



ATTACHMENT D

MITIGATED NEGATIVE DECLARATION

APPENDIX L

VWD CONDITIONS LETTER



201 Vallecitos de Oro · San Marcos, California · 92069-1453 · Telephone (760) 744-0460

September 28, 2022

Water Mill Homes, Inc.
Attn: Craig Kozma
20151 SW Birch St. Suite 150
Newport Beach, CA 92660

Re: Mulberry 9 Lot Subdivision Conditions of Approval Letter - VWD WO# 253403 PN# 2022100719

Dear Mr. Kozma,

The Engineering Department has completed the Draft Water and Sewer Study (Draft Study) for the proposed Mulberry 9 Lot Subdivision development (Project). The proposed Project is 10.06 acres located on the southwest corner of Cox Road and Mulberry Drive (APN 182-131-14).

Due to elevations of the proposed project and existing District sewer, the project cannot connect to the public sewer system by gravity; therefore, a private sewer pump, lift station, and private force main will be required to serve the Project. The Draft Water and Sewer Study completed in June of 2022 found there are deficiencies in existing sewer facilities in Twin Oaks Valley Road under both existing conditions and peak wet weather flows during ultimate build-out conditions with the proposed Project. The District does not have capacity to serve new sewer connections in the Twin Oaks Valley Road sewer basin (without project-specific conditions) and this proposed Project will increase Twin Oaks Valley Road sewer deficiencies. It is recommended once the Final Water and Sewer Study is completed the project be approved subject to conditions for one of the following options in addition to the required conditions listed herein:

Twin Oaks Valley Road Sewer Deficiency Option 1, Conditions Per the Draft Water and Sewer Study:

- Developer to replace approximately 1,401 feet of existing 8-inch sewer main in Twin Oaks Valley Road with 10-inch sewer main.
- Developer to replace approximately 9,851 feet of existing 8-inch sewer main in Twin Oaks Valley Road with 15-inch sewer main.
- Developer to replace approximately 19 feet of existing 10-inch sewer main along Twin Oaks Valley Road with 15-inch sewer main.
- Developer to replace approximately 2,434 feet of existing 12-inch sewer main along Twin Oaks Valley Road with 15-inch sewer main.

Twin Oaks Valley Road Sewer Deficiency Option 2, Septic:

- The Developer shall obtain a variance from the City and County Department of Environmental Health to approve installation of septic systems for the Project. The District will support installation of septic for the Project due to the scope of offsite improvements and existing system deficiencies in Twin Oaks Valley Road.

Twin Oaks Valley Road Sewer Deficiency Option 3, Private Lift Station:

- The Developer shall design and install a private detention tank onsite allowing for the collection and temporary storage of peak wet weather sewage effluent from the Project. The sewage effluent shall be pumped into the Vallecitos sewer system in Twin Oaks Valley Road during off-peak hours. The Developer shall design the detention tank for peak wet weather flows (250 gpd per dwelling unit + peak wet weather). The detention tank and pump shall be included on the Grading Plan. The District shall review and approve tank size, pump system, and sewer calculations, which shall be submitted with the Grading Plan. Tank and pump system shall be of sufficient design to protect the community, environment, and District from sanitary sewer overflows (SSO's).
- Easements for access to the private lift station shall be granted to the HOA upon subsequent transfer of title. Drivable access for a pumper truck shall be shown on the Grading Plan.
- The Developer shall make provisions in the Declaration of Covenants, Conditions, and Restrictions (CCR's) which shall include, but not be limited to, limitations on the off-peak hours the private sewer lift station may discharge to the public sewer, clarification the HOA shall be responsible for odor control for the private sewer lift station and detention/pumping system, District-approved private sewer pumping hours are subject to change at the request of the District, revised sewer effluent calculations/detention tank size/off-peak hours the private sewer pump may discharge to the public sewer shall be submitted to the District for evaluation and approval prior to approval of building permits for future accessory dwelling units, clarification the District will not be responsible for SSO's, and requirement for annual submission of maintenance records to the District. CC&R's shall be submitted to and approved by the District and recorded prior to approval of the Grading Plan or issuance of Building Permits.
- The Developer shall record a deed restriction on title for the Project prohibiting accessory dwelling units without District approval and evaluation of the private detention tank size and hours the private sewer pump may discharge to the public sewer. In addition, the deed restriction shall prohibit swimming pools from being plumbed or discharged to sewer. Deed restrictions shall be provided to the District for review and approval and shall be recorded prior to approval of the Grading Plan or issuance of Building Permits.
- Developer shall install two (2) sewer flow meters downstream of the Project (locations to be determined by the District prior to installation) for a minimum of four (4) weeks to monitor and establish existing diurnal flows in the Twin Oaks Valley Road sewer. This monitoring data will be used for the District to determine what off-peak hours the private pump may discharge to District sewer.
- The Developer shall install odor scrubbers on the private sewer force main/lift station system, which shall be shown on the Grading Plan and maintained by HOA. The Developer shall make provisions in the CCR's stating the HOA shall maintain odor scrubbers.

- The Developer shall be responsible for all local, State, and Federal permits required to operate the private lift station, including but not limited to the California Air Resources Board.
- The Developer shall provide a generator of sufficient design to provide back-up emergency power for the private lift station to prevent a SSO, including an Automatic Transmission Switch. All operation, maintenance, and permitting shall be the responsibility of the HOA and shall be outlined in the CC&R's.
- All private sewer improvements shall be approved to the satisfaction of the District prior to utility release and occupancy.
- The HOA shall be responsible for any direct expense(s) of the District associated with the private lift station, which may include, but not limited to, responding to private sewer spills and odor complaints, and shall be outlined in the CC&R's.
- An Agreement for pumping the Project's effluent during non-peak hours shall be executed with the District prior to approval of the Grading Plan or Building Permits. The developer shall reimburse the District's legal fees for preparation of this Agreement.

Twin Oaks Valley Road Sewer Deficiency Option 4, Twin Oaks Sewer Sub-Area Master Plan:

- If the District Board of Directors approves and adopts a Sub-Area Master Plan (SAMP) for the Twin Oaks Valley Road sewer basin incorporating all the offsite Twin Oaks Valley Road sewer deficiencies identified in the June 2022 Draft Study into a District Capital Improvement Project (CIP), and the Twin Oaks Valley Road CIP project is constructed prior to utility release and occupancy of this Project, Twin Oaks Valley Road Sewer Deficiency Option 1 would be obsolete. This would require the developer to pay the Capital Facility Fees established by the SAMP and in effect at the time service is committed. Execution of Option 2 or 3 still would be required if the development timing is prior to completion of the District's project as outlined in the SAMP. In addition, Option 3 Conditions would require amendment by the District to remove restrictions the private lift station's pumping hours of operation.

The following **Required Conditions** shall be completed prior to utility release and occupancy for the Project:

- Payment of all applicable Water and Wastewater Capital Facility Fees in effect at the time service is committed in accordance with District rules and regulations.
- Construction and acceptance of all on-site and offsite water and sewer facilities prior to service.
- Annexation into the District's wastewater service area and payment of all sewer annexation fees.

This letter is issued for planning purposes only, and is not a representation, expressed or implied the District will provide service at a future date. Commitments to provide service are made by the District Board of Directors and are subject to compliance with District fees, rules, regulations, and continued reliable water supplies from the San Diego County Water Authority, the District's treatment capacity at the EWPCF and other factors affecting growth in the District which may change over time.

Please contact us at 760-744-0460 if you have any questions.

Thank you,



Elizabeth Lopez
Senior Engineer
Vallecitos Water District

Cc: Project File