indicated in Table 8-1 of the GSP, “GDE trigger levels...that are at or above historical low elevations (as estimated from the model) will be used to initiate an assessment of GDE conditions caused by groundwater extraction and management actions that might be needed to protect GDEs” (SCV GSA 2022). Although trigger levels downstream from I-5 were set equal to historical low groundwater elevation, the trigger levels at GDE-A and GDE-B were set two feet higher than historical low groundwater elevation. This more conservative approach was taken due to the concerns about UTS, in particular at GDE-B, and to ensure adequate lead time to evaluate potential undesirable results to GDEs caused by groundwater extraction and provide sufficient time to incorporate management actions if necessary. Given the connection between the trigger level, the sustainable management criterion, and the undesirable results related to depletion of interconnected surface waters, use of the GDE trigger levels and the GDE evaluation program as required by Mitigation Measure BIO-3 would result in a groundwater pumping plan that would not result in significant adverse impacts to surface water flows, riparian vegetation, and water quality in the Santa Clara River. Therefore, implementation of Mitigation Measure BIO-3 would reduce potential impacts to special status species, riparian vegetation, and the hydrology and water quality of the Santa Clara River to a less-than-significant level.

Implementation of Mitigation Measure BIO-4 would minimize the potential for project construction activities to impact least Bell’s vireo by implementation of focused surveys for least Bell’s vireo prior to construction and, if present, establishment of buffers around breeding territory. Implementation of Mitigation Measure BIO-5 would reduce the potential for project construction activities to directly or indirectly impact active bird nests through a pre-

construction nesting bird survey and establishment of avoidance buffers around active nests, if present. In conjunction, implementation of these measures would reduce project impacts to special-status wildlife species to a less-than-significant level.

Section 4, Biological Resources, Threshold B

The project has the potential to indirectly impact sensitive plant communities as a result of groundwater extraction via the existing Wells S6, S7, and S8 and the new Well S9. The Fremont cottonwood forest and woodland vegetation community located near the project site is identified as a potential GDE (SCV GSA 2022). ~~Although SCV Water would not increase basin-wide groundwater extraction, r~~ Reactivated operation of existing Wells S6, S7, and S8 in conjunction with operation of the new Well S9 would entail individual operation and monitoring of each well, allowing SCV Water to turn on any combination of one to four well pumps at a time to stay within the pumping values described in the GSP and avoid ~~could~~ depleting local groundwater levels beyond the minimum thresholds for depletion of interconnected surface waters established in the Santa Clara River Valley East Groundwater Subbasin GSP. In addition, as discussed under threshold (a), the GSP requires that groundwater extraction activities, including those that would occur under the proposed project, consider potential effects to GDEs. Conformance with the monitoring and management actions of the GSP would ensure operation of the wells would not lower groundwater levels beyond the minimum thresholds determined for depletion of interconnected surface waters as established in the GSP, which were developed in the GSP expressly to avoid impacts to GDEs. The proposed project ~~and could~~ thus is not expected to impact sensitive plant communities occurring within the southern portion of the project site if they are dependent upon groundwater or those located downstream near the I-5 bridge (Appendix B). Therefore, Nevertheless, compliance with the GSP and implementation of Mitigation Measure BIO-3 would be required to reduce this potential indirect impact to sensitive plant communities to a less-than-significant level.

Section 4, Biological Resources, Threshold C

During operation, the project has the potential to indirectly impact the hydrology of the Santa Clara River, including the reduction of surface water flows and changing water quality characteristics such as turbidity, oxygen, and water temperature, as a result of if groundwater extraction via the existing Wells S6, S7, and S8 and the new Well S9 resulted in any significant direct or indirect changes to streamflow. Although SCV Water would not increase basin-wide groundwater extraction, r Reactivated operation of existing Wells S6, S7, and S8 in conjunction with operation of the new Well S9 would entail individual operation and monitoring of each well, allowing SCV Water to turn on any combination of one to four well pumps at a time to stay within the pumping values described in the GSP and avoid ~~has the potential to~~ causing deplete local groundwater levels to decline beyond the minimum thresholds for depletion of interconnected surface waters established in the Santa Clara River Valley East Groundwater Subbasin GSP and ~~could~~ thus would not be expected to significantly impact the hydrology and water quality of the Santa Clara River. In addition, as indicated under threshold (a) and further described in the GSP, the SCV GSA monitors groundwater elevations in the vicinity of the project site as well as downstream to identify when undesirable results caused by groundwater extraction may be occurring. If undesirable results are anticipated because of groundwater extraction, the GSP calls for management actions, such as reducing groundwater pumping and or importing additional supply, to allow groundwater levels as well as interconnected surface

waters to recover. As a result, Compliance with the GSP and implementation of Mitigation Measure BIO-3 would be required to reduce this potential indirect impact to hydrology of the Santa Clara River to a less-than-significant level.

Section 10, Hydrology/Water Quality, Threshold B

As discussed in Section 4, *Biological Resources*, Reactivated operation of existing Wells S6, S7, and S8 in conjunction with operation of the new Well S9 would entail individual operation and monitoring of each well, allowing SCV Water to turn on any combination of one to four well pumps at a time to stay within the pumping values described in the GSP and avoid ~~could~~ depleting local groundwater levels to decline beyond the minimum thresholds for depletion of interconnected surface waters established in the Santa Clara River Valley East Groundwater Subbasin GSP and ~~could~~ would thus not be expected to impact the Fremont cottonwood forest and woodland vegetation community located near the project site, which is identified as a potential GDE in the Santa Clara River Valley East Groundwater Subbasin GSP. As discussed under threshold (a), the GSP requires that groundwater extraction activities, including those that would occur under the proposed project, consider potential effects to GDEs. Conformance with the monitoring and management actions of the GSP would ensure operation of the wells would not lower groundwater levels beyond the minimum thresholds determined for depletion of interconnected surface waters as established in the GSP, which were developed in the GSP expressly to avoid impacts to GDEs. Nevertheless, compliance with the GSP and implementation of Mitigation Measure BIO-3 would be required to achieve sustainable groundwater extraction such that the project would not substantially decrease local groundwater supplies such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant with mitigation incorporated.

Section 10, Hydrology/Water Quality, Threshold E

The project site overlies the Santa Clara River Valley East Groundwater Subbasin, which is subject to the Santa Clara River Valley East Groundwater Subbasin GSP (SCV GSA 2022). As discussed under threshold (b), the proposed project would not result in a change in the amount of groundwater extracted by SCV Water from the Santa Clara River Valley East Groundwater Subbasin and would not substantially interfere with groundwater recharge. In addition, as discussed in Section 4, *Biological Resources*, the project would not result in adverse impacts to groundwater-dependent ecosystems because Reactivated operation of existing Wells S6, S7, and S8 in conjunction with operation of the new Well S9 would entail individual operation and monitoring of each well, allowing SCV Water to turn on any combination of one to four well pumps at a time to stay within the pumping values described in the GSP and because ~~with~~ compliance with the GSP and implementation of Mitigation Measure BIO-3 would be required. Accordingly, the proposed project would not conflict with or obstruct implementation of the Santa Clara River Valley East Groundwater Subbasin GSP. Impacts would be less than significant with mitigation incorporated.

References - Bibliography

Santa Clarita Valley Groundwater Sustainability Agency (SCV GSA). 2023. Santa Clarita Valley Groundwater Sustainability Plan Groundwater Dependent Ecosystem Monitoring Protocol. February 22, 2023.

DEPARTMENT OF TRANSPORTATION

DISTRICT 7

100 S. MAIN STREET, MS 16

LOS ANGELES, CA 90012

PHONE (213) 505-5003

FAX (213) 897-1337

TTY 711

www.dot.ca.gov



Making Conservation
a California Way of Life



December 15, 2022

Rick Vasilopoulos
Santa Clarita Valley Water Agency
26521 Summit Circle
Santa Clarita, CA 91350

RE: S Wells PFAS Groundwater Treatment
and Disinfection Facility Project
Mitigated Negative Declaration (MND)
SCH # 2022110376
Vic. LA-005/PM: R53.055
GTS # 07-LA-2022-04125

Dear Rick Vasilopoulos:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced MND. The project involves construction of a per- and polyfluoroalkyl (PFAS) groundwater treatment and disinfection facility and associated pipelines. The proposed facility would restore the use of Wells S6, S7 and S8 and would reduce SCV Water's dependency on imported water. In addition, a new groundwater well (S9) and a chloramine disinfection building would be constructed. The new S9 well would produce an additional 1,000 gallons per minute of potable water that would also be filtered through the proposed PFAS treatment system before distribution to SCV Water customers. The Santa Clarita Valley Water Agency is the Lead Agency under the California Environmental Quality Act (CEQA).

1.1

The project site is approximately 2.4 miles from Interstate 5 (I-5). After reviewing the MND, the Initial Study states that construction of the Project would have a less than significant impact on transportation with mitigation incorporated. Temporary closure of one lane of the Santa Clara River Trail may be necessary during construction of pipelines near the trail. Also, temporary lane closures on Newhall Ranch Road would have the potential to affect the provision of transit by Santa Clarita Transit given the proximity of multiple bus stops to the project area. As described in the Initial Study, implementation of Mitigation Measures T-1 and T-2 would be required to reduce impacts to a less-than-significant level. The following information is included for your consideration.

As a reminder, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. Caltrans recommends that the Project limit construction traffic to off-peak periods to minimize the potential impact on State facilities. If construction traffic

Rick Vasilopoulos
December 15, 2022
Page 2 of 2

is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing these issues for Caltrans' review.

If you have any questions, please feel free to contact Karen Herrera, the project coordinator, at Karen.Herrera@dot.ca.gov and refer to GTS # 07-LA-2022-04125.

Sincerely,



MIYA EDMONSON
LDR/CEQA Branch Chief

cc: State Clearinghouse

1.1 cont.

Letter 1

COMMENTER: Miya Edmonson, LDR/CEQA Branch Chief, California Department of Transportation

DATE: December 15, 2022

Response 1.1

The commenter provides a summary of the proposed project, states the distance to the nearest highway (Interstate 5), and summarizes the project's potential transportation impacts and associated mitigation measures as outlined in Section 17, *Transportation*, of the Draft IS-MND. The commenter notes transportation of heavy construction equipment and/or materials, which require the use of oversized-transport vehicles on State highways, would require a Caltrans transportation permit. The commenter also recommends heavy-duty traffic be limited to off-peak periods to minimize the potential impact on State facilities. The commenter requests submittal of a construction traffic control plan to Caltrans should project traffic be expected to cause issues on any State facilities. The commenter provides contact information for questions.

This comment is noted. As discussed in Section 17, *Transportation*, of the Draft IS-MND, the project's transportation impacts would be less than significant with incorporation of Mitigation Measures T-1 and T-2. Deliveries of equipment and materials to and from the project site would comply with all applicable rules and regulations. If use of oversized-transport vehicles is needed as part of project activities, the required Caltrans permit would be obtained.



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



SENT BY EMAIL ONLY

December 16, 2022

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 26521 Summit Circle
 Santa Clarita, CA 91350
RVasilopoulos@scvwa.org



Subject: S Wells PFAS Groundwater Treatment and Disinfection Facility Project, Mitigated Negative Declaration, SCH No. 2022110376, Santa Clarita Valley Water Agency, Los Angeles County

Dear Mr. Vasilopoulos:

The California Department of Fish and Wildlife (CDFW) has reviewed an Initial Study/Mitigated Negative Declaration (MND) and Biological Resources Assessment (BRA) from the Santa Clarita Valley Water Agency (SCV Water) for the S Wells PFAS Groundwater Treatment and Disinfection Facility Project (Project). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 *et seq.*). Likewise, to the extent implementation of the Project as proposed may result in "take", as defined by State law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA;

2.1

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 2 of 16

Fish & G. Code, § 1900 et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

2.1 cont.

Project Description and Summary

Objective: The Project proposes construction and operation of a per- and polyfluoroalkyl (PFAS) groundwater treatment and disinfection facility. The facility will comprise of a new groundwater well (S9) and a chloramine disinfection building constructed on a 3.26-acre parcel south of Bridgeport Park. During construction, several components that will be installed within the facility include eight ion-exchange vessels, a new S9 groundwater well head, control panels, a pre-filter station, a one-story chloramine disinfection building, piping, and appurtenances. Moreover, the facility will be enclosed with a 15-foot-high decorative wall and paneling to screen the treatment vessels. For vehicular access to the site, two 30-foot-wide driveways with motorized gates will be installed along Bridgeport Lane. An underground 12-inch drainage pipeline will also be installed to connect the proposed treatment and disinfection facility to the existing 30-inch drainage outlet pipeline located in the eastern portion of the facility. The drainage pipeline will collect and convey on-site stormwater runoff and groundwater during periodic installation and water quality testing to the existing storm drain pipeline, which outlets to the Santa Clara River. Well S9 is anticipated to produce an additional 1,000 gallons per minute of potable water, which will be filtered through the proposed PFAS treatment system prior to distribution. Well S9 will serve as a replacement of the existing Mitchell 5A well.

2.2

In addition to the construction and operation of the facility, existing Well S6, S7, and S8 will be reactivated with improvements. Improvements to the three existing wells include a submersible pump replacement and electrical panel upgrade. In addition, minor piping improvements will be conducted in landscaped areas immediately north of Well S6. Upon completion of the Project, these existing wells will become operational along with new Well S9. Additionally, the Project proposes roundabout street and curb improvements at two locations. Improvements will occur at the intersection of Parkwood Lane and Bridgeport Lane as well as Bayside Lane and Bridgeport Lane. Specifically, the improvements at the two intersections will involve reducing the radius of the center circle and the median bulbs at each roundabout. Improvements to the existing wells and both roundabouts will result in surficial ground disturbance.

Furthermore, the Project proposed the installation of three pipelines. The first interconnection pipeline will be approximately 850 linear feet and run in a north/south direction. The pipeline will run from the proposed facility through Bridgeport Lane and Bridgeport Park and end at an interconnection with SCV Water's existing distribution system in Newhall Ranch Road. The second influent water pipeline will be approximately 400 linear feet and run in an east/west direction immediately north of the existing Santa Clara River Trail. The second water pipeline would run from the western boundary of the facility to Well S8. Raw water flows from Wells S6, S7, and S8 will be conveyed through the second water pipeline to the facility for treatment. The third storm drain pipeline will be approximately 840 linear feet and run in an east/west direction. The pipeline will run along the southern half of the Santa Clara River Trail from the intersection of Bridgeport Lane and Bayside Lane to Well S7. Stormwater flows and pumped groundwater will be conveyed through the pipeline to an existing 30-inch stormwater drain pipeline that outlets to the Santa Clara River. All pipelines will be installed with a maximum excavation depth of 5.5 feet.

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 3 of 16

Construction is anticipated to occur between April 2024 and October 2025. The proposed staging and laydown area is located directly east of the proposed facility on disturbed land. During construction of the pipelines near the Santa Clara River Trail, one lane may be temporarily closed and will be reopened upon construction completion. Construction fencing and signage will be around the work area at Bridgeport Park and along the southern edge of the Santa Clara River Trail. Upon Project buildout, Wells S6, S7, and S8 would be reactivated and the new Well S9 will be operational. The wells and treatment facility will be operational 24 hours per day for 365 days per year.

Location: The Project site is located along Newhall Ranch Road, Bridgeport Park, Bridgeport Lane, and the Santa Clara River Trail, in the City of Santa Clarita, Los Angeles County. The Project site encompasses three existing well locations (Wells S6, S7, and S8), the proposed Well S9 location, the groundwater treatment and disinfection facility location, locations of pipeline alignments, and two intersections for roundabout improvements. The Project site is bounded by Marketplace Park to the north, McBean Parkway to the west, Bouquet Canyon Road to the east, and Santa Clara River to the south. The Project site includes Assessor's Parcel Numbers 2811-073-001, 2811-065-014, 2811-065-015, 2811-065-912, 2811-071-901, 2811-001-284, 2811-066-902.

2.2 cont.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist SCV Water in adequately avoiding and/or mitigating the Project's impacts on fish and wildlife (biological) resources. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring, and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Specific Comments

Comment #1: Unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*)

Issue: The Project may have a significant impact on unarmored threespine stickleback (UTS) during operational activities of the Project. UTS is designated as a State Fully Protected Species, CESA-listed species, and Endangered Species Act (ESA)-listed species.

Specific Impacts: Groundwater extraction and operation of Wells S6, S7, S8, and S9 may result in excessive groundwater extraction and low water levels. Low water levels within the Santa Clara River could lead to modifications or loss of suitable habitat for UTS.

2.3

Why Impacts would occur: UTS is an endangered species with an extremely limited range of suitable habitat. It is well known that presence of UTS has been documented in several reaches of the Santa Clara River. Moreover, the BRA notes that "Suitable aquatic habitat is present within the active channel of the Santa Clara River." The MND also mentions that during operational activities, "...potentially significant indirect impacts to special status wildlife species may occur as a result of groundwater extraction via the existing Wells S6, S7, and S8 and the new Well S9". Groundwater is strongly interconnected to surface water and plays a key role in providing water to streams. Excessive localized groundwater extraction of the Santa Clara River may significantly reduce amount of surface water necessary for the survival of UTS. If surface

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 4 of 16

water is significantly reduced, there may not be enough water within the stream to allow for UTS movement and/or survivorship.

Furthermore, the amount of riparian vegetation may also become significantly reduced, which can have a negative effect on the UTS population within the river. UTS require habitats that have adequate aquatic plant cover. Having an abundance of plant cover allows UTS to protect themselves from predators and find food among aquatic vegetation (UCANR 2022). Plant diversity and amount of riparian vegetation within the stream may be lost as a result of significant plant stress. Plant stress may be induced by changes in the soil moisture, soil salinity, and groundwater depth. Riparian vegetation that are considered groundwater dependent are also at a high risk of being lost if groundwater is not sufficient.

In addition to impacts to riparian vegetation and surface water, groundwater extraction may also lead to changes in the water quality (i.e., turbidity, oxygen, and water temperature) of the Santa Clara River, which may cause significant impacts to UTS. No discussion was provided in the MND regarding UTS or the specific impacts that may occur to UTS as a result of operational activities. The MND does not elaborate on specific changes (i.e., hydrology, water quality) that may occur to the Santa Clara River as a result of excessive groundwater extraction.

Evidence impact would be significant: UTS is a State Fully Protected Species, CESA and ESA-listed species. Fully Protected Species are those animals that are rare or faced with possible extinction. Pursuant to Fish and Game Code, Fully Protected Species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research, relocation of the bird species for the protection of livestock, or if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan.

2.3 cont.

The Project has the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, §§ 15065, 15380). As a result, the Project may have a substantial adverse effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, regulations, or by CDFW or U.S Fish and Wildlife Service (USFWS).

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #1: CDFW cannot authorize take for UTS. CDFW recommend SCV Water completely avoids impacts on UTS during the Project's operational activities. If SCV Water cannot completely avoid impacts on UTS, SCV Water should consult with CDFW to discuss the Project and a path moving forward.

Mitigation Measure #1: CDFW recommends SCV Water revise and recirculate the MND to elaborate on the operational phase of the Project. The MND should discuss the type of surface water monitoring technique that will be utilized during operations to ensure that surface water is not depleted. The MND should also discuss how impacts to surface water will be addressed within the groundwater pumping regime management plan. Additionally, the MND should discuss the presence of UTS within the Santa Clara River, all impacts that may occur to UTS, and provide any measures to avoid impacts to UTS. Lastly, the MND should provide additional

Rick Vasilopoulos
Santa Clarita Valley Water Agency
December 16, 2022
Page 5 of 16

information to demonstrate how the groundwater pumping regime management plan will bring impacts on aquatic and semi-aquatic species to a level less than significant.

2.3 cont.

Comment #2: Impacts to Least Bell’s Vireo (*Vireo bellii pusillus*)

Issue: The Project may impact least Bell’s vireo, an ESA and CESA-listed species, during Project construction and operational activities.

Specific Impacts: Project construction activities occurring during the least Bell’s vireo nesting season could adversely affect breeding behavior of least Bell’s vireo. Elevated noise from construction activities could result in least Bell’s vireo abandoning nesting territory. In addition, the potential to deplete localize groundwater during operation activities may result in reduced suitable habitat.

Why Impacts would occur: Least Bell’s vireo often utilize woodlands and riparian areas as suitable nesting habitat and breeding territory. Within 100 feet of the Project site, along the northern bank of the Santa Clara River is the Fremont cottonwood forest and woodland vegetation community. The BRA states that there is a high potential for least Bell’s vireo to occur within this native community. Although the Fremont cottonwood forest and woodland is not being removed or graded during Project construction, the MND states that “...depleted local groundwater levels could negatively impact suitable habitat for least Bell’s vireo within the Fremont cottonwood forest and woodland community...”

Additionally, least Bell’s vireo within the Project site or in close proximity to Project site may be impacted through the Project construction activities. As an CESA listed species, “take” includes activities that may disrupt or alter behaviors necessary for species survival. Construction noise, dust, and human disturbance are all factors that may induce stress to the species, disrupt breeding behavior, and potentially cause a nest to fail. Project activities such as excavation and drilling may require heavy machinery that emits excessive noise and vibrations. Substantial noise and vibration from heavy machinery may lead to disruption in breeding behavior and reduced breeding activity.

2.4

Evidence impact would be significant: There are only a few populations and breeding pairs of least Bell’s vireo remaining in Los Angeles County. Project construction and activities resulting in loss of breeding pairs or nestlings, or riparian habitat supporting least Bell’s vireo may result in the Project potentially causing a wildlife population to drop below self-sustaining levels; threaten to eliminate an animal community; or substantially reduce the number of restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, § 15065). Accordingly, impacts on least Bell’s vireo may require a mandatory finding of significance (CEQA Guidelines, § 15065).

CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. Inadequate avoidance, minimization, and mitigation measures for impacts on the least Bell’s vireo will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a wildlife species identified as special status by CDFW and USFWS.

As to CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Take under ESA also includes significant

Rick Vasilopoulos
Santa Clarita Valley Water Agency
December 16, 2022
Page 6 of 16

habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting.

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #2: Take under the ESA includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. CDFW recommends consultation with the USFWS, in order to comply with ESA, prior to Project construction and operational activities that may impact least Bell’s vireo.

Mitigation Measure #2: Mitigation Measure BIO-4 shall be modified by including the underlined language and excluding the ~~striketrough~~ as follows:

2.4 cont.

Prior to the initiation of project construction activities within or adjacent to suitable nesting habitat during least Bell’s vireo breeding season (March 15 through September 15), a qualified biologist with experience surveying for least Bell’s vireo shall conduct at least eight ~~three~~ focused surveys following USFWS-established protocols to determine whether breeding least Bell’s vireos are present. Focused surveys shall be completed within the project site and a 500-foot buffer. Per protocol guidelines, a final survey report (including negative findings) shall be provided to USFWS and CDFW within 45 calendar days following the completion of the survey effort. The biologist shall determine and delineate its breeding territory with high visibility flagging, and no construction shall take place within 500 feet of the breeding territory from March 15 through September 15. Construction activities should not continue within the buffer until the young have fledged or the nest is no longer active. If “take or adverse impacts to least Bell’s vireo cannot be avoided either during Project construction and over the life of the Project, SCV Water shall consult CDFW and may be required to obtain a CESA Permit. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances. [Fish & Game Code §§ 2080.1, 2081, subs. (b) and (c)].

Comment #2: Impacts to Santa Clara River

Issue: The Project may result in impacts the Santa Clara River and associated riparian vegetation during the operational phase of the Project.

Specific Impacts: During the operational phase of Wells S6, S7, S8, and S9, localized groundwater extraction may result in loss or degradation of riparian vegetation within the Santa Clara River. Loss of groundwater may also impact the wildlife that utilize the Santa Clara River as a water source and its riparian vegetation as suitable habitat.

2.5

Why Impacts would occur: The Santa Clara River supports a variety of sensitive species and sensitive plant communities. Within this specific portion of the river, the Fremont cottonwood forest and woodland is present along the northern bank of the river and adjacent to the active channel. According to the Santa Clara River Valley East Groundwater Subbasin Groundwater Sustainability Plan (GSP), this vegetation community has been designated as a potential groundwater dependent ecosystem. The Project intends to avoid impacts the Santa Clara River during construction activities. However, it has been noted on page 29 of the MND that “...reactivated operation of existing Wells S6, S7, and S8 in conjunction with operation of the new Well S9 could deplete local groundwater levels beyond the minimum thresholds for

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 7 of 16

depletion of interconnection surface waters...” Operational activities may contribute to direct loss of suitable habitat for wildlife that utilize Fremont cottonwood and woodland for nesting. Additionally, aquatic and semi-aquatic species will be significantly impacted with a reduced water source. Moreover, SCV Water acknowledges that “During operation, the project has the potential to indirectly impact the hydrology of the Santa Clara River as a result of groundwater extraction...”. Impacting the hydrology of the Santa Clara River may also lead to adverse impacts towards the segments of the river and biological resources downstream.

The MND proposes a groundwater pumping regime management mitigation measure. The mitigation measure discusses monitoring the wells and evaluating low water levels that may exceed a trigger level. The trigger level is derived from the Santa Clara River Valley East Groundwater Subbasin GSP. The MND does not elaborate on how the trigger level was selected, what the trigger level is, or how the trigger level applies to the Project. The type of changes to the hydrology of the Santa Clara River and the impact operational activities may have on the river downstream is also not disclosed in the MND.

Evidence impact would be significant: The Project may impact streams and associated natural communities. CDFW exercises its regulatory authority as provided by Fish and Game Code section 1600 *et seq.* to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

2.5 cont.

- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake; or
- Deposit or dispose of material into any river, stream, or lake.

CDFW requires a LSA Agreement when a Project activity may substantially adversely affect fish and wildlife resources. The operational activities of the Project could result in reasonably foreseeable impacts on streams. Accordingly, the Project may have a significant impact on streams.

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #3: CDFW’s issuance of an LSA Agreement for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/project applicant for the project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 *et seq.* and/or under CEQA, a project’s CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of an LSA Agreement. To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures; avoidance of resources; protective measures for downstream resources; on- and/or off-site habitat creation; enhancement or restoration; and/or protection and management of mitigation lands in perpetuity.

Mitigation Measure #3: SCV Water should notify CDFW pursuant to Fish and Game Code section 1602 for operational activities impacting streams and associated natural communities.

Rick Vasilopoulos
Santa Clarita Valley Water Agency
December 16, 2022
Page 8 of 16

SCV Water should notify CDFW prior to any operational activities that may impact the Santa Clara River. Following notification, CDFW will determine if a Lake and Streambed Alteration Agreement is required. The notification to CDFW should provide the following information:

- 1) A stream delineation in accordance with the U.S. Fish and Wildlife Service wetland definition adopted by CDFW5 (Cowardin et al. 1979);
- 2) Linear feet and/or acreage of streams and associated natural communities that would be permanently and/or temporarily impacted by the Project. This includes impacts as a result of routine maintenance. Plant community names should be provided based on vegetation association and/or alliance per the [Manual of California Vegetation](#) (CNPS 2022);
- 3) A discussion as to whether impacts on streams within the Project site would impact those streams immediately outside of the Project site where there is hydrologic connectivity. Potential impacts such as changes to drainage pattern, runoff, and sedimentation should be discussed; and
- 4) A groundwater analysis to provide information on how much localized groundwater is being depleted throughout the operational phase of the Project. The groundwater analysis should also provide the level or amount of groundwater that needs to be depleted in order to result in negative impacts to riparian vegetation and dewatering of surface water.

2.5 cont.

Please visit CDFW's [Lake and Streambed Alteration Program](#) webpage for information about LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal (CDFW 2022a).

Mitigation Measure #4: CDFW recommends SCV Water revise the MND to disclose how the hydrology of the Santa Clara River south of the Project and downstream will be impacted during Project operation. The MND should also disclose what the trigger level is, how trigger level was selected, and how the trigger level applies to the Project. The MND should explain how compliance with this trigger level means that the Project's impacts are less than significant [CEQA Guidelines, § 15064(b)(2)]. Additionally, the MND should disclose whether the trigger level has been previously adopted or recommended by other public agencies or recommended by experts (CEQA Guidelines, § 15064.7).

Additional Recommendations

Nesting Birds. CDFW recommends modifying Mitigation Measure BIO-5 by including the underlined language and excluding the ~~strikethrough~~ as follows:

Project-related activities shall occur outside of the bird breeding season (generally February 1 to ~~September 15~~ August 31) to the extent practicable. If construction must occur within the bird breeding season, then no more than three days prior to the initiation of ground-disturbing activities (including, but not limited to vegetation removal, site preparation, grading, excavation, and trenching) within the project site, a nesting bird pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer (300-foot for raptors), where feasible. If the proposed project is phased or construction activities stop for more than one week, a subsequent pre-construction nesting bird survey shall be required within three days prior to each phase of construction.

2.6

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 9 of 16

Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. A report of the nesting bird survey results, if applicable, shall be submitted to SCV Water for review and approval.

If no nesting birds are observed during pre-construction surveys, no further actions are necessary. If nests are found, all work shall cease and an appropriate avoidance buffer ranging in size from 300 25 to 50 feet for passerines nests, and up to 300 500 feet for active non-listed raptors nests, and 0.5 miles around active nests of a CESA or Endangered Species Act-listed bird species depending upon the species and the proposed work activity, shall be determined, and demarcated by a qualified biologist with bright orange construction fencing or other suitable material. Active nests shall be monitored at a minimum of once per week until it has been determined the young have fledged the nest and are no longer reliant upon the nest or parental care for survival. These buffers shall be increased to protect the nesting birds, if necessary, as determined by a qualified biologist. No ground disturbance or vegetation removal shall occur within this buffer until the qualified biologist confirms breeding/nesting has ended, and all the young have fledged.

2.6

Landscaping. The Project proposes new planting within the Project site upon completion of construction activities. CDFW recommends the Project Applicant use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project Applicant should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. Accordingly, CDFW recommends SCV Water restrict use of any species, particularly 'Moderate' or 'High' listed by the [California Invasive Plant Council](#) (Cal-IPC 2022). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.

2.7

Data. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., California Natural Diversity Database] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species detected by completing and submitting [CNDDDB Online Field Survey Form](#) (CDFW 2022c). Information on special-status native plant populations and sensitive natural communities, the [Combined Rapid Assessment and Relevé Form](#) should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2022b).

2.8

Mitigation and Monitoring Reporting Plan. CDFW recommends updating the MND's proposed Biological Resources Mitigation Measures to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments [(Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15126.4(a)(2)]. As such, CDFW has provided comments and recommendations to assist the SCV Water in developing mitigation measures that are (1) consistent with CEQA Guidelines section 15126.4; (2) specific; (3) detailed (i.e., responsible party, timing, specific actions, location), and (4) clear for a measure to be fully enforceable and implemented successfully via mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097). SCV Water is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the SCV Water with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and

2.9

Rick Vasilopoulos
Santa Clarita Valley Water Agency
December 16, 2022
Page 10 of 16

Monitoring Reporting Plan (MMRP; Attachment A).

2.9 cont.

Filing Fees

The Project, as proposed, could have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by SCV Water and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

2.10

Conclusion

We appreciate the opportunity to comment on the Project to assist SCV Water in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that SCV Water has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Julisa Portugal, Environmental Scientist, at Julisa.Portugal@wildlife.ca.gov or (562) 330-7563.

2.11

Sincerely,

DocuSigned by:

5991E19EF8094C3...

Victoria Tang signing for

Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW
Erinn Wilson-Olgin, Seal Beach – Erinn.Wilson-Olgin@wildlife.ca.gov
Victoria Tang, Seal Beach – Victoria.Tang@wildlife.ca.gov
Ruby Kwan-Davis, Seal Beach – Ruby.Kwan-Davis@wildlife.ca.gov
Felicia Silva, Seal Beach – Felicia.Silva@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator, Sacramento – CEQACommentLetters@wildlife.ca.gov

OPR
State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

References:

[CDFWa] California Department of Fish and Wildlife. 2022. Lake and Streambed Alteration Program. Available at: <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>
[CDFWb] California Department of Fish and Wildlife. 2022. Combined Rapid Assessment and Releve Form. Available at: <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

Rick Vasilopoulos
Santa Clarita Valley Water Agency
December 16, 2022
Page 11 of 16

[CDFWc] California Department of Fish and Wildlife. 2022. Submitting Data to the CNDDDB.
Available at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

[Cal IPC] California Invasive Plant Council. 2022. Available at: <https://www.cal-ipc.org/>

[CNPS] California Native Plant Society. 2022. A Manual of California Vegetation Online.
Available at: <https://vegetation.cnps.org/>

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deepwater habitats of the United States. U.S. Fish and Wildlife Service. FWS/OBS-79/31. Washington, D.C.

[UCANR] University of California Agriculture and Natural Resources. 2022. Fish Species Unarmored Threespine Stickleback. Available at:
<https://calfish.ucdavis.edu/species/?uid=171&ds=698>



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
MM-BIO-1 – Revise and Recirculate	SCV Water shall revise and recirculate the MND to elaborate on the operational phase of the Project. The MND shall discuss the type of surface water monitoring technique that will be utilized during operations to ensure that surface water is not depleted. The MND shall discuss how impacts to surface water will be addressed within the groundwater pumping regime management plan. Additionally, the MND shall discuss the presence of UTS within the Santa Clara River, all impacts that may occur to UTS, and provide any measures to avoid impacts to UTS. Lastly, the MND shall provide additional information to demonstrate how the groundwater pumping regime management plan will bring impacts on aquatic and semi-aquatic species to a level less than significant.	Prior to finalizing the CEQA document and Project activities	SCV Water
MM-BIO-2 – LBV Surveys	Prior to the initiation of project construction activities within or adjacent to suitable nesting habitat during least Bell's vireo breeding season (March 15 through September 15), a qualified biologist with experience surveying for least Bell's vireo shall conduct at least eight focused surveys following USFWS-established protocols to determine whether breeding least Bell's vireos are present. Focused surveys shall be completed within the project site and a 500-foot buffer. Per protocol guidelines, a final survey report (including negative findings) shall be provided to USFWS and CDFW within 45 calendar days following the completion of the survey effort. The biologist shall determine and delineate its breeding territory with high visibility	Prior to Project Activities	SCV Water/ Qualified Biologist

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 13 of 16

	<p>flagging, and no construction shall take place within 500 feet of the breeding territory from March 15 through September 15. Construction activities should not continue within the buffer until the young have fledged or the nest is no longer active. If “take or adverse impacts to least Bell’s vireo cannot be avoided either during Project construction and over the life of the Project, SCV Water shall consult CDFW and may be required to obtain a CESA Permit. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances.</p>		
<p>MM-BIO-3 – LSA</p>	<p>SCV Water shall notify CDFW pursuant to Fish and Game Code section 1602 for operational activities impacting streams and associated natural communities. SCV Water shall notify CDFW prior to any operational activities that may impact the Santa Clara River. Following notification, CDFW will determine if a Lake and Streambed Alteration Agreement is necessary. The notification to CDFW shall provide the following information:</p> <ol style="list-style-type: none"> 1) A stream delineation in accordance with the U.S. Fish and Wildlife Service wetland definition adopted by CDFW5 (Cowardin et al. 1979); 2) Linear feet and/or acreage of streams and associated natural communities that would be permanently and/or temporarily impacted by the Project. This includes impacts as a result of routine maintenance. Plant community names should be provided based on vegetation association and/or alliance per the Manual of California Vegetation (CNPS 2022); 3) A discussion as to whether impacts on streams within the Project site would impact those streams immediately outside of the Project site where there is hydrologic connectivity. Potential impacts such as changes to drainage pattern, runoff, and sedimentation should be discussed; and 4) A groundwater analysis to provide information on how 	<p>Prior to Project Activities</p>	<p>SCV Water</p>

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 14 of 16

	<p>much localized groundwater is being depleted throughout the operational phase of the Project. The groundwater analysis should also provide the level or amount of groundwater that needs to be depleted in order to result in negative impacts to riparian vegetation and dewatering of surface water.</p>		
<p>MM-BIO-4 – MND Revise and Recirculate</p>	<p>SCV Water shall revise the MND to disclose how the hydrology of the Santa Clara River south of the Project and downstream will be impacted during Project operation. The MND shall also disclose what the trigger level is, how trigger level was selected, and how the trigger level applies to the Project. The MND shall explain how compliance with this trigger level means that the Project's impacts are less than significant. Additionally, the MND shall disclose whether the trigger level has been previously adopted or recommended by other public agencies or recommended by experts.</p>	<p>Prior to finalizing CEQA document and Project Activities</p>	<p>SCV Water</p>
<p>MM-BIO-5 – Nesting Birds</p>	<p>Project-related activities shall occur outside of the bird breeding season (generally February 1 to September 15) to the extent practicable. If construction must occur within the bird breeding season, then no more than three days prior to the initiation of ground-disturbing activities (including, but not limited to vegetation removal, site preparation, grading, excavation, and trenching) within the project site, a nesting bird pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer (300-foot for raptors), where feasible. If the proposed project is phased or construction activities stop for more than one week, a subsequent pre-construction nesting bird survey shall be required within three days prior to each phase of construction. Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. A report of the nesting bird survey results, if</p>	<p>Prior to finalizing CEQA document and Project Activities</p>	<p>SCV Water</p>

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 15 of 16

	<p>applicable, shall be submitted to SCV Water for review and approval.</p> <p>If no nesting birds are observed during pre-construction surveys, no further actions are necessary. If nests are found, all work shall cease and an appropriate avoidance buffer ranging in size from 300 feet for passerines nests, 500 feet for active non-listed raptors nests, and 0.5 miles around active nests of a CESA or Endangered Species Act-listed bird species shall be determined and demarcated by a qualified biologist with bright orange construction fencing or other suitable material. Active nests shall be monitored at a minimum of once per week until it has been determined the young have fledged the nest and are no longer reliant upon the nest or parental care for survival. These buffers shall be increased to protect the nesting birds, if necessary, as determined by a qualified biologist. No ground disturbance or vegetation removal shall occur within this buffer until the qualified biologist confirms breeding/nesting has ended, and all the young have fledged.</p>		
REC 3 - Landscaping	<p>CDFW recommends the Project Applicant use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project Applicant should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. Accordingly, CDFW recommends SCV Water restrict use of any species, particularly 'Moderate' or 'High' listed by the California Invasive Plant Council. These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.</p>	Prior to and during Project activities	SCV Water
REC 4 – Data	<p>Please report any special status species detected by completing and submitting CNDDB Online Field Survey Form. Information on special-status native plant populations and sensitive natural communities, the Combined Rapid Assessment and Relevé</p>	Prior to finalizing CEQA document	SCV Water

Rick Vasilopoulos
 Santa Clarita Valley Water Agency
 December 16, 2022
 Page 16 of 16

	Form should be completed and submitted to CDFW's Vegetation Classification and Mapping Program.		
REC 5 - MMRP	The MND's proposed Biological Resources Mitigation Measures should be updated and conditioned to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments. SCV Water is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures.	Prior to finalizing CEQA document	SCV Water

Letter 2

COMMENTER: Erinn Wilson-Olgin, Environmental Program Manager I, California Department of Fish and Wildlife

DATE: December 16, 2022

Response 2.1

The commenter states the California Department of Fish and Wildlife's (CDFW) role as a responsible and trustee agency under the California Environmental Quality Act (CEQA).

The commenter's role as a trustee and responsible agency under CEQA is noted. As indicated in Response 2.5, the project would not require a Lake and Streambed Alteration Agreement (LSAA) from CDFW; therefore, CDFW is not anticipated to serve as a responsible agency under CEQA for the proposed project.

Response 2.2

The commenter provides a summary of the project description and location. The commenter states they are offering comments and recommendations to assist SCV Water in avoiding and/or mitigating project impacts on biological resources and recommends the suggested measures be included in the project's Mitigation Monitoring and Reporting Program (MMRP).

This comment is noted. Please refer to Responses 2.3 through 2.11 for responses to the specific comments, recommendations, and suggested measures provided by the commenter.

Response 2.3

The commenter states the project may have a significant impact on unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*; UTS) due to groundwater extraction during project operation that may lead to low surface water levels within the Santa Clara River, reduced riparian habitat, and changes to water quality, which could result in modifications or loss of suitable habitat for UTS. As a result, the commenter indicates the project has the potential to have a substantial adverse effect on a special status species and has the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species. The commenter recommends SCV Water completely avoid project impacts to UTS because CDFW cannot authorize take of this species. If project impacts to UTS cannot be completely avoided, the commenter recommends SCV Water consult with CDFW to discuss the project and a path forward. The commenter recommends SCV Water revise and recirculate the Draft IS-MND to provide more details on the operational phase of the project, the surface water monitoring technique that will be utilized during project operation to ensure surface water is not depleted, the presence of UTS within the Santa Clara River, potential project impacts to UTS, any measures proposed to avoid impacts to UTS, and how the groundwater pumping regime management plan will reduce impacts to aquatic and semi-aquatic species to a less-than-significant level.

UTS is designated as a State fully protected species, California Endangered Species Act (CESA)-listed species, and Endangered Species Act (ESA)-listed species with an extremely limited range of suitable

habitat. UTS is known to occupy several reaches of the Santa Clara River, and multiple California Natural Diversity Database (CNDDDB) occurrences are documented within five miles of the project site in the Santa Clara River (CNDDDB Occurrence Numbers 3, 10, 11, 13, 15), both up- and downstream of the project site. Although none of these occurrences overlap the project site, UTS may migrate to the portion of the Santa Clara River directly south of the project site during moderate to high flow conditions.

Direct impacts to UTS would not occur during project construction because ground disturbance would be confined to the developed, ornamental, and disturbed land cover types to the north and outside of the Santa Clara River channel, which do not provide suitable habitat for UTS. Reactivated operation of existing Wells S6, S7, and S8 in conjunction with operation of the new Well S9 would entail individual operation and monitoring of each well, allowing SCV Water to turn on any combination of one to four well pumps at a time to stay within the pumping values described in the GSP, as discussed in Topical Response A. As such, project operation is not expected to deplete local groundwater levels beyond the minimum thresholds for depletion of interconnected surface waters established in the Santa Clara River Valley East Groundwater Subbasin GSP such that plant cover would be reduced, thereby exposing UTS to predators and reducing forage food among aquatic vegetation. As further described in the GSP, the SCV GSA monitors groundwater elevations in the vicinity of the project site as well as downstream to evaluate GDEs and identify when GDEs may be experiencing undesirable results caused by groundwater pumping. If undesirable results are or may be occurring, the GSP calls for management actions, such as reducing groundwater pumping and/or importing additional supply, to allow groundwater levels to recover and to provide additional protection to the GDEs. The GSP recognizes that UTS have been present in the Santa Clara River approximately two miles west of the project site near Interstate 5 (near the GDE-B monitoring well). The well-by-well pumping approaches, specialized monitoring, and the evaluation program included in the GSP work together to protect against undesirable results from groundwater pumping, including cessation of surface flow and pools during low-flow conditions in the river channel, at this downstream location that currently provides essential habitat for UTS. Nevertheless, the Draft IS-MND conservatively requires implementation of Mitigation Measure BIO-3 to avoid potential indirect impacts to UTS during the operational phase of the project. In response to the commenter's suggestions, the text of the *Description of Project* section and the text of thresholds (a) and (c) in Section 4, *Biological Resources*, of the Draft IS-MND have been clarified and further described under Topical Response A.

The Santa Clara River Valley East Groundwater Subbasin GSP identifies a portion of the Santa Clara River approximately 900 feet east of the project site as a potential GDE (GDE-A) and the portion of the Santa Clara River near the I-5 bridge, approximately two miles downstream of the project site, as a GDE (GDE-B).² The potential GDEs shown in the GSP were identified based on high-level mapping of coast live oak, riparian mixed hardwood, and riparian mixed scrub habitat and generally excluded areas with a depth to groundwater greater than 30 feet (Appendix E, Figure 2 of the GSP). Whether the portion of the Santa Clara River in proximity to the project site (both upstream and downstream) is hydrologically interconnected to the surface water of the Santa Clara River and whether this area is a GDE was not definitively determined during preparation of the GSP. The GSP recognizes that the GDE-A area near the project site may not be a GDE and indicates more monitoring is needed. During GSP implementation, the SCV GSA anticipates making a final

² Santa Clarita Valley Groundwater Sustainability Agency (SCV GSA). 2022. Santa Clara River Valley East Groundwater Subbasin Groundwater Sustainability Plan. <https://scvgsa.org/wp-content/uploads/2022/02/Santa-Clara-River-Valley-East-Groundwater-Subbasin-GSP.pdf> (accessed January 2023).

determination as to whether the area surrounding GDE-A is a GDE. This observation that the GDE-A area may not be a GDE was made by others during GSP development, including CDFW, because the groundwater elevations near GDE-A have been recorded historically to be 30 or more feet below ground surface (SCV GSA 2022). Also, since GSP adoption, for example, in summer 2022, the groundwater elevation at GDE-A was approximately 35 feet below ground surface, and, as stated previously, historical records indicate the historical low is deeper still.³

The structure of the alluvial aquifer system along the Santa Clara River varies with some areas having deeper sections of alluvium (e.g., GDE-A) and greater depths to groundwater, and some areas having thinner alluvium and shallower depths to groundwater (e.g., GDE-B). UTS have been documented near GDE-B in the past. The Draft IS-MND follows the approach used in the GSP that considered GDE-A might be a GDE and therefore requires implementation of Mitigation Measure BIO-3 to address potential operational impacts to surface water flows, riparian habitat, water quality, and special status species associated with GDEs. In response to the commenter's suggestions, the text of the *Description of Project* section of the Draft IS-MND has been clarified as shown previously under Topical Response A.

Surface water monitoring is not proposed as part of Mitigation Measure BIO-3, primarily because surface water levels in the Santa Clara River may fluctuate in response to natural and anthropogenic factors that are independent of the proposed project and outside of SCV Water's control (e.g., drought, private wells). Instead, Mitigation Measure BIO-3 requires SCV Water to monitor groundwater levels by utilizing the existing GDE-A and GDE-B monitoring wells and comparing groundwater elevations to the trigger levels outlined in the GSP, or future GSP updates, which are discussed further below. In doing so, SCV Water would evaluate whether groundwater extraction resulting from project operation is potentially resulting in the depletion of interconnected surface waters that could lead to undesirable results to GDEs and impacts to associated special status species and riparian habitat, independent of other factors.

The trigger level approach referenced in Mitigation Measure BIO-3 was developed by the SCV GSA to achieve the sustainable management criterion of avoiding depletion of interconnected surface waters from groundwater extraction that could lead to undesirable results to GDEs. The potential undesirable results which this criterion seeks to avoid consist of 1) permanent loss or significant degradation of existing native riparian or aquatic habitat due to lowered groundwater levels caused by groundwater pumping throughout the GDE area and 2) in areas that currently provide essential habitat to UTS and native fishes (sensitive aquatic species in the vicinity of Interstate 5 Bridge), cessation of surface flow and pools during low-flow conditions in the river channel caused by groundwater extraction is an undesirable result (Table 8-1 of the GSP).

The associated minimum threshold for avoiding these undesirable results is "surface water depletion caused by groundwater extraction as measured by groundwater levels falling below the lowest predicted future groundwater elevation measured at GDE-area monitoring wells" (Table 8-1 of the GSP). In accordance with the procedures outlined in the GSP, whether this minimum threshold is exceeded will be analyzed based on the average of future modeled groundwater elevations using the same data set as that used to develop the minimum threshold. As indicated in Table 8-1 of the GSP, "GDE trigger levels...that are at or above historical low elevations (as estimated from the model) will be used to initiate an assessment of GDE conditions caused by groundwater extraction and management actions that might be needed to protect GDEs." Although trigger levels

³ Santa Clarita Valley Groundwater Sustainability Agency (SCV GSA). 2023. Santa Clarita Valley Groundwater Sustainability Plan Groundwater Dependent Ecosystem Monitoring Protocol. February 22, 2023.

downstream from I-5 were set equal to historical low groundwater elevation, the trigger levels at GDE-A and GDE-B were set two feet higher than historical low groundwater elevation. This more conservative approach was taken due to the concerns about UTS, in particular at GDE-B, and to ensure adequate lead time to evaluate potential undesirable results to GDEs caused by groundwater extraction and provide sufficient time to incorporate management actions if necessary. Given the connection between the trigger level, the sustainable management criterion, and the undesirable results related to depletion of interconnected surface waters, use of the GDE trigger levels and GDE evaluation program as required by Mitigation Measure BIO-3 would result in a groundwater pumping plan that would not result in significant adverse impacts to surface water flows, riparian vegetation, and water quality in the Santa Clara River. Therefore, implementation of Mitigation Measure BIO-3 would reduce potential impacts to special status species, riparian vegetation, and the hydrology and water quality of the Santa Clara River to a less-than-significant level.

The trigger level concepts and evaluation in the GSP, which are incorporated into Mitigation Measure BIO-3, were developed, published, and adopted by SCV GSA through a public review process (which included participation by CDFW) and are supported by the substantial evidence that underlies the entirety of the GSP. Therefore, the trigger levels are appropriate to utilize as thresholds of significance under CEQA pursuant to CEQA Guidelines Section 15064.7(b). In addition, CDFW did not identify concerns with the trigger levels proposed for monitoring effects to GDEs and interconnected surface waters in its comments on the GSP (Appendix O of the GSP).

Mitigation Measure BIO-3 in the Draft IS-MND contains sufficient information on the groundwater pumping plan to demonstrate indirect impacts (if any) to special status species, sensitive plant communities, and state or federally protected wetlands (e.g., the Santa Clara River) would be reduced to a less-than-significant level. Pursuant to CEQA Guidelines Section 15126.4(a)(1)(B), this mitigation measure includes a specific performance standard that the groundwater pumping plan must achieve (i.e., the trigger levels for GDE-A and GDE-B outlined in the GSP) and identifies the types of potential actions that can feasibly achieve that performance standard (i.e., an evaluation program and subsequent management actions, if deemed necessary, such as shifting pumping to another location, reducing or halting pumping at Wells S6, S7, S8, and/or S9, and/or increasing the quantity of imported water). Pursuant to Mitigation Measure BIO-3, if the trigger levels outlined in the GSP for GDE-A and GDE-B are exceeded, an evaluation program must be conducted with necessary management actions implemented should significant and unreasonable effects be anticipated to result from groundwater extraction under the proposed project. This evaluation program is intended to be conducted in accordance with the procedures and requirements outlined in Section 9.5.5 of the GSP. To clarify this point, Mitigation Measure BIO-3 has been revised as shown under Topical Response A. In addition, the examples of management actions identified in Mitigation Measure BIO-3 mirror those presented in Section 9.5.5 of the GSP. In its comment letter submitted on the Draft GSP on October 14, 2021, CDFW indicated, “the Department concurs with the actions described in the evaluation and reporting processes” and requested the addition of reasonable timetables for the completion of specific items, including implementation of management actions if GDE action triggers are reached (see Appendix O of the GSP). The SCV GSA incorporated this feedback into the final GSP in Section 9.5.5 (SCV GSA 2022).

In addition, the text under threshold (a) in Section 4, *Biological Resources*, of the Draft IS-MND has been clarified as shown in Topical Response A in response to the commenter’s recommendations to incorporate additional information on how Mitigation Measure BIO-3 would reduce impacts to aquatic and semi-aquatic species to a less-than-significant level.

In light of the above discussion, with implementation of Mitigation Measure BIO-3, groundwater extraction during project operation would not lead to low surface water levels, reduced riparian habitat, or changes to hydrology or water quality that could result in modifications or loss of suitable habitat for UTS or other special status species. SCV Water would thus avoid project impacts to UTS, and no take would occur. No additional mitigation measures are necessary to avoid impacts to UTS, other special status species, riparian habitat, hydrology, or water quality. Therefore, as concluded in Section 4, *Biological Resources*, and Section 21, *Mandatory Findings of Significance*, of the Draft IS-MND, the project would not have a substantial adverse effect on a special status species and would not have the potential to substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species. Because no new, avoidable significant effects have been identified and no new mitigation measures are proposed, recirculation of the Draft IS-MND is not required pursuant to CEQA Guidelines Section 15073.5.

Response 2.4

The commenter states the project may impact least Bell's vireo (*Vireo bellii pusillus*; LBVI) during construction and operation if elevated noise levels during construction activities result in abandonment of nesting territory and if suitable habitat, such as the Fremont cottonwood forest and woodland vegetation community, is reduced due to depletion of localized groundwater. The commenter notes the project may therefore potentially cause a wildlife population to drop below self-sustaining levels; threaten to eliminate an animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species, thus requiring a mandatory finding of significance. The commenter notes CDFW considers adverse impacts to a species protected by the California Endangered Species Act to be significant without mitigation under CEQA. The commenter provides a summary of the requirements of the California Endangered Species Act. The commenter recommends consultation with USFWS to comply with the federal Endangered Species Act prior to commencement of project construction and operational activities that may impact LBVI. The commenter also recommends modifications to Mitigation Measure BIO-4.

As noted in the revised Description of Project under Topical Response A, the proposed groundwater extraction under the project would not be greater than the planned groundwater extraction evaluated in the GSP, which considers the long-standing approach to groundwater extraction in the basin. Furthermore, as stated under Topical Response A and Response 2.3, with implementation of the adopted GSP and Mitigation Measure BIO-3, the project would not result in depletion of local groundwater supplies such that significant indirect impacts to suitable habitat for LBVI (e.g., Fremont cottonwood forest and woodland vegetation community) would occur. As noted in Section 4, *Biological Resources*, of the Draft IS-MND, "if least Bell's vireo is present within the vicinity of the project during construction, the proposed project has the potential to indirectly impact the species if construction noise, dust, and other human disturbances cause a nest to fail." As indicated by the commenter and consistent with the analysis of the Draft IS-MND, heavy machinery operation during project implementation may emit noise and vibrations that could lead to disruption in LBVI breeding behavior and reduced breeding activity, should breeding LBVI be present in close proximity to the project site during project implementation. As a result, the Draft IS-MND includes Mitigation Measure BIO-4, which requires focused LBVI pre-construction surveys following USFWS-established

protocols to determine whether breeding LBVI are present within 500-feet of the project site and implementation of avoidance buffers should LBVI be detected.

In response to the commenter's suggestions, Mitigation Measure BIO-4 has been clarified as follows:

BIO-4 Least Bell's Vireo Pre-construction Surveys

Prior to the initiation of project construction activities within or adjacent to suitable nesting habitat during least Bell's vireo breeding season (March 15 through September 15), a qualified biologist with experience surveying for least Bell's vireo shall conduct at least ~~three~~ eight focused surveys following USFWS-established protocols to determine whether breeding least Bell's vireos are present. Focused surveys shall be completed within the project site and a 500-foot buffer. Per protocol guidelines, a final survey report (including negative findings) shall be provided to USFWS and CDFW within 45 calendar days following the completion of the survey effort. If least Bell's vireo is present, the biologist shall determine and delineate its breeding territory with high visibility flagging or similar material, and no construction shall take place within 500 feet of the breeding territory from March 15 through September 15. Construction activities shall not continue within the buffer until the young have fledged or the nest is no longer active. If take or adverse impacts to least Bell's vireo cannot be avoided during Project construction, SCV Water shall consult with CDFW and may be required to obtain a permit under the California Endangered Species Act, such an Incidental Take Permit or a Consistency Determination.

SCV Water would thus avoid significant project impacts to LBVI, and no take would occur. No additional mitigation measures are necessary to avoid impacts to LBVI. Therefore, as concluded in Section 4, *Biological Resources*, and Section 21, *Mandatory Findings of Significance*, of the Draft IS-MND, the project would not have a substantial adverse effect on a special status species and would not have the potential to substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or substantially reduce the number or restrict the range of an endangered, rare, or threatened species. Because no new, avoidable significant effects have been identified and no new mitigation measures are proposed, recirculation of the Draft IS-MND is not required pursuant to CEQA Guidelines Section 15073.5.

Response 2.5

The commenter states the project may result in impacts to the Santa Clara River and associated riparian vegetation during the operational activities as a result of localized groundwater extraction. The commenter notes that impacting the hydrology of the Santa Clara River may also lead to adverse downstream impacts to biological resources. The commenter states SCV Water should submit notification pursuant to California Fish and Game Code Section 1602 prior to operational activities which impact streams and associated natural communities and may need to obtain an LSAA from CDFW for direct and indirect impacts to streams and riparian areas resulting from project construction in proximity to the Santa Clara River. The commenter recommends the Draft IS-MND fully identify the potential impacts to stream and riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments to support issuance of an LSAA. The commenter offers potential additional measures to compensate for potential on- and off-site

impacts to aquatic and riparian resources. The commenter requests the Draft IS-MND be revised to disclose how the project would impact the hydrology of the Santa Clara River south and downstream of the project site and provide additional information about the trigger level referenced in Mitigation Measure BIO-3.

As noted in the revised Description of Project under Topical Response A, the proposed groundwater extraction under the project would not be greater than the planned groundwater extraction evaluated in the GSP, which considers the long-standing approach to groundwater extraction in the basin. Furthermore, as stated under Topical Response A and Response 2.3, with implementation of Mitigation Measure BIO-3, the project would not result in depletion of local groundwater supplies such that significant impacts to stream and riparian resources associated with the Santa Clara River, including those downstream of the project site, through direct removal, filling, hydrological interruption, or other means would occur. Please refer to Topical Response A and Response 2.3 for additional information about the trigger level referenced in Mitigation Measure BIO-3 and for revisions made to the discussion under threshold (c) in Section 4, *Biological Resources*, in response to the commenter's recommendations to provide additional information on potential project impacts to the hydrology of the Santa Clara River. In addition, the GSP concludes that with the evaluated groundwater pumping plan, any changes to future non storm surface water flows out of the Basin are expected to be de minimis in magnitude, meaning they will not be substantially different from historic non storm flows (SCV GSA 2022). Groundwater pumping in line with GSP modeling assumptions would not be expected to result in any significant direct or indirect changes to streamflow. Because the proposed project would involve groundwater pumping consistent with the GSP's evaluated groundwater pumping plan SCV Water would not be required to submit notification pursuant to California Fish and Game Code Section 1602. Furthermore, conformance with the monitoring and management actions of the GSP would ensure operation of the wells would not result in substantial depletion of interconnected surface waters as established in the GSP. Mitigation Measure BIO-3 reinforces the need to monitor groundwater levels and to implement management actions in a timely manner, which would thereby avoid significant direct or indirect impacts to streams or streamflow.

Response 2.6

The commenter recommends modifications to Mitigation Measure BIO-5.

Mitigation Measure BIO-5 as presented in the Draft IS-MND is sufficient to maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code. Nevertheless, to clarify this measure, some of the commenter's recommended revisions have been incorporated into the text of this mitigation measure as shown below. However, the recommended increases in nest buffer distances were not incorporated because the nest buffers included in Mitigation Measure BIO-5 are sufficient to address potential impacts to nesting birds given the existing urban nature of the area, which includes elevated ambient noise levels due to existing residential and institutional development, and because the commenter does not suggest the currently-proposed nest buffers are insufficient to mitigate project impacts..

BIO-5 Protection of Nesting Birds

Project-related activities shall occur outside of the bird breeding season (generally February 1 to August 31) to the extent practicable. If construction must occur within the bird breeding season, then no more than three days prior to the initiation of ground-disturbing activities (including,

but not limited to vegetation removal, site preparation, grading, excavation, and trenching) within the project site, a nesting bird pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 100-foot buffer (300-foot for raptors), where feasible. If the proposed project is phased or construction activities stop for more than one week, a subsequent pre-construction nesting bird survey shall be required within three days prior to each phase of construction.

Pre-construction nesting bird surveys shall be conducted during the time of day when birds are active and shall factor in sufficient time to perform this survey adequately and completely. A report of the nesting bird survey results, if applicable, shall be submitted to SCV Water for review and approval.

If no nesting birds are observed during pre-construction surveys, no further actions are necessary. If nests are found, an appropriate avoidance buffer ranging in size from 25 to 50 feet for passerines, and up to 300 feet for active non-listed raptors nests (depending upon the species and the proposed work activity) shall be determined, and demarcated by a qualified biologist with bright orange construction fencing or other suitable material. Active nests shall be monitored at a minimum of once per week until it has been determined the young have fledged the nest and are no longer reliant upon the nest or parental care for survival. These buffers shall be increased to protect the nesting birds, if necessary, as determined by a qualified biologist. No ground disturbance or vegetation removal shall occur within this buffer until the qualified biologist confirms breeding/nesting has ended, and all the young have fledged.

Response 2.7

The commenter recommends the use of only native species found in naturally-occurring vegetation communities within or adjacent to the project site for the proposed plantings and avoidance of the use of non-native, invasive plant species in areas adjacent or near habitat areas.

The proposed project includes installation of native plant species on the southern side of the proposed groundwater treatment and disinfection facility adjacent to the Santa Clara River and installation of a variety of ornamental species along Bridgeport Lane to blend in with the existing ornamental landscaping through the surrounding community. The commenter does not suggest that the exclusive use of native plant species specifically found in naturally occurring vegetation communities within or adjacent to the project site in the project's landscaping palette is necessary to mitigate a significant impact to biological resources under CEQA. Therefore, incorporation of this recommendation in the Draft IS-MND is not required under CEQA. However, SCV Water decisionmakers will consider the commenter's recommendations as they review the project.

Response 2.8

The commenter states the requirements for reporting observations of special status species and sensitive natural communities and requests submittal of observation data to the California Natural Diversity Database should any special status species be detected and provides guidance for submittal.

As indicated in Mitigation Measure BIO-2 in Section 4, *Biological Resources*, of the Draft IS-MND and in accordance with the requirements of Public Resources Code Section 21003(e), "all observations of special status species shall be recorded on California Natural Diversity Database field sheets and sent to CDFW by SCV Water or a qualified biological monitor."

Response 2.9

The commenter recommends updating the mitigation measures for biological resources in the Draft IS-MND to include their suggested measures and indicates they have provided a summary of their suggested mitigation measures and recommendations in a Mitigation Monitoring and Reporting Plan included as an attachment to their letter.

This comment is noted. Please refer to Responses 2.3 through 2.8 for discussions on the commenter's suggested mitigation measures and other recommendations.

Response 2.10

The commenter states CDFW's filing fee requirements.

This comment is noted. SCV Water would be required by law to pay all appropriate CDFW filing fees.

Response 2.11

The commenter requests the opportunity to review and comment on responses to their comments, requests notification of future public hearings on the project, and provides their contact information.

The comment is noted. SCV Water will provide CDFW with a copy of these responses to comments prior to consideration of the Final IS-MND by the Board of Directors and will notify CDFW about future public hearings associated with this project.



State Water Resources Control Board

December 19, 2022

Santa Clarita Valley Water Agency
Attn: Rick Vasilopoulos
26521 Summit Circle
Santa Clarita, CA 91350

SANTA CLARITA VALLEY WATER AGENCY (SCVWA), MITIGATED NEGATIVE DECLARATION (MND) FOR THE S WELLS PFAS GROUNDWATER TREATMENT AND DISINFECTION FACILITY PROJECT (PROJECT); STATE CLEARINGHOUSE #2022110376

Dear Mr. Rick Vasilopoulos:

Thank you for the opportunity to review the MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. The Project is within the jurisdiction of DDW Angeles District. DDW Angeles District issues domestic water supply permit amendments to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 CCR chapter 16 et. seq.). A public water system requires a new water supply permit amendment for changes to a water supply source, storage, or treatment and for the operation of new water system components including new distribution tanks equal to or over 100,000 gallons, new wells, and treatment systems. The SCVWA will need to apply for a water supply permit amendment for this Project.

3.1

The State Water Board, DDW, as a responsible agency under CEQA, has the following comments on the SCVWA’s MND:

- In Section 10 "Other Public Agencies Whose Approval is Required", please indicate that the State Water Resources Control Board, Division of Drinking Water will need to approve a water supply permit amendment for the Project.

3.2

Once the MND is adopted, please forward the following items in support of SCVWA’s permit application to the State Water Board, DDW Angeles District Office at DWPDIST22@waterboards.ca.gov:

- Copy of the draft and final MND and Mitigation Monitoring and Reporting Plan (MMRP);

3.3

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

- Copy of any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND and MMRP;
- Copy of the date stamped Notice of Determination filed at the Los Angeles County Clerk's Office and the Governor's Office of Planning and Research, State Clearinghouse.

3.3 cont.

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, if you have any questions regarding this comment letter.

Sincerely,

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Bill Liang
District Engineer
Angeles District

Letter 3

COMMENTER: Lori Schmitz, Environmental Scientist, State Water Resources Control Board (SWRCB)

DATE: December 19, 2022

Response 3.1

The commenter provides an overview of the SWRCB Division of Drinking Water's (DDW) responsibilities for issuing water supply permits and indicates the project is within the jurisdiction of the DDW Angeles District. The commenter indicates SCV Water would be required to apply for a water supply permit amendment for the project.

SCV Water would comply with all applicable water supply permit requirements administered by the SWRCB DDW.

Response 3.2

The commenter requests listing the SWRCB DDW under *Other Agencies Whose Approval is Required*, in the IS-MND.

In response to the commenter's request, the *Other Agencies Whose Approval is Required* section of the IS-MND has been clarified as follows:

10. Other Public Agencies Whose Approval is Required

SCV Water is the lead agency for this project. Because the proposed project is located in an area designated as Open Space by the North Valencia Specific Plan, the project would require a permit from the Santa Clarita City Manager prior to any vegetation removal (Santa Clarita Municipal Code Section 14.10.060). According to Government Code Section 53091, building and zoning ordinances of a county or city shall not apply to the location or construction of facilities for the production, generation, storage, treatment, or transmission of water. As such, the project would not be subject to the City's building and zoning ordinances (Santa Clarita Municipal Code Titles 17 and 18), which include the City's oak tree preservation ordinance. However, SCV Water would voluntarily comply with the City's oak tree preservation ordinance during implementation of the proposed project. SCV Water would also obtain a Parkway Tree Permit pursuant to the City's Parkway Trees Ordinance for removal of western sycamore and London plane trees. In addition, the State Water Resources Control Board, Division of Drinking Water would be a responsible agency for the proposed project because the project would require a water supply permit amendment.

Response 3.3

The commenter requests submittal of the Draft IS-MND, Final IS-MND, and Mitigation and Monitoring Report Plan, all comment letters and responses, a copy of the resolution adopting the Final IS-MND and MMRP, and a copy of the Notice of Determination as part of SCV Water's water supply permit application to the SWRCB DDW Angeles District Office.

The comment is noted. SCV Water will provide these documents to the SWRCB DDW Angeles District Office with the project's water supply permit amendment application.



Friends of the Santa Clara River

PO Box 7713 Ventura, California 90006 (805) 320-2265
fscr.org

Board of Directors

James Danza
Chair
Barbara Wampole
Vice Chair
Diana Rodriguez
Secretary

12-19-22

Santa Clarita Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350

Sent via email to swells@scvwa.org

Re: Mitigated Negative Declaration (MND) Wellhead Treatment
Facilities and new well S9

Dear Sirs:

We recently received notification of this proposal to add a new well that would pump up to 1000 AF from a concerned party. We were surprised not to receive notice from the agency since we were actively involved in the development of the Agency’s Groundwater Sustainability Plan (GSP) and downstream GSPs. This failure to notify interested parties is not acceptable and inhibits our efforts to work together to ensure the sustainability of the Santa Clara River and protect its rare habitat and species, especially groundwater dependent ecosystem users and uses. The MND was not visibly posted on your website in a way that would make it easy to find. It almost appears that your agency did not wish anyone to know about this project. We therefore ask that the comment period be extended and all groups that commented on the GSP be notified of the intent to adopt an MND.

4.1

The reach of the Santa Clara River where this project is proposed is a particularly environmentally sensitive and it likely inhibited by federal and state listed endangered species including migratory birds such as the Southwestern flycatcher and Least’s bell’s Vireo, both found in areas immediately adjacent to this location. Migratory birds often nest in these riparian areas in or adjacent to the Santa Clara River. There may also be other endangered amphibians and reptiles such as the arroyo toad and legless lizard.

4.2

According to the MND, only two cursory surveys were conducted one on February 23rd and another on August 30, 2022. But apparently no protocol surveys were conducted to provide information and disclosure for impacts to these special status species, and no mitigation provided to ensure that surveys will be done.

Instead, a Compendium in the appendices merely lists the potential for these species to exist on site. This is not acceptable, nor does it adequately capture impacts and therefore mitigation. It is also unclear whether the California Department of Fish and Wildlife (CDFW) was notified about the project and given an opportunity to comment, or if a permit been granted by the United States Army Corps of Engineers to work in the river.

4.2
(cont.)

4.3

Of course, the Friends understand the need to provide safe drinking water by installing well head treatment on the existing S wells. But the high noise levels may impact nesting birds and other wildlife in this sensitive habitat area. While the MND suggests BIO – 5, surveys 3 days prior to beginning construct, to protect nesting birds, however the noise would prevent birds from nesting in the first place in one of the few remaining places they have to do this. We remind the Agency of the successful litigation in 2000 brought by the Friends of the Santa Clara River to prohibit the use of hazing machines by Newhall Land to stop bird nesting so they could proceed with their construction. Bio – 5 should be changed to read that construction will not occur in bird nesting season.

4.4

We believe there is a way to resolve these issues while still ensuring a healthy drinking water supply. We ask that a new document that includes potential alternatives such as extra noise walls, avoiding construction in nesting season, or locating the well head treatment to a location further away from the river and piping to that facility (as has been a solution in other areas of your agency) be investigated and considered. Currently, the MND provides no alternatives. We ask that an alternatives analysis be provided in a new circulated document, with adequate notification to partners and stakeholders.

4.5

This project will have extremely detrimental aesthetic and noise impacts to that area of the Santa Clara River and the surrounding community. A mitigated negative declaration is not the correct CEQA document for addressing these issues. A proper EIR analysis that provides alternatives, is required.

4.6

This document is titled “S Wells PFAS Groundwater Treatment and Disinfection Facility Project”. This title is deceptive in that the MND also includes the addition of a new drinking water well that will pump 1000 AF of water in an area adjacent to 3 other existing wells. It is not just for a treatment facility. The project description and project map all include a new well installation (well 9). The MND does not address any of the potential impacts from pumping an additional 1000 AF of water from this sensitive area. We’re concerned that additional pumping may affect the ground water dependent habitat in this area

4.7

upon which several listed species depend. Yet there is no analysis of the effects of this pumping on the area. Again, an MND is not the correct CEQA document for a sensitive area where endangered species are located. Please provide and re-circulate a corrected document.

4.7
(cont.)

Additionally, this rule appears to try to evade the update by Department of Water Resources (DWR) in Bulletin 74 Well regulations that address drilling wells in polluted aquifers. The Division of Drinking water also has regulations governing new wells in polluted drinking water sources. Has the DWR and the Drinking Water Division been notified of this MND and did they have the opportunity to comment on it? Were they informed that it involved the drilling of a new well? We are concerned that the misleading title may have hidden your intention to drill a new well from them.

4.8

Please provide an adequate document that includes impacts by pumping from a proposed new well and a time extension for comment.

4.9

Sincerely,



Candice Meneghin, Board Member



Jim Danza, Chair

CC: Division of Drinking Water
CA Depart of Fish and Wildlife

Letter 4

COMMENTER: Candice Meneghin, Board Member, and Jim Danza, Chair, Friends of the Santa Clara River

DATE: December 19, 2022

Response 4.1

The commenter indicates they understand the project includes a new well that would pump up to 1,000 acre-feet. The commenter expresses concern that they did not receive notification of the Draft IS-MND and that the Draft IS-MND was not visibly posted on the SCV Water website. The commenter requests extension of the comment period and provision of the Notice of Intent to Adopt an MND (NOI) to all groups that commented on the GSP.

As indicated on page 6 of the Draft IS-MND under *Description of Project*, the proposed Well S9 would produce up to an additional 1,000 gallons per minute, not 1,000 acre-feet. As noted under Topical Response A, the text of *Description of Project - Operation and Maintenance* has been clarified to indicate that 1) SCV Water anticipates approximately 2,700 to 4,288 acre-feet per year of groundwater would be pumped, depending on hydrologic year type, across Wells S6, S7, S8, and S9 under the proposed project and 2) annual groundwater pumping rates under this project for the four wells would be consistent with historical pumping rates for Wells S6, S7, and S8 and would not exceed pumping quantities provided in the groundwater level simulations used in the GSP.

CEQA Guidelines Section 15072 requires a CEQA lead agency (in this case, SCV Water) to provide an Notice of Intent (NOI) to the public, responsible agencies, trustee agencies, and the county clerk of each county within which the project site is located when it intends to adopt a negative declaration or a mitigated negative declaration for a project. The NOI contains information on the project and its location as well as the public review period. SCV Water distributed the NOI for the proposed project pursuant to the requirements of CEQA Guidelines Section 15072. The NOI was published in a newspaper of general circulation (i.e., *The Signal*) on November 15, 2022, filed with the Los Angeles County Clerk, and provided to all responsible and trustee agencies (i.e., the City of Santa Clarita and SWRCB). The NOI was also provided electronically to 15 State agencies via the State Clearinghouse portal (California Department of Fish and Wildlife, California Air Resources Control Board, California Department of Forestry and Fire Protection, California Department of Parks and Recreation, California Department of Water Resources, California Highway Patrol, California Native American Heritage Commission, California Natural Resources Agency, California Public Utilities Commission, Los Angeles Regional Water Quality Control Board, State Lands Commission, Department of Toxic Substances Control, Office of Historic Preservation, State Water Resources Control Board [Division of Water Quality, Division of Water Rights, Division of Financial Assistance, Division of Drinking Water], and California Department of Transportation). In addition, SCV Water posted the Draft IS-MND and NOI clearly on the project's website at the link provided in the NOI (<https://www.yourscvwater.com/pfas/treatment-facilities/swells>) and voluntarily notified the residents of the Bridgeport community through an email announcement on November 29, 2022 that was distributed by the Bridgeport Homeowners Association. SCV Water also held two public engagement meetings prior to the public review period on August 31, 2022 at Bridgeport Elementary School and on November 2, 2022 via Zoom. During these meetings, SCV Water provided information on the release of the Draft IS-MND, including an estimated schedule for the public review period and website access information, and responded to questions from members of the

public about the environmental review process. These meetings were noticed in The Signal newspaper, on the SCV Water website and social media, and via invitations to residents of the Bridgeport Community.

Response 4.2

The commenter suggests the segment of the Santa Clara River near the project site is environmentally sensitive and likely inhabited by federally and state listed species, including southwestern willow flycatcher, least Bell's vireo, arroyo toad, and legless lizard, as well as migratory birds. The commenter expresses concern that protocol surveys for special status species were not conducted during preparation of the IS-MND and that impacts to these species were thus not adequately discussed in the IS-MND. The commenter also suggests no mitigation was provided to ensure protocol surveys will be completed.

Section 4, *Biological Resources*, of the Draft IS-MND, addresses potential direct and indirect project impacts to several federally and state listed species that have moderate to high potential to occur within a 100-foot radius of the project site, including California legless lizard, coastal whiptail, coast horned lizard, San Diego black-tailed jackrabbit, arroyo toad, western pond turtle, and least Bell's vireo, as well as nesting migratory birds. (As noted in the Biological Resources Assessment included as Appendix B to the Draft IS-MND, southwestern willow flycatcher was determined to have a low potential to occur because there are no California Natural Diversity Database occurrences recorded within ten miles of the Study Area, and the closest United States Fish and Wildlife Service-designated critical habitat is approximately 2.2 miles west of the project site.) The Draft IS-MND concludes no direct impacts to federally and state listed species would occur because the project site does not provide suitable habitat for these species. Potential indirect impacts to these species related to noise, vibration, dust, and groundwater pumping are also analyzed in the Draft IS-MND, and implementation of Mitigation Measures BIO-1 through BIO-4 are required to reduce impacts to less-than-significant levels through a construction personnel training, implementation of construction best management practices, sustainable groundwater pumping practices, and protocol surveys for least Bell's vireo with establishment of avoidance buffers if breeding individuals are observed. The Draft IS-MND also indicates that the project site and surroundings contain habitat with the potential to support resident and migratory passerine species and raptors protected under the California Fish and Game Code and Migratory Bird Treatment Act. As a result, the Draft IS-MND concludes potentially significant direct and indirect impacts to nesting birds may occur, and implementation of Mitigation Measure BIO-5, which involves a pre-construction nesting bird survey and establishment of avoidance buffers if nests are observed, to reduce impacts to less-than-significant levels.

The completion of protocol surveys for special status species is not required under CEQA to establish baseline biological conditions. The completion of biological resources reconnaissance surveys, the results of which are detailed in Biological Resources Assessment included as Appendix B of the Draft IS-MND, provides adequate information to assess the potential for special status species to occur as well as to document the presence of sensitive plant communities, potential jurisdictional waters of the U.S./State and wetlands, and habitat for federally and state protected nesting birds. Because no protocol surveys were conducted, the project-specific Biological Resources Assessment (Appendix B to the Draft IS-MND) as well as the analysis in Section 4, *Biological Resources*, of the Draft IS-MND conservatively assume the presence of several federally and state listed species with moderate to high potential to occur, including California legless lizard, coastal whiptail, coast horned

lizard, San Diego black-tailed jackrabbit, arroyo toad, western pond turtle, and least Bell's vireo. The Draft IS-MND therefore evaluates potential direct and indirect impacts to these species and requires implementation of Mitigation Measures BIO-1 through BIO-5 to reduce potential impacts to less-than-significant levels. Mitigation Measure BIO-4, as revised under Response 2.4, specifically requires the completion of eight focused protocol surveys for least Bell's vireo within the project site and a 500-foot buffer prior to the initiation of construction activities during the least Bell's vireo breeding season (March 15 through September 15) as well as the establishment of avoidance buffers if any active nests are identified. Therefore, the analysis included in the Draft IS-MND is supported by substantial evidence (e.g., the project-specific Biological Resources Assessment included as Appendix B to the Draft IS-MND) and adequately analyzes and mitigates project impacts to special status species to less-than-significant levels.

Response 4.3

The commenter requests clarification on whether CDFW was notified of the project and whether a permit has been granted by the United States Army Corps of Engineers for work within the river.

CDFW was notified of the project via the State Clearinghouse on November 17, 2022, and submitted comments on the Draft IS-MND, which are summarized and responded to herein under Letter 2.

The proposed project does not involve work within the river bed, banks, or floodplain of the Santa Clara River. As detailed in the project-specific Biological Resources Assessment included as Appendix B to the Draft IS-MND, a formal jurisdictional delineation was conducted to record the extent of potential waters of the U.S., CDFW-jurisdictional streambeds, and/or waters of the State. None of the identified potentially jurisdictional features within 100 feet of the project site are located within the project site itself. As a result, as indicated on page 33 in Section 4, *Biological Resources*, of the Draft IS-MND, "no direct impacts would occur to jurisdictional waters and wetlands within the project site because none are present within the project footprint." Section 404 of the Clean Water Act requires the issuance of permits by the United States Army Corps of Engineers for the discharge of dredged or fill materials into waters of the United States. The project does not involve work within waters of the United States; therefore, a permit from the United States Army Corps of Engineers is not required.

Response 4.4

The commenter expresses concern that project-generated noise may impact nesting birds and other wildlife in nearby habitat areas and that noise would prevent birds from nesting. The commenter suggests revising Mitigation Measure BIO-5 to prohibit construction activities during the nesting bird season.

As stated on pages 29 to 30 in Section 4, *Biological Resources*, of the Draft IS-MND, construction noise generated by the proposed project has the potential to result in indirect impacts to least Bell's vireo and nesting birds protected under the California Fish and Game Code and the Migratory Bird Treaty Act. Therefore, implementation of Mitigation Measures BIO-4 and BIO-5 is required, which involve pre-construction surveys for least Bell's vireo and other protected nesting birds. If breeding least Bell's vireo and/or active nests are observed, these mitigation measures require the establishment of appropriate avoidance buffers, which are based on the noise sensitivity levels of each species. For least Bell's vireo, no construction would be allowed to take place within 500 feet of least Bell's vireo breeding territory during the breeding season if breeding individuals are

observed. For other protected nesting birds, no construction would be allowed to take place within the nest avoidance buffers until the qualified biologist confirms breeding/nesting has ended, and all the young have fledged. The identified active nests would also be monitored weekly until the young have fledged the nest. SCV Water would not undertake activities, such as the use of hazing machines, to discourage bird nesting prior to the commencement of construction activities or during construction activities and would be required to comply with the requirements of Mitigation Measure BIO-5, which are protective of actively nesting birds that may be present at the time construction commences.

Response 4.5

The commenter requests circulation of a new document that includes an analysis of potential suggested alternatives with additional notification provided to partners and stakeholders.

CEQA does not require the inclusion of an alternatives analysis in an IS-MND, and no significant and unavoidable environmental impacts necessitating the consideration of alternatives have been identified. Therefore, no revisions to the Draft IS-MND were made in response to this comment, and none of the criteria requiring recirculation of a Draft IS-MND pursuant to CEQA Guidelines Section 15073.5 have been met.

Response 4.6

The commenter expresses concern that the project would result in detrimental aesthetic and noise impacts. The commenter suggests an Environmental Impact Report (EIR) is required for the project rather than an IS-MND.

Impacts to aesthetics are evaluated in Section 1, *Aesthetics*, of the Draft IS-MND. As discussed therein, project impacts related to scenic vistas, zoning regulations governing scenic quality, and light/glare would be less than significant, and no impacts related to scenic resources within a state scenic highway would occur. Impacts to noise are evaluated in Section 13, *Noise*, of the Draft IS-MND. As stated therein, project impacts related to nighttime construction noise would be potentially significant, and implementation of Mitigation Measure N-1 would be required to reduce this impact to a less-than-significant level through implementation of several noise reduction measures, including mufflers and temporary sound barriers. Project impacts related to daytime construction noise, operational noise, roadway noise, and vibration would be less than significant, and no impacts related to airport noise would occur.

As indicated in CEQA Guidelines Section 15064(a), “if there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, the agency shall prepare a draft EIR.” In addition, pursuant to CEQA Guidelines Section 15064(f)(2), “if the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment but the lead agency determines that revisions in the project plans or proposals made by, or agreed to by, the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur and there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment then an MND shall be prepared.” Based on these regulations, SCV Water has determined that, although the project may have a significant effect on the environment, implementation of the mitigation measures included throughout the Draft IS-MND would avoid and/or mitigate these impacts such that no significant impact on the

environment would occur and that there is no substantial evidence in light of the whole record before SCV Water that the project would have a significant impact on the environment with these mitigation measures incorporated. Therefore, pursuant to CEQA Guidelines Section 15064, an MND is the appropriate level of CEQA documentation for the proposed project.

Response 4.7

The commenter expresses concern that the title of the IS-MND does not specifically mention the addition of a new groundwater well that would pump 1,000 acre-feet of water in an area adjacent to three other existing wells. The commenter also expresses concern that the IS-MND does not address impacts from the additional groundwater pumping, which may affect groundwater-dependent habitat that supports several listed species. The commenter suggests an IS-MND is not an appropriate CEQA document for a project in a sensitive area where endangered species have the potential to occur and requests recirculation of a revised document.

The title of the IS-MND is "S Wells PFAS Groundwater Treatment and Disinfection Facility Project," which is intended to reflect the nature of the project as a groundwater treatment and disinfection facility that serves the S wells, inclusive of Wells S6, S7, S8, and S9. The new Well S9 is described clearly under *Description of Project* on pages 6 through 9 of the Draft IS-MND, and the Draft IS-MND thoroughly analyzes the environmental impacts of Well S9, including the associated groundwater extraction, throughout the document, most notably for potential impacts to listed species, riparian habitat, and groundwater-dependent ecosystems in Section 4, *Biological Resources* (which is further clarified under Topical Response A); subsidence and paleontological resources in Section 7, *Geology and Soils*; groundwater supplies in Section 10, *Hydrology and Water Quality*; construction noise in Section 13, *Noise*; and population growth in Section 14, *Population/Housing*, of the Draft IS-MND. Refer also to Topical Response A and Response 2.3 for additional discussion of the impact analysis of the proposed groundwater extraction as related to GDEs and associated regulated biological resources contained in the IS-MND.

Refer to Response 4.6 for an explanation of why an EIR is not required for the proposed project and why an MND is the appropriate CEQA document. Refer to Response 4.1 for a discussion of the correct quantity of groundwater that would be pumped under the proposed project.

Response 4.8

The commenter suggests SCV Water is attempting to evade the Department of Water Resources (DWR) Bulletin 74 well regulations and SWRCB DDW regulations by drilling a new well in a polluted aquifer. The commenter inquires as to whether DWR and SWRCB DDW have been notified of the Draft IS-MND and whether they were provided opportunity to comment on it. The commenter also inquires as to whether these two agencies were informed the project would include a new groundwater well.

The new Well S9 was strategically located at the new treatment site to ensure that it complies with the California Department of Water Resources' current Water Well Standards (Bulletin 74), including maintaining the minimum horizontal separation from sources of contamination such as nearby sewer and storm drain structures. Per- and polyfluoroalkyl (PFAS) constituents may exist in the groundwater near the proposed Well S9 site. However, the project includes the construction of an ion-exchange treatment system that would remove PFAS contaminants from groundwater pumped by Well S9 prior to distribution to the public water supply system. All necessary permits will be

obtained from SWRCB DDW and other agencies to ensure PFAS contaminants will be removed in accordance with the latest water quality regulations.

As indicated in Response 4.1, the California Department of Water Resources and the State Water Resources Control Board's Division of Drinking Water were notified of the project's MND by the NOI that was electronically distributed via the State Clearinghouse Portal, whereby the agencies were given the opportunity to provide comments during the public review period. No comments were received by either agency.

DWR and SWRCB DDW were notified of the project via the State Clearinghouse on November 17, 2022. SWRCB DDW submitted comments on the Draft IS-MND, which are summarized and responded to herein under Letter 3. DWR did not provide comments on the Draft IS-MND. Both agencies were informed the project includes a new groundwater well. The State Clearinghouse posting for the Draft IS-MND (available at: <https://ceqanet.opr.ca.gov/2022110376>) clearly indicates under *Summary – Document Description* that “a new groundwater well (S9) and a chloramine disinfection building would be constructed. The new S9 well would produce up to an additional 1,000 gallons per minute of potable water that would also be filtered through the proposed PFAS treatment system before distribution to SCV Water customers. The new Well S9 would serve as a replacement for the existing Mitchell 5A Well that is being abandoned by a private developer as part of the Vista Canyon Plaza Development; therefore, the new Well S9 would not result in a net increase in SCV Water's overall annual basin-wide groundwater extraction levels.”

Response 4.9

The commenter requests provision of a document that evaluates impacts associated with groundwater extraction from the new Well S9 and requests a time extension for comments.

Refer to Response 4.7 for a discussion of how impacts related to groundwater extraction from Well S9 were adequately evaluated in the Draft IS-MND. Refer also to Topical Response A and Response 2.3 for additional discussion of the impact analysis of the proposed groundwater extraction as related to GDEs and associated regulated biological resources contained in the IS-MND. SCV Water has complied with the noticing requirements for the Draft IS-MND pursuant to CEQA Guidelines Section 15073(a) by providing a 32-day comment period from November 18, 2022 to December 19, 2022. None of the criteria requiring recirculation of a Draft IS-MND pursuant to CEQA Guidelines Section 15073.5 have been met; therefore, an extension of the comment period will not be provided.

SCOPE

Santa Clarita Organization for Planning and the Environment

TO PROMOTE, PROTECT AND PRESERVE THE ENVIRONMENT, ECOLOGY AND QUALITY OF LIFE IN THE SANTA CLARITA VALLEY

POST OFFICE BOX 1182, SANTA CLARITA, CA 91386

www.scope.org



12-19-22

Santa Clarita Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350

Sent via email to swells@scvwa.org

Re: MND New Well S9 and Wellhead Treatment Facilities located adjacent to the Santa Clara River in the area of Bridgeport

Dear Sirs:

Santa Clarita Organization for Planning and the Environment is a local conservation and planning organization that has been active in the Santa Clarita Valley for 35 years. Our members live mainly in the watershed of the Santa Clara River and several of them live near the location for which this project is proposed and asked us to review it. We appreciate being informed by the community of projects which are of concern to them, but also wonder why we weren't noticed directly of this project by your agency. As you are well aware, we have been concerned for many years with water quality, sustainable pumping and sustainability of the Santa Clara River and its habitat. We commented on the GSP and many other projects related to your agency. Why were we not informed of the release of this MND? Please place us on the notification list for all future CEQA notices.

5.1

This document is deceptively titled "S Wells PFAS Groundwater Treatment and Disinfection Facility Project" excluding the important fact that it also includes the addition of a new drinking water well that will pump 1000 AF of water in an area adjacent to 3 other existing wells. The project description and project map all include the new well (well S9) installation, but the MND does not address any of the potential impacts from pumping an additional 1000 AF of water from this sensitive area, whether there will be interference between the new and existing wells and whether riparian habitat will be affected by this additional pumping. We're concerned that additional pumping may affect the ground water dependent vegetation in this area upon on which several listed species depend. Yet there is no analysis of the effects of this pumping on the area. In fact, the Biological Assessment states on page 1:

5.2

In addition, indirect impacts to special status wildlife species and sensitive plant communities could occur through the reactivated operation of existing Wells S6, S7, and S8 and operation of the new Well S9, which could lower localized groundwater levels and thereby reduce groundwater availability for potential groundwater dependent ecosystems along the Santa Clara River. Indirect impacts to jurisdictional waters and wetlands may also occur through processes such as increased turbidity, altered pH, and decreased dissolved oxygen levels.

The MND claims that this impact would be mitigated by BIO 1 and BIO 5. We would like you to explain how Bio 5 (surveys) would mitigate the die off of habitat. This is not a sufficient mitigation for this impact. Also, there is no discussion as to whether this pumping in conjunction with other new wells would affect downstream users. Please discuss the cumulative impact of the new E wells and Saugus wells that you plan to add.

5.2
(cont.)

This project is proposed is particularly environmentally sensitive reach of the Santa Clara River that is likely inhabited by Federal and state listed endangered species as noted in the 1998 Federal Natural River Management Plan (document included by reference and provided upon request). This Plan and EIR/EIS permitted several 404 projects along and in the floodplain of the Santa Clara River of which the berm for Bridgeport was one. However, the project you propose was not included in that permit. Therefore, we believe that you will need a federal 404 permit to construct this project.

5.3

This area is habitat for migratory birds such as the Southwestern flycatcher and Least's bell's Vireo, both found in areas immediately adjacent to this location and indicated as being present in surveys in the 1998 River Management Plan EIR/EIS. These migratory birds often nest in the habitat areas in or adjacent to the Santa Clara River. There may also be other endangered amphibians and reptiles such as the arroyo toad and legless lizard. Many raptors in the area are also protected under California law. We therefore do not believe that your agency can proceed with this project under a CEQA MND.

Inadequate Surveys

According to the MND, only two surveys were made one on February 23rd and another on August 30, 2022¹. But apparently no protocol surveys were conducted to provide information and disclosure for impacts to special status species with high potential to occur as listed in Appendix D of the Biological Assessment. Instead "Special Status Species Evaluation Tables"² in the appendices merely lists the potential for these species to exist on site. This is not acceptable. No mitigation is provided to ensure that surveys will be done other than 3 days before construction. That is not sufficient to avoid special status species.

5.4

Air Quality and Noise

We do not concur with your analysis of air quality and noise. This facility will be built near a school and a park, as well as a sensitive area of the river. How many trucks will be going in and out to maintain the facility. While noise studies were provided, they don't seem to indicate what the noise levels will be in the sensitive areas such as the park, the school, and next to residents' homes. An increase of 3 decibels is considered a significant impact. We believe that this project will exceed that amount and cannot be mitigated below that level. Therefore, noise and possible air pollution will be significant impacts.

5.5

No Alternatives Analysis

Currently, the MND provides no alternatives. We ask that that an alternatives analysis be provided in a new circulated document. The new document should include potential alternatives such as avoiding construction in nesting season, or locating the well head

5.6

¹ Appendix C to the Biological Resources section

² Appendix D to the Biological Resources section

treatment to a location further away from the river and piping to that facility (as has been a solution in other areas of your agency) be investigated and considered and extra noise walls. We believe there is a way to resolve these issues while still ensuring a healthy drinking water supply. Piping the water to a treatment facility away from the park, residents and the Santa Clara River would avoid numerous impacts and the need for further studies.

5.6
(cont.)

A MND is not the correct CEQA document for a sensitive area where endangered species are located. Please provide an EIR for this project that addresses the above concerns.

5.7

Sincerely,



Nate Bousfield
Board member

CC: US Army Corps of Engineers, Ventura Office

Letter 5

COMMENTER: Nate Bousfield, Board Member, Santa Clarita Organization for Planning and the Environment (SCOPE)

DATE: December 19, 2022

Response 5.1

The commenter provides an overview of SCOPE, its prior interest in SCV Water projects, and its involvement with the GSP. The commenter inquires as to why SCOPE was not informed of the release of the Draft IS-MND and requests notification of all future CEQA documents.

Refer to Response 4.1 for a discussion of how SCV Water distributed the NOI in compliance with the requirements of CEQA Guidelines Section 15072. SCV Water will provide notice to SCOPE of future CEQA documents prepared by the agency pursuant to CEQA Guidelines Section 15072(b).

Response 5.2

The commenter expresses concern that the title of the IS-MND does not specifically mention the addition of a new groundwater well that would pump 1,000 acre-feet of water in an area adjacent to three other existing wells. The commenter also suggests that the IS-MND does not address impacts from the additional groundwater pumping, which may affect riparian habitat and GDEs. The commenter expresses concern that Mitigation Measure BIO-5 would not adequately mitigate the die off of habitat and that no discussion of the cumulative impacts of the proposed project in conjunction with the new E Wells and Saugus Wells was included in the Draft IS-MND.

Refer to Response 4.7 for a discussion of the project title and how impacts related to Well S9 were adequately evaluated and disclosed in the Draft IS-MND. Refer also to Topical Response A and Response 2.3 for additional discussion of the impact analysis of the proposed groundwater extraction as related to GDEs and associated regulated biological resources contained in the IS-MND. Refer to Response 4.1 for a discussion of the correct quantity of groundwater that would be pumped under the proposed project.

Mitigation Measure BIO-5 is related to nesting birds and is not intended to mitigate impacts to riparian habitat and GDEs. As stated on pages 32 to 33 of Section 4, *Biological Resources*, in the Draft IS-MND, no direct impacts to riparian habitat or GDEs would occur. In addition, potential indirect impacts to riparian habitat or GDEs would be adequately mitigated through implementation of Mitigation Measure BIO-3. As explained in the Section 4, *Biological Resources*, of the Draft IS-MND and further clarified in the revised text shown under Topical Response A, implementation of Mitigation Measure BIO-3 would require sustainable pumping of groundwater from Wells S6, S7, S8, and S9 in accordance with the GSP such that indirect impacts to the potential GDEs (including riparian habitat) would be avoided.

Section 21, *Mandatory Findings of Significance*, of the Draft IS-MND evaluates the cumulative impacts of the proposed project. Specifically, the discussion stated, “as discussed in Section 4, *Biological Resources*, and Section 10, *Hydrology and Water Quality*, the project would comply with provisions set forth within the Santa Clara River Valley East Groundwater Subbasin GSP, which is a plan designed to address cumulative impacts to groundwater supplies, with implementation of Mitigation Measure BIO-3. As a result, the project would not have a cumulatively considerable

impact on sustainable groundwater basin management with mitigation incorporated.” The GSP addresses cumulative impacts from a combination of existing and future SCV Water groundwater wells, including the future E Wells and Saugus Wells, to achieve sustainable groundwater management. Therefore, the Draft IS-MND adequately evaluates the cumulative impacts of the proposed project on sustainable groundwater management, including protection of GDEs, in conjunction with these other wells on the groundwater basin.

Response 5.3

The commenter suggests the segment of the Santa Clara River near the project site is environmentally sensitive and likely inhabited by federally and state listed species that may be impacted by the project, including least Bell’s vireo, southwestern willow flycatcher, arroyo toad, and legless lizard as well as migratory birds. The commenter also suggests a federal Section 404 permit from the United States Army Corps of Engineers may be required for the project.

Refer to Response 4.2 for a discussion of how the Draft IS-MND adequately evaluates impacts to special status species, including those mentioned by the commenter. Refer to Response 4.3 for a discussion of why the project would not require a Section 404 permit from the United States Army Corps of Engineers. Refer to Response 4.6 for an explanation of why an EIR is not required for the proposed project and why an MND is the appropriate CEQA document.

Response 5.4

The commenter expresses concern that protocol surveys for special status species were not conducted and that impacts to these species were thus not adequately discussed in the IS-MND. The commenter also suggests no mitigation was provided for protocol surveys.

Refer to Response 4.2 for a discussion of why protocol surveys are not required to support a biological resources evaluation for a CEQA document and how protocol surveys for least Bell’s vireo are included in Mitigation Measure BIO-4. Because no protocol surveys were conducted, the project-specific Biological Resources Assessment (Appendix B to the Draft IS-MND) as well as the analysis in Section 4, *Biological Resources*, of the Draft IS-MND conservatively assume the presence of several federally and state listed species with moderate to high potential to occur, including California legless lizard, coastal whiptail, coast horned lizard, San Diego black-tailed jackrabbit, arroyo toad, western pond turtle, and least Bell’s vireo. The Draft IS-MND therefore evaluates potential direct and indirect impacts to these species and requires implementation of five mitigation measures (BIO-1 through BIO-5) to address potential impacts to special status species through a construction personnel training, implementation of construction best management practices, sustainable groundwater pumping practices, protocol surveys for least Bell’s vireo with establishment of avoidance buffers if breeding individuals are observed, and a pre-construction nesting bird survey and establishment of avoidance buffers if nests are observed.

Response 5.5

The commenter disagrees with the analyses of air quality and noise, requests information on how many trucks would travel to and from the facility for maintenance, and suggests the noise analysis does not disclose estimated noise levels at the nearby park, school, and residences. The commenter suggests a threshold of a 3-decibel (dBA) increase should be used in the noise analysis and suggests

the project would exceed that threshold and cannot mitigate noise levels below that threshold. The commenter suggests air quality and noise impacts would be significant.

Section 3, *Air Quality*, provides an evaluation of project impacts related to air quality, and Section 13, *Noise*, provides an evaluation of project impacts related to noise. As indicated on page 9 under *Description of Project* in the Draft IS-MND, “approximately one to two maintenance staff would visit the project site daily. Resin media would be replaced two to three times a year, which would require the use of a semitruck for delivery. In addition, chemical deliveries to the proposed disinfection building would occur approximately twice a month via a midsize delivery truck.”

As discussed in Section 3, *Air Quality*, the project’s air quality impacts are evaluated based on the South Coast Air Quality Management District’s guidance and thresholds and includes an analysis of air pollutant emissions generated during construction activities against Localized Significance Thresholds (LSTs). LSTs represent the maximum emissions from a project that will not cause or contribute to an air quality exceedance of the most stringent applicable federal and state ambient air quality standards at the nearest sensitive receptor, taking into consideration ambient air pollutant concentrations, distance to the sensitive receptor, and project size. As shown in Table 4 of the Draft IS-MND, maximum daily on-site emissions during construction would not exceed the LSTs at the nearest sensitive receptors, which are residences approximately 40 feet from the nearest work area for the proposed roundabout improvements. Furthermore, the project does not include on-site sources of air pollution, such as back-up generators or natural gas infrastructure, that would result in local air pollutant emissions, and air pollutant emissions associated with routine operation and maintenance vehicle trips would be negligible, as shown in Table 5 of the Draft IS-MND. Therefore, the Draft IS-MND concludes local air quality impacts would be less than significant. The commenter provides no evidence indicating that the project would result in significant air quality impacts; therefore, no revisions to the Draft IS-MND were made in response to this comment.

As discussed in Section 13, *Noise*, noise levels are evaluated at the nearest noise-sensitive receivers, which consist of residences and Bridgeport Elementary School. The City of Santa Clarita’s Noise Element does not identify parks as a noise-sensitive land use; therefore, temporary construction noise impacts to the park are not evaluated in the Draft IS-MND. As shown in Table 15 in the Draft IS-MND, construction noise impacts were evaluated at the nearest noise-sensitive receivers to each project work area, which include residences and Bridgeport Elementary School. As shown in Table 16 of the Draft IS-MND, daytime construction noise levels would not exceed the threshold of 80 dBA L_{eq} , which is the threshold for residential land uses recommended by the Federal Transit Administration (FTA). Table 16 of the Draft IS-MND also indicates nighttime construction noise levels during drilling of the new Well S9 would exceed the threshold of 55 dBA L_{eq} , which is based on the City’s exterior nighttime noise limits in the Santa Clarita Municipal Code, because nighttime construction activities between 7:00 p.m. and 7:00 a.m. are not exempt from compliance with the municipal code noise limits. Therefore, implementation of Mitigation Measure N-1 is required and would reduce nighttime noise levels below the threshold of significance through implementation of several noise reduction measures, including mufflers and temporary sound barriers, as explained on page 88 of the Draft IS-MND.

Operational noise levels were evaluated at the nearest sensitive receiver, which is a residence approximately 425 feet away from the proposed facility location. As indicated on page 87 in Section 13, *Noise*, of the Draft IS-MND, operational noise levels would be approximately 41 dBA L_{eq} at this residence, which would not exceed the City’s exterior daytime or nighttime noise level limits of 65 dBA L_{eq} and 55 dBA L_{eq} , respectively, as codified in the Santa Clarita Municipal Code. Therefore,

operational noise impacts would be less than significant. The Bridgeport Elementary School buildings are located at a greater distance from the proposed facility location than the nearest residence and thus would experience lower noise levels than those estimated for the nearest residence. Furthermore, operational noise levels at the nearest sensitive receiver (41 dBA L_{eq}) would be below ambient noise levels in the project site vicinity, which were measured to be between 56 to 59 dBA L_{eq} , as shown in Table 10 of the Draft IS-MND.

The thresholds utilized in the noise analysis were determined by SCV Water as appropriate to use pursuant to CEQA Guidelines Section 15064.7(c). SCV Water has chosen to rely on the FTA, an expert agency in the field of construction noise, for its daytime construction noise threshold, which is used throughout California, as well as the City of Santa Clarita for its exterior noise limits, which are used throughout the city to identify adverse noise impacts. The commenter does not provide justification for why the FTA and City thresholds are not valid to use. SCV Water, as the lead agency, has chosen to use these thresholds because they are supported by substantial evidence, justifying their appropriate use for analyzing noise impacts from the project. Furthermore, as stated on page 84 in Section 13, *Noise*, of the Draft IS-MND, “an increase in ambient noise levels that exceeds these absolute limits would also be considered a substantial increase above ambient noise levels. As such, a separate evaluation of the magnitude of noise level increases over ambient noise levels would not provide additional analytical information regarding noise impacts and therefore is not included in this analysis.” As such, the use of a threshold of a 3-dBA increase, as recommended by the commenter, is not necessary to adequately evaluate project impacts under CEQA. In addition, the commenter provides no evidence that a 3-dBA increase is an appropriate threshold to use, that the project’s noise levels would exceed this threshold, or that noise levels could not be mitigated if an exceedance was identified. Furthermore, as noted above, operational noise levels at the nearest sensitive receiver (41 dBA L_{eq}) would be below ambient noise levels in the project site vicinity, which were measured to be between 56 to 59 dBA L_{eq} , as shown in Table 10 of the Draft IS-MND, and thus would not result in a 3-dBA increase. Therefore, no revisions to the Draft IS-MND were made in response to this comment.

Response 5.6

The commenter requests circulation of a new document that includes an analysis of potential alternatives.

CEQA does not require the inclusion of an alternatives analysis in an IS-MND, and no significant and unavoidable environmental impacts necessitating the consideration of alternatives have been identified. Therefore, no revisions to the Draft IS-MND were made in response to this comment, and none of the criteria requiring recirculation of a Draft IS-MND pursuant to CEQA Guidelines Section 15073.5 have been met.

Response 5.7

The commenter suggests an EIR is required for the project rather than an IS-MND because of the potential presence of endangered species and requests provision of an EIR that addresses the commenter’s concerns.

Refer to Response 4.6 for an explanation of why an EIR is not required for the proposed project and why an MND is the appropriate CEQA document.

From: Randy Martin <[REDACTED]>

Sent: Sunday, December 18, 2022 8:05:44 PM

To: Valencia Water District Wells <swells@scvwa.org>

Subject: Corrected comments Bridgeport - Public Review for Proposed Water Treatment Facility near Bridgeport -- Please email swells@scvwa.org before 5:00PM tomorrow (Dec 19).

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Corrected comments

First, the agency claims to have allowed a 32 day comment period on this document, however myself and other residents were not notified until the 29th of November, giving us only 20 days over the holiday period. We ask that the comment period be extended to provide an adequate amount of time and comply with the 30 day notice period for an MND. Also, who was notified and how? This project is not very hard to find on your website.

6.1

While we understand the need to provide safe drinking water by providing well head treatment, we wonder if placing this facility so close to residents and the Santa Clara River is really the best location. We believe that an alternatives analysis must be provided in a new circulated document.

6.2

This project will have extremely detrimental aesthetic and noise impacts to our neighborhood, the park, the nearby school and the Santa Clara River. This section of the Santa Clara River is environmentally sensitive area that harbors several endangered birds and their nesting areas. Apparently no studies were done on this issue and no mitigation provided to ensure that surveys will be done and nesting birds would not be disturbed. As I am sure you are well aware, a mitigated negative declaration is not even the valid document for addressing these issues. You must do a proper analysis in an EIR and provide alternatives. Also, again, I have concerns about who was noticed for this document. Everyone in the Bridgeport community should have been notified, along with all local environmental groups. Did you do this?

6.3

6.4

6.5

This document is titled to appear that it is only a treatment facility. However, the project description and map all include a new well installation (well 9). This shows a lack of transparency on your part and makes me wonder what else you left out. This document does not address any of the potential impacts from pumping an additional 1000 AF of water from this sensitive area. I am concerned that the Santa Clara River is already being over-pumped in this area which is a groundwater dependent ecosystem. Again, an MND is not the correct CEQA document for for a sensitive area where endangered species are located. Please re-circulate a corrected document.

6.6

Please address these issues before this document is approved. Please provide a time extension for comment of another 30 days.

6.7

Sincerely

Dr Randy Martin, OMD
The Cove - Bridgeport

Letter 6

COMMENTER: Dr. Randy Martin, OMD

DATE: December 18, 2022

Response 6.1

The commenter expresses concern that local residents were not notified of the Draft IS-MND until November 29 and thus received only 20 days to receive the Draft IS-MND. The commenter requests extension of the comment period. The commenter also inquires as to who was notified of the Draft IS-MND and how that notification was provided and indicates the project is not very hard to find on the SCV Water website.

Refer to Response 4.1 for a discussion of how SCV Water distributed the NOI pursuant to the requirements of CEQA Guidelines Section 15072. As noted therein, SCV Water voluntarily notified the residents of the Bridgeport community through an email announcement on November 29, 2022 that was distributed by the Bridgeport Homeowners Association. Pursuant to CEQA Guidelines Section 15073(a), the minimum public review period for an IS-MND is 20 days. SCV Water provided a 32-day comment period to allow for additional review time by state agencies, as required by CEQA Guidelines Section 15073(a). Because SCV Water has complied with the noticing requirements of CEQA, an extension of the comment period is not required.

Response 6.2

The commenter wonders if the project is sited in the best location. The commenter requests inclusion of an alternatives analysis in a new circulated document.

SCV Water investigated seven undeveloped sites near the existing Wells S6, S7 and S8 as a potential location for the new Well S9 and treatment facility. The location for the proposed Well S9 was selected based on its close proximity to the existing S wells and water distribution pipelines, its position outside of the river's floodplain, and its relative isolation from residential dwellings, in contrast to other sites under consideration.

The Draft IS-MND evaluates the project at its currently proposed site and concludes environmental impacts would be less than significant with mitigation incorporated. CEQA does not require the inclusion of an alternatives analysis in an IS-MND, and no significant and unavoidable environmental impacts necessitating the consideration of alternatives have been identified. Therefore, no revisions to the Draft IS-MND were made in response to this comment, and none of the criteria requiring recirculation of a Draft IS-MND pursuant to CEQA Guidelines Section 15073.5 have been met.

Response 6.3

The commenter expresses concern that the project would have detrimental aesthetic and noise impacts.

Refer to Response 4.6 for a discussion of the project's aesthetic and noise impacts, which the Draft IS-MND concluded would be less than significant for aesthetics and less than significant with mitigation incorporated for noise.

Response 6.4

The commenter expresses concern about the environmental sensitivity of the Santa Clara River and its associated biological resources. The commenter suggests no studies were completed on this topic and no mitigation provided to ensure surveys would be completed and nesting birds would be protected. The commenter suggests an EIR with an alternatives analysis is a more appropriate CEQA document for the proposed project.

Refer to Response 4.2 for a discussion of how the Draft IS-MND adequately evaluates impacts to special status species, riparian habitat, GDEs, jurisdictional waters and wetlands, and other regulated biological resources associated with the project site vicinity, including the Santa Clara River riparian corridor. A project-specific Biological Resources Assessment, which included completion of a field reconnaissance survey and jurisdictional delineation, was prepared to analyze potential project impacts to regulated biological resources, and this study is included as Appendix B to the Draft IS-MND. In addition, as detailed in Section 4, *Biological Resources*, of the Draft IS-MND, Mitigation Measures BIO-1 through BIO-5 would be required for the project to address potential impacts to biological resources, including nesting birds.

Response 6.5

The commenter reiterates a concern about who was notified of the Draft IS-MND, suggests notification should have been provided to everyone in the Bridgeport community and all local environmental groups, and inquires as to whether that notification was provided.

Refer to Responses 4.1 and 6.1 for a discussion of how SCV Water distributed the NOI pursuant to the requirements of CEQA Guidelines Section 15072. SCV Water completed noticing in accordance with CEQA requirements.

Response 6.6

The commenter expresses concern that the title of the IS-MND does not specifically mention the addition of a new groundwater well that would pump 1,000 acre-feet of water. The commenter also suggests the IS-MND does not address impacts from the additional groundwater pumping, which may affect the Santa Clara River and GDEs. The commenter reiterates the suggestion that an EIR be prepared and circulated for the proposed project.

Refer to Response 4.7 for a discussion of the project title and how impacts related to Well S9 were adequately evaluated and disclosed in the Draft IS-MND. Refer to Response 4.6 for an explanation of why an EIR is not required for the proposed project and why an MND is the appropriate CEQA document.

Response 6.7

The commenter requests the issues raised in the letter be addressed prior to document approval and requests a time extension of another 30 days for the comment period.

Refer to Responses 6.1 through 6.6. Because SCV Water has complied with the noticing requirements of CEQA, an extension of the comment period is not required.

Letter 7

From: s_fortner <[REDACTED]>
Sent: Monday, December 19, 2022 8:44:01 AM
To: Valencia Water District Wells <swells@scvwa.org>
Subject: Comment letter - Well S9 and PFAS Facility MND

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sending with proper subject line...

Blessings,

Stacy Fortner
[REDACTED]

----- Original message -----

From: s_fortner <[REDACTED]>
Date: 12/18/22 10:45 PM (GMT-08:00)
To: swells@scvwa.org
Subject:

I was notified of this project by a friend who lives in Bridgeport. I could not find it on your website and even though I was a member of the ground water sustainability advisory board and commented on the GSP regarding pumping concerns, neither myself nor other GSP commenters were notified,

My friend did not receive the notice from the agency until Nov 29 even though, the agency claims to have allowed a 32 day comment period on this document, and I only just received it from my friend, giving me only 2 days to reply. I believe it was improper not to notify GSP participants including myself and ask that the comment period be extended to provide an adequate amount of time and comply with the 30 day notice period for an MND. Also, who was notified and how? Did you post a notice at the proposed project location.

7.1

While I understand the need to provide safe drinking water by installing well head treatment, I wonder if siting this facility so close to residents and the Santa Clara River is really the best solution. Since the MND provides no alternatives, it is hard to evaluate. I ask that that an alternatives analysis be provided in a new circulated document.

7.2

This project will have extremely detrimental aesthetic and noise impacts to that area of the Santa Clara River and the surrounding community. That reach of the Santa Clara River is a particularly environmentally sensitive area that harbors several endangered migratory birds such as the southwestern willow flycatcher as well as providing nesting areas. There may also be other endangered amphibians and reptiles, but apparently no protocol surveys were done to provide information and disclosure for impacts to these species, and no mitigation provided to ensure that surveys will be done so that nesting birds would not be disturbed. It seems that cursory surveys were conducted on February 23 and August 30, 2022, but again these do not conform to the protocol required for the potential endangered species at the site. A mitigated negative declaration is not the correct CEQA document for addressing these issues. You must do a proper analysis in an EIR and provide alternatives. Also, again, I have concerns about who was noticed for this document. All local environmental groups should have been notified, along with commenters on the GSP. Did you do this?

7.3

7.4

7.5

This document is titled in such a way as to appear that it is only for a treatment facility. However, the project description and map all include a new well installation (well 9). This seems deceptive. The MND does not address any of the potential impacts from pumping and additional 1000 AF of water from this sensitive area. I am concerned that the Santa Clara River is already being over-pumped in this area which is a groundwater dependent ecosystem. Again, an MND is not the correct CEQA document for a sensitive area where endangered species are located. Please provide and re-circulate a corrected document.

7.6

Please provide a time extension for comment of another 30 days.

7.7

Sincerely,


Stacy Fortner

Letter 7

COMMENTER: Stacy Fortner

DATE: December 18, 2022

Response 7.1

The commenter expresses concern that GSP commenters and local residents were not notified of the Draft IS-MND until November 29. The commenter requests extension of the comment period. The commenter also inquires as to who was notified of the Draft IS-MND and how that notification was provided. In addition, the commenter inquires as to whether a notice was posted at the project site.

Refer to Responses 4.1 and 6.1 for a discussion of how SCV Water distributed the NOI pursuant to the requirements of CEQA Guidelines Section 15072 and provided adequate time for public review pursuant to CEQA Guidelines Section 15073(a). CEQA Guidelines Section 15072 does not require posting a notice at the project site if the notice is either published in a newspaper of general circulation (the option selected by SCV Water) or mailed directly to owners and occupants of property contiguous to the project. Because SCV Water published the NOI in *The Signal*, a newspaper of general circulation, it has complied with the noticing requirements of CEQA, an extension of the comment period is not required.

Response 7.2

The commenter expresses doubt that the project is sited in the best location. The commenter requests inclusion of an alternatives analysis in a new circulated document.

The Draft IS-MND evaluates the project at its currently proposed site and concludes environmental impacts would be less than significant with mitigation incorporated. CEQA does not require the inclusion of an alternatives analysis in an IS-MND, and no significant and unavoidable environmental impacts necessitating the consideration of alternatives have been identified. Therefore, no revisions to the Draft IS-MND were made in response to this comment, and none of the criteria requiring recirculation of a Draft IS-MND pursuant to CEQA Guidelines Section 15073.5 have been met.

Response 7.3

The commenter expresses concern that the project would have detrimental aesthetic and noise impacts.

Refer to Response 4.6 for a discussion of the project's aesthetic and noise impacts, which the Draft IS-MND concluded would be less than significant for aesthetics and less than significant with mitigation incorporated for noise.

Response 7.4

The commenter expresses concern about the environmental sensitivity of the Santa Clara River and its associated biological resources. The commenter expresses concern that protocol surveys for special status species were not conducted and that impacts to these species were thus not adequately discussed in the IS-MND. The commenter also suggests no mitigation was provided for

protocol surveys. The commenter suggests an EIR with an alternatives analysis is a more appropriate CEQA document for the proposed project.

Refer to Response 4.2 for a discussion of how the Draft IS-MND adequately evaluates impacts to special status species, riparian habitat, GDEs, jurisdictional waters and wetlands, and other regulated biological resources in the project site vicinity, including the Santa Clara River riparian corridor. Refer to Response 4.2 also for a discussion of why protocol surveys are not required to support a biological resources evaluation for a CEQA document and how protocol surveys for least Bell's vireo are included in Mitigation Measure BIO-4. Refer to Response 4.6 for an explanation of why an EIR is not required for the proposed project and why an MND is the appropriate CEQA document.

Response 7.5

The commenter reiterates a concern about who was notified of the Draft IS-MND, suggests notification should have been provided to all local environmental groups and commenters on the GSP, and inquires as to whether that notification was provided.

Refer to Responses 4.1 and 6.1 for a discussion of how SCV Water distributed the NOI pursuant to the requirements of CEQA Guidelines Section 15072. SCV Water completed noticing in accordance with CEQA requirements.

Response 7.6

The commenter expresses concern that the title of the IS-MND does not specifically mention the addition of a new groundwater well that would pump 1,000 acre-feet of water. The commenter also expresses concern that the IS-MND does not address impacts from the additional groundwater pumping, which may affect the Santa Clara River and GDEs. The commenter reiterates the suggestion that an EIR should be prepared and circulated for the proposed project.

Refer to Response 4.7 for a discussion of the project title and how impacts related to Well S9 were adequately evaluated and disclosed in the Draft IS-MND. Refer to Response 4.6 for an explanation of why an EIR is not required for the proposed project and why an MND is the appropriate CEQA document.

Response 7.7

The commenter requests a time extension of another 30 days for the comment period.

Because SCV Water has complied with the noticing requirements of CEQA, an extension of the comment period is not required.