COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

DONALD L. WOLFE, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: W-0

August 3, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY RECYCLED WATER MAIN PIPELINE COOPERATIVE AGREEMENT
SUPERVISORIAL DISTRICT 5
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY:

1. Consider the Mitigated Negative Declaration (Exhibit A) certified by the City of Lancaster, on February 14, 2006, together with the environmental findings adopted by the City contained therein; and certify that you have independently considered and reached your own conclusions regarding the environmental effects of the proposed project and have determined that the Mitigated Negative Declaration and environmental findings adequately address the environmental impacts of the proposed recycled water pipeline project, which is the subject of the enclosed draft Cooperative Agreement.

2. Execute the enclosed Cooperative Agreement between the City and the Los Angeles County Waterworks District No. 40, Antelope Valley, to upsize a proposed recycled water main pipeline project from 15 to 24 inches in diameter to be located on Division Street within the City, in conformance with the District's Recycled Water Master Plan.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommendation is to allow the City to upsize a proposed recycled water main project from 15 to 24 inches in diameter.

The District has completed a Recycled Water Master Plan that requires a 24-inch-diameter recycled water backbone system be installed along the same alignment as the City's project. Therefore, to save construction and administrative costs, the District requested that the City upsize the proposed recycled water main.

The District proposes to pay 60 percent of the construction costs, which is the difference in flow capacities between a 15- and a 24-inch-diameter recycled water main pipeline.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility since having the City upsize the recycled water main pipeline will save the District money by sharing the contract administration, advertisement, pipe installation, and pavement resurfacing costs.

FISCAL IMPACT/FINANCING

This action will have no impact on the County's General Fund.

The District's share of the project cost is estimated to be $3.4 million. Recycled Water Fees have been collected from new developments for the purpose of developing a recycled water backbone system. Financing for this project is included in the District's 2006-07 Accumulative Capital Outlay Fund (N64).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Cooperative Agreement has been reviewed by County Counsel and approved as to form.

ENVIRONMENTAL DOCUMENTATION

The City, in its role as a lead agency in matters pertaining to compliance with the California Environmental Quality Act, has certified the Mitigated Negative Declaration and adopted certain findings contained therein with respect to the environmental effects

of the proposed project. In its role as a responsible agency, your Board must independently consider the environmental document prepared by the lead agency and reach your own conclusions regarding the environmental effects of the proposed project. After having done so, it is recommended that your Board determine that the Mitigated Negative Declaration and environmental findings adequately address the environmental impacts of the proposed project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current County services or projects during the performance of the recommended services.

CONCLUSION

Please return two adopted copies of the Cooperative Agreement marked LACWWD and CITY and two adopted copies of this letter to Public Works, Waterworks and Sewer Maintenance Division. The copy of the Cooperative Agreement marked COUNTY is for your files.

Respectfully submitted,

DONALD L. WOLFE
Director of Public Works

GE:jtz
BDL 2231

Enc.

cc: Chief Administrative Office
County Counsel

COOPERATIVE AGREEMENT

This COOPERATIVE AGREEMENT (hereinafter referred to as AGREEMENT), made and entered into by and between the CITY OF LANCASTER, a municipal corporation in the County of Los Angeles (hereinafter referred to as CITY), and the LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY, a public county waterworks district formed pursuant to the County Waterworks District Law (hereinafter referred to as DISTRICT):

WITNESSETH

WHEREAS, CITY has designed and is ready to award a contract for the construction of an equivalent 15-inch-diameter recycled water main pipeline including: a pump station, service laterals and modifications to the existing DISTRICT'S one-million-gallon reservoir, along Division Street, from Avenue E to near Lancaster Boulevard and an 8-inch-diameter recycled water main pipeline in Avenue F from Division Street to approximately 5th Street East, all located in the County of Los Angeles and City of Lancaster; and

WHEREAS, the above-mentioned 15-inch-diameter recycled water pipeline and associated improvements as mutually agreed upon (hereinafter referred to as PROJECT) are to provide the needed capacity for the City's recycled water uses; and

WHEREAS, the associated improvements include the pump station and modifications to the existing one-million-gallon reservoir located near the intersection of Avenue H-4 and Division Street; and

WHEREAS, DISTRICT has developed a master plan for a regional backbone recycled water system (herein referred to as MASTER PLAN) for the Cities of Lancaster and Palmdale and the surrounding County of Los Angeles; and

WHEREAS, the MASTER PLAN calls for the portion of the PROJECT in Division Street, to be 24 inches in diameter; and

WHEREAS, the DISTRICT and the CITY desire to upsize the PROJECT from 15- to 24-inch-diameter pursuant to the MASTER PLAN (hereinafter referred to as UPSIZING); and

WHEREAS, to pay for the UPSIZING and associated improvements pursuant to the MASTER PLAN, DISTRICT will fund sixty percent (60%) of the CONSTRUCTION COST OF PROJECT (as defined below), up to a maximum of three million four hundred thousand dollars ($3,400,000) (hereinafter referred to as the DISTRICT'S SHARE).

NOW, THEREFORE, in consideration of the mutual benefits to be derived by both CITY and DISTRICT, it is hereby agreed as follows:

(1) CITY AGREES:

a. To award the PROJECT and administer the construction contract, to do all things necessary to complete the PROJECT pursuant to plans and specifications (hereinafter referred to as PLANS), and to act, only after consulting with DISTRICT, on behalf of DISTRICT in all negotiations pertaining to the PROJECT.

b. To allow the DISTRICT to review, comment on, and approve the PLANS.

c. To obtain and maintain all necessary State, local, or other needed regulatory approvals or applicable permits and environmental documents (collectively PERMITS), including, without limitation, performing all acts required by or in connection with the requirements of the California Environmental Quality Act, for the construction and operation of the PROJECT.

d. To notify DISTRICT 48 hours in advance of the start of construction of PROJECT so that the DISTRICT may furnish an inspector, at no cost to CITY, to inspect construction of PROJECT. CITY'S inspector shall consult with DISTRICT'S inspector with respect to PROJECT, but CITY'S inspector's instructions to CITY'S contractor shall be final. Any inspection or any approvals of the PLANS or the PROJECT by the DISTRICT will not relieve the CITY of its obligations relating to the PROJECT.

e. To furnish for approval by the DISTRICT, within 60 days after acceptance of PROJECT by Lancaster City Council, a final accounting of the actual cost of PROJECT.

f. To furnish DISTRICT, within 60 days after acceptance of PROJECT by Lancaster City Council, a reproducible set of as-built drawings of PROJECT.

g. To take all necessary steps to complete the PROJECT pursuant to the approved PLANS.

h. To operate and maintain the PROJECT at the CITY'S sole cost and expense, until said time as the PROJECT may be transferred to and accepted by the DISTRICT or an agreed-upon third party.

i. As long as the CITY owns the PROJECT, that the DISTRICT or its designee will have the right to use and participate in sixty percent (60%) of

the capacity of the PROJECT (the "DISTRICT'S PARTICIPATION RIGHT"). The use of sixty percent (60%) of the capacity of the PROJECT shall be at no additional cost to the DISTRICT or said designee, except for the District's share of the cost of operation and maintenance of the Project. As an example only, if the PROJECT were to have the capacity to convey 15.7 cubic feet per second of recycled water, the DISTRICT or its designee would have the right, but not the obligation, to place in the PROJECT recycled water for the DISTRICT'S or its designee's customers that flows up to 9.42 cubic feet per second. The DISTRICT and the CITY will share the operation and maintenance costs for the PROJECT in proportion to the quantity of recycled water used by each agency conveyed through the PROJECT.

j. Upon request of the DISTRICT or the CITY, the parties agree to meet to discuss the transfer of the PROJECT to DISTRICT or any third party. In the event that ownership of the PROJECT is transferred to DISTRICT or a third party, the CITY shall be allowed to use and participate in forty percent (40%) of the capacity of the PROJECT, consistent with the above example. In all cases, the CITY shall not transfer the PROJECT without the express prior written consent of the DISTRICT, granted at the DISTRICT'S sole and absolute discretion.

(2) DISTRICT AGREES:

a. Following opening of construction bids for PROJECT and upon receipt of a written invoice from CITY, to deposit with CITY one-half (50%) of the DISTRICT'S SHARE based on the amount as shown on the bid that is accepted for award for the construction of the PROJECT and to make such payment within 60 days of receipt of invoice from CITY.

b. The DISTRICT shall pay the CITY within 60 days of receipt of a written invoice from CITY, the remainder of the DISTRICT'S SHARE upon: i) completion of the PROJECT pursuant to the PLANS and to the DISTRICT'S satisfaction; ii) acceptance of the PROJECT by Lancaster City Council; and iii) delivery by the CITY to the DISTRICT of a final accounting that shows the actual construction costs spent for the PROJECT as defined below (hereinafter referred to as FINAL ACCOUNTING).

c. Notwithstanding the foregoing, the total amount paid by the DISTRICT based on the FINAL ACCOUNTING shall in no case exceed three million four hundred thousand dollars ($3,400,000).

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

a. The "CONSTRUCTION COST OF PROJECT" shall mean payments made to third-party contractors pursuant to contracts (hereinafter referred to as

CONSTRUCTION CONTRACTS) that are competitively bid for the construction of the PROJECT.

b. The DISTRICT or its designee shall have the right to provide recycled water through metered services to the DISTRICT'S or designee's customers, and collect any charges, fees, and rates in connection with the DISTRICT'S PARTICIPATION RIGHT.

c. The DISTRICT shall have the right to review and approve the FINAL ACCOUNTING and verify the accuracy and validity of the CONSTRUCTION COST OF PROJECT. The DISTRICT reserves the right to adjust the final payment based on a review of the FINAL ACCOUNTING.

d. No supervisor, official, agent, attorney, representative, or employee of either the DISTRICT or the County of Los Angeles, shall be responsible for any damage or liability occurring by reason of any acts of omission on the part of CITY in connection with the PROJECT. Notwithstanding the provisions of Government Code Section 895 et. seq., the CITY shall fully release, indemnify, defend (including payment of all attorneys' and experts' fees and costs), and hold harmless the DISTRICT and the County of Los Angeles and their supervisors, officials, agents, attorneys, representatives and employees from any liability, claims, damages, or injury (including as defined by Government Code Section 810.8) relating to the PROJECT, including, without limitation, in connection with the design and construction of the PROJECT or in connection with any PERMIT and in connection with the operation of the PROJECT until the date that the ownership of the PROJECT may be accepted by the DISTRICT. The foregoing release by the CITY is granted hereby waiving and notwithstanding the provisions in Civil Code Section 1542, which states: "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

e. That the provisions of any General Services Agreement or Assumption Liability Agreement shall not apply to this AGREEMENT or the PROJECT.

f. This AGREEMENT constitutes the full and complete understanding of the parties regarding the design and construction of the PROJECT. This AGREEMENT hereby supersedes any prior or contemporaneous agreements between the parties regarding the foregoing matters.

g. Except as provided herein, this AGREEMENT is intended solely for the benefit of the CITY and the DISTRICT, not any third parties.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized, by the CITY OF LANCASTER on _____, 2006, and by the LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 40, ANTELOPE VALLEY, on _____, 2006.

LOS ANGELES COUNTY WATERWORKS
DISTRICT NO. 40, ANTELOPE VALLEY

ATTEST:

By_____
Mayor, Board of Supervisors
of the County of Los Angeles as governing
body there of

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By_____
Deputy

ATTEST:

By_____
Geri K. Bryan, City Clerk

By_____
City Attorney

CITY OF LANCASTER

By_____
Bishop Henry W. Hearns, Mayor

_____
Approved by Dept. Head

EXHIBIT "A"

Final

Initial Study and Mitigated Negative Declaration

Division Street Corridor Recycled Water Project City of Lancaster, CA

SCH Number 2005111134

Prepared by:

RMC
Water and Environment

February 2006

Table of Contents

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Chapter 1 INTRODUCTION

The project proposes to connect to the existing County Sanitation District No. 14 of Los Angeles County (District No. 14) recycled water transmission line to provide recycled water to the City. Under the proposed project, the City of Lancaster would construct a recycled water distribution system to provide up to an estimated 1,090 acre-feet-per-year (afy) of disinfected tertiary treated recycled water[1] (recycled water) produced at the Lancaster Water Reclamation Plant (LWRP) to users along Division Street. This distribution system would include a main pipeline, lateral pipelines, storage tank, and pump station. The proposed 24-inch recycled water main pipeline would connect to the District No. 14 recycled water transmission line at Avenue E and travel approximately 4.5 miles along Division Street to Lancaster Boulevard. Laterals up to 12-inches in diameter would branch off this main line to serve specific users.

The Draft Initial Study was circulated for public review from November 30th through December 30th. Notification was sent to the following agencies and organizations:

- Antelope Valley Air Quality Management District
- County Sanitation Districts of LA County
- Lahontan Regional Water Quality Control Board
- Los Angeles County Department of Public Works (Waterworks District No. 40)
- Los Angeles County Department of Health Services
- County of Los Angeles Regional Planning Department
- Antelope Valley Union High School District
- Lancaster Cemetery District
- Waste Management - Lancaster Landfill
- Lancaster School District
- Lancaster University Center
- Lancaster Coalition of Neighborhood Organizations

In addition, copies were sent to the State Clearinghouse who notified the following State agencies:

- California Air Resources Board
- California Department of Fish and Game, Region 5
- Department of Health Services
- State Historic Preservation Office
- Department of Parks and Recreation
- Regional Water Quality Control Board, #6 Lahontan Region
- State Water Resources Control Board: Water Quality
- Department of Water Resources

[1] As defined in Title 22 of California Code of Regulations (June, 2001).

A notice of the availability of the document and notice of intent to adopt a Mitigated Negative Declaration was placed in the Antelope Valley Press, a newspaper of general circulation, on December 8 and 15th, 2005 (see proof of publication attached). A copy of the Initial Study was sent to the Lancaster Public Library and was available at the public counter at City Hall.

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA }
County of Los Angeles } ss

Notice Type: NOTICE OF INTENT TO ADOPT A NEGATIVE

The space above for filing stamp only

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the **Antelope Valley Press**, a newspaper of general circulation, printed and published **daily** in the city of **Palmdale**, County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California, under date of October 24, 1931, Case Number 328601; Modified Case Number 657770 April 11, 1956; also operating as the Ledger-Gazette, adjudicated a legal newspaper June 15, 1927, by Superior Court decree No. 224545; also operating as the Desert Mailer News, formerly known as the South Antelope Valley Foothill News, adjudicated a newspaper of general circulation by the Superior Court of the County of Los Angeles, State of California on June 15, 1967, Case Number NOC564 and adjudicated a newspaper of general circulation for the City of Lancaster, State of California on January 26, 1990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

December 8, 15, 2005

I certify (or declare) under penalty of perjury that the fore-going is true and correct.

Alison Adams

Signature

Dated: December 15, 2005
Executed at Palmdale, California

Legal Notice
CITY OF LANCASTER

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

This notice is to advise the public that the City of Lancaster has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the project identified below. The City has determined that the project will not result in a significant environmental impact.

Project Description: The project proposes to connect to the existing County Sanitation District No. 14 of Los Angeles County recycled water transmission line to serve recycled water to the City. The City would construct a recycled water distribution system, including a 24-inch main pipeline, 12-inch lateral pipelines, storage tank, and pump station to serve recycled water to users along Division Street for landscape irrigation and dust control. The main line would run along Division Street approximately 3 miles from Avenue E to Lancaster Blvd. The recycled water pipeline would be constructed within City and Los Angeles County public easements and road right-of-ways.

Availability of Documents: The IS/MND is available for review at:
- The Lancaster Public Library located at 601 W. Lancaster Boulevard, Lancaster, CA;
- City of Lancaster Offices, Planning Counter located at 44933 Fern Avenue, Lancaster, CA.

Comment Period: The comment period for the IS/MND starts on November 30, 2005 and closes on December 30, 2005. For more information contact:

Steve Dessler, P.E.
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534
(661) 723-6000
sdessler@cityoflancasterca.org

Dated: December 8, 2005

GERI K. BRYAN, CMC, City Clerk
City of Lancaster
Published: Thursday, December 8, 15, 2005

ANTELOPE VALLEY PRESS
37404 SIERRA HWY., PALMDALE CA 93550
Telephone (661)267-4112/Fax (661)947-4870

Chapter 2 CHANGES TO DRAFT INITIAL STUDY

The following are the changes to the Draft Initial Study that resulted from comments received and responses to those comments.

Cover
State Clearinghouse Number (SCH 2005111134) has been added to the cover.

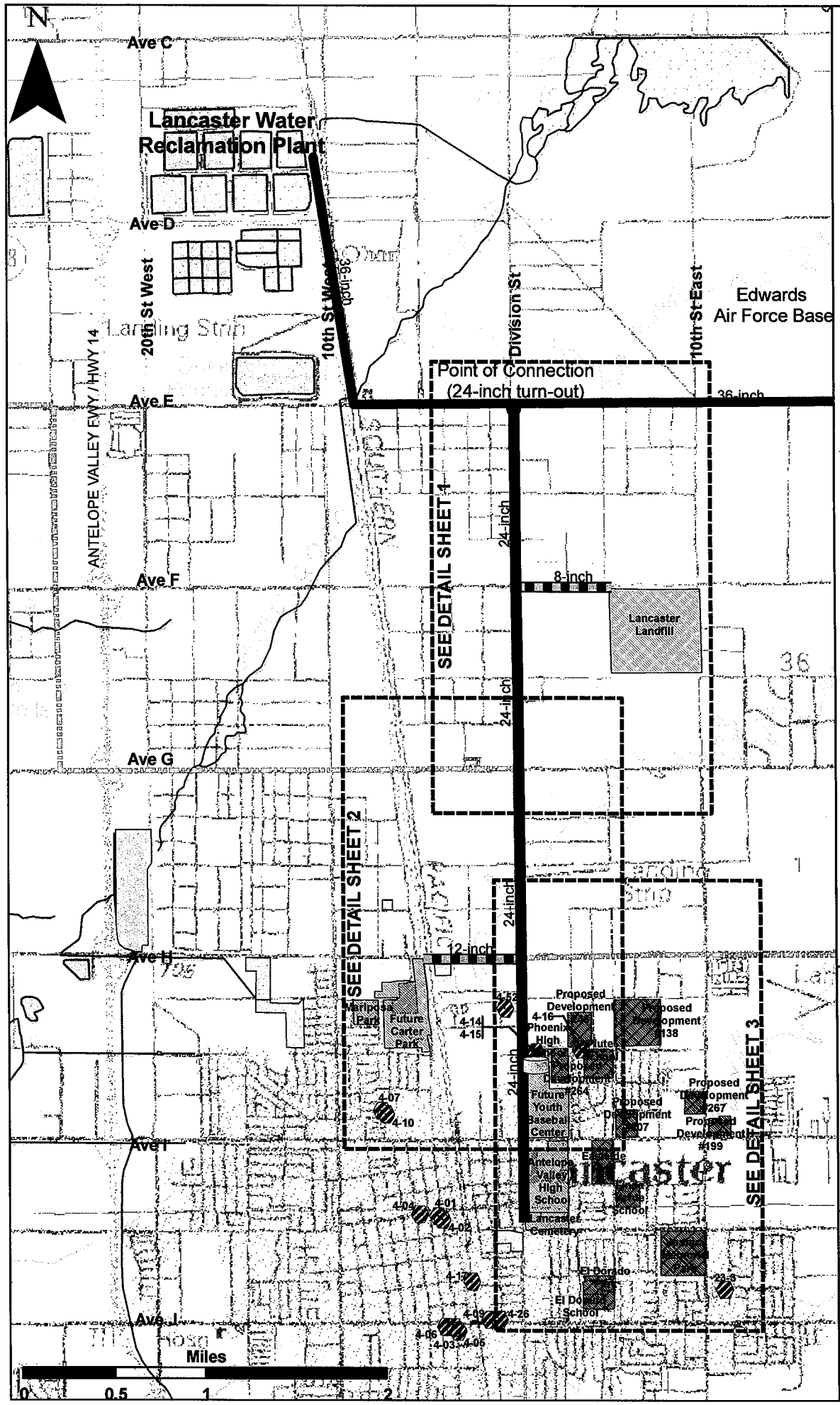
***Page 1-6* (Figure 1-2)**
Figure 1-2 has been updated to show the locations of the WWD's 6 active wells and 10 inactive wells within one mile of the proposed project.

***Page 1-7 (*Table 1-1)**
Footnote 3 on the last line in the Timing column in Table 1-1 has been deleted.

***Page 1-9* (Section 1.5 Proposed Project)**
The proposed project area would encompass approximately 8,000 acres (12.5 sq-miles) including the area bounded by Avenue J (to the south), 10th Street West (to the west), 15th Street East (to the east), and Avenue E (to the north) (see Figure 1-2). Although the Lancaster Landfill is not within City boundaries, it is within the City's sphere of influence. The estimated irrigated area for the proposed recycled water users is 250 acres.

***Page 1-13 (*Section 1.5)**
The following paragraph has been added to Section 1.5 (just before Section 1.5.1):

The recycled water provided to the project will be tertiary treated at all times, but the type of tertiary treatment process will change when the LWRP upgrades are complete. The recycled water (tertiary treated effluent) provided at project start-up would include 0.5 mgd from the AVTTP and 1.0 mgd from the pilot MBR project (membrane bioreactor filtration with ultraviolet disinfection) (see Table 1-1). The combination from these two sources would be supplied from approximately June 2006 to 2010, when the LWRP upgrades are expected to be complete. The recycled water (tertiary treated effluent) supplied from that point on would be from the LWRP upgraded plant (Stage V expansion) and would include primary treatment, secondary activated sludge/nitrification-denitrification (NDN) treatment, and tertiary treatment through mono-media filtration and disinfection (chlorination) (ESA, 2004; LACSD, 2006). A back-up water supply source for the RW storage tank will be provided via an 8-inch potable water back-up line from well 4-15. The back-up water supply line will be connected to the recycled water storage tank via a 20-inch air gap (per the City's plans).



Legend

City Boundary

Waterways

Water Bodies / Storm Basins

WWD No. 40 Well Sites[1]

Existing Recycled Water Facilities By Others

Recycled Water Pipeline[2]

Proposed Division Street Corridor Facilities

Main Pipeline

Lateral Pipeline[3] (greater than 8-inches in dia.)

Tank & Pump Station

Potential Recycled Water Users

Phase 1 Users

Phase 2 Users

Notes:
1.) Not all wells are active. See Table 2-1 for well status.
2.) Location of existing recycled water facilties is approximate.
3.) Only laterals greater than 8-inch in diameter are shown. There will be additional laterals for Phase 2 users.

SOURCE:
-RMC, 2005b.
-Topozone.com, WGS84/NAD83 1:100,000-scale metric topographic map

City of Lancaster Division Street Corridor Recycled Water Project

Figure 1-2
Proposed Recycled Water Facilities

RMC

Filename: Figure_1-2.pdf
Date: January 26, 2006
Status: FINAL

***Page 2-2* (Checklist Form)**
The third bullet has been modified as shown and an additional bullet has been added:

- Lahontan Regional Water Quality Control Board (RWQCB): ~~NPDES permit for construction activities and preparation of Storm Water Pollution Prevention Plan (SWPPP) and Recycled Water User Permit~~ Water Reclamation Requirements
- City of Lancaster/Los Angeles County Sanitation District No. 14: Industrial Waste Permit (dual agency) for emergency discharge from storage tank to local sewer system

***Page 2-20* (Section 2.6 b)**
The second paragraph under sub-section (b) has been modified as follows:

Construction activities of one acre or more that affect Waters of the US are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Permit). The proposed project would not affect Waters of the US therefore an NPDES permit is not required. ~~The project sponsor must submit a Notice of Intent to the RWQCB-LR prior to the beginning of construction to be covered by the General Construction Permit. The General Construction Permit requires the preparation and implementation of a formal~~ Although not required because the project area does not discharge to waters of the United States, a Storm Water Pollution Prevention Plan (SWPPP) ~~which must~~ would be prepared as part of Mitigation Measure WQ-1 before construction begins. The SWPPP includes specifications for BMPs to be implemented during project construction to control sedimentation/soil erosion in storm water runoff~~, and defines conditions for complying with the SWRCB NPDES permit requirements.~~ Implementation of the SWPPP starts with the commencement of construction and continues through project completion. ~~Upon completion of the project, the sponsor must submit a Notice of Termination to the RWQCB to indicate that the construction is complete.~~ Soil erosion impacts would be mitigated to less than significant levels with implementation of **Measures AQ-1** and **WQ-1**.

***Page 2-27* (Section 2.8)**
The following analysis has been added to Section 2.8 (a) in Response to Comment 2-10 before the last paragraph on page 2-27 and modifies the last paragraph:

Recycled water typically contains plant nutrients, including nitrogen, phosphorus, and potassium, in higher concentrations than potable water. Nitrogen is an essential plant nutrient and a key component of fertilizer. Because the plants will use the nitrogen in the recycled water, less fertilizer will be needed. If landscape fertilization practices remain unchanged after the implementation of the proposed recycled water project, landscaped areas may become stressed due to excess nutrients. Additionally, overwatering of landscaping can promote the migration of nitrates to groundwater; however, if the recycled water is applied at the agronomic rates of the plants, water will be taken up by the plants and would reduce this risk to a less than significant level. Implementation of Mitigation Measure WQ-2 addresses both over application of fertilizers and overwatering and would therefore reduce this impact to less than significant levels.

Adherence of the proposed project to all appropriate ~~Title 22 requirements~~ water quality mitigations (as stated in Mitigation Measure WQ-2) would ensure that potential impacts to water quality or public health are reduced to a less-than-significant level.

***Page 2-27 (*Section 2.8)**
Table 2-1 has been modified and expanded as shown:

***Page 2-30* (Mitigation Measure WQ-1)**
Mitigation Measure WQ-1 has been modified as shown below:

Mitigation Measure WQ-1: During construction, practices shall be implemented to minimize potential water quality impacts during and after construction, and a SWPPP shall be developed and implemented prior to and during construction.

The City shall require contractors to ~~file a Notice of Intent with the RWQCB-LR indicting compliance with the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Permit) and to~~ prepare and implement a SWPPP outlining Best Management Practices (BMPs) for construction/post-construction activities as specified by the California Storm Water Best Management Practices Handbook (California Storm Water Quality Association, 2004) and/or the Manual of Standards for Erosion and Sediment Control Measures (ABAG, 1995).

Table 2-1: Water Wells in Lancaster within One Mile of the DSC Project

Existing Water Well I.D. No. (WWD 40, Region 4)	Well Address	Potential User(s) Near Active Water Wells [1]	Well Status [2]	Well Depth (ft)	Screen Interval (ft)	Static Water Depth (ft)	Constituent [3]				
							Arsenic Average (µg/L)	Arsenic Range (µg/L)	TDS (mg/L)	Nitrate (mg/L)	Chromium (µg/L)
4-01	44838 Cedar Ave.	None	Inactive (D)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4-02	44838 Cedar Ave.	None	Inactive (D)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4-03	44349 N. Beech Ave.	None	Inactive (D)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4-04 (4-Fox)	44836 N. Date Ave.	None	Active	1200	115 – 1100	134	14.4	2.0 – 23.8	262	12.5	ND
4-05	44205 N. 15th St. W	None	Active	578	192 – 552	157	10.1	2.0 – 21.4	172	ND	12.1
4-06	419 W. Ave. J	None	Inactive (D)	N/A	N/A	N/A	5.5	2.0 – 11.8	N/A	N/A	N/A
4-07	702 W. Ave. H-13	None	Inactive (D)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4-09	419 W. Ave. J	None	Active	670	466 – 670	250	32.17	2.1 – 54.8	188	ND	14.5
4-10	702 W. Ave. H-13	None	Inactive (D)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4-14	45548 N. Division St.	None	Inactive (D)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4-15	45548 N. Division St.	▪ Youth Baseball Center ▪ Phoenix High School	Active [4]	705	180 – 215 225 – 237 260 – 365 385 – 525	190	2.9	2.0 – 5.2	174	ND	21.0
4-16	45570 N. 5th St. E.	None	Inactive (D)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Table 2-1: Water Wells in Lancaster within One Mile of the DSC Project

Existing Water Well I.D. No. (WWD 40, Region 4)	Well Address	Potential User(s) Near Active Water Wells [1]	Well Status [2]	Well Depth (ft)	Screen Interval (ft)	Static Water Depth (ft)	Constituent [3]				
							Arsenic Average (µg/L)	Arsenic Range (µg/L)	TDS (mg/L)	Nitrate (mg/L)	Chromium (µg/L)
4-17	319 W. Ovington St.	None	Active	1227	480 – 660 890 – 1227	N/A	32.6	2.0 – 44.8	402	2.55	12.7
4-26	419 W. Ave. J	None	Active	700	235 – 693	232	29.1	2.0 – 58.8	220	ND	ND
4-52	45712 N. Division St.	None	Inactive (H)	1175	240 – 980	182	38.9	2.0 – 63.9	238	ND	10.3
23-3	1111 E. Nugent St.	None	Inactive (A)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Source: WWD 40, 2006. Arsenic data collection (1964–2005). TDS data collection (2001–2004). Nitrate data collection (2002–2005). Chromium data collection (2001–2004).
Notes: (1) Recycled water user property lines within 50-feet of well location. All wells within 1-mile of the Project were examined.
(2) Reason for inactivity: A=Abandoned, D=Destroyed, H=High-Arsenic Levels.
(3) N/A=Data Not Available, ND=Not Detected
(4) Well is online and available for use, but not running.

***Page 2-30* (Mitigation Measure WQ-2)**
Mitigation Measure WQ-2 on page 2-30 has been revised with the following to specifically identify the requirements to be implemented to reduce the impact to a less-than-significant level.

Mitigation Measure WQ-2: The proposed project shall be designed and operated to minimize potential adverse impact on groundwater quality. ~~in accordance with the applicable requirements of Title 22.~~

~~All landscape irrigation systems shall be operated in accordance with the requirements of Title 22 of the California Code of Regulations and any reclamation permits issued by the California Regional Water Quality Control Board, Lahontan Region. Reclamation permits typically require that irrigation rates match the evapotranspiration rates of the plants being irrigated, and that no irrigation occur within 50 feet of any domestic supply wells. Given the extent to which the recycled water is treated, odors are not expected to be a problem at or near water use sites, at or near the storage tank or pump station (which would be enclosed), or in the event of a pipeline rupture~~

- Recycled water will be used at the use site in accordance with the general rules set forth in the Los Angeles County Recycled Water Advisory Committee's *Recycled Water User Manual* (2005) (or equivalent). The Recycled Water User Manual has been approved by State DHS and LA County DHS, and circulated to the Los Angeles Regional Water Quality Control Board. The City will provide the Recycled Water User Manual to a designated site supervisor as part of entering a User Agreement with each individual user. The Recycled Water Manual specifies in particular the following:
    - The recycled water system will not be allowed to operate for periods longer than needed to satisfy the landscape water requirements. Recycled water will not be applied at a rate that is greater than the infiltration rate of the soil or the agronomic rate (see Section C – Operation & Maintenance). Exceptions to this requirement for purposes such as leaching of soil will be specified in the User Agreements to be entered by the City and the users.
    - No irrigation will occur within 50 feet of any domestic supply well per Title 22 requirements (see Section B – Design & Construction).
- Compliance with the rules set forth in the Recycled Water User Manual will be required as part of the User Agreements. The City will reserve the right to revoke a User Agreement and terminate service, if any or all of the service conditions are not satisfied at all times.
- The City and/or LACSD will implement an inspection program to ensure that end users comply with the User Agreement requirements.
- The City will review available recycled water data to be provided by LACSD and groundwater quality data from wells located within a mile of the use areas to be provided by WWD for such constituents as TDS and total nitrogen on a quarterly basis after recycled water delivery and use has begun.
- Should the TDS or nitrogen data suggest that groundwater water quality degradation is occurring at the well sites, the City will work with LACSD to define and implement a source control program; this source control program will be the responsibility of the City to implement.

***Page 2-46* (Section 2-16 a)**

a) The proposed project is limited to construction and operation of a recycled water pipeline, storage tank and pump station. Pipeline operation and use of recycled water would be in accordance with Title 22, and the RWQCB-issued ~~NPDES permit and Waste Discharge Requirements~~ Water Reclamation Requirements for use of recycled water that would detail any wastewater treatment and monitoring requirements held by the LACSD. Therefore, project implementation would not result in any exceedance of wastewater treatment requirements.

***Page 3-2* (References)**

The following references have been added to Section 3.2 References:

County Sanitation Districts of Los Angeles County (LACSD) 2006. Water Quality Data received from Nikos Melitas via e-mail, January 2006.

Los Angeles County Department of Public Works – Waterworks District No. 40 (WWD) 2006. Water Quality Data for Existing Wells within one mile of the proposed project received from Kenneth Hu via e-mail, January 2006.

Los Angeles County Recycled Water Advisory Committee 2005. *Recycled Water User Manual.*

Appendix B – Water Quality Analysis

Additional water quality data tables have been added to Appendix B in Section D. Findings and Table 2 has been updated as shown:

Table 2 summarizes the recent LWRP and estimated AVTTP effluent quality, water quality monitoring data for the Lancaster area, and federal and state water quality objectives. Tables 3, 4 and 5 have been added to provide AVTTP water quality data for 2004-2005 and estimated levels for the recycled water when the plant upgrades are in place.

Table 2: Summary of Water Quality Data and Objectives

	Total Dissolved Solids	Nitrate	Total Trihalomethanes
AVTTP Effluent [3]	720 mg/L	2.92 mg/L for Nitrate+Nitrite as N	0.11 mg/L
Local water quality [4]	160 – 848 mg/L	ND – 20.50 mg/L for Nitrate as NO_3	ND – 18.00 mg/L
USEPA Drinking Water Standards	500 mg/L[1]	10.00 mg/L for Nitrate as N[2]	0.08 mg/L
California Drinking Water Standards	500 – 1,500 mg/L[1]	45.00 mg/L for Nitrate as NO_3[2] 10.00 mg/L for Nitrate+Nitrite as N	0.10 mg/L
USEPA Recommended Limits for Recycled Effluent (1992)	500 – 2,000 mg/L	NR	NR

Notes:
ND – Not detected
NR – no recommended limits
1 – Secondary MCL
2 – Primary MCL
3 – Data from LACSD (February 2006).
4 – Chlorinated Groundwater Data from Los Angeles County Waterworks District No. 40, Region 4, Lancaster *Annual Water Quality Reports* (2002, 2003 and 2004) and the *Final LWRP 2020 Plan EIR* (ESA, 2004).

Table 3: Estimated Recycled Water Quality Data for LWRP, AVTTP, MBR/UV and MBR/Chlorination

PARAMETER	UNIT	AVTTP	MBR/ Chlorination	MBR/UV	LWRP/NDN (after planned upgrades are complete)
TDS	mg/L	703 [1]	550	550	550
Total Nitrogen	mg-N/l	3.7 [1]	7	7	10
Nitrate+Nitrite	mg-N/l	2.3 [1]	5	5	8
Ammonia	mg-N/l	0.3 [1]	<1	<1	1
Total Kjeldahl	mg-N/l	1.1 [1]	<2	<2	2
Total Cyanides	□g/L	<5	<5	<5	<5
Total Organic Carbon	mg/L	10	10	10	10
Sulfate	mg/L	80	80	80	80
Chloride	mg/L	194 [1]	140	140	140
Boron	mg/L	0.5	0.5	0.5	0.5
MBAS	mg/L	0.1	0.1	0.1	0.1
Calcium	mg/L	40	40	40	40
Magnesium	mg/L	12	12	12	12
Arsenic	mg/L	<0.01	<0.01	<0.01	<0.01
Barium	mg/L	<0.01	<0.01	<0.01	<0.01
Aluminum	mg/L	<0.1	<0.1	<0.1	<0.1
Cadmium	mg/L	<0.0004	<0.0004	<0.0004	<0.0004
Total Chromium	mg/L	<0.01	<0.01	<0.01	<0.01
Copper	mg/L	<0.01	<0.01	<0.01	<0.01
Iron	mg/L	<0.05	<0.05	<0.05	<0.05
Manganese	mg/L	<0.02	<0.02	<0.02	<0.02
Mercury	mg/L	<0.00004	<0.00004	<0.00004	<0.00004
Nickel	mg/L	<0.02	<0.02	<0.02	<0.02
Potassium	mg/L	17	17	17	17
Selenium	mg/L	<0.001	<0.001	<0.001	<0.001
Silver	mg/L	<0.0004	<0.0004	<0.0004	<0.0004
Sodium	mg/L	160	160	160	160
Zinc	mg/L	<0.05	<0.05	<0.05	<0.05
Antimony	mg/L	<0.0005	<0.0005	<0.0005	<0.0005
Beryllium	mg/L	<0.0007	<0.0007	<0.0007	<0.0007
Thallium	mg/L	<0.001	<0.001	<0.001	<0.001
Trihalomethanes	□g/L	102 [1]	100	20	30
Haloacetic acids 5	□g/L	80	80	20	30
Chlorite	mg/L	<0.1	<0.1	<0.1	<0.1
Bromate	mg/L	<0.025	<0.025	<0.025	<0.025

AVTTP: Antelope Valley Tertiary Treatment Plant (0.5 MGD)

MBR/Chlorination: Membrane Bioreactor Unit with temporary chlorination (unit will run from approximately July 1, 2006 for approximately two months until permanent UV facility is field tested and certified).

MBR/UV: Membrane Bioreactor Unit with ultraviolet disinfection (1 MGD)

LWRP/NDN: Future Lancaster tertiary treatment facility per the 2020 Facilities Plan

Source: LACSD February 2006.

Notes: (1.) 2005 Annual Average Measured Concentrations. TDS, Chloride, THMs sampled in October and December 2005.

Table 4: AVTTP 2005 Effluent Water Quality Data

	Bimonthly Samples					Monthly Samples			Miscellaneous		
Monthly Statistics	Soluble BOD_5 mg/l		Soluble COD mg/l	Soluble Carb. BOD_5 (SCBOD) mg/l		Nitrate mg-N/l	Ammonia mg-N/l	Kjeldahl Nitrogen mg-N/l	TDS mg/l	Chloride mg/l	THM µg/l
Jan. 2005	NO FLOW										
Feb. 2005	NO FLOW										
Mar. 2005											
Mean	**<**	**3**	**22**	**<**	**3**	0.9	< 0.1	< 0.4			
Max.	**<**	3	23	<	3	0.9	< 0.1	< 0.4			
Min.	<	3	20	<	3	0.9	< 0.1	< 0.4			
Apr. 2005											
Mean	**<**	**3**	**17**	**<**	**3**	0.95	0.2	0.6			
Max.	**<**	3	23	<	3	0.95	0.2	0.6			
Min.	<	3	10	<	3	0.95	0.2	0.6			
May-05											
Mean	**<**	**3**	**21**	**<**	**3**	2.41	2.5	3.6			
Max.	<	3	24	<	3	2.41	2.5	3.6			
Min.	<	3	18	<	3	2.41	2.5	3.6			
Jun. 2005											
Mean	**<**	**4**	**24**	**<**	**5**	2.40	0.1	0.3			
Max.		5	28		5	2.40	0.1	0.3			
Min.	<	3	19	<	3	2.40	0.1	0.3			
Jul. 2005											
Mean	**<**	**3**	**26**	**<**	**3**	0.15	< 0.1	1.2			
Max.		3	28	<	3	0.15	< 0.1	1.2			
Min.	<	3	23	<	3	0.15	< 0.1	1.2			
Aug. 2005											
Mean	**<**	**3**	**23**	**<**	**3**	0.16	< 0.1	< 0.3			
Max.	<	3	24	<	3	0.16	< 0.1	< 0.3			
Min.	<	3	22	<	3	0.16	< 0.1	< 0.3			
Sep. 2005											
Mean	**<**	**3**	**23**	**<**	**3**	1.74	0.2	1.1			
Max.	**<**	3	24	<	3	1.74	0.2	1.1			
Min.	**<**	3	21	<	3	1.74	0.2	1.1			
Oct. 2005											
Mean	**<**	**3**	**17**	**<**	**3**	4.04	<0.2	1.0	661	184	94.5
Max.	<	3	18	<	3	5.57	0.3	1.4	661	184	94.5
Min.	<	3	15	<	3	2.50	<0.1	0.6	661	184	94.5
Nov. 2005											
Mean	**<**	**5**	**13**	**<**	**5**	7.90	0.1	0.8			
Max.	<	6	14	<	6	7.90	0.1	0.8			
Min.	<	3	12	<	3	7.90	0.1	0.8			

Table 4: AVTTP 2005 Effluent Water Quality Data

	Bimonthly Samples					Monthly Samples			Miscellaneous		
Monthly Statistics	Soluble BOD_5 mg/l		Soluble COD mg/l	Soluble Carb. BOD_5 (SCBOD) mg/l		Nitrate mg-N/l	Ammonia mg-N/l	Kjeldahl Nitrogen mg-N/l	TDS mg/l	Chloride mg/l	THM µg/l
Dec. 2005											
Mean	<	**3**	**19**	<	**3**	2.10	<0.1	<0.8	745	204	110.2
Max.	<	3	20	<	3	3.12	<0.1	1.1	750	208	134.5
Min.	<	2	18	<	2	<0.08	<0.1	<0.3	740	200	85.8
Annual											
Mean	<	3	21	<	3	2.28	< 0.3	< 1.1	703	194	102.4
Max.		6	28		6	7.90	2.5	3.6	750	208	134.5
Min.	<	2	10	<	2	<0.08	< 0.1	< 0.3	661	184	85.8

Source: LACSD February 2006.

Table 5: AVTTP 2004 Effluent Water Quality Data

Monthly Statistics		Bimonthly Samples			Monthly Samples		
		Soluble BOD_5 mg/l	Soluble COD mg/l	Soluble Carb. BOD_5 (SCBOD) mg/l	Nitrate mg-N/l	Ammonia mg-N/l	Kjeldahl Nitrogen mg-N/l
	Jan. 2004	NO FLOW					
	Feb. 2004	NO FLOW					
	Mar. 2004	NO FLOW					
Apr. 2004	Mean	<3	16	<4	4.27	<0.1	0.80
	Max.	4	28	4			
	Min.	<3	3	<3			
May-04	Mean	<3	25	<3	3.56	<0.1	0.5
	Max.	<3	27	<3			
	Min.	<3	23	<3			
Jun. 2004	Mean	<3	24	<3	5.15	<0.1	2.2
	Max.	3	34	<3			
	Min.	<3	13	<3			
Jul. 2004	Mean	<12	33	<3	2.70	< 0.10	1.5
	Max.	20	38	3			
	Min.	<3	28	2			
Aug. 2004	Mean	6	30	6	1.49	< 0.10	< 0.91
	Max.	6	24	6			
	Min.	5	26	5			
Sep. 2004	Mean	<3	25	<3	2.06	< 0.10	2.70
	Max.	<4	28	<4			
	Min.	1	21	<1			
Oct. 2004	Mean	<3	26	<3	0.39	< 0.10	< 0.30
	Max.	<3	26	<3			
	Min.	<3	25	<3			
Nov. 2004	Mean	<3	23	<3	0.82	< 0.10	0.30
	Max.	<3	23	<3			
	Min.	<3	23	<3			
Dec. 2004	Mean	<3	34	<3	1.56	< 1.8	3.1
	Max.	<3	34	<3			
	Min.	<3	34	<3			
Annual	Mean	<4	26	<3	2.44	< 0.3	< 1.4
	Max.	20	38	6	5.15	<1.8	3.1
	Min.	<1	3	<1	0.39	< 0.10	< 0.30

Source: LACSD 2006

Table 6: Summary of Total Dissolved Solids Concentrations (ppm) in Lancaster Area Drinking Water

	Treated Surface Water		Chlorinated Groundwater	
Year	Range of Detection	Average Level	Range of Detection	Average Level
2002	296-300	300	160-848	270.3
2003	300-307	304	168-848	257.1
2004	320	320	160-626	279.0

Source: WWD Annual Drinking Water Quality Reports, 2002, 2003, and 2004.
Note: The range of detection specifies the minimum and maximum amounts of TDS detected.

Table 7: Summary of Nitrogen Loading in Effluent from LWRP (all data in mg/L)

	Secondary Effluent to Piute Ponds [1]			Secondary Effluent to Nebeker Ranch[1]			Tertiary Treatment Plant Effluent [2] (to Apollo Lake)		
	Kjeldahl	Nitrate	Ammonia	Kjeldahl	Nitrate	Ammonia	Kjeldahl	Nitrate	Ammonia
Mean	22.4	2.69	11.3	24.5	0.83	13.1	0.9	2.92	<0.1
Max	36.1	7.56	20.5	41.2	2.70	21.8	1.06	5.57	<0.1
Min	14.0	0.14	0.4	9.8	0.01	0.5	0.6	<0.08	<0.1

Source:
(1.) LWRP Annual Monitoring Report 2002 (Table 4-2 in Appendix C of the LWRP 2020 Facilities Plan.
(2.) LACSD February 2006.

Chapter 3 COMMENTS AND RESPONSES

Three letters were received during the public comment period from:

- California Office of Planning and Research, State Clearinghouse and Planning Unit (January 4, 2006)
- Regional Water Quality Control Board – Lahontan Region (December 30, 2005)
- Native American Heritage Commission (December 20, 2005)

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Sean Walsh
Director

January 4, 2006

Steve Dassler
City of Lancaster
44933 N. Fern Avenue
Lancaster, CA 93534

Subject: Division Street Corridor Recycled Water Project
SCH#: 2005111134

Dear Steve Dassler:

The enclosed comment (s) on your Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on December 29, 2005. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2005111134) when contacting this office.

Sincerely,

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Sean Walsh
Director

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January 3, 2006

Steve Dassler
City of Lancaster
44933 N. Fern Avenue
Lancaster, CA 93534

Subject: Division Street Corridor Recycled Water Project
SCH#: 2005111134

Dear Steve Dassler:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on December 29, 2005, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

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

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

California Regional Water Quality Control Board
Lahontan Region

Alan C. Lloyd Ph.D.
Agency Secretary

Victorville Office
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Arnold Schwarzenegger
Governor

December 30, 2005

WDID No. 6B190501001

Steve Dassler
City of Lancaster
44933 North Fern Avenue
Lancaster, CA 93534

DIVISION STREET CORRIDOR RECYCLED WATER PROJECT PROPOSED BY THE CITY OF LANCASTER, LOS ANGELES COUNTY

On December 5, 2005, we received a report titled: *Initial Study and Mitigated Negative Declaration, Division Street Corridor Recycled Water Project*, City of Lancaster (Draft), prepared by RMC Water and Environment, November 30, 2005. The report stated that comments are due December 30, 2005.

Project Description

The City's proposed Division Street Corridor Recycled Water Project includes an area of approximately 15 square miles and is located along Division Street between Avenues E and J, in Lancaster. Recycled water use would occur at both existing and proposed facilities. The uses would be limited to those allowed under Title 22, California Code of Regulations and would include use for: (a) irrigation of landscape within the project area (i.e., approximately six parks, five schools and one cemetery); and (b) soil compaction and dust control at construction projects and at the Lancaster Landfill. The total estimated water demand for these uses in the project area is 1090 acre-feet per year (0.974 million gallons per day). A force-main trunk pipeline is currently under construction for transporting recycled water along Division Street. A lateral pipeline for each individual site would be constructed once the site is ready to receive recycled water.

2-1

The Los Angeles County Sanitation District 14 (District) proposes to produce additional Disinfected Tertiary Recycled Water for the City's Project. The additional recycled water would be generated by the District's existing 0.5 million gallons per day (mgd) tertiary treatment plant and proposed 1.0 mgd tertiary treatment plant, which will include nitrogen removal, a membrane bioreactor and ultraviolet disinfection. The existing tertiary treatment plant is currently not operated at full capacity and there is some additional capacity available for the Project.

The production of recycled water for use in the Project was evaluated in the District's 2020 Environmental Impact Report (EIR). The District is currently preparing an addendum to the EIR to more fully address industrial and municipal uses of recycled water within its service area.

Comments

2-2

1. The initial study did not include a State Clearinghouse identification number. This number needs to be included with documents prepared and circulated under the California Environmental Quality Act (CEQA).

2. A revised CEQA document is needed to address the following comments on the initial study.

2-3

3. In addition to the initial study, Board staff has received a copy of the executive summary of a document titled: *City of Lancaster, Recycled Water Facilities and Operations Master Plan (Draft)*, prepared by RMC Water and Environmental, August 2005. The master plan discusses use of low-quality groundwater as a supplemental source of water for recycled water projects. Information contained in the master plan and posted on the U.S. Geological Survey (USGS) website indicate concentrations of arsenic and hexavalent chromium in groundwater underlying portions of the Lancaster area exceed criteria/standards for potable uses (human consumption, bathing/showering).

   Board staff review indicates the initial study neither mentioned nor evaluated use of low-quality groundwater in the Division Street project. Use of low-quality water for this project would therefore not be authorized under any permit the Regional Board issues for the project. If the City should propose at a later date to use low-quality groundwater in the project, the City would need to prepare a revised CEQA document to evaluate and address potential impacts associated with its use. The revised CEQA document would also need to be circulated again for review and comment by interested parties.

2-4

4. The initial study reports a concentration range of 646 to 918 mg/L for total dissolved solids (TDS) in groundwater. This range of concentrations is for groundwater underlying the District's treatment plant site located approximately one mile south of the project area. The range does not appear representative of the existing quality of groundwater underlying the project area. Regional Board staff evaluation indicates a range of 150 to 270 mg/L for the project area. This range is based on results of 16 groundwater samples collected between 1959 and 2003. Board staff obtained the results from the U.S. Geological Survey's website. A revised CEQA document is needed that includes appropriate information on existing quality of groundwater underlying the project area.

2-5

5. The initial study does not include sufficient information on the existing quality of groundwater in the project area. The initial study references the existence of three active water supply wells (Wells 4-14, 4-15 and 4-16) operated by the Los Angeles County Water Works No. 40 (Region 4), but does not provide data for the wells.

   Additional information on groundwater needs to be included in the revised CEQA document to allow for complete evaluation of the potential impacts of the project to water quality. The revised CEQA document needs to include the following items for groundwater located within one mile of the project area, including:

2-5

i. A map showing locations of existing water wells (both active and inactive), direction of groundwater flow, groundwater table elevations and ground surface elevations, and

ii. Data on concentrations of constituents in groundwater including total dissolved solids, nitrate, arsenic, total chromium and hexavalent chromium (please include concentrations for these constituents in groundwater produced by Wells 4-14, 4-15 and 4-16, referenced above.)

2-6

6. The initial study provides expected concentrations for TDS and trihalomethanes in recycled water. Concentrations of additional constituents in recycled water need to be incorporated into the revised CEQA document to allow for complete evaluation of the potential impacts of the project to water quality. At a minimum, concentrations should be included for: total nitrogen, arsenic, total chromium, and hexavalent chromium. Concentrations should also be included for additional disinfection by-products (i.e., haloacetic acids (five) (HAA5), bromate, and chlorite) unless the City can show that the District's disinfection processes would not create such by-products.

2-7

7. The environmental checklist (Page 2-24 of initial study) suggests the project would cause violation of water quality standards. The initial study does not specifically state which standards would be violated. Board staff believes that the standard for nitrate in groundwater is one that is likely to be violated, specifically the maximum contaminant level (MCL) of 10 mg/L as N for nitrate. When evaluating whether irrigation with recycled water would violate the nitrate standard in groundwater, the concentration of total nitrogen in the recycled water must be considered. It must be considered because the different nitrogen compounds in recycled water used for landscape irrigation often converts to nitrate as the water migrates in soil toward groundwater. The initial study only considers the presence of nitrate in recycled water. A revised CEQA document is needed that includes an evaluation that considers the total nitrogen in the recycled water and its fate and transport in the subsurface.

2-8

8. The existing tertiary treatment plant is located at the District's treatment plant site adjacent to the District's primary and secondary treatment plant. The source of influent wastewater flow for the tertiary plant is secondary effluent from the last oxidation pond for the District's primary and secondary treatment plant. The District's existing treatment facilities do not include nitrogen removal.

As discussed above, the revised CEQA document needs to include expected concentrations of total nitrogen in the existing tertiary recycled water. According to the District's 2004 annual self-monitoring report, the total nitrogen concentration in the District's disinfected tertiary effluent from April 2004 through December 2004 ranged from 3.79 to 8.55 mg/L. The average was 4.08 mg/L. These results were based on nine sampling events. The tertiary treatment plant has typically not been operated during the colder months. In 2004, it was not operated from January through March. The District is now proposing to operate the plant during the winter to supply recycled water to proposed projects including the Division Street project.

2-8 Additional information is needed on estimated concentrations of total nitrogen in the District's tertiary effluent. Currently, the information for cold weather is limited. Oxidation ponds do not perform as well during cold weather. The total nitrogen concentrations in the existing tertiary effluent could exceed 10 mg/L during cold weather. The revised CEQA document will need to include estimated concentrations of total nitrogen in the existing tertiary recycled water. There may need to be more than one estimate. For example, there may need to be one estimate for warm weather and another for cold weather. The estimates need to be conservative. The estimated total nitrogen concentrations need to be based on data from actual results of sampling of the tertiary effluent during both cold and warm weather.

9. 2-9 The environmental checklist (Page 2-24 of initial study) suggests the project would cause violation of water quality standards. According to the initial study this potential impact would be less than significant with mitigation. The initial study does not specifically state which standards would be violated. Board staff believes that standards for TDS and nitrate in groundwater are the ones most likely to be violated, specifically the secondary maximum contaminant level (MCL) of 500 mg/L for TDS and the primary MCL of 10 mg/L as N for nitrate. The estimated TDS concentration in the recycled water is 588 mg/L. Estimates for total nitrogen concentrations need to be established as discussed above.

Page 2-30 of initial study proposes the following mitigation:

> "All landscape irrigation systems shall be operated in accordance with the requirements of Title 22 of the California Code of Regulations and any reclamation permits issued by the California Regional Water Quality Control Board, Lahontan Region. Reclamation permits typically require that irrigation rates match the evapotranspiration rates of the plants being irrigated ..."

Compliance with permit conditions by itself does not constitute acceptable mitigation. Additionally, the first sentence is misleading. It implies that Title 22 includes requirements that pertain to preventing violation of water quality standards in groundwater. Title 22 is directed towards exposure prevention and does not include any such requirements for pollutants such as TDS and nitrate. Compliance with Title 22 does not ensure there will be compliance with these respective standards in groundwater; therefore, the first sentence should be removed.

The second sentence is also misleading. It implies that compliance with a water reclamation permit issued by a Regional Board by itself would ensure compliance with water quality standards. The project proponent (City of Lancaster) is required to thoroughly evaluate potential impacts and propose mitigation as part of the proposed project. Compliance with a water reclamation permit by itself is not considered mitigation; therefore, the second sentence should also be removed.

2-10 10. As discussed in the preceding comment, the initial study does not propose acceptable mitigation to address violation of water quality standards. Mitigation to prevent pollution in groundwater from the application of chemicals (fertilizers and pesticides) to landscape areas needs to be included in a revised CEQA document. Nitrogen loading to groundwater from application of fertilizers and irrigation with recycled water may be the most significant concern. The revised CEQA document needs to include mitigation measures to address this potential impact if this impact is determined to be significant. An effective state-of-the-art plan to manage chemical application and irrigation may be an appropriate mitigation measure. There needs to be evaluation in the revised CEQA document to show whether the project (with the proposed mitigation measures implemented) will cause increases in concentrations of nitrate and other pollutants in groundwater. The evaluation must also provide estimates of the magnitude of any increases in concentrations caused by the project.

2-11 11. Board staff is concerned the project would result in some additional salt loading to groundwater. The concentration of TDS is likely to be higher in recycled water than in the water currently being used to irrigate landscape areas. The initial study does not provide data on TDS concentrations in the existing irrigation water. The revised CEQA document needs to include information on the concentration of TDS in the existing water supply for the project area, including concentration in water supplied by the State Water Project and Wells 4-14, 4-15 and 4-16.

2-12 12. As mentioned above, Board staff is concerned the project would result is some additional salt loading to groundwater. Over a long-term period, irrigation water that migrates past the plant root zone is likely to eventually reach groundwater. Assuming this occurs, irrigation with higher TDS water is likely to cause degradation of groundwater. This potential affect on groundwater needs evaluation in the revised CEQA document. Mitigation measures must be proposed if the impact is significant.

2-13 13. If the project will result in degradation of waters of the State (e.g., increase in TDS and nitrate concentrations in groundwater), the City will need to perform a degradation analysis. In accordance with State Water Resources Control Board (SWRCB) Resolution No. 68-16 (*Statement of Policy With Respect to Maintaining High Quality of Waters in California*) and the Water Quality Control Plan for the Lahontan Region (Basin Plan), water degradation may be allowed if the following conditions are met: 1) any change in water quality must be consistent with maximum benefit to people of the State; 2) will not unreasonably affect present and anticipated beneficial uses; 3) will not result in water quality less than prescribed in the Basin Plan; and 4) discharges must use the best practicable treatment or control to avoid pollution or nuisance and maintain the highest water quality consistent with maximum benefit to the people of the State.

Thank you for the opportunity to provide comments on the Initial Study and Mitigated Negative Declaration. If you should have any questions regarding our comments, please contact me at (760) 241-7413 or Curt Shifrer at (760) 241-7376.

Sincerely,

Cindi Mitton
Senior Engineer

cc: Attached Mailing List

CS\rc\division st ltr

STATE OF CALIFORNIA Arnold Schwarzenegger Governor

NATIVE AMERICAN HERITAGE COMMISSION
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December 20,, 2005

Amy Holmes
PCR
One Venture, Suite 150
Irvine, CA 92618

Sent by Fax: 949-753-7002
Number of Pages: 2

RE: Proposed Division Street Corridor Recycled Water Project (DSC Project)
Lancaster; Los Angeles County

Dear Ms. Holmes:

A record search of the sacred land file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe or group. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4040.

Sincerely,

Rob Wood
Environmental Specialist III

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Los Angeles County
December 19, 2005

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This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Division Street Corridor Recycled Water Project (DSC Project), Lancaster; Los Angeles County.

COMMENT LETTER 1: California Office of Planning and Research, State Clearinghouse and Planning Unit, January 4, 2006

Comment 1-1
Comment noted that the City has complied with the State Clearinghouse review requirements for draft documents pursuant to CEQA.

Comment 1-2
All comment letters provided by the State Clearinghouse have been reviewed and responses provided. These comments will be considered by the City prior to adopting the Mitigated Negative Declaration and approving the project. The City of Lancaster will notify in writing all commenting agencies of the public hearing date for the project and provide responses to their comments at least 10 days prior to the hearing date.

COMMENT LETTER 2: Regional Water Quality Control Board, Lahontan Region, December 30, 2005

Comment 2-1 (Project Description)
The comment summarizes the project description for the Division Street Corridor project. The comment states that "A force-main trunk pipeline is currently under construction for transporting recycled water along Division Street. A lateral pipeline for each individual site would be constructed once the site is ready to receive recycled water."

For clarification, the pipeline that is currently under construction is not part of the City's DSC project and does not run along Division Street. The pipeline under construction is a 36-inch recycled water transmission line from the LWRP to the connection point to the Division Street Corridor project (as stated in the IS on page 1-5). This pipeline was evaluated in the *LWRP 2020 Facilities Plan Final EIR*. The DSC project pipeline begins at this connection point (at Division Street and Avenue E) as shown on Figure 1-2 in the IS and construction will not begin until this environmental review process is complete.

Comment 2-2 (State Clearinghouse Number)
The State Clearinghouse assigns an identification number to all Initial Studies (IS) and Environmental Impact Reports (EIRs) circulated by the Clearinghouse. For an EIR, this number is assigned when a Notice of Preparation (NOP) is submitted to the State Clearinghouse. However, for an Initial Study (where no NOP is submitted), the number is assigned on the day the Clearinghouse receives the IS and they do not assign these numbers in advance. Since the IS was submitted to the Clearinghouse on the same day it was mailed to the public, it was not possible, nor does CEQA require, that the number be included on the Draft Initial Study circulated to the public. The Clearinghouse identification number for the DSC Project IS/MND is 2005111134 and has been included on the cover of the Final Initial Study.

Revisions to the CEQA document are incorporated through this response to comments and in the changes made to the Initial Study as identified in Section 2 above.

Comment 2-3 (Use of groundwater as a supplemental source)
It is correct that there is the potential for low-quality groundwater (in terms of its arsenic content[2]) to be used as a supplemental source of water for recycled water projects as stated in the *City of Lancaster, Recycled Water Facilities and Operations Master Plan (Draft)* (RMC August 2005). However, the Division Street Corridor recycled water project will not use low-quality groundwater as a supplemental source of water. The recycled water storage tank will be supplemented by an 8-inch potable water back-up line from well 4-15. A description of this back-up water supply source has been added to the project description. Water quality data from Well 4-15 is provided in the revised Table 2-1 and indicates that water quality from this well is not low quality in terms of its arsenic content.

Comment 2-4 (TDS levels in groundwater)
The data presented in Appendix B, Table 2 has been revised to reflect more current data, including updated information on TDS and nitrate concentrations in wells along the project alignment. This data is shown in the Table 2 as "Local Water Quality", and constituent concentrations for effluent from the tertiary treatment plant. Specific well data within the project area is also provided in Table 2-1 in response to Comment 2-5.

Comment 2-5 (Water supply well data)
There are 12 active water supply wells and four inactive wells owned by the Los Angeles County Water Works No. 40 (Region 4) within one mile of the project area. Table 2-1 has been updated to show additional well data and Figure 1-2 has been updated to show the locations of these wells.

Groundwater depths are provided on page 2-28 in Section 2.8 (b) of the draft Initial Study. On a regional basis, groundwater flow in Lancaster is toward the north/northeast, however pumping in the area has changed groundwater flow directions such that, based on limited data, groundwater flow under the City of Lancaster appears to be towards the south in the area of the project alignment[3]. Depth to groundwater appears to be approximately 150 feet below grade for wells screened in the shallower zones to approximately 200 feet below grade for wells screened in deeper zones. The ground surface elevation in Lancaster is 2,355 feet mean sea level (MSL) therefore, the water table elevation is approximately between 2,205 and 2,155 feet MSL, depending upon where the well is screened.

[2] Defined as groundwater quality with arsenic levels in excess of 30ug/L
[3] The general direction of groundwater flow in the Lancaster area is towards the center of the City, based on communications with WWD (January, 2006).

Comment 2-6 (Additional water quality data)
Additional expected recycled water quality data has been added to Appendix B. Estimated effluent water quality data for the LWRP, the AVTTP, the MBR/UV (1.0 mgd) and MBR/Chlorination are provided for total nitrogen, arsenic, total chromium and for disinfection by-products (haloacetic acids (five) (HAA5), bromate, and chlorite). Because total chromium levels are expected to be <0.01 mg/L, hexavalent chromium levels are not anticipated to have an impact. This data is shown in Appendix B, Table 3.

Comment 2-7 (Water quality violations)
The Initial Study checklist (on page 2-24) identifies a Less than Significant Impact with Mitigation Incorporated for the question "Would the Project violate any water quality standards or waste discharge requirements?" The discussion for this item states that there are no federal standards governing wastewater reclamation and reuse in the United States but that the California Department of Health Services has established water quality criteria, treatment process requirements, and treatment reliability criteria for reclamation operations, which are set forth in Title 22, Division 4, Chapter 3, of the California Code of Regulations (CCR) Water Recycling Criteria.

The Initial Study explains that the recycled water would be of very high quality and that it is unlikely that nitrates would migrate through the soil into the groundwater, and if they did, they would be at low concentrations. With the adherence to Mitigation Measure WQ-2, impacts to water quality would be reduced to a less than significant level. Specific requirements to protect water quality have been added to Mitigation Measure WQ-2 (see response 2-9 below) and no water quality standards are expected to be violated with implementation of this measure.

Beneficial uses of groundwater include municipal use (which requires the highest water quality of all the groundwater basin's beneficial uses). Municipal use requires that groundwater quality meets all State and Federal standards for drinking water; therefore the State and Federal Maximum Contaminant Levels (MCL) for nitrate (as nitrogen) were used for comparing existing groundwater quality with reclamation plant effluent. The Federal MCL is 10 mg/L for Nitrate as N and the State MCL is 10 mg/L for Nitrate and Nitrite (combined) as N and 45 mg/L for Nitrate as NO_3. Data for 2002 from secondary and for 2005 from tertiary effluent were analyzed as Total Kjeldahl Nitrogen (TKN), nitrate, and ammonia, and these data are summarized in the Table 7. Projected total nitrogen concentrations for the upgraded plant is shown in Appendix B, Table 3. Total nitrogen concentrations are expected to be within acceptable limits once the MBR process is online.

Based on the projected nitrogen (and related nitrogen compound) concentrations in effluent from the upgraded wastewater treatment plant, the nitrogen concentrations are not anticipated to impact groundwater municipal use. Effluent concentrations would indeed be below drinking water standards.

Based on the projected nitrogen (and related nitrogen compound) concentrations in effluent from the upgraded wastewater treatment plant, the limited amounts of water used, and assuming that Mitigation Measure WQ-2 is implemented, the nitrogen concentrations are not anticipated to

impact the ambient groundwater quality. Mitigation Measure WQ-2 would indeed ensure that (1) much of the nitrogen contained in the recycled water applied as irrigation will be used (assimilated) by the plants as part of their growing process, and (2) recycled water will be applied only at the agronomic rate at which the plants will use most of the water, thereby minimizing the potential for percolation of recycled water to groundwater.

Comment 2-8 (Total nitrogen concentrations and cold weather estimates)
A summary of nitrogen loading in effluent for tertiary treated effluent in 2005 (LACSD, 2006) is now provided in Appendix B Table 7 (as shown in terms of Kjeldahl, nitrate and ammonia) in response to Comment 2-7. All three sites shown in the Table 7 (Piute Ponds, Nebeker Ranch, and Apollo Lake) currently receive recycled water from the LWRP, two at secondary treated levels and one at tertiary treated levels. The nitrogen loading in the recycled water after the LWRP treatment plant upgrades will be complete are shown in Table 3.

There is limited cold weather data is available for the AVTTP. Analyzing average annual quality concentrations is considered more appropriate for purposes of evaluating the long-term impact of recycled water use on groundwater quality and therefore, this information is included. .

Comment 2-9 (Water quality violations and mitigation measures)
See response to Comment 2-7 regarding violation of water quality standards.

Mitigation Measure WQ-2 has been revised to specifically identify the requirements to be implemented to reduce the water quality impact to a less than significant level.

Comment 2-10 (Application of chemicals such as fertilizers and pesticides)
Text has been added to the Initial Study (on page 2-27) regarding the application of fertilizers and pesticides. Mitigation Measure WQ-2 has been expanded to include providing a Recycled Water Irrigation Guidance Document to recycled water users which addresses fertilizer and pesticide use.

Comment 2-11 (TDS concentrations of existing irrigation water)
Landscape irrigation is currently being provided from either treated surface water or chlorinated groundwater. Data on TDS concentrations in treated surface water and chlorinated groundwater has been added to Appendix B in Table 6, which summarizes TDS concentrations in Lancaster area drinking water as reported by WWD in their Annual Drinking Water Quality Reports. TDS data for the wells in the project area also has been added to Table 2-1 in response to Comment 2-5 above.

Comment 2-12 (Effect on groundwater of salt loading)
Undisinfected secondary effluent monitoring data from the Lancaster Water Reclamation Plant in 2002 indicates that TDS concentrations ranged from 495 to 618 mg/L with an average 546 mg/L. TDS concentrations in tertiary treated effluent are expected to be similar in concentration. Based on data provided by WWD in their Annual Drinking Water Quality Reports from 2002, 2003, and 2004, TDS concentrations in groundwater from municipal wells in the Lancaster area range from 160 to 848 mg/L with average TDS groundwater concentrations on the order of 270 mg/L. Therefore, secondary effluent TDS concentrations are typically in excess of those detected in groundwater (though occasional effluent concentrations may be below the maximum TDS concentrations detected in groundwater as shown in Table 2 of Appendix B).

Although TDS levels in the recycled water may be higher than TDS levels in the groundwater, as stated in Section 4.9 of the Initial Study, with the implementation of Mitigation Measure WQ-2, recycled water would be applied to small landscaped areas in as efficient a manner as possible to minimize salt build-up in soil. The TDS loading (concentration multiplied by volume) will be small due to the small area of application; higher concentrations but smaller volumes. Even with the irrigation practices outlined in the Recycled Water User Manual, it is likely that some salt will eventually migrate to groundwater either through direct percolation (following precipitation events) or as a result of soil flushing. Even though the salt build up is anticipated to be a very slow process, Mitigation Measure WQ-2 was proposed to minimize potential adverse impact to the groundwater quality.

An alternative mitigation measure would be to further treat the recycled water and remove salt using such treatment technologies as reverse osmosis. It is believed that the Division Street Corridor Recycled Water Project as currently defined does not warrant such a mitigation measure; in addition, this mitigation measure would not be financially viable by the City.

Comment 2-13 (Anti-degradation analysis)
State Water Resources Control Board Resolution 68-16, known as the anti-degradation policy, states that the high quality waters of the state must be protected. It requires that water quality must generally be maintained at background conditions or any degradation must "be consistent with the maximum benefit of the people of the State," while not unreasonably affecting beneficial uses.

As discussed in the responses to comments above, the proposed project is not expected to result in significant increased nitrate (nitrogen) concentrations in groundwater and may cause some increases in TDS concentrations in the vadose zone and shallow groundwater.

Because (1) implementation of the Division Street Corridor Recycled Water Project would provide both the local users and State of California water supply benefits through the use of recycled water for irrigation in lieu of existing drinking water, (2) implementation of Mitigation Measure WQ-2 would constitute the best practical means of minimizing potential impacts to the groundwater quality, and (3) because the alternative use of the recycled water if the Division Street Corridor Recycled Water Project is not implemented would be only agricultural irrigation and would not reduce potable water demands, the Division Street Corridor Recycled Water

Project provides the best and most reasonable means of ensuring that the wastewater treatment needs of the District No. 14 service area are met, existing potable water sources are put to their best and highest use, and the protection of groundwater beneficial uses are being preserved to the best of our ability.

Additional data on both existing water quality and expected recycled water quality has been included in the Final Initial Study. These data and the analysis of potential impacts to water quality as discussed in the Final Initial Study could provide the basis for an anti-degradation analysis, if necessary, but would be separate from the CEQA process.

COMMENT LETTER 3: California Native American Heritage Commission, December 20, 2005

Comment 3-1
Comment noted.