



DUPLICATE

RECEIVED
JAN 31 1983
PROPERTY DEPT.

THE CITY OF

SAN DIEGO

CITY ADMINISTRATION BUILDING • 202 C STREET • SAN DIEGO, CALIF. 92101

OFFICE OF THE
CITY MANAGER
236-6363

October 5, 1982

File: Property File C701
Lease - Zoological Society of
San Diego

Charles L. Bieler, Executive Director
Zoological Society of San Diego
P. O. Box 551
San Diego, CA 92112

Dear Mr. Bieler:

Re: Right of Entry Permit - City-owned Land, San Pasqual Valley

Permission is hereby granted to Wild Animal Park, hereinafter referred to as "Permittee," to enter upon the above-referenced City-owned property, as shown in red on the attached Exhibit A, upon the following terms and conditions:

1. Permittee's use of the above property shall be limited to drilling, operating and maintaining a water well to be used for irrigation purposes, and installing necessary pipelines and related equipment for transporting water.
2. This Permit shall be in effect immediately upon execution by the City Manager and shall continue in effect so long as the City's operating agreement with the Zoological Society of San Diego to operate the Wild Animal Park (Document 727223) remains in force. In the event the operating agreement is terminated, the well, pipelines and all related items of equipment shall become the property of the City.
3. Permittee certifies that a policy of liability insurance in which "The City of San Diego" is named as an additional insured has been secured in an amount of not less than \$1 MILLION COMBINED SINGLE LIMIT LIABILITY and said policy shall be kept in force for the duration of this Permit. A certificate of said insurance shall be filed with the City Property Department upon execution of this Permit.
4. Permittee shall assume the defense of and indemnify and save the City of San Diego harmless from all claims, expenses and liability of every kind, nature and description resulting in any manner from the use or condition of the property hereinabove described and any and all operations conducted thereon.

RR - 257798
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JAN 17 1983
FILED
OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

5. All risks in connection with Permittee's use of said property and any damages to the improvements thereon, thereunder, or in the vicinity thereof shall be borne in full by Permittee.
6. Permittee shall not use the premises in any manner, which in the opinion of the City Manager of the City of San Diego, creates a nuisance or disturbs the quiet enjoyment of persons in the surrounding area.
7. It is mutually agreed that the City of San Diego shall not be obligated for any loss, financial or otherwise, which may be incurred by Permittee as a result of termination of this Permit, and further that Permittee expressly waives any claim for expense or loss which Permittee might incur as a result of termination of this Permit.
8. Permittee recognizes and understands that this Permit may create a possessory interest, subject to property taxation and that the Permittee may be subject to the payment of property taxes levied on such interest. Permittee further agrees that such tax payment shall not reduce any fee paid the City of San Diego hereunder, and that such tax shall be paid by the Permittee before becoming delinquent.
9. Permittee shall, at its sole cost and expense, comply with all the requirements of all Municipal, State and Federal authorities now in effect, or which may hereinafter be in effect, which pertain to the above-referenced City-owned property.
10. Permittee shall not assign any rights granted by this Permit, nor any interest therein. Any assignment by operation of law shall automatically terminate this Permit.
11. No signs shall be displayed on the premises without the prior written consent of the City Manager.
12. Maintenance of the premises shall be the sole responsibility of the Permittee during the entire term of this Permit.
13. Construction of the facility as hereinabove provided, including screening and landscaping, shall be accomplished to the City Manager's satisfaction at Permittee's sole cost.
14. Grading and compaction operations shall be done in such a manner that the existing surface drainage pattern will not be disrupted, and the final grades will not interfere with the existing flow pattern.
15. Maintenance, including irrigation of the premises, shall be the sole responsibility of the Permittee during the entire term of this Permit.

16. The well is to be drilled and related items of equipment and pipelines installed in accordance with the plans and specifications previously submitted to City. Permittee agrees that regardless of the maximum capacity of the well, the pumping operations will not exceed 1,300 gallons per minute.
17. The well is to be metered prior to commencing pumping operations and Permittee agrees to pay City a charge of \$30 per acre foot for all water pumped from the well. Provided, however, at the end of the first three years of the term of this Permit and at the end of each succeeding three-year period thereafter, the City shall adjust the charge for water to reflect changes in the cost of untreated water as determined by the City's Water Utilities Department. The adjustment or new charge for water for each ensuing three-year interval shall be computed as follows.

The charge for each three-year period following the adjustment shall be determined by multiplying the current charge for water being paid by Permittee by the Adjustment Figure. The Adjustment Figure shall be determined by dividing the current cost of water (at the time of the adjustment), as established by the Water Utilities Department, by the Base Figure.

The Base Figure shall be the cost of untreated water immediately prior to the execution of this Permit by the City Manager, which is established at \$102 per acre foot.

Example - 1985

$$\begin{array}{rcl} \text{Current Cost} & \$140 & \\ \text{Base Figure} & \underline{\$102} & \\ & & = \$1.37 \text{ Adjustment Figure} \end{array}$$

$$\text{Charge to Permittee } \$30 \times \$1.37 = \$41.10 \text{ per acre foot}$$

$$\text{New Charge to Permittee } 1985 - 1988 = \$41.10 \text{ per acre foot}$$

The effective date of the adjustment shall be at the expiration date of each adjustment period. Billing procedures for all water pumped from the well shall be established by the City following the completion of the well and the testing of all equipment and pipelines.

18. Permittee agrees that a reading shall be made by City on March 1 of each year to determine the water level in Observation Well 125-1W-33N1 which is located near the site of the new well. During the ensuing months, periodic readings of the observation well will be made on a monthly basis to compare the water level to the March 1 reading and to measure the amount of draw down.

In the event the monthly readings indicate that the water level has fallen 30 feet or more below the reading of March 1, the City Manager shall have the right to restrict pumping from the new well to a specified number of gallons per minute, as determined by City, or require that pumping be discontinued entirely and the well shut down. Notice to restrict or cease pumping operations shall be given in writing and shall remain in effect for a period to be determined by the City Manager.

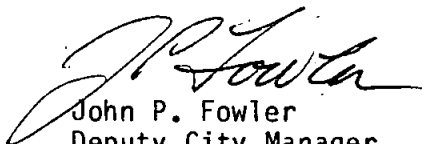
Provided, however, if at any time prior to, or after March 1 of each year, the water level in the well falls below 325 feet above mean sea level, the City Manager shall notify Permittee in writing that all pumping operations are to be terminated immediately. In this event pumping operations shall cease until Permittee is notified in writing by the City Manager that pumping operations may be resumed.

19. Permittee agrees to provide City with "as built" plans, showing the final location of the well, all pipelines, connectors, gates, valves and related equipment, upon completion of well.
20. Approval for all easements necessary for installing electrical service, or pipelines, on leaseholds adjacent to the site of the well shall be obtained by Permittee prior to proceeding with any work related to such installations.

Please acknowledge your agreement to the foregoing terms and conditions on the enclosed copy of this letter and return it to this office within 10 days from receipt hereof.

If you should require additional information or have any questions, please call William R. Knowles, Agricultural Lease Manager, at 236-5548.

Very truly yours,


John P. Fowler
Deputy City Manager

JLS:WRK:mh(3) Disk 6

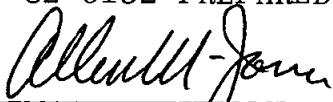
Attachments

cc: Auditor
Financial Management
County Assessor

THE ABOVE IS ACKNOWLEDGED AND ACCEPTED
THIS 27 DAY OF October, 1982.

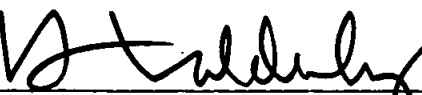
By 

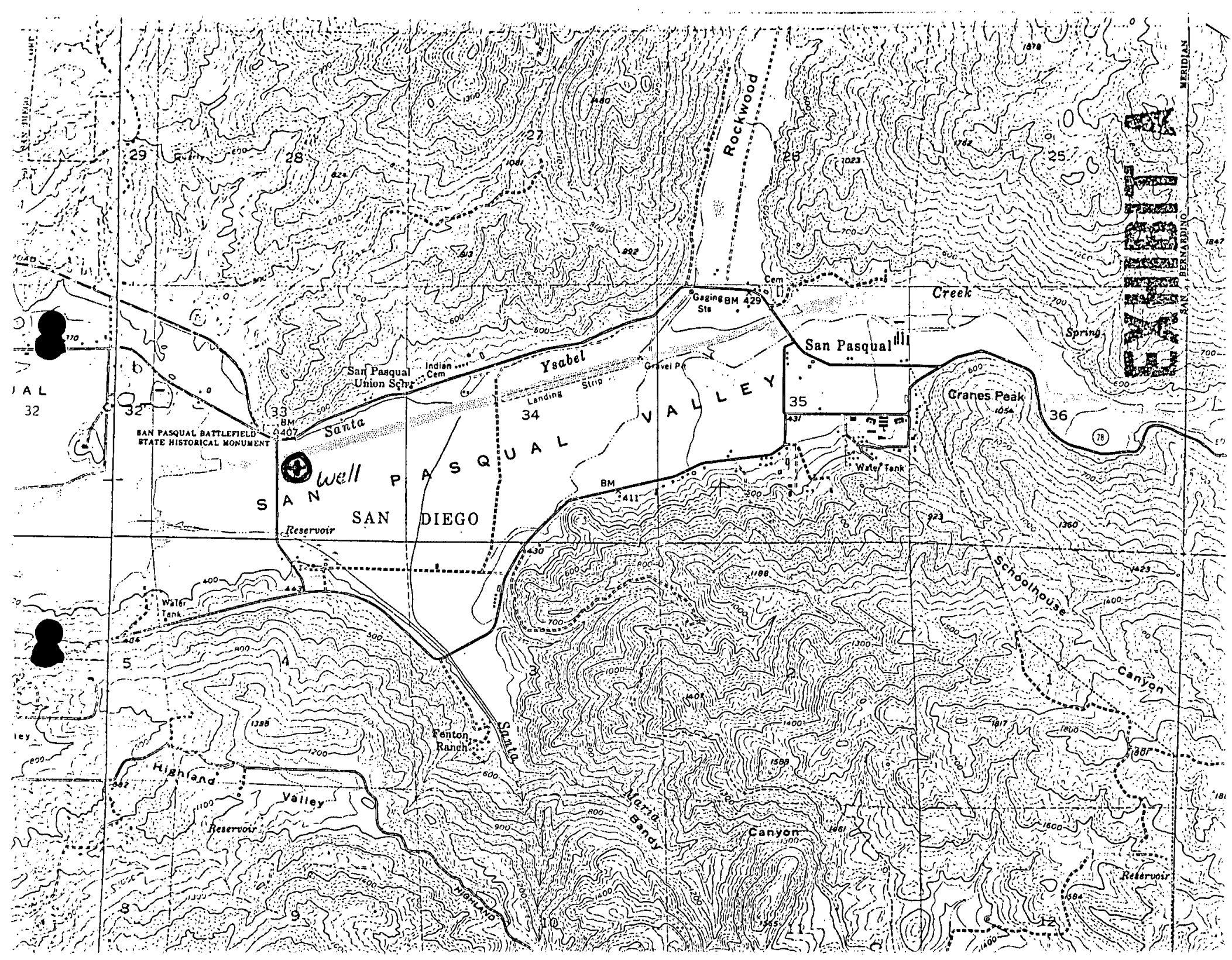
NEGATIVE DECLARATION
NO. 82-0152 PREPARED


Allen M. Jones
EQD Deputy Director

APPROVED AS TO FORM AND LEGALITY THIS
21 DAY OF January, 1983.

JOHN W. WITT, City Attorney

By 
Deputy City Attorney



(R-83-844)

RESOLUTION NUMBER R- 257798

Adopted on JAN 17 1983

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

That the City Manager is hereby authorized and empowered to execute, for and on behalf of The City of San Diego, a Right of Entry Permit with the ZOOLOGICAL SOCIETY OF SAN DIEGO, for the purpose of drilling a well on City-owned land in San Pasqual Valley for use by the Wild Animal Park, under the terms and conditions set forth in that Right of Entry Permit on file in the office of the City Clerk as Document No. RR- 257798.

APPROVED: John W. Witt, City Attorney

By


Harold O. Valderhaug
Deputy City Attorney

HOV:ps
11/26/82
Or.Dept:Prop.
Job: 034765
Form=r.none

Passed and adopted by the Council of The City of San Diego
on JAN 17 1983, by the following vote:

YEAS: Mitchell, Cleator, Golding, Jones, Struiksma, Gotch, Murphy,
Martinez.

NAYS: None.

NOT PRESENT: None.

MAYOR - Vacant.

AUTHENTICATED BY:

BILL CLEATOR
Deputy Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(SEAL)

By MAYDELL L. PONTECORVO, Deputy.

I HEREBY CERTIFY that the above and foregoing is a full,
true and correct copy of RESOLUTION NO. R-257798
passed and adopted by the Council of The City of San Diego,
California, on JAN 17 1983.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(SEAL)

By Maydell L. Pontecorvo, Deputy.



Environmental
Quality
Division

236-5775

Negative Declaration

EQD No. 82-01-52

SUBJECT: Wild Animal Park Irrigation Well and Water Pipeline. CITY PROPERTY AND WATER UTILITIES DEPARTMENT AGREEMENT in order to permit the construction of of an irrigation water well, pump, and water pipeline to provide a new alternative and supplemental water supply for the San Diego Wild Animal Park. Located in the San Pasqual community along Monument Road, State Highway 78 and extending into the Wild Animal Park. (Southwest Portion of T12W, R1W) Applicant: Zoological Society of San Diego.

- I. PROJECT DESCRIPTION: See attached Initial Study.
- II. ENVIRONMENTAL SETTING: See attached Initial Study.
- III. FINDING:

The City of San Diego has conducted an Initial Study and determined that the proposed project will not have a significant environmental effect and the preparation of an Environmental Impact Report will not be required.

IV. DOCUMENTATION:

The attached Initial Study documents the reasons to support the above Finding.

V. MITIGATING MEASURES: None required

VI. PUBLIC REVIEW DISTRIBUTION:

Draft copies or notice of this Negative Declaration were distributed to:

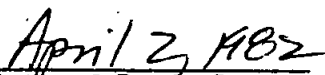
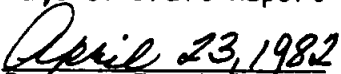
San Pasqual-Lake Hodges Planning Group
Del Dios Town Council
Del Rio Town Council
City of Escondido
California Regional Water Quality Control Board

VII. RESULTS OF PUBLIC REVIEW:

- (X) No comments were received during the public input period.
- () Comments were received but did not address the Negative Declaration finding or the accuracy/completeness of the Initial Study. No response is necessary. The letters are attached.
- () Comments addressing the findings of the draft Negative Declaration and/or accuracy or completeness of the Initial Study were received during the public input period. Responses to these comments follow, and the letters of comment are attached.

Copies of the draft Negative Declaration and any Initial Study material are available in the office of the Environmental Quality Division for review, or for purchase at the cost of reproduction.


Allen M. Jones, Deputy Director
City Planning Department


Date of Draft Report

Date of Final Report

Analyst:Ward/yg

INITIAL STUDY
EQD No. 82-01-52

SUBJECT: Wild Animal Park Irrigation Well and Water Pipeline. CITY
PROPERTY AND WATER UTILITIES DEPARTMENT AGREEMENT in order to permit the construction of of an irrigation water well, pump, and water pipeline to provide a new alternative and supplemental water supply for the San Diego Wild Animal Park. Located in the San Pasqual community along Monument Road, State Highway 78 and extending into the Wild Animal Park. (Southwest Portion of T12W, R1W) Applicant: Zoological Society of San Diego.

I. PURPOSE AND MAIN FEATURES:

The proposed project would construct a 160-foot deep well and 4,300 linear feet of pipeline to be used as an alternative and supplemental supply of irrigation water for the Wild Animal Park. The water would be transported by a 200-horse-power pump using electric power. The pipe would consist of 10-inch asbestos concrete for most of the length, with a 10-inch 12 gauge welded steel pipe under Santa Isabel Creek. The proposed trench in which the pipe is to be placed would be five feet wide and a minimum of three to four feet deep. The pipe would be buried seven feet deep under the Santa Isabel Creek bed. The pipe would parallel Monument Road and State Highway 78 for the majority of the length. Between Old San Pasqual Road and State Highway 78, the pipe would traverse the TMY Farms lease hold 120 feet west of the houses at the Highway intersection.

A condition of the agreement would require pumping of water to cease when the water table at the well dropped to a certain prescribed level (30 feet below the reading of March 1 in Observation Well No. 125-1W-33N1). This action would help to insure that over drafting and adverse ground water impacts would not occur.

II. ENVIRONMENTAL SETTING:

The project site is in an area of the San Pasqual Valley composed of rolling topography ranging in elevation from 223 feet above Mean Sea Level (MSL), the location of the proposed well, to 422 feet MSL at the pipe's terminus near the Wild Animal Park's Asian Water Hole.

According to an Environmental Analysis prepared by American Pacific Environmental Consultants (APEC) March 1981, "Groundwater levels in the basin fluctuate depending on the amount of recharge to and discharge from the basin. Generally, years of above-normal rainfall and surface flow in the basin cause the basin to become full of groundwater. Presently, groundwater levels in the basin are nearer the ground surface because of recent years of above-average flow and rainfall."

A waste water disposal operation is currently located at the Wild Animal Park. Waste water from the park is collected, treated, and used to irrigate open space area within the park (East-Africa Lake). The system is regulated by the California Regional Water Quality Control Board.

III. ENVIRONMENTAL ANALYSIS: See attached Initial Study checklist.

IV. RECOMMENDATION:

On the basis of this initial evaluation:

 X The proposed project would not have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.

 Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section IV above have been added to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.

 The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT should be required.

PROJECT ANALYST: Ward/yg

Attachments: Site location



INITIAL STUDY
EQD No. 820152

III. Environmental Analysis

This Initial Study is designed to identify the potential for significant environmental impacts which could be associated with a project. All answers of "yes" and "possible" indicate that there is a potential for significant environmental impacts and these answers are explained in an attached discussion section.

Thirteen categories are examined below for potential impacts: Geology and Soils, Water, Land-Related Resources, Biology, Historical and Cultural Resources, Land Use, Visual Quality, Growth Inducement/Services, Transportation, Air Quality, Energy and Water Conservation, Noise, and Cumulative Effects.

Geology and Soils

	<u>Impacts</u>		
	Yes	Possible	No

- | | | | |
|--|---|---|---|
| 1. The Seismic Safety Study Geotechnical Land Use Capability Map or other evidence indicates that the project site has unstable geologic or soil conditions. (Rating is AC, BC, C, or D) | — | — | X |
| 2. The project will result in an increase in soil erosion, either on or off the site. | — | — | X |
| 3. The project will substantially change topography or ground surface relief features (generally more than 5,000 cubic yards of grading/acre). | — | — | X |
| 4. Proposed or probable grading exceeding 3,000 cubic yards per acre will occur in unique or unusual landforms, such as natural canyons, sandstone bluffs, rock outcrops, or hillsides with a slope in excess of 25 percent. | — | — | X |
| 5. Construction will take place within a 50-foot setback of a coastal bluff or within an area extending inland to a line formed by a 20-degree angle from the base of the coastal bluff. | — | — | X |

Impacts

	Yes	Possible	No
--	-----	----------	----

Water

- | | | | |
|--|---|---|---|
| 1. The project will have adverse direct or indirect effects on a domestic water supply, lagoon, bay, or beach. | — | — | X |
| 2. The project will substantially degrade subsurface water quality. | — | — | X |
| 3. The project will obstruct the flow of water in a floodway or change the course or direction of water movements in either marine or fresh water. | — | — | X |
| 4. The project will alter the landform in a flood-plain fringe. | — | — | X |
| 5. The quality of surface waters will be changed by discharges or altered in terms of temperature, dissolved oxygen, turbidity or other factors. | — | — | X |

Land-Related Resources

- | | | | |
|---|---|---|---|
| 1. The project will substantially deplete or prevent potential use of any nonrenewable natural resources. | — | — | X |
| 2. The project will significantly reduce the acreage of land rated for agriculture or currently used for agriculture. | — | — | X |

Biology

- | | | | |
|---|---|---|---|
| 1. The project will significantly alter or eliminate the habitat utilized by a threatened, rare, or endangered plant or animal species as identified by the U.S. Fish and Wildlife Service or the California Department of Fish and Game. | — | — | X |
| 2. The project will significantly alter the habitat utilized by a unique, sensitive, fully protected, or blue list species as identified by the California Native Plant Society, the California Department of Fish and Game, the Audubon Society, or other organizations. | — | — | X |
| 3. The project will affect a sensitive habitat, including but not limited to streamside vegetation, oak woodland, vernal pools, coastal salt marsh, lagoon, wetland, or coastal sage or chaparral in the California Coastal Zone. | — | — | X |

Impacts

Yes Possible No

4. The project will affect a stand of distinctive, landmark, or mature trees.

— — X

5. The project will create a barrier to migration, movement, or dispersion of a plant or animal species.

— — X

6. The project will substantially diminish other natural wildlife habitat.

— — X

Historical and Cultural Resources

8. The property contains an archaeological/paleontological site or appears to have a high potential for containing cultural resources.

— — X

2. The project will affect an historical or architecturally significant site.

— — X

Land Use

1. The project will be inconsistent with adopted environmental goals or land use designations as defined in a general plan, community plan, or precise plan.

— — X

2. The project will disrupt or divide the physical arrangement of a community.

— — X

3. The project will displace a large number of people.

— — X

8. The project will prevent existing public access to beaches, tidelands, parks, or other open space recreation areas.

— — X

5. The project is not compatible with noise levels or aircraft accident potential as defined by CPO Airport Land Use Plan or the Department of Defense Air Installation Compatible Use Zone.

— — X

Visual Quality

1. Project bulk, scale, or architectural style will be incompatible with surrounding development.

— — X

2. The project will interfere with the view of significant natural features or landmarks.

— — X

Impacts

Yes Possible No

3. The project will result in an adverse condition open to public view such as glaring lights, refuse areas, etc.

— — X

Growth Inducement/Services

1. The project will result in a need for new systems, or an expansion of capacity of the following utilities:

a. power or natural gas

— — X

b. communications systems

— — X

c. water

— — X

d. sewage treatment facilities or septic tank

— — X

e. storm water drainage

— — X

f. solid waste and disposal

— — X

2. The project will result in the need for new or altered governmental services such as police or fire protection, schools, parks or recreational facilities.

— — X

3. The project will require construction of new streets which would serve presently undeveloped or unplanned property.

— — X

Transportation

1. The project will increase motor vehicle traffic through a high accident location as identified by the Engineering and Development Department.

— — X

2. The project will create or add to significant impacts to traffic circulation.

— — X

3. The project will increase or create parking congestion.

— — X

Air Quality

1. The project will discharge or generate hazardous or objectionable materials (smoke, dust, chemical, odor) on a long-term basis.

— — X

2. The project will generate or result in substantial auto emissions in an area where state or federal ambient air quality standards have been frequently or greatly exceeded.

— — X

Impacts

Yes Possible No

3. Residential or institutional projects will be subjected to CO concentrations, vehicle emissions, or other hazardous materials, worse than state of federal standards.

— — X

Energy and Water Conservation

1. The proposed project will result in the use of substantial or excessive amounts of fuel or energy.

— — —

The design of the project significantly interferes with natural heating and cooling opportunities either on or off the site.

— — X

3. The project will result in the use of excessive amounts of water.

— — X

4. Less than 1/3 of the landscaped area will contain native or drought resistant vegetation.

— — X

Noise

1. Current or future noise levels from an external source will exceed standards in the City Noise Element for the proposed use.

— — X

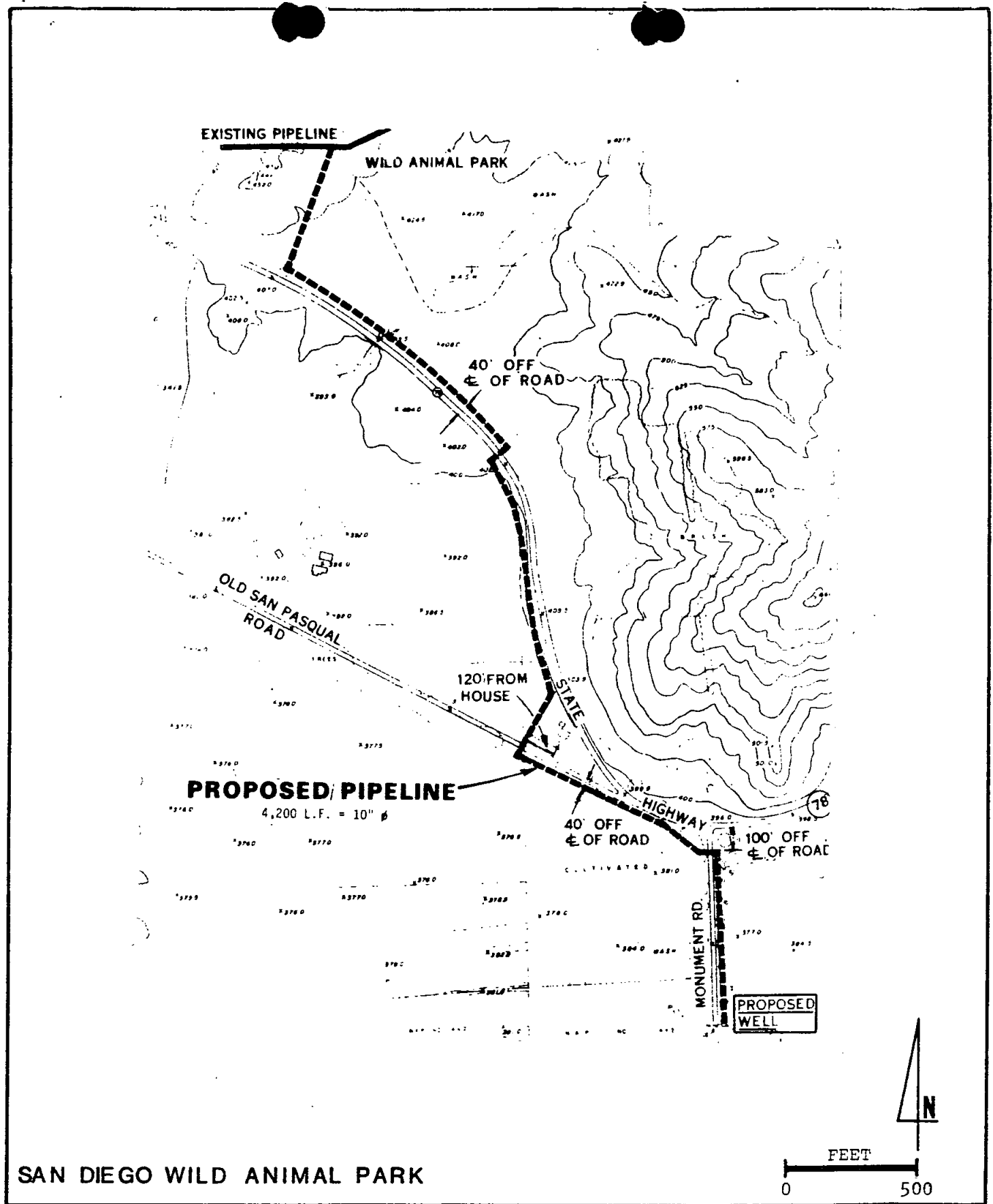
2. The project will generate noise incompatible with nearby uses according to the City Noise Element.

— — X

Cumulative Effect

There are special circumstances associated with the project such that when added to past, present, or future projects in the area, the addition of this project would result in a significant cumulative impact for the vicinity.

— — X



IRRIGATION WELL & WATER PIPELINE

Environmental Quality Division
CITY OF SAN DIEGO · PLANNING DEPARTMENT

FIGURE

1

PV-1078 (REV. 3-73)

DOCUMENT RR-257798 RESOLUTION NO. RR-257798 ORDINANCE NO. _____

TERM: indefinite BEGINNING 10/05/82

LEGAL DESCRIPTION: San Pasqual Valley
(near Monument Road)

PROPERTY FILE CODE: C701WW/051
SIZE: _____

DRAWING NO. _____

Purpose: Water Well

REMARKS: Effective Nov. 1, 1985; cost of water taken by Wild Animal Park from
the well is increased from \$30.00 per acre foot to \$59.40 per acre
foot. Meter is read at the end of each quarter by WAP personnel
to determine acre feet used for that quarter. Number of acre feet
X \$59.40 equals quarterly rent to be paid City. Payment is due on
or before the first of the month following the end of each quarter,
(ie-quarter ends Jan. 31; Rent is due on or before Feb. 1.)
Rent: \$59.40 per acre foot per quarter

CREDIT FUND 41500 ACCOUNT 75661

BILLED ON 1st FOR PERIOD ~~IN~~ ARRS. PENALTY: 5% AFTER 1st 10% AFTER 15th DAYS

Billing address:
15500 San Pasqual Valley Rd

CONTACT Angelo Maynon

ADDRESS Escondido, Ca 92027 ZIP _____ PHONE (619) 747-8702

(NAME OF LESSEE)

(BRIEF LEGAL)

(EXPIRATION DATE)

ZOOLOGICAL SOCIETY OF SD/03

SAN PASQUAL VALLEY

INDEFINITE