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Notice of Determination

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Appendix D

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To:

Office of Planning and Research

U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:

1400 Tenth St., Rm 113

Sacramento, CA 95814

From:

Public Agency: Moulton Niguel Water District

Address: 26161 Gordon Road

Laguna Hills, CA 92653

Contact: Todd Dmytryshyn, PE

Phone: 949.425.3549

County Clerk

County of: Orange

Address: 24031 El Toro Rd, Laguna Hills, CA 926

Lead Agency (if different from above):

Address:

Contact:

Phone:

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

State Clearinghouse Number (if submitted to State Clearinghouse): 2021110198

Project Title: Crown Valley Pipelines Replacement Project

Project Applicant: Moulton Niguel Water District

Project Location (include county): Crown Valley Parkway, Laguna Niguel, Orange County, California

Project Description:

The project would replace an existing 12-inch sewer force main with approximately 9,400 feet of new dual 12-inch sewer force mains, replace an existing 12-inch water transmission main with approximately 9,650 feet of a new 12-inch and 16-inch water transmission main, and replace the existing I.D. No. 1 master meter facility all located within or adjacent to Crown Valley Parkway right-of-way and all owned and maintained by the Moulton Niguel Water District.

This is to advise that the Moulton Niguel Water District has approved the above
(Lead Agency or Responsible Agency)

described project on 2/10/2022 and has made the following determinations regarding the above
(date)
described project.

1. The project (will will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (were were not) made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan (was was not) adopted for this project.
5. A statement of Overriding Considerations (was was not) adopted for this project.
6. Findings (were were not) made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

MNWD Engineering Department, 26161 Gordon Road, Laguna Hills, CA 92653

Signature (Public Agency): [Signature] Title: Director of Engineering

Date: 2-14-22 Date Received for filing at ORR:

POSTED

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

FEB 14 2022

Revised 2011

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

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HUGH NGUYEN, CLERK-RECORDER

BY:



DEPUTY

RESOLUTION NO. 22-03

BY:



ORANGE COUNTY CLERK-RECORDER DEPARTMENT
DEPUTY

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FEB 14 2022

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MOULTON NIGUEL WATER DISTRICT
ADOPTING A MITIGATED NEGATIVE DECLARATION AND
MITIGATION, MONITORING, AND REPORTING PROGRAM FOR
THE CROWN VALLEY PIPELINES REPLACEMENT PROJECT
(MNWD PROJECT NOS. 2013.005, 2015.006, AND 2019.037)**

WHEREAS, the Moulton Niguel Water District ("District") has recently determined that the existing 12-inch sewer force main, the existing 12-inch water transmission main, and the existing I.D. No. 1 master meter facility all located within or adjacent to Crown Valley Parkway require replacement;

WHEREAS, the District has proposed to complete the Crown Valley Pipelines Replacement Project as further described in this Resolution ("Project");

WHEREAS, as part of the Project the District would replace the existing sewer force main with new dual 12-inch sewer force mains and the existing water transmission main with a new 12-inch water transmission main utilizing open-cut trenching installation methods and the existing I.D. No. 1 master meter with a new master meter within a belowground vault;

WHEREAS, the existing sewer force main, water transmission main, and master meter vault would be abandoned in place;

WHEREAS, the Project is generally located in the Cities of Laguna Niguel and Dana Point, Orange County, California, and the Project area is contained within Crown Valley Parkway Right-of-Way, the District's Lower Salada Lift Station property, and adjoining easements;

WHEREAS, because implementing the Project is a discretionary action, the District analyzed the Project's potential impacts on the environment pursuant to the California Environmental Quality Act (Pub. Resources Code §§ 21000 et seq.) ("CEQA");

WHEREAS, pursuant to CEQA and the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.), the District is the lead agency for the Project and has prepared the IS/MND for the Project;

WHEREAS, the Project is more particularly described in the Mitigated Negative Declaration prepared for the Project, entitled "Crown Valley Pipelines Replacement Project Initial Study/Mitigated Negative Declaration" dated January 2022 ("IS/MND"), which is on-file at the District's offices and available on request;

WHEREAS, the District prepared the IS/MND to evaluate the potential environmental impacts on the Project pursuant to Public Resources Code sections 21064.5 and 21080, subdivision (c), and the State CEQA Guidelines section 15070 et seq.;

WHEREAS, based on the information contained in the IS/MND, which concluded that the Project could have potentially significant impacts but that those impacts could be reduced to less than significant levels with implementation of certain mitigation measures, the District prepared a Mitigation Monitoring and Reporting Program (MMRP) pursuant to Public Resources Code section 21081.6 and State CEQA Guidelines section 15074(d), which is set forth in Exhibit A to this Resolution;

WHEREAS, the District distributed a Notice of Intent to Adopt a Mitigated Negative Declaration on November 15, 2021 pursuant to State CEQA Guidelines section 15072;

WHEREAS, pursuant to Public Resources Code section 21091(b), the District provided copies of the IS/MND to the public and the State Clearinghouse for a thirty-day review and comment period commencing on November 15, 2021, through and including December 15, 2021;

WHEREAS, during that review and comment period, the District received two comment letters;

WHEREAS, on February 10, 2022, at its regularly-scheduled meeting, the public was afforded an opportunity to comment on the Project and the IS/MND; and

WHEREAS, the Board has reviewed the IS/MND for the Project and considered all written and oral comments made to the District in connection with the Project and the IS/MND by affected governmental agencies and other interested persons and responded, as appropriate, to comments received;

WHEREAS, as contained herein, the District has endeavored in good faith to set forth the basis for its decision on the proposed Project;

WHEREAS, the District has endeavored to take all steps and impose all conditions necessary to ensure that the Project's impacts to the environment would not be significant;

WHEREAS, all of the findings and conclusions made by the District pursuant to this Resolution are based upon the oral and written evidence in the record before it as a whole;

WHEREAS, the custodian of the Final IS/MND is the Secretary of the Board of Directors of the Moulton Niguel Water District and the Final IS/MND is available for public review at 26161 Gordon Road, Laguna Hills, California 92653 and the MMRP is attached as Exhibit A to this Resolution.

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred;

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NOW, THEREFORE, the Board of Directors of the Moulton Niguel Water District does hereby RESOLVE, DETERMINE and ORDER as follows:

Section 1. Each of the recitals set forth above is true and correct and incorporated in this Resolution.

Section 2. As the decision-making body for the Project, the Board has reviewed and considered the information contained in the IS/MND, the MMRP, and administrative record on file with the District and available for review at 26161 Gordon Road, Laguna Hills, California 92653. The Board finds that the IS/MND for the Project, inclusive of the MMRP contained therein, is adequate and in compliance with CEQA and the State CEQA Guidelines.

Section 3. In the District's role as the lead agency under CEQA, the Board hereby finds, on the basis of the whole record before it (including the IS/MND, MMRP, and all comments received) that:

- a. The District exercised overall control and direction over the CEQA review for the Project, including the preparation of the Final IS/MND and MMRP, and independently review and considered the Final IS/MND and MMRP, as well as all comments and other information submitted to the District in connection with the Project and the IS/MND; and
- b. The IS/MND contains a complete and accurate reporting of the environmental impacts associated with the Project, and the IS/MND has been completed in compliance with CEQA and the State CEQA Guidelines; and
- c. The evidence in the IS/MND and its supporting technical studies, demonstrate that, with the incorporation of the identified mitigation set forth in the MMRP, the Project will not have any potentially significant environmental impacts; and
- d. There is no substantial evidence in the administrative record supporting a fair argument that the Project may have a significant effect on the environment with the incorporation of the mitigation measures identified in the MMRP; and
- e. The Final IS/MND and MMRP reflect the District's independent judgment and analysis and contain a complete, objective and accurate reporting of the environmental impacts associated with the project.

Section 4. The Board hereby approves and adopts the Crown Valley Pipelines Replacement Project Initial Study/Mitigated Negative Declaration.

Section 5. The Board hereby approves and adopts the Mitigation Monitoring and Reporting Program prepared for the Project, attached hereto as Exhibit "A".

Section 6. The Board hereby directs staff to proceed with the Project and solicit cost proposals for the completion of the construction work in accordance with provisions of the IS/MND.

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Section 7. The Board hereby delegates authority to the District's General Manager, or her designee, to take any action reasonably required to cause a Notice of Determination to be filed with the Orange County Clerk and the State Clearinghouse including, but not limited to, the issuance of payment of those Fish and Game fees that may be required pursuant to Fish and Game Code Section 711.4.

Section 8. The IS/MND and all supporting materials, which constitute a record of these proceedings, will be kept at the District's offices, located at 26161 Gordon Road, Laguna Hills, California 92653, under the care and control of the Engineering Department.

Section 9. The President of the Board of Directors of the Moulton Niguel Water District shall sign this Resolution and the Secretary shall attest and certify to the passage and adoption thereof.

APPROVED, ADOPTED and SIGNED this 10th day of February, 2022.

MOULTON NIGUEL WATER DISTRICT



President
MOULTON NIGUEL WATER DISTRICT
and of the Board of Directors thereof



Secretary
MOULTON NIGUEL WATER DISTRICT
and of the Board of Directors thereof

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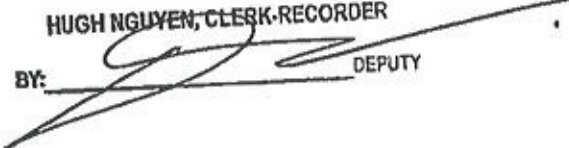
BY:  DEPUTY

EXHIBIT "A"

MITIGATION MONITORING AND REPORTING PROGRAM

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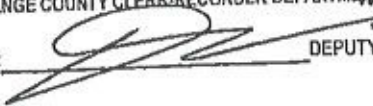
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ORANGE COUNTY CLERK-RECORDER DEPARTMENT

**MITIGATION MONITORING AND REPORTING PROGRAM
CROWN VALLEY PIPELINES REPLACEMENT PROJECT
IN THE CITIES OF LAGUNA NIGUEL AND DANA POINT**

HUGH NGUYEN, CLERK-RECORDER

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Purpose of Mitigation Monitoring and Reporting Program: Public Resources Code Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Mitigation Monitoring and Reporting Program (MMRP) be established as part of the final environmental assessment document. CEQA specifies that "the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation."

This MMRP for the Crown Valley Pipelines Replacement Project (CVPRP) has been prepared in compliance with Section 21081.6 of CEQA to ensure that all required mitigation measures are implemented and completed according to schedule and maintained in a satisfactory manner during the construction of the project, as required. Table 1 is included to assist responsible parties to implement the MMRP. The table describes each individual mitigation measure, its monitoring/mitigation timing, identifies the agency responsible for implementing the measure, and provides space to record when the implementation of the mitigation measure occurs. The mitigation measures are identified using the numbering sequence found in the Initial Study and Mitigated Negative Declaration (IS/MND).

The Moulton Niguel Water District (MNWD) is the lead agency for the project under CEQA and will be required to administer and implement the mitigation measures presented in the MMRP. The MNWD also is responsible for reviewing all monitoring reports, enforcement actions, and document disposition. The MNWD will rely on information provided by the project site observers and monitors (e.g., construction manager, project manager, archaeologist, etc.) and verify that the information is current and accurate by providing personnel to field check mitigation measure status.

Project Description: The proposed Crown Valley Pipelines Replacement Project will be located in the southern portion of Orange County, partly in the city of Dana Point and partly in the city of Laguna Niguel. This linear Project will be adjacent to Crown Valley Parkway from the Moulton Niguel Water District's Lower Salada Lift Station, located at 32332 Crown Valley Parkway to approximately the Crown Valley Parkway intersection with Hillhurst Drive. The Project includes three components:

1. The **Lower Salada Lift Station Force Main** will be replaced. The new, dual-pipe force main will be relocated within Crown Valley Parkway and will have an approximate length of 9,400 feet.
2. The **Lower Reach of the Crown Valley Parkway Transmission Main** will be replaced. The existing 9,650 feet of 12-inch pipeline will be abandoned in place and replaced with a parallel 12-inch pipeline located outside the raised median island of Crown Valley Parkway.
3. **I.D. No. 1 Master Meter** will be relocated. The existing I.D. No. 1 Master Meter interconnection is located on Paseo del Valle in a residential housing tract east of Crown Valley Parkway in the city of Laguna Niguel. The new master meter location was selected based on proximity to the existing JTM and the Crown Valley Parkway Transmission Main. It will be located approximately 50 feet east of Crown Valley

Parkway within public right-of-way in the cul-de-sac of Paseo Del Niguel. The new master meter facility will consist of an unmanned concrete vault (about 216 square feet in size) which will house a modulating valve and flow meter. Telemetry and communication equipment will be located in aboveground cabinets outside of the vault.

All three of these components are included in this Project because they are located along the same area of Crown Valley Parkway and require a coordinated design and construction effort. The Project is needed to address the conditions of the sewer force main and the potable water pipeline due to age. Relocation of I.D. No. 1 Master Meter is necessary because a separate South Coast Water District (SCWD) project will involve relocating 2,500 linear feet of the existing 39-inch Joint Transmission Main (JTM) onto Crown Valley Parkway. It will be necessary for the District to coordinate with the design firm for SCWD on both the new location of the SCWD 39-inch JTM and the outlet for the Project's relocated I.D. No. 1 Master Meter.

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**TABLE 1
MITIGATION MONITORING AND REPORTING PROGRAM CHECKLIST FOR THE
CROWN VALLEY PIPELINES REPLACEMENT PROJECT**

Mitigation Measure	Monitoring/ Mitigation Timing	Responsibility for Monitoring	Verification of Compliance	
			Initials	Date
AIR QUALITY				
AQ-1: Fugitive Dust Control The proposed project will implement Rule 403-Fugitive Dust Control Measures, required by the South Coast Air Quality Management District (SCAQMD), which require reasonable precautions to be taken to prevent visible particulate matter from being airborne, under normal wind conditions, beyond the property from which the emission originates. Reasonable precautions include but are not limited to the following: application of water on dirt roads, material stockpiles, and other surfaces that can give rise to airborne dust; and maintenance of roadways in a clean condition.	CONSTRUCTION PHASE	MNWD	BY:  DEPUTY ORANGE COUNTY CLERK-RECORDER DEPARTMENT	FEB 14 2022
AQ-2: Air Quality Contaminant Discharges Contractor shall implement Rule 402 measures required by the South Coast Air Quality Management District (SCAQMD), which prohibit the discharge from any source whatsoever, such quantities of air contaminant or other materials that cause injury, detriment, nuisance, or annoyance to any number of persons or to the public or which endanger the comfort, repose, health, or safety of any such persons or the public or that cause or have a natural tendency to cause injury or damage to business or property.	CONSTRUCTION PHASE	MNWD		
BIOLOGICAL RESOURCES				
BIO-1: Seasonal Work Restrictions near the Laguna Niguel Open Space Direct and indirect impacts on nesting Coastal California gnatcatchers (CAGNs) shall be avoided and/or reduced by time restrictions placed on construction activities near the Laguna Niguel open space. <ul style="list-style-type: none"> a. Construction within 300 feet of coastal sage scrub habitat shall be conducted outside the CAGN breeding season. The breeding season of the CAGN generally extends from February 15 through July 15, with the peak of nest initiations occurring from mid-March through mid-May. b. If construction activities must be completed during the CAGN breeding season (February 15 through July 15), then a qualified biologist shall perform weekly surveys of the coastal sage scrub habitat to identify active nests. c. If active nests are found, the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) shall be contacted, and measures shall be taken to minimize impacts. d. If no nesting activity is observed, then work may proceed, but weekly monitoring of the area shall be required until July 15 to ensure that no new nests have been built. 	PRE-CONSTRUCTION PHASE; CONSTRUCTION PHASE	MNWD	BY:  DEPUTY HUGH NGUYEN-CLERK-RECORDER	FEB 14 2022



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Mitigation Measure	Monitoring/ Mitigation Timing	Responsibility for Monitoring	Verification of Compliance	
			Initials	Date
<p>BIO-2: Pre-construction Breeding Bird Surveys</p> <p>The peak breeding season for birds generally runs from February 1 through September 1, but can vary slightly from year to year, usually depending on weather conditions. Raptors are known to begin nesting early in the year and some begin as early as January 1; however, there is little potential for raptors to breed within the tall trees located along Crown Valley Parkway and there is no raptor breeding habitat within the Laguna Niguel open space. To avoid and reduce impacts on migratory, non-game breeding birds, and their nests, young, and eggs, the District shall implement the following measures prior to Project mobilization, staging, and other disturbances.</p> <ol style="list-style-type: none"> Project activities that could remove or disturb potential nest sites shall be scheduled outside the peak breeding season for birds (September 2 through January 31). Removing all physical features that could potentially serve as nest sites outside of the breeding season for birds will also help to prevent birds from nesting within the Project site during the breeding season and during construction activities. No further action is necessary if Project activities occur during the non-breeding season. If Project activities that could remove or disturb potential bird nest sites occur from February 1 through September 1, a qualified biologist experienced in conducting breeding bird surveys shall conduct a pre-construction clearance and nesting bird survey within the work site(s) three days prior to the work in the area. If no active nests are observed during the pre-construction bird nesting survey, or if they are observed and will not be disturbed by Project activities, then those activities may begin, and no further action shall be required. This will be determined by the biologist. If an active nest is identified and will potentially be disturbed by Project activities, a no-activity buffer zone shall be established between the Project activities and the active nest so that nesting activities are not interrupted. The buffer should be a minimum width of 100 feet (500 feet for special-status birds or raptors). The biologist shall determine the appropriate size of the buffer zone based on the type of activities planned near the nest and type of bird species nesting. Adjustments in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors. The buffer zone shall be delineated on maps and marked with flagging or other means. No Project construction shall occur within the buffer zone until the biologist has determined that the young have fledged, are no longer being fed by the parents, or have left the nest, and will no longer be impacted by Project activities. Once the nesting cycle is complete, Project activities may begin within the buffer zone. If special-status species are observed during the pre-construction survey, the biologist shall contact appropriate resource agencies to develop additional avoidance, minimization, and/or mitigation measures, prior to commencing Project activities. Appropriate permits, if necessary, shall also be obtained. 	<p>PRE-CONSTRUCTION PHASE; CONSTRUCTION PHASE</p>	<p>MNWD</p>	<p>BY:  DEPUTY ORANGE COUNTY CLERK-RECORDER DEPARTMENT</p> <p>FEB 14 2022</p>	<p>BY:  DEPUTY HUGH NGUYEN, CLERK-RECORDER</p> <p>FEB 14 2022</p>



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Mitigation Measure	Monitoring/ Mitigation Timing	Responsibility for Monitoring	Verification of Compliance		
			Initials	Date	
CULTURAL RESOURCES					
<p>CUL-1: Environmental Training</p> <p>Prior to Project construction, a qualified archaeologist will provide a cultural resource instruction for all on-site Project personnel. This instruction will cover the following:</p> <ul style="list-style-type: none"> • all applicable laws and penalties for disturbing cultural resources, • discuss the prehistoric and historic regional context and archaeological sensitivity of the area, • describe the types of cultural resources found in the area, • instruct Project workers that they must halt construction if a cultural resource is inadvertently discovered during construction, and • present the procedures they are to follow in the event an inadvertent discovery is made (CUL-3). <p>The Inadvertent Discovery Plan will describe appropriate procedures, notifications, and treatment of cultural resources, and respectful behavior after a discovery (e.g., no posting to social media or photographs). If requested by a local tribe(s), a tribal representative(s) shall be invited to participate in the environmental training to discuss or provide context from a tribal cultural perspective regarding the cultural resources within the region.</p>	<p>PRE-CONSTRUCTION PHASE; CONSTRUCTION PHASE</p>	<p>MNWD</p>		<p>ORANGE COUNTY CLERK-RECORDER DEPARTMENT DEPUTY</p>	<p>FEB 14 2022</p>
<p>CUL-2: Cultural Resource Monitoring Plan and Inadvertent Discovery Plan</p> <p>A qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards (36 Code of Federal Regulations Part 61) will be retained for the Project to be on-call and prepare a Cultural Resource Monitoring and Inadvertent Discovery Plan (Plan) for the Project. The Plan will review applicable laws, provide a map of locations (and depth) where an archaeological monitor may be required to observe earthmoving activities within native soils. The Plan will outline monitor responsibilities and procedures for monitoring ground disturbance, monitor reporting, and the procedures for an inadvertent discovery (CUL-3). In addition, the Plan will provide specific monitoring treatment measures for Project activities within the recorded boundary of site P-30-000033 (CA-ORA-000033). The Plan shall be developed in coordination and consultation with interested tribe(s) and shall provide procedures for discovery of tribal cultural resources. A qualified archaeological monitor will be retained to conduct archaeological monitoring of construction activities as identified by the Plan. If requested by interested tribe(s), a Native American monitor will be retained, as applicable. The archaeological monitor will follow the protocol outlined in the Plan. A final report summarizing the monitoring activities and the results of monitoring site P-30-000033 (CA-ORA-000033), including a site record (DPR-S23) update, will be prepared by the Project archaeologist. The archaeological monitor will work in coordination with the Native American monitor (as applicable).</p>	<p>PRE-CONSTRUCTION PHASE; CONSTRUCTION PHASE</p>	<p>MNWD</p>		<p>HUGH NGUYEN, CLERK-RECORDER DEPUTY</p>	<p>FEB 14 2022</p>

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Mitigation Measure	Monitoring/ Mitigation Timing	Responsibility for Monitoring	Verification of Compliance	
			Initials	Date
<p>CUL-3: Inadvertent Discovery of Archaeological Resources During Construction During Project-level construction, should subsurface archaeological resources be discovered, all activity within 50 feet of a "find" shall stop and the qualified on-call archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and/or National Register of Historic Places criteria (as applicable). The archaeologist shall have the authority to halt any Project-related construction activities that could impact potentially significant resources. If any find is determined to be significant, the archaeologist shall determine, in consultation with the implementing agencies and any local Native American groups expressing interest, appropriate avoidance measures or other appropriate mitigation. Ground-disturbing activities shall not continue until the discovery has been assessed by the archaeologist. The archaeologist shall be afforded the necessary time to assess the find. With monitoring, construction activities may continue on other areas of the Project site during evaluation and treatment of historic or unique archaeological resources. Under CEQA Guidelines Section 15126.4(b)(3), preservation in place is the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, (i) Project re-route or re-design, (ii) Project cancellation, or (iii) identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as an historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2.</p>	CONSTRUCTION PHASE	MNWD	 BY: _____ DEPUTY ORANGE COUNTY CLERK-RECORDER DEPARTMENT	FEB 14 2022
<p>GEOLOGY AND SOILS</p> <p>GEO-1: Inadvertent Discoveries of Paleontological Resources If construction staff or others observe previously unidentified paleontological resources during ground disturbing activities, they will halt work within a 200-foot radius of the find(s), delineate the area of the find with flagging tape or rope (may also include dirt spoils from the find area), and immediately notify a qualified paleontologist. Construction will halt within the flagged or roped-off area. The paleontologist will assess the resource as soon as possible and determine appropriate next steps in coordination with the District. Such finds will be formally recorded and evaluated. The resource will be protected from further disturbance or looting pending evaluation.</p>	CONSTRUCTION PHASE	MNWD	 BY: _____ DEPUTY HUGH NGUYEN, CLERK-RECORDER	FEB 14 2022

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Mitigation Measure	Monitoring/ Mitigation Timing	Responsibility for Monitoring	Verification of Compliance	Initials	Date
<p>NOISE-1: Limiting Sources</p> <p>Construction noise levels will fluctuate depending on the construction phase, equipment type and duration of use, distance between noise source and sensitive receptor, and the presence or absence of barriers between noise source and receptors. Standard construction activities shall be limited as follows:</p> <ul style="list-style-type: none"> Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g., equipped with manufacturer-rated high attenuation mufflers, specification of low noise equipment, use of air intake silencers, ducts, engine enclosures and acoustically-attenuating buildings, as needed, to meet regulatory criteria). Stationary noise sources shall be located as far from adjacent receptors as possible and shall be muffled and enclosed, incorporate insulation barriers or other measures to the extent feasible. Any impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 A-weighted decibels (dBA). External jacks on the tools themselves shall be used where feasible as this could achieve a reduction of 5 dBA. Quieter procedures shall be used such as drilling rather than impact equipment whenever feasible. When the City of Laguna Niguel's Public Works Director authorizes construction working hours beyond those allowed by a general city encroachment permit, no specialized construction techniques that could generate high noise levels (e.g., greater than 80 dBA) will take place on weekdays and Saturdays from 8:00 PM to 7:00 AM or on Sundays or federal holidays observed by the City of Laguna Niguel. 	CONSTRUCTION PHASE	MNWD			
	<p>TRANS-1: Construction Traffic Impacts</p> <p>To minimize the potential traffic impacts during construction, the contractor shall implement traffic control measures to the satisfaction of the City of Laguna Niguel's Public Works Director.</p> <p>TRANS-2: Emergency Response Team Notification</p> <p>Prior to commencing construction, Moulton Niguel District shall notify the Orange County Fire Authority (OCFA) and the Orange County Sheriff's Department (OCSD) of construction activities that would impede movement (such as lane closures) along the proposed project alignment to allow emergency response teams to reroute traffic to alternative routes, if needed.</p>	CONSTRUCTION PHASE	MNWD		

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FEB 14 2022

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTY

I, PAIGE GULCK, Secretary of the Board of Directors of the MOULTON
NIGUEL WATER DISTRICT, do hereby certify that the foregoing Resolution was duly
adopted by the Board of Directors of said District at a regular meeting of said Board held
on the 10th day of February, 2022 that it was so adopted by the following vote:

AYES: CAVE, FIORE, FROELICH, MOORHEAD, PROBOLSKY,
RIFKIN, WANNINGER

NOES:

ABSTAIN:

ABSENT:

POSTED

FEB 14 2022

HUGH NGUYEN, CLERK-RECORDER

BY:  DEPUTY



Paige Gulck, Secretary
MOULTON NIGUEL WATER DISTRICT
and of the Board of Directors thereof



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print **StartOver** **Save**

RECEIPT NUMBER:
 30 — 02/14/2022 —
 STATE CLEARINGHOUSE NUMBER (if applicable)
 2021110198

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Moulton Niguel Water District	LEAD AGENCY EMAIL TDmytryshyn@mnwd.com	DATE 02/14/2022
COUNTY/STATE AGENCY OF FILING Orange	DOCUMENT NUMBER	

PROJECT TITLE

Crown Valley Pipelines Replacement Project

PROJECT APPLICANT NAME Moulton Niguel Water District	PROJECT APPLICANT EMAIL TDmytryshyn@mnwd.com	PHONE NUMBER (949) 425-3549
PROJECT APPLICANT ADDRESS 26161 Gordon Road	CITY Laguna Hills	STATE CA
		ZIP CODE 92653

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|----------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,539.25 | \$ | 0.00 |
| <input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,548.00 | \$ | 2,548.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,203.25 | \$ | 0.00 |
|
 | | | |
| <input type="checkbox"/> Exempt from fee | | | |
| <input type="checkbox"/> Notice of Exemption (attach) | | | |
| <input type="checkbox"/> CDFW No Effect Determination (attach) | | | |
| <input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy) | | | |

- | | | | |
|---|----------|----|-------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 50.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash Credit Check Other **TOTAL RECEIVED** \$ 2,598.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE
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FILED

FEB 14 2022

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: _____ DEPUTY

POSTED

FEB 14 2022

HUGH NGUYEN, CLERK-RECORDER

BY: _____ DEPUTY

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NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. (Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a No Effect Determination signed by CDFW, also:

- Attach No Effect Determination to NOD (no environmental filing fee is due).

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE (no environmental filing fee is due).

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

FILED

FEB 14 2022

Mail to:
California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

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