10/28/2025

Community Advisory Work Group Meeting #20

Project Planning and Permit Requirements

Israel Marquez
Land and Environmental Manager

Community Advisory Work Group

Purpose

- Meet and discuss a variety of topics per Board direction
- A platform for community to actively engage in the projects and initiatives of the Authority
- Provide feedback/recommendations to the Authority
- Limited to residents, ratepayers, property owners, and members of the business community within the Authority's service area

Community Advisory Work Group

Ground Rules

- Public discussion, not a debate
- Everyone should have an opportunity to speak
- Listen to and respect other points of view

Introduction

- Project Planning
  - Master Planning
  - Regulatory Compliance Needs
  - Feasibility Studies
- CEQA Process
- Regulatory Permitting Process
- Project Implementation and Permit Compliance
- Case Study: Sweetwater Reservoir Urban Runoff Diversion System
- Proposed Programmatic Permitting for the Property Operations and Maintenance (O&M) Plan
- Q&A

Project Planning – Master Planning

What Is a Master Plan?

A Master Plan is a long-term roadmap that helps our organization prepare for future infrastructure needs—like buildings, water storage facilities, and other essential systems.

- It looks ahead 10, 20, or even 30 years to ensure we're ready for growth, safety, and sustainability.
- It reflects our community's values and priorities, aligning with our mission and vision.

What Does a Master Plan Include?

Master Plans often include Capital Improvement Projects (CIPs)—these are major investments like:

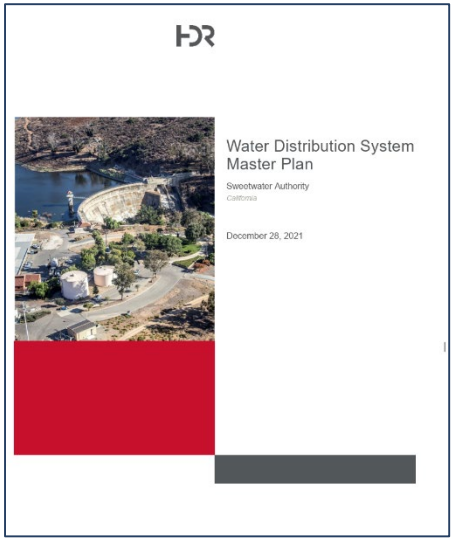
- Upgrading aging facilities
- Building new infrastructure to meet future demand
- Improving energy efficiency or resilience

Each project is carefully selected to support our strategic goals and serve the public effectively.

Project Planning – Master Planning

Water Distribution System Master Plan

This long-term plan evaluates the condition of our water transmission, pumping, storage, and distribution systems. It identifies key improvements needed to ensure reliable service and meet projected community demands over the next 25 years.
Pipeline replacement projects are planned from this Master Plan such as:



Bonita 36-inch Main Replacement Project

Replaced aging pipeline infrastructure to improve water flow, reduce maintenance costs, and enhance system reliability for residents and businesses in the Bonita area.

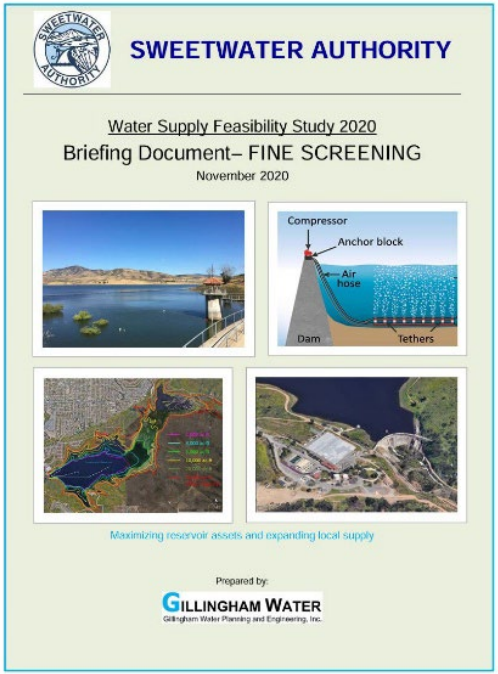
Project Planning – Regulatory Requirements

Strategic planning is essential to ensure our facilities meet all legal and regulatory requirements—especially when it comes to public health and environmental standards.

Perdue Water Treatment Plant Site Facilities Master Plan

- Built in 1961 as a direct filtration plant
- Upgraded in the 1980s-90s
- 2003 Master Plan developed to meet new water quality regulations:
  - Stage-2 Disinfection By-Products Rule
  - Long-Term Enhanced Surface Water Treatment Rule
- 2007–08 Improvements:
  - Enhanced filtration systems
  - Added chemical treatment before and after filtration

Project Planning – Feasibility Studies


SWEETWATER AUTHORITY

Water Supply Feasibility Study 2020

Briefing Document– FINE SCREENING

November 2020

Compressor
Anchor block
Air hose
Dam
Tethers

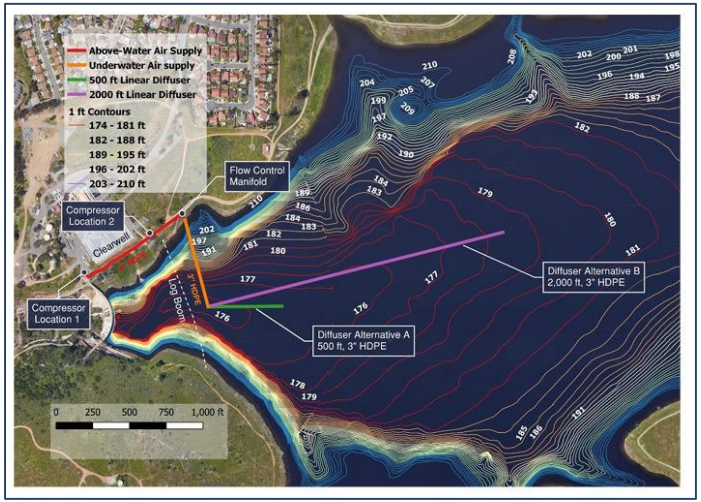
Maximizing reservoir assets and expanding local supply

Prepared by:

GILLINGHAM WATER

Gillingham Water Planning and Engineering, Inc.

Feasibility studies are comprehensive assessments of a proposed plan or project to determine its viability and practicality before committing resources.

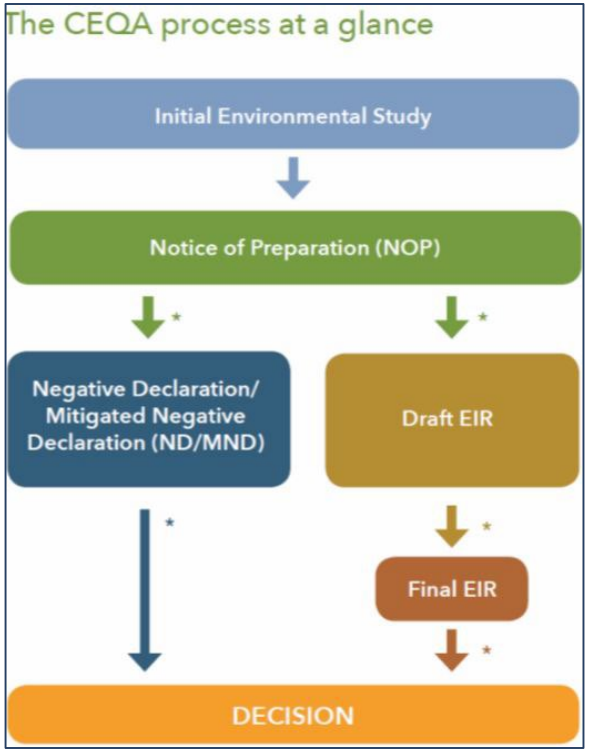


California Environmental Quality Act (CEQA) Process

Once a project enters the development phase, staff evaluates whether an environmental assessment is needed. This is done through the California Environmental Quality Act (CEQA) process, which ensures projects comply with environmental laws and consider community impacts.

When do we begin the CEQA process?

- Depending on Project, 30 to 70% design.
- Sometimes conceptual design is sufficient (e.g. trails).
- The CEQA process has the purpose of disclosing environmental impacts, and is not to be considered an engineering/design document.



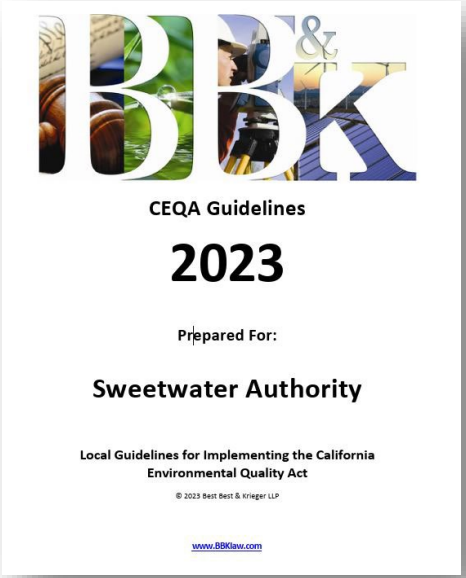
CEQA Process (cont.)

Enacted 1970; modeled after NEPA (1969)

Main purposes of CEQA:

- Prevent significant, avoidable damage to the environment
- Foster informed public decision making
- Ensure transparency in governmental decision making process
- Encourage public participation

CEQA Process (cont.)



Who needs to comply with CEQA?

Applies to all California governmental agencies

Public projects and private development

Some agency actions do not require CEQA, i.e. they are "CEQA exempt"

- Ministerial action – "over the counter" permits
- No possibility of significant environmental effect
- Rejected/disapproved projects
- Action does not meet the definition of "Project" under CEQA.
- Examples: maintenance of existing facilities, inspections, surplus property sales.

CEQA Process (cont.)

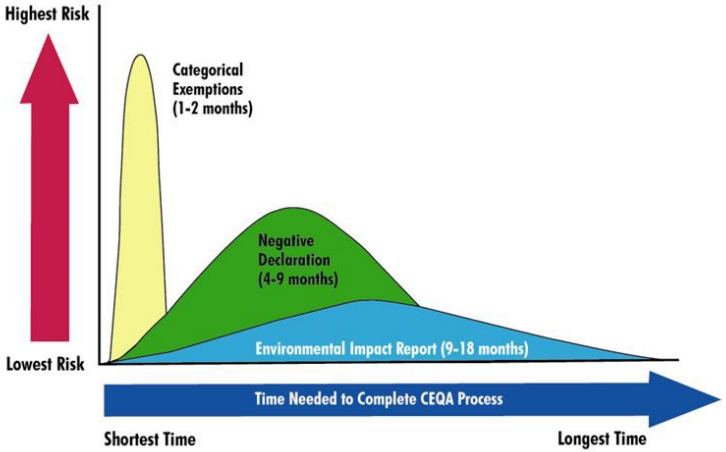
When a Project is not CEQA exempt:

Agency prepares Initial Study (IS) to determine level of impact. IS includes a multidisciplinary assessment.

A Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report may be prepared.

- ☐ Aesthetics
- ☐ Air Quality
- ☐ Cultural Resources
- ☐ Geology/Soils
- ☐ Hazards & Hazardous Materials
- ☐ Land Use/Planning
- ☐ Noise
- ☐ Public Services
- ☐ Transportation
- ☐ Utilities/Service Systems
- ☐ Mandatory Findings of Significance
- ☐ Agriculture and Forestry Resources
- ☐ Biological Resources
- ☐ Energy
- ☐ Greenhouse Gas Emissions
- ☐ Hydrology/Water Quality
- ☐ Mineral Resources
- ☐ Population/Housing
- ☐ Recreation
- ☐ Tribal Cultural Resources
- ☐ Wildfire

CEQA Process (cont.)



Significant Effect?

- Significant effect on the environment
- Substantial evidence in the record, scientific and factual data
- Normally measured against existing conditions, the "baseline"
- Fair argument standard: EIR would be required if the project may have a significant effect on the environment.

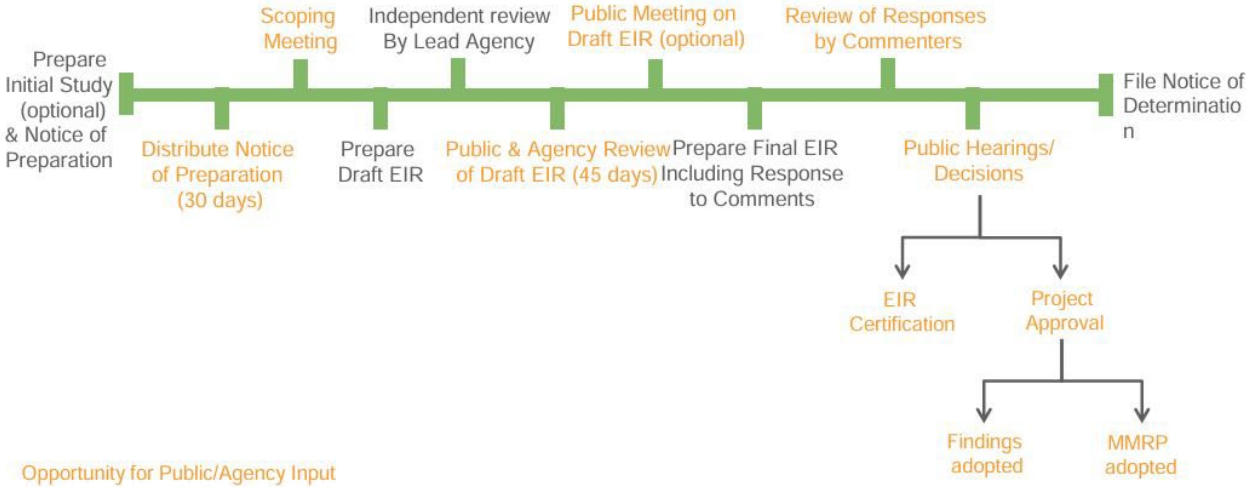
Mitigation Measures: Reduce or avoids some impact on the environment. Must be enforceable, and proportional.

Alternatives: EIRs require alternatives analysis, including No-Project Alternative.

CEQA Process (cont.)

The purpose of CEQA is to inform government decision-makers and the public about the environmental impacts of a proposed project, prevent or minimize environmental damage, and encourage public participation.

From the preparation of a Initial Study to final decision-making, the CEQA process can take 12 months for straight-forward projects and 3 to 5 years for complex or multi-phase projects.



Regulatory Permitting Process

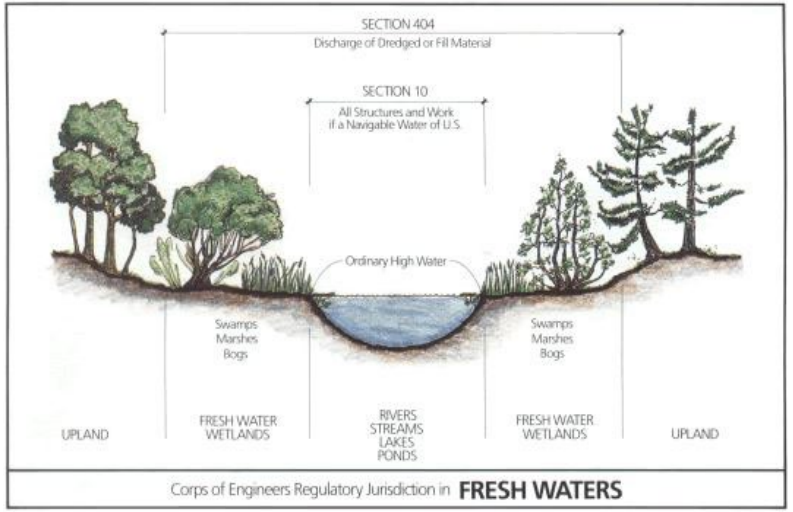
A project may be subject to various regulatory permitting requirements depending on Project location, components, and who is undertaking the project. Project permitting involves the following:

Step 1. Research and preparation:

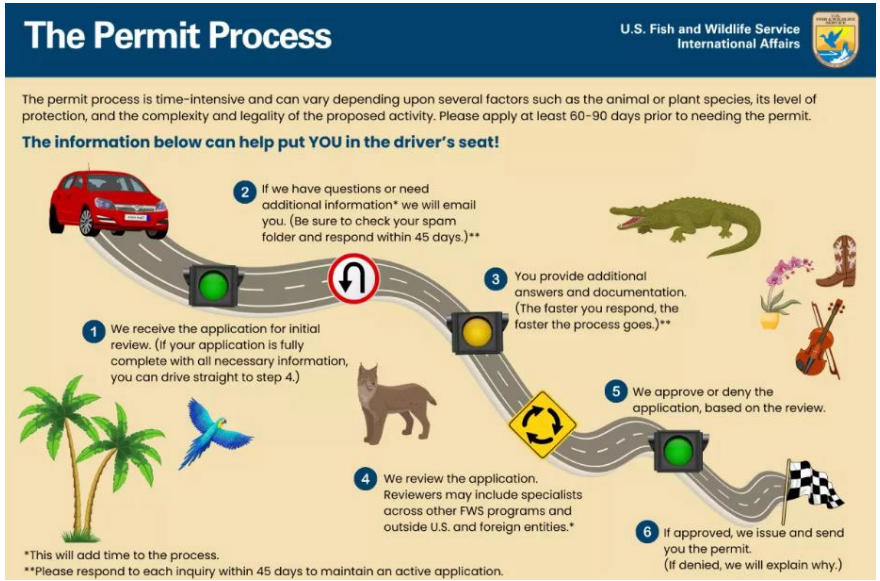
- Understanding Project Scope
- Research of applicable regulations
- Pre-application meetings with regulatory authorities

Step 2. Application and submission:

- Develop detailed plans, narratives, and analysis
- Complete and submit the application package



Regulatory Permitting Process (Cont.)



Step 3. Review and approval:

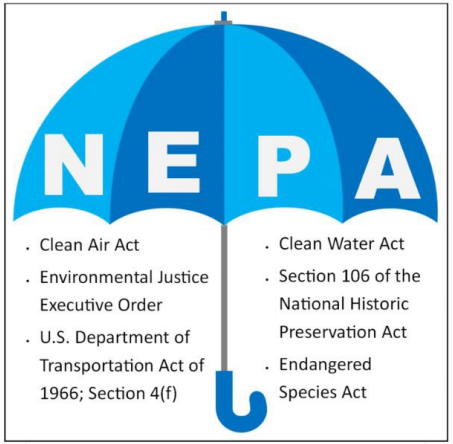
- Plan review by regulatory agencies
- Address feedback from regulatory agencies
- Final approval

Step 4. Post-approval:

- Permit compliance during construction
- Long-term permit compliance

Examples of Permits (Federal Agencies)

Laws and Regulations	Permitting Mechanisms	Responsible Agency
National Policy Environmental Act (NEPA),	NEPA-Compliant Documentation	Federal Agency providing permit or grant funding
Clean Water Act, Section 404	Permits for dredge and fill of wetlands and waters of the U.S. (“Nationwide Permits”)	U.S. Army Corps of Engineers
Endangered Species Act	Habitat Loss and Incidental Take, Habitat Conservation Plan	U.S. Fish and Wildlife Service
National Historic Preservation Act	Consultation between federal, state, and tribal governments regarding tribal and historic resources.	Federal Agency providing permit or grant funding



Examples of Permits (State Agencies)

Laws and Regulations	Permitting Mechanisms	Responsible Agency
California Environmental Quality Act (CEQA)	CEQA-Compliant Documentation	Lead Agency, and Responsible Agency(ies) providing permit or grant funding
Clean Water Act, Various Sections	Water Quality Certifications for Section 404 (Federal) Permits, Construction General Permits, Discharge Permits, etc.	California State Water Resources Control Board
CA Endangered Species Act, and Fish and Game Code	Incidental Take Permits, Consistency Determinations, Lake and Streambed Alteration Agreements	California Department of Fish and Wildlife
CEQA Tribal Consultation Duties (AB 52)	Consultation between Lead Agency and Tribal governments regarding tribal resources.	Lead Agency
California Safe Drinking Water Act	Domestic Water Supply	California State Water Resources Control Board, Division of Drinking Water (DDW)

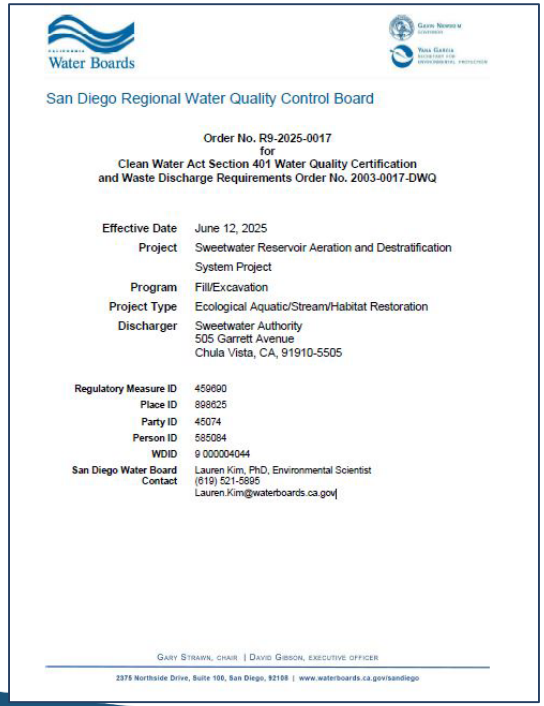
Regulatory Permitting Process

Other Local / State Permits

- Encroachment Permits
- Traffic Control Permits
- Air Pollution Control Permits
- Major use, Minor Use, Conditional Use Permits
- Construction General Permit (SWPPP)

Depending on the complexities of the permitting of a proposed project, the permitting process can take between 9 months and 2 to 5 years.

Example: Sweetwater Reservoir Aeration System Permit Application Documents



Water Boards

San Diego Regional Water Quality Control Board

Order No. R9-2025-0017
for
Clean Water Act Section 401 Water Quality Certification
and Waste Discharge Requirements Order No. 2003-0017-DWQ

Effective Date	June 12, 2025
Project	Sweetwater Reservoir Aeration and Destratification System Project
Program	Fill/Excavation
Project Type	Ecological Aquatic/Stream/Habitat Restoration
Discharger	Sweetwater Authority 505 Garrett Avenue Chula Vista, CA, 91910-5505
Regulatory Measure ID	459690
Place ID	898625
Party ID	45074
Person ID	585084
WDID	9 000004044
San Diego Water Board Contact	Lauren Kim, PhD, Environmental Scientist (619) 521-5895 Lauren.Kim@waterboards.ca.gov

GARY STRAWN, CHAIR | DAVID GIBSON, EXECUTIVE OFFICER

2375 Northside Drive, Suite 100, San Diego, 92108 | www.waterboards.ca.gov/sandiego

Four Permit Applications:
1600 LSAA; 401 WQC; 404 NWP; and DDW Approval

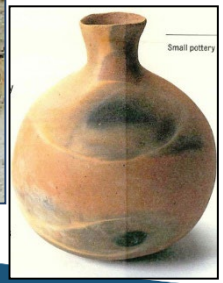
Assessments and documents submitted with applications:

- Ecological Restoration and Enhancement Plan
- Alternative Analysis (SDRB only)
- Mussel Control Plan (CDFW only)
- Engineering Design Drawings
- Aquatic Resources Delineation Report
- Biological Resources Report
- Perdue Master Plan EIR Addendum No. 1 + Original EIR
- Aeration and Destratification Technical Memorandum

Project Implementation and Permit Compliance

Initial assessments inform mitigation measures. In addition, regulators also developed permit conditions.

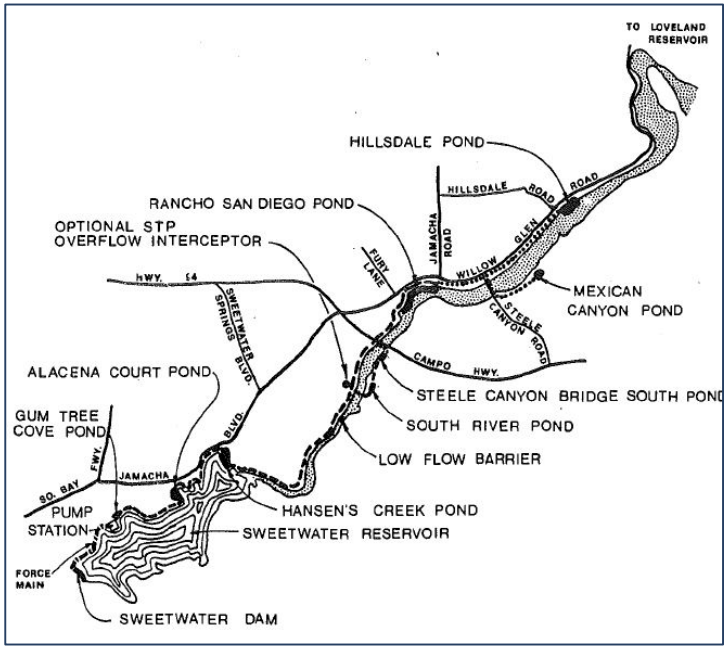
- Pre-Construction Surveys
- Installation of BMPs
- Biological, Native American, and Archaeological monitoring
- Habitat restoration
- Relocation of artifacts
- Long-term management



Case Study: The Sweetwater Reservoir Urban Runoff Diversion System Phase 1 (URDS-1)

Timeline: Sweetwater Reservoir and Relevant Policies

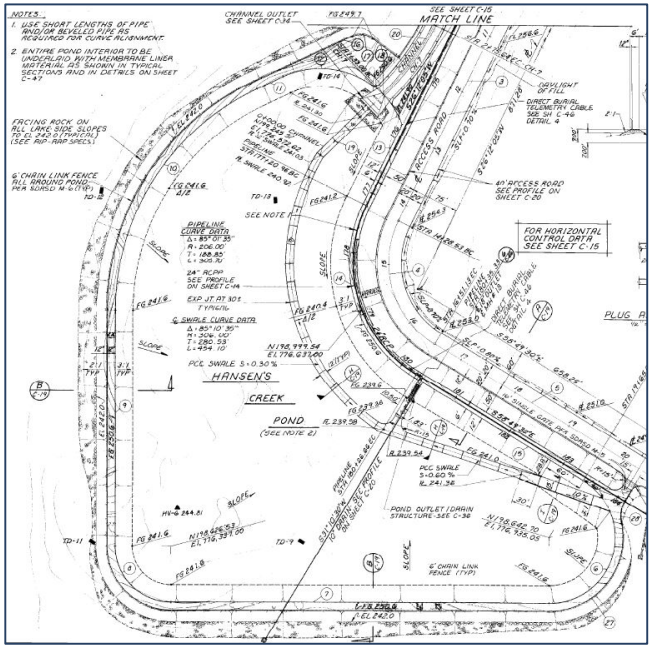
- 1970s – Spring Valley & Rancho San Diego area developments, CDPH expressed concerns
- 1972 – Clean Water Act
- 1979 – Vista Del Lago Interceptor System
- 1980 – State listed the Least Bell's vireo
- 1982 – Design Study for Diversion System completed
- 1984 – Resolution 84-8
- 1986 – The Feds listed the least Bell's vireo
- 1987 – Industrial and Municipal Discharges
- 1992 – Construction Activities of URDS 1



Case Study: URDS (Cont.)

In November 1987, the URDS 1 Supplement and Final EIR was certified.

- EIR Environmental Analysis concentrated on the following topics:
  - Land Use
  - Topographic Alterations / Visual Aesthetics
  - Hydrology and Water Quality
  - Biological Resources
  - Cultural Resources
  - Growth-Inducing Impacts
- Mitigation of impacts to Biological Resources was deferred to a Mitigation Plan prepared in 1990
- Impacts to Water Quality regulated by the Regional Board
- Before certifying EIR, the URDS Project was divided in two phases
- Permits: USFWS Biological Opinion & Army Corps of Engineers 404 Permit



Case Study: URDS (Cont.)

Addendum No. 1 to the EIR (Project Modifications)

Addendum No. 1 adopted in 2014

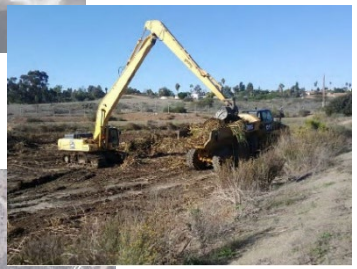
- Maintenance (dredging) of Forebays not included in original EIR
- Sampling Analysis, and Reporting, for the URDS 1 (Soils Study)
- Jurisdictional Waters and Wetlands Report
- Biological Resources Assessment
- CWA Sections 404 Nationwide Permit, & 401 Water Quality Certification
- CFGC Section 1602 Lake and Streambed Alteration Agreement

Project Modifications Consistent with:

- Original USFWS Biological Opinion & Army Corps of Engineers Permit, EIR analysis and Mitigation Plan

Permits required:

- 1600 LSAA; 401 WQC; and 404 NWP.



Top right: Alacena Court Pond before dredging .
Bottom right: Alacena Court Pond after dredging and revegetation.

Case Study: URDS (Cont.)

Addendum No. 2 to the EIR

Addendum No. 2 adopted in 2018

- On-Site Disposal of Soils: approximately 4,800 CY of soils to be disposed at a location upstream of URDS 1 Collector Channel 5

Modification of Staging Area

- Initial Extension to accommodate equipment and bins needed to separate soils and vegetation
- Final Extension, with Mulching Site, once approval* is obtained

Permit required:

- General Waste Discharge Requirements, Discharge to Land

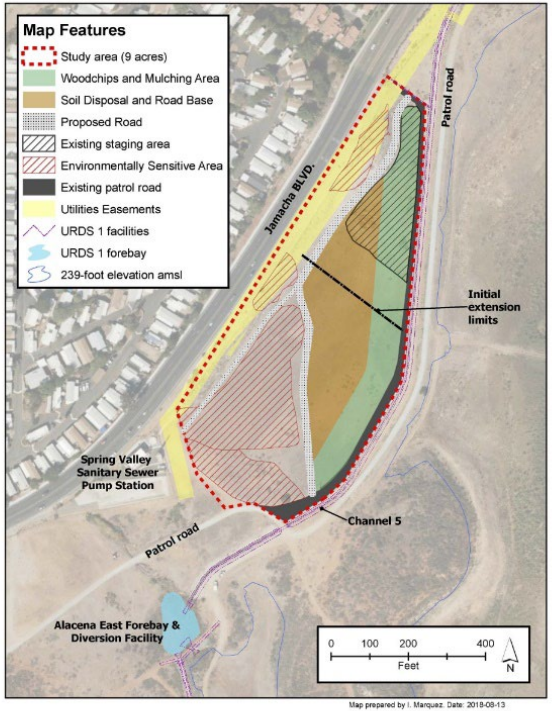


Figure 2. Project Vicinity

URDS 1 Maintenance, On-Site Soil Disposal and Staging Area

Proposed Programmatic Permitting for the Property Operations and Maintenance (O&M) Plan

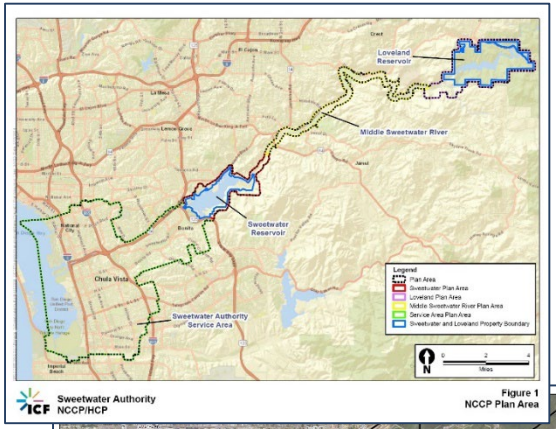
“Blanket Permits” to cover most O&M and selected projects.
To increase benefits from programmatic permitting, both O&M activities and select Authority projects will be covered:

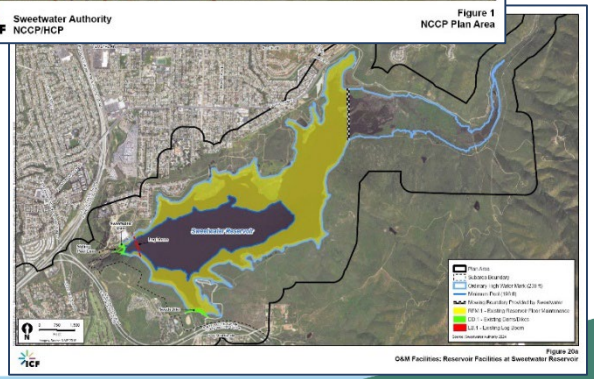
O&M

- Defensible space, field facilities; roads and operational trails; URDS; existing recreation facilities; water transfers; lake and dam maintenance items.

Select Projects

- Dam and dike improvements; reservoir capacity recovery; new water distribution facilities; installation of water gauging facilities or monitoring wells; new recreation facilities; new drainage facilities.





Programmatic Permitting (Cont.)

Phase 1 – Review of Existing Information, Preparation of Technical Reports, and Strategy Development – COMPLETED ✔

Phase 2 – Complete Draft CEQA Initial Study for O&M Plan – COMPLETED ✔

Phase 3(a) - Prepare and complete CEQA document – ON HOLD ⏸

Phase 3(b) – Prepare programmatic permitting applications

I. Habitat Conservation Plan / Natural Community Conservation Plan (HCP / NCCP) – IN PROGRESS
II. Aquatic Resources Programmatic Permits (lakes, waters, and wetlands of the State and U.S.) – **UPCOMING**

Programmatic Permitting (Cont.)

Streamlining Programmatic Planning Documents and Permits:

- Property Operations and Maintenance Plan (under preparation)
- Sweetwater Authority NCCP/HCP (initial draft under preparation)
- Programmatic LSAA (early 2026)
- Clean Water Act Programmatic Permitting, Sections 404 and 401 (early 2026)

Timeline:

- 2023-2025: Review existing documents, developed covered activities, select covered species, meetings between SWA staff and regulatory agencies to negotiate permit scope and conditions.
- Early-2026: Develop permit packages for applications while maintaining regular communication with regulatory agencies.
- Mid- / late-2026: Submit finalized permit packages after regulatory agency feedback.
- 2028: Obtain programmatic permits.

Questions?


I WAS GOING TO BUILD A FORT IN THE BACKYARD.
BUT WITH ZONING PERMITS, ENVIRONMENTAL ISSUES, AND ACREAGE REGULATIONS, I'M JUST GOING TO HANG OUT OVER AT BOBBY'S.
NH ZONING
NESEMAN©'23
UNION LEADER