

A. INTRODUCTION

This Draft Supplemental Environmental Impact Report (EIR) has been prepared to analyze and disclose the potential environmental effects associated with the construction and operation of the proposed Bolsa Chica Water Transmission Line and Wastewater Service Project (Proposed Project). The Proposed Project results from the filing of two applications for Certificates of Public Convenience and Necessity (CPCNs) with the California Public Utilities Commission (CPUC). The first CPCN application (A.98-11-003) requests approval for **Southern California Water Company (SCWC), the project Applicant**, to construct and operate a 6.7-mile water transmission line in western Orange County in order to supply domestic water for a proposed residential development project on Bolsa Chica Mesa. The second application (A.98-11-015) requests approval for the designation of SCWC as the wastewater management agency for the proposed residential development project. The proposed water transmission line would extend from SCWC's existing West Orange County System in the City of Cypress to the proposed residential development site on Bolsa Chica Mesa. Bolsa Chica Mesa is located in an unincorporated area of Orange County adjacent to the City of Huntington Beach. The Proposed Project and its location are fully described in Section B, Project Description.

This Draft Supplemental EIR is intended to supplement the *Bolsa Chica Report Local Coastal Program EIR* (SCH# 93-071064) that was certified by Orange County following recirculation in 1996 (see Section A.5.2). An EIR is an informational document intended to inform decision-makers and the general public of the potential significant environmental impacts of a project. An EIR also identifies possible ways to reduce or avoid significant impacts and describes reasonable alternatives to the project. As the public agency with the authority to approve or deny the Proposed Project (see Sections A.2 and A.3), the CPUC will consider the information in this Supplemental EIR along with other information (including the *Bolsa Chica LCP EIR*) before taking any action on the project.

A.1 PURPOSE AND AUTHORITY

This Supplemental EIR has been prepared for the CPUC pursuant to the *California Environmental Quality Act* (Section 21000 et seq. of the California Public Resources Code) and in accordance with the *Guidelines for the Implementation of the California Environmental Quality Act* (Section 15000 et seq. of the California Code of Regulations). The *Guidelines* stipulate that an EIR must be prepared for any project that may have a significant impact on the environment. The proposal under consideration is a "project" as defined by Section 15180 of the *Guidelines*. Upon initial review, the CPUC determined that the Proposed Project may have a significant adverse impact on the environment and, therefore, the preparation of an EIR was required.

A.2 CPUC REGULATORY AUTHORITY

Pursuant to Section 2701 of the Public Utilities Code, the CPUC has regulatory authority over any person, firm or corporation providing water services to "any person, firm, corporation, municipality, or any other political subdivision of the State..." In exercising its regulatory authority, the Commission, among other things: grants operating authority; regulates service standards; authorizes

service extensions; authorizes rate changes; and monitors utility operations for safety. SCWC is a public utility under the Public Utilities Code and therefore is subject to the Commission's jurisdiction. The Commission is not vested with authority to regulate municipal water utilities. The Commission currently regulates approximately 200 water utilities in California that supply water to about 20 percent of the residents within the state.

A.3 LEAD AGENCY

The *California Environmental Quality Act* (referred to herein as "CEQA") defines a "Lead Agency" as the public agency that has the principal responsibility for carrying out or approving a project that may have a significant adverse effect upon the environment. Other agencies that also have authority or responsibility to provide discretionary approval for a proposed project are designated as "Responsible Agencies." The Lead Agency and Responsible Agencies must consider the information contained in the EIR prior to acting upon or approving the project.

As the agency with the authority to approve or deny the applications filed by SCWC, the CPUC is the Lead Agency for the Proposed Project. The following address should be used when sending any correspondence to the Lead Agency regarding the Proposed Project:

Mr. Brad Wetstone, Project Manager
California Public Utilities Commission
c/o Aspen Environmental Group
30423 Canwood Street, Suite 215
Agoura Hills, CA 91301

In addition to approval of CPCNs by the CPUC, various other permits and approvals would be required from other agencies. For water line construction in public rights-of-way, including public streets, various permits would be required from local cities, the Orange County Flood Control District, and the California Department of Transportation. These generally include encroachment permits, construction permits, and franchise agreements. In addition, permission will need to be granted by the U.S. Navy to allow the proposed water line to cross a portion of the Los Alamitos Armed Forces Reserve Center. For a complete list of required permits identified at this time, see Table B.9-1 in Section B.9.

A.4 PROJECT BACKGROUND

A.4.1 INTRODUCTION

The Bolsa Chica Planned Community, which the Proposed Project is designed to serve, has been subject to considerable controversy and litigation. Although the Proposed Project is distinct from the Bolsa Chica Planned Community for environmental review and approval purposes, the provision of water and sewage services is necessary for the development of the Bolsa Chica Planned Community to

proceed. For this reason, a brief review of the debate and litigation that has surrounded the approval of the proposed Bolsa Chica Planned Community is appropriate.

Plans for the development of the Bolsa Chica Wetlands (also known as the Bolsa Chica lowlands) and the adjacent Bolsa Chica Mesa first aroused local community attention in 1986 with a proposal by the County¹ following the California Coastal Commission's initiation of the County Use Plan for released Draft EIR under the applicable described in the 1985-86 National Rivers and Estuary Program (NREPP) and the California Coastal Commission's 1990 Final Draft EIR with revised local rules published (years after the draft) for near 1994 following publication of additional technical studies to which the local Use Plan and following local opposition to the mesa and riparian Bolsa Chica Plan for the 2000 was formed the Mesa and the local use plan was approved in 1990 with an attached Coastal Program (the CEQA for Bolsa Chica by Beach Orange County Planning Commission), released an agreed-upon Land Use Plan in 1990 and environmental studies were commenced under the auspices of the City of Huntington Beach as the lead agency for the short-term feasibility study for the Coastal Program (1996) and an EIS/EIR following the Bolsa Chica Land Trust's lawsuit against the County and the County's EIR. In 1998, the CEQA by Huntington Beach Act. The County later filed the California Coastal Commission's 1998 EIS/EIR as Bolsa Chica CEQA with proposed mitigation projects March 1996, the Coastal Commission's application through the Bolsa Chica CEQA was challenged ("the Coastal Commission lawsuit," see Section A.4.3). In the interim, Hearthside Homes, Inc., the developer of the proposed Bolsa Chica Planned Community, and the City of Huntington Beach entered into discussions concerning the provision of water and sewer services, including the terms for possible annexation into the City as a prerequisite to water and sewer service provision. These negotiations eventually broke down, and an agreement for water and sewer services has not been realized (see Section A.4.4).

A.4.2 THE CEQA LAWSUIT

In February 1996, The Bolsa Chica Land Trust, the City of Seal Beach, the Gabrielino Shoshone Nation, Huntington Beach Tomorrow, and the Sierra Club filed for a peremptory writ of mandate in the Orange County Superior Court challenging the adequacy of the Bolsa Chica LCP Draft EIR (Bolsa Chica Land Trust et al v. County of Orange, Superior Court No. 741344). In its ruling, issued March 28, 1996, the Court:

- Denied the petitioners' claim that the County abused its discretion by failing to include in the EIR a mitigation measure for the preservation of an archaeological site
- Denied the petitioners' claim that the County abused its discretion by failing to prepare a joint EIS/EIR in conjunction with federal agencies
- Denied the claim that the County had failed to adequately respond to comments on the Draft EIR

¹ The original proponent for the Bolsa Chica Planned Community, Koll Real Estate Group, has since reorganized. Signal Landmark is the current owner of the property on which development is proposed and Hearthside Homes, Inc., is the master developer. Signal Landmark and Hearthside Homes are both wholly-owned subsidiaries of California Coastal Communities, Inc.

- Granted the petitioners' claim that the County had abused its discretion by failing to recirculate the 1994 Draft EIR after modification of the Proposed Project to include the tidal inlet
- Granted the petitioners' claim that the Bolsa Chica project description lacked the stability required by CEQA
- Ordered, among other things, Orange County to prepare a revised Draft EIR containing a stable and adequate project description and to recirculate the revised Draft EIR for public comment.

In June 1996, the County completed recirculation of the revised Draft EIR. The County Board of Supervisors adopted the Final EIR and ratified the Coastal Commission's suggested modifications. The Coastal Commission then certified the County LCP (June 1996). Later the same year, in August, the Orange County Superior Court ruled that the County had complied with the writ of mandate requiring recirculation of the Draft EIR. The petitioners who had brought the original suit against the County of Orange appealed in September 1996. This appeal was rejected in June 1998 by the Court of Appeal (Bolsa Chica Land Trust et al. v. County of Orange et al., Court of Appeal, No. 741344).

A.4.3 THE COASTAL COMMISSION LAWSUIT

In March 1996, the Bolsa Chica Land Trust, Huntington Beach Tomorrow, the Shoshone-Gabrelino Nation, the Sierra Club and the Surfrider Foundation filed suit in the San Diego County Superior Court challenging the Coastal Commission's approval of the Bolsa Chica LCP (Bolsa Chica Land Trust et al. v. The California Coastal Commission, Superior Court, No. 703570). In its ruling, issued August 7, 1997, the Court:

- Determined that the Coastal Commission failed to proceed in a manner required by law when it (i) approved residential development in the degraded wetlands and (ii) approved the filling of Warner Pond on the Bolsa Chica Mesa
- Rejected the petitioners' claims that (i) relocation of the raptor habitat (a eucalyptus grove) would result in significant impact; (ii) there was an inadequate buffer between the residential development and the lowlands; and (iii) there was inadequate protection of archaeological resources
- Issued a writ of mandate ordering the Coastal Commission to reconsider the LCP in the light of the Court's decisions.

The LCP was subsequently modified and approved by the Coastal Commission in June 1996. The modifications were: (i) elimination of residential development in lowland wetland areas; (ii) reduction in the number of residential units from 2,500 to 1,235; and (iii) elimination of the filling of Warner Pond.

The original petitioners filed suit in the Court of Appeal challenging the Coastal Commission's approval of the LCP. On April 16, 1999, the California Court of Appeal ordered the trial court to remand the Bolsa Chica LCP back to the Coastal Commission for consideration. The Court determined that the trial

court erred in finding that the relocation of raptor habitat was permissible, although it upheld the Commission's approval of the LCP in all other respects (Bolsa Chica Land Trust et al. v. The California Coastal Commission, Court of Appeal, No D029461, No. D030270).

The protection of the eucalyptus grove, within the context of the overall LCP, is now before the Coastal Commission. The Appellate Court's finding – that the eucalyptus grove could not, as an [Environmentally Sensitive Habitat Area \(ESHA\)](#), be legally relocated – led the Court to remand the LCP back to the Coastal Commission for further consideration.

A.4.4 ANNEXATION AND WATER SERVICE PROVISION

During the course of this dispute and amidst this litigation, the City of Huntington Beach and Hearthside Homes, Inc., engaged, in late 1996 and early 1997, in a series of negotiations concerning the terms for the provision of water and wastewater services to the Bolsa Chica Planned Community. Two administrative mechanisms were canvassed: annexation of the property into the City of Huntington Beach and the establishment of an extraterritorial water service agreement. The City was not inclined to pursue an extraterritorial water agreement because it saw itself as the “natural” service provider. Discussions concerning the terms for annexation (and hence water and sewer service provision) have yet to produce an agreement (CPUC, Reporter's Transcript, 1999, p.127).

A.4.5 DEVELOPMENT PERMITS

In accordance with the Court of Appeal decision regarding the Bolsa Chica LCP (see Section A.4.3), the County of Orange has requested approval of a modified LCP from the California Coastal Commission. The modified LCP would require protection of the eucalyptus grove on Bolsa Chica Mesa. The Coastal Commission is expected to consider the proposed modifications to the LCP in early 2000.

Assuming the Coastal Commission approves the modified LCP, the Orange County Planning Commission would need to approve a Coastal Development Permit in order for further development to proceed on Bolsa Chica Mesa. The property **developer**, Hearthside Homes, Inc., proposes to construct up to 1,235 residential dwelling units on the portion of Bolsa Chica Mesa located in unincorporated territory (approximately 200 acres). The Coastal Development Permit would provide approval for a specific development project, including approval for land subdivision, mass grading, installation of infrastructure (including water distribution and wastewater collection systems), and the first phase of housing. At the time this Draft EIR was being prepared, Hearthside Homes' revised development proposal for the Mesa had not yet been submitted to the County. Although revisions to the development proposal for the Mesa are anticipated as a result of the Court of Appeal's [decision](#), including a possible reduction in the total number of residential units, it is expected that the revised residential project will be substantially similar to the previously proposed development concept described in the current LCP.

The Orange County Planning Commission's consideration of the proposed Coastal Development Permit is anticipated sometime in the spring of 2000.

Hearthside Homes has already received approval for development of the portion of its property on Bolsa Chica Mesa which is located within the boundaries of the City of Huntington Beach. This project, referred to as the Sandover Project, is located on the south side of Los Patos Avenue at the southern terminus of Bolsa Chica Street and is currently under construction. The Sandover Project consists of the development of 16 single-family residential dwellings and associated infrastructure. Completion of the Sandover Project is expected sometime in 2000. CEQA environmental clearance for the project was provided in the form of a Mitigated Negative Declaration issued by the City of Huntington Beach.

A.5 OVERVIEW OF THE EIR PROCESS

A.5.1 THE EIR PROCESS

When a public agency determines that there is substantial evidence that a project may have a significant effect on the environment, the agency must prepare an EIR before a decision is made to approve or deny the project. The purpose of the EIR is to fully disclose a project's impacts and recommend measures to reduce or avoid significant impacts. The basic content of an EIR includes: (1) a description of the project and its objectives; (2) a description of existing conditions in the project area; (3) a discussion of the potential significant environmental impacts of the project; (4) recommended measures for reducing impacts; and (5) an evaluation of a reasonable range of feasible alternatives to the proposed project.

When a public agency receives a complete project application or decides to undertake a project of its own, it first determines if the project is subject to environmental review under CEQA. If the project is subject to CEQA, the agency typically prepares an Initial Study to determine if the project has the potential to cause significant adverse environmental effects. The Initial Study serves as a tool to help the agency determine if an EIR is needed and also helps determine what issues should be examined in the EIR. An agency can skip the Initial Study process if it already knows that an EIR will be required.

The EIR process is initiated by the distribution of a Notice of Preparation (NOP). The NOP is sent to potentially affected agencies, including Responsible Agencies, to solicit their suggestions for appropriate issues and types of analysis to be included in the Draft EIR. When preparation of the Draft EIR has been completed, it is circulated to Responsible Agencies, other affected or interested agencies, and interested members of the public for review and comment. It is also commonly available in the local public library. The minimum review period for a Draft EIR prepared by a State agency is 45 days. All comments and concerns regarding the Draft EIR must be received by the Lead Agency before the end of this 45-day period in order to be considered in the Final EIR.

Responses to comments received on the Draft EIR are prepared by the Lead Agency and included in the Final EIR. The Final EIR may also contain some additional information about the project's potential impacts and minor corrections or modifications to the Draft EIR. The Final EIR must be certified by the Lead Agency's decision-making body before, or in conjunction with, any action to approve the proposed project. Frequently, certification of the Final EIR and deliberation on the project occur at the same agency decision-making meeting and public notice of these actions is posted together.

CEQA only requires that the EIR address significant adverse impacts. The determination of the significance of impacts is at the discretion of the Lead Agency; however, the *CEQA Guidelines* state that the significance of impacts should be considered in relation to their severity and probability of occurrence. The identification of significant impacts in the EIR does not prevent an agency from approving the project. The project may be approved if the Lead Agency determines that there are important overriding considerations, such as social and economic benefits, which are sufficient to justify approval of the project.

A.5.2 SUPPLEMENT TO AN EIR

Section 15163 of the *CEQA Guidelines* indicates that a supplement to an EIR is prepared for the purpose of augmenting a previously certified EIR when substantial changes to the circumstances under which a project is undertaken necessitate revisions to the EIR due to the involvement of new significant environmental effects. A supplement to the EIR need contain only the information necessary to make the previous EIR adequate for the project as revised, has the same noticing and review requirements as other EIRs, and may be circulated by itself without recirculating the previous draft or final EIR.

This Draft Supplemental EIR is intended to supplement the [1996 Recirculated Draft Environmental Impact Report for the Bolsa Chica Local Coastal Program](#) (see Section A.4). This supplement to the previously certified EIR is required due to a change in the proposed method of delivering water to the Bolsa Chica Planned Community project on Bolsa Chica Mesa. The *Bolsa Chica Report Local Coastal Program EIR* assumed the City of Huntington Beach would be the water supplier for the Bolsa Chica Planned Community project, but acknowledged that other alternatives would be pursued if a service agreement could not be executed with the City. The previous EIR did not examine the effects of a water transmission line connecting into Southern California Water Company's West Orange County System as currently proposed. Therefore, this Draft Supplemental EIR has been prepared to evaluate the proposed SCWC water transmission line **and wastewater project**. It is not intended to reevaluate any components of the Bolsa Chica Planned Community project previously examined in the *Bolsa Chica Report Local Coastal Program EIR*.

A.6 CPUC APPLICATION PROCESS

The CPUC's application process for Certificates of Public Convenience and Necessity focuses on utility ratepayer and public benefit issues, and examines whether the project meets CPUC criteria for approval under Sections 1001 and 1002 of the Public Utilities Code (PU Code). An Assigned Commissioner and an Administrative Law Judge supervise the review process, which resembles a court proceeding. In a Scoping Memo issued on March 16, 1999, the Assigned Commissioner identified the following issues to be addressed in the SCWC proceeding:

- (1) Whether or not the Proposed Project satisfies general CPUC requirements for certification under PU Code Section 1001;
- (2) The appropriateness and reasonableness of the proposed rates and charges for the provision of water and wastewater services;
- (3) Consideration of finalized firm proposals from the City of Huntington Beach which would not impose delay for completion of the Bolsa Chica Planned Community;
- (4) Compliance with CPUC General Order 103 concerning standards for design, construction, and operation of waterworks facilities; and
- (5) Whether, under the California Environmental Quality Act (CEQA), the Proposed Project would impose significant environmental impacts such as to require changes, mitigation measures, or disapproval of SCWC's applications.

This EIR document addresses Item 5 only (i.e., disclosure of environmental impacts pursuant to CEQA) for consideration by the CPUC. The preparation of the EIR proceeds on a schedule prescribed by CEQA and must be finalized prior to the date when the Administrative Law Judge issues a proposed decision resolving SCWC's consolidated applications (see step number 6 below). To obtain approval for the Proposed Project, SCWC must demonstrate, during the application process, that the project would provide a clear public benefit without having an adverse effect on existing utility ratepayers. The CPUC's proceeding includes the following steps:

1. **Application.** In November 1998, the SCWC filed two applications for Certificates of Public Convenience and Necessity with the CPUC. The first application (A.98-11-003) requests approval to extend SCWC's existing West Orange County System by constructing a 6.7-mile water transmission line to serve the Bolsa Chica Planned Community on Bolsa Chica Mesa. The second application (A.98-11-015) requests approval for SCWC to operate and maintain a wastewater collection system that would be constructed to serve the Bolsa Chica Planned Community.
2. **Prehearing Conference.** At the prehearing conference on February 25, 1999, the Assigned Commissioner and the Administrative Law Judge heard comments from interested parties about the range of issues to be considered and the schedule for reviewing the application. At this conference,

members of the public could file appearance forms to become parties and participate in the formal proceeding. A second prehearing conference was held on April 22, 1999, to receive reports from the City of Huntington Beach and the developer, Hearthside Homes, regarding the status of efforts to develop a pre-annexation agreement.

3. **Testimony Exchanged.** Prior to the evidentiary hearings, participating parties submitted written testimony on the issues related to the applications to the Commission and all other parties.
4. **Scoping Memoranda.** Following the February 25, 1999, pre-hearing conference, the Administrative Law Judge issued a scoping memo (dated March 16, 1999) that identified the scope of issues to be considered (see discussion above) and set forth the schedule for the rest of the proceeding. An Addendum Ruling to the Scoping Memo (dated April 26, 1999) modified the procedural schedule established by the initial scoping memo.
5. **Evidentiary Hearings.** During evidentiary hearings, held in August 1999, parties to the proceeding presented information through direct testimony and exhibits. The Commission must decide the ratepayer and public benefit issues based on the evidence from written testimony and the evidentiary hearings. Only those who filed to be recognized as parties to the proceeding may participate in the evidentiary hearings.
6. **Ruling.** Following the completion of all required hearings and the EIR process, the Administrative Law Judge will issue a proposed decision on SCWC's consolidated applications. Among other things, the proposed decision will include consideration of the findings contained in the EIR. The decision will be circulated for 30 days, giving parties to the proceeding the opportunity to comment on the proposed decision. After the comment period, Commissioners will vote on whether to approve or deny the applications. A Commissioner may reject the Administrative Law Judge's proposed decision and issue an alternate decision for consideration by the full Commission. In accordance with Rule 77.6 of the CPUC's Rules of Practices and Procedure, alternate decisions must also be circulated for comment before the Commissioners vote on it. Commissioners can vote to approve or disapprove the project with or without prejudice. The view of the majority of Commissioners prevails. Disapproval with prejudice indicates that the Commissioners reject the application based on its merits, meaning that the project would not be in the public interest or would result in unacceptable impacts to the environment. Disapproval without prejudice indicates that the project is rejected for another reason, such as an incomplete application, and the applicant can reapply to the Commission for reconsideration of the application.

The Final EIR for the Proposed Project must be certified by the CPUC before, or in conjunction with, a vote by the Commissioners resolving SCWC's consolidated applications. Frequently, certification of the Final EIR and deliberation on the Proposed Project occur at the same agency decision-making meeting.

7. **Rehearing.** Once the Commissioners have ruled on an application, parties generally have 30 days to file for a rehearing of the case by the CPUC. According to Rules 8.2, 85, and 86 of the Commission's Rules of Practices and Procedure and California Public Utilities Code Section 1731, if the rehearing request is denied or if parties are not satisfied with the rehearing ruling, the case can be appealed to the State Court of Appeal in the district in which the appealing party resides. The filing party can be the complainant, defendant, or any intervener in the case.

A.7 PUBLIC PARTICIPATION

A.7.1 INTRODUCTION

The CPUC's CEQA review process includes various opportunities for public participation in the EIR development process. Public participation in the EIR process has several purposes, including: a) provision of information to the public about the proposed project and the environmental review process; b) solicitation of the public's views and concerns about the possible environmental effects of the proposed project; and c) collection of information about important and/or sensitive environmental resources in the project area.

A.7.2 PUBLIC INVOLVEMENT OPPORTUNITIES

As described above, public involvement in the EIR process should involve methods to *disseminate* information about the proposed project and methods to *solicit* information from the public.

A number of efforts were made to disseminate information about the project and the environmental review process. These were:

- **Direct Mailing.** Postcards were mailed to owners of property immediately adjacent to the proposed water transmission line route, providing notice of the Proposed Project and inviting interested parties to attend upcoming EIR scoping meetings. Scoping meeting notices were also mailed to potentially interested groups and organizations. At the time the Draft SEIR was completed, [a notice of availability was mailed to interested organizations and individuals.](#)
- **Project Website.** A project website was established to provide information on the Proposed Project and the CPUC environmental review process. The address of the web site is: <http://www.cpuc.ca.gov/divisions/energy/environmental/info/asper/bolsachica/bolsa.htm>
The entire text of the Draft SEIR was posted on the website.
- **Public Scoping Meetings.** Public meetings, designed to enable the public to comment on the range of issues the Supplemental EIR should address, were held on July 22 and 23, 1999, in Seal Beach and in Huntington Beach, respectively. Following a presentation by the CPUC and EIR Preparer team, members of the public were invited to provide written and verbal comments about environmental issues that should be addressed in the EIR.
- **Public Information Meeting.** A public information meeting was convened on January 6, 2000, in Huntington Beach to provide information to the public about the information contained in the Draft SEIR. The CPUC and the EIR Preparer team attended the meeting. Following a description of the contents and findings of the Draft SEIR, members of the public were invited to ask questions of the authors of the Draft SEIR and provide written comments.
- **Newspaper Announcements.** Newspaper advertisements announcing the public scoping meetings were placed in the *Orange County Register* (July 15, 1999), the *Huntington Beach Independent* (July 15 & 22, 1999), *The Westminster Journal* (July 15, 1999) and *The Seal Beach News*

Enterprise (July 15, 1999). The completion of the Draft SEIR and the announcement of the Public Information Meeting, convened on January 6, 1999, were advertised in the *Huntington Beach Independent* (December 9 and 16, 1999) and the *Seal Beach News* (December 8 and 15, 1999).

- **Document Repositories.** Copies of the Initial Study and Draft EIR were available for public review at the Huntington Beach Central Library and the Westminster Library.
- **Notice of Preparation.** In accordance with the *CEQA Guidelines*, a Notice of Preparation (NOP) and Initial Study were mailed on July 16, 1999, to responsible or affected local, state, and federal agencies and to the State Clearinghouse. The NOP was also mailed to several organizations known to have an interest in the Proposed Project.
- **Notice of Completion.** A Notice of Completion was prepared and circulated on December 6, 1999, to responsible or affected local state and federal agencies. This Notice advised agencies that the Draft SEIR was available for review and comment.

The CPUC's environmental process includes a number of opportunities for public input regarding the project's potential environmental effects. These efforts taken to enable public input are briefly discussed below.

- **Project Information Line.** A local information and comment telephone number was established for the project. This telephone line included a brief recorded message regarding the project and enabled members of the public to request further information. The information line was periodically updated during the environmental review process in order to keep the public informed.
- **NOP Responses.** In response to the NOP, letters were received from agencies and organizations providing comments and suggestions regarding the scope of issues to be addressed in the EIR.
- **Project E-mail Address.** A dedicated e-mail address was provided for use by members of the public to provide comments on aspects of the EIR (E-mail address: bolsawater@aspenerg.com).
- **Public Review of the Draft EIR.** The Draft EIR was made available for public review and comment. Members of the public were able to [comment](#) on the Draft EIR via written submissions received during the 45-day public review period, lasting from December 6, 1999, through January 20, 2000.
- **Public Participation Hearing.** The Administrative Law Judge conducted a public hearing to hear comments from the public on the Draft SEIR on January 21, 2000, at the Huntington Beach Library. The hearing was publicized by newspaper advertisements and by direct notification.

A.8 FOCUS OF ANALYSIS

The CPUC completed a multi-step process to determine the appropriate scope of issues to be examined in the EIR. The CPUC prepared an Initial Study (see Appendix 2) using the Environmental Checklist form from the *CEQA Guidelines* to identify potentially significant impacts and to dismiss issues that appeared unlikely to involve significant impacts. In addition, the CPUC solicited input from other agencies through the distribution of a Notice of Preparation (NOP). To identify the environmental

concerns of the general public, the CPUC conducted public EIR scoping meetings on July 22 and 23, 1999.

Based on the Initial Study and input received through the NOP and scoping processes, the CPUC has focused the analysis in this EIR on the following topics:

- Air Quality
- Traffic and Circulation
- Geology and Soils
- Noise
- Hazards and Hazardous Materials
- Biological Resources
- Land Use
- Public Services and Utilities
- Hydrology and Water Quality
- Cultural Resources.

The Initial Study provides discussion that explains the rationale for determining if various impacts are considered potentially significant. The CPUC determined that some issues did not need to be addressed in the EIR because previous studies or other evidence indicates that there is little or no potential for significant impacts.

A.9 EIR CONTENT AND ORGANIZATION

This Draft Supplemental EIR is organized into eight sections, each dealing with a distinct aspect of the required content of an EIR as described in the *CEQA Guidelines*. Following this introductory Section A is a section that provides a complete description of the Proposed Project, including information on project location, objectives, and characteristics (Section B). The complete impact analysis is presented in Section C, including information on the environmental and regulatory settings, project impacts, and proposed mitigation measures. Section D provides a description and comparison of project alternatives. Section E provides a description of environmental effects associated with the construction of water distribution and wastewater collection facilities to serve the proposed residential development on Bolsa Chica Mesa. The topical issues mandated by CEQA dealing with the long-term implications of the project are presented in Section F. Section G presents a list of the persons who prepared the EIR and Section H identifies the persons and organizations consulted during the preparation of the EIR.

Section C, entitled Environmental Impact Analysis, is the focal element of the Draft Supplemental EIR. The environmental impact analysis has been divided into a series of sections addressing individual environmental topics. The sections addressing individual environmental topics are organized as follows:

- **Environmental and Regulatory Setting.** This section describes existing conditions at the project site and the immediate area that may be subject to change as a result of implementation of the Proposed Project. There is a separate description of existing conditions for each environmental topic. Various existing policies, regulations, and programs relevant to each environmental topic are also briefly described. Often, these existing policies and regulations serve to reduce or avoid potential environmental impacts.

- **Impacts and Mitigation Measures.** This section describes potential impacts caused by the Proposed Project. At the beginning of the impact analysis for each topic, criteria are presented that serve as the basis for evaluating the significance of identified impacts. Based on these significance criteria, impacts are categorized as either significant or less than significant. If an impact is considered to be significant, mitigation measures are proposed to avoid or minimize the impact. Each impact discussion indicates whether the mitigation measures would reduce the impact to a less-than-significant level.

The Executive Summary presented at the beginning of this report provides a comprehensive overview of the project's impacts. For a more detailed description of project impacts, it is recommended that readers review the project description (Section B) and then read the complete impact discussions for the topics of interest in Section C. For an evaluation of the impacts of project alternatives in comparison to the Proposed Project, see Section D.

References

CPUC (California Public Utilities Commission). 1999. Public Utilities Commission Reporter's Transcript, Applications No. 98-11-003 and No. 98-11-015. San Francisco: California Public Utilities Commission.