- Wilmar; and,
- West Huasna/Suey

The potentially active Wilmar Fault runs closely along U.S 101, approximately 1 mile east of the project site.

3.7.1.2 Groundshaking

San Luis Obispo County is subject to earthquakes along faults and potentially strong groundshaking. The intensity of groundshaking at any particular site is a function of many factors including: 1) earthquake magnitude; 2) distance from the epicenter; 3) the duration of strong ground motion; and 4) local geologic conditions (soil characteristics and topography).

The San Andreas Fault and the offshore Hosgri faults are considered to present the greatest risk from strong groundshaking to the region. The active Los Osos fault (located approximately 5 miles to the northeast) also has the potential to generate strong groundshaking in the area. In addition to the mapped faults, blind thrust faults, located deep below the surface in the coastal area, are capable of producing strong groundshaking (San Luis Obispo County 1999).

3.7.2 Thresholds of Significance

According to CEQA Guidelines and professional practices, the project would result in a significant geologic or geotechnical impact if:

- The project would expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides;
- The project would result in substantial soil erosion or the loss of topsoil;
- The project site is located on a geologic unit or soil that is unstable, or would become unstable as a result of the project, and result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; or
- Onsite soils are characterized by high shrink-swell potential and have the potential for expansion and/or settlement.

3.7.3 Answers to Checklist Questions

Questions A and C:

The proposed water main is expected to experience strong earthquake groundshaking during its useful life. The project site is located near active fault and two potentially active faults, including the Los Osos (active) and the Wilmar and West Huasna/Suey (potentially active). The Wilmar fault is located closest to the site, approximately 1 mile east along U.S. 101. Exposure to potential groundshaking from this fault, or others in the region could result in rupture of the water main and localized flooding. Liquefaction potential is considered "moderate", however,

due to the nature of the project, liquefaction would not pose a significant hazard. Due to the relatively flat topography of the project area, landslides and mudflows would not create a significant impact. As the project involves installation of a water main in an existing paved ROW, the area would not become unstable as a result of project implementation.

Question B:

The proposed project would be implemented within the existing, paved, County ROW; therefore, the proposed project would not result in substantial soil erosion or loss of topsoil.

Question D:

A geotechnical investigation was prepared by Fugro West, Inc. for the project site (Fugro West, 2005). Soils encountered along the alignment generally consist of artificial fill and older dune sand materials; older dune sand materials consist of loose to medium-dense silty sand, sand with silt, and sand. Excavated on-site soil should be suitable for use as trench backfill material. Selected dune sand materials excavated from the trench are expected to be suitable for bedding and pipe zone material. To minimize geologic risks, the geotechnical recommendations found in the geotechnical report provided by Fugro West, Inc. (2005), which are summarized in Mitigation Measure GEO-1, shall be implemented.

3.7.4 Mitigation

Mitigation Measure GEO-1. Proposed improvements to the Hetrick Road water main shall be designed and constructed in accordance with the following geotechnical recommendations:

- Imported, or suitable material excavated from the northern portions of the site shall be provided for bedding and pipe zone material. The limits of suitable bedding and pipe zone materials shall be evaluated during construction. If necessary, processing or segregation of the excavated materials may be needed to make the materials suitable for use as pipe zone material and to avoid contamination with silty soils.
- Temporary construction slopes will need to be either flattened to a stable slope inclination or shored to allow for the pipeline construction. Such slopes shall be constructed in conformance with the requirements of the California Occupational Health and Safety Administration (Cal OSHA). See Appendix B, Geotechnical Report for detailed specifics.
- Detailed geotechnical recommendations pertaining to grading activities, such as fill placement, materials specifications and use of on-site materials, as well as trench design, shall be followed in accordance with the recommendations in the Geotechnical Report.

3.7.5 Finding

With the incorporation of mitigation, impacts to geology, seismicity and soils would be less than significant.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine use, transport or disposal of hazardous materials?					--X--
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					--X--
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					--X--
d) Expose people or structures to existing sources of hazardous emissions or hazardous or acutely hazardous materials, substances, or waste?				--X--	
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, it would create a significant hazard to the public or the environment?					--X--
f) For a project located within an airport land use plan, or within two miles of a public airport, would the project result in a safety hazard for the people residing or working in the project area?					--X--
g) Impair implementation of, or physically interfere with, the adopted emergency response plan or emergency evacuation plan?			--X--		
h) Expose people or structures to a significant risk of loss, injury, or death, involving wildland fires, including where wildlands are adjacent to urbanized areas or where residents are intermixed with wildlands?			--X--		

3.8.1 Setting

The proposed project site is within a paved ROW in an area dominated by the oak woodland and open grassland areas of the Nipomo Mesa. The County Department of Building

and Planning's Fire Hazard Map depicts the project site as an area of high fire hazard potential (County of San Luis Obispo 2002).

3.8.2 Regulatory Setting

3.8.2.1 Local

County of San Luis Obispo General Plan. The Safety Element of the County's General Plan addresses hazards related to geologic/seismic, fire, flooding and other safety hazards by defining goals and policies that serve to reduce the social, cultural, environmental and economic costs of disasters, and to assist and encourage the rapid recovery from disasters. An important part of preparedness is the careful assessment of risks before an emergency occurs.

3.8.3 Thresholds of Significance

The following thresholds of significance are used to determine the level of impact for areas of potential environmental concern. The project would have a significant effect if it would:

- Cause a significant increase in the likelihood of injury or harm to employees or the public from routine operations at the project site, including operation of construction equipment, movement of soil at the construction site, and public access to the site;
- Cause a significant increase in the likelihood of injury or harm to employees, the public or the environment from construction activities that may release hazardous substances that may already be present in the soils at the project site;
- Cause a significant increase in risk to wildlife through the use of pesticides and herbicides;
- Cause a significant increase in the risk of wildland fires;
- Cause a significant increase in the risk to project site homes and homeowners from falling trees and tree limbs; and,
- Cause a significant increase in the risk of exposing employees, future residents or members of the public to asbestos.

3.8.4 Answers to Checklist Questions

Questions A and B:

During construction of the proposed project, no hazardous or explosive substances would be utilized other than oil and fuel used to operate equipment and machinery. Onsite construction activities would be conducted in accordance with CAL/OSHA regulations. Standard operations and maintenance of the proposed water main would not involve risks associated with the release of stored chemicals.

Question C:

The project site is not located within a ¼-mile of any existing or proposed school.

Question D:

It is highly unlikely serpentinite exists in the project area. Serpentinite typically contains asbestos, a substance considered hazardous. As project construction would occur within the existing footprint of the paved ROW, it is unlikely that serpentinite deposits would be encountered during trenching activities. No acutely hazardous materials, substances, or waste would be stored at the project site. Health impacts related to the exposure of hazardous emissions or materials would be less than significant.

Question E:

The project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Question F:

The project site is not located near an airport or private airstrip, nor would the nature of the implemented project itself result in a safety hazard.

Question G:

During construction of project, there is a possibility that the existing roadway may be part of an emergency response plan or emergency evacuation plan and would experience potential interference with such plans. However, such inference would only occur during the temporary one-month construction period. One lane would be maintained open through the project area for vehicle access. Therefore, these potential temporary interferences on the roadway would result in less than significant impacts to emergency response and evacuation.

Question H:

As the project involves the placement of a 12" water main and abandonment of the existing 8" water main and would occur within the paved ROW, the nature of the project would not lend itself to a significant risk from wildland fires. Mitigation Measure HAZ-1 addresses potential risks of fire from construction vehicles.

3.8.5 Mitigation

Mitigation Measure HAZ-1. Staging of construction and equipment shall be located in areas without dry vegetation that could potentially spark a wildland fire.

3.8.6 Finding

With the incorporation of mitigation, impacts from hazards and hazardous materials would be less than significant.

3.9 HYDROLOGY AND WATER QUALITY

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?			--X--		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses for which permits have been granted)?					--X--
c) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide additional sources of runoff into surface waters (including, but not limited to, wetlands, riparian areas, ponds, springs, creeks, streams, rivers, lakes, estuaries, tidal areas, bays, ocean, etc.)?					--X--
d) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation onsite or offsite?				--X--	
e) Substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial flooding onsite or offsite?					--X--
f) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?					--X--
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?					--X--
h) Will the project introduce typical storm water pollutants into ground or surface waters?			--X--		
i) Will the project alter ground water or surface water quality, temperature, dissolved oxygen, or turbidity?					--X--

3.9.1 Setting

The project site is located in the southern Coast Range geomorphic province, between the Santa Lucia Mountains and coastal hills of central California. The region's climate is heavily influenced by coastal processes, and is subject to wide ranges in precipitation, from periods of drought, to unusually wet winters, and occasional short duration very high intensity storms. Generally, the region's rainy season extends from November to March with average annual precipitation of 22.6 inches (57.4 cm). Average temperatures range from a low of 41 degrees Fahrenheit in the winter, to 80 degrees Fahrenheit in the summer.

The primary source of surface water in the Nipomo area is the Santa Maria River, located approximately four miles to the south of the project site. The Santa Maria River originates from a large coastal watershed area comprising 1,853 square miles along the Central Coast of California. The Cuyama River, with flows attenuated by Twitchell Dam, joins the Sisquoc River at Fugler's Point to form the Santa Maria River, which then discharges to the Pacific Ocean through a channel near the Guadalupe sand dunes. The Santa Maria River exhibits typical arid zone hydrology patterns, with rare extreme runoff events and many days of low or no flow.

Nipomo Creek runs nearly parallel with U.S. 101, approximately one mile east of the project site. This creek is ungaged; estimates of average annual base period runoff amount to 800 to 925 acre-feet. Nipomo Creek has a drainage area of about 20 square miles. Its watershed attains a maximum elevation of about 1,804 feet above msl and extends approximately 10 miles from its headwaters to its confluence with the Santa Maria River. Mountains and foothills account for 61% of the watershed area; valley areas account for around 39%.

3.9.2 Regulatory Setting

3.9.2.1 Regional Water Quality Control Board (RWQCB)

Water quality along the Santa Maria River is regulated by the RWQCB, Central Coast Region, which operates under the authority delegated by the Environmental Protection Agency and the State Water Resources Control Board. The RWQCB is the local enforcement agency for the Federal Clean Water Act and the State Porter-Cologne Water Quality Act. Water quality in the Central Coast Region is managed by this agency in accordance with a Water Quality Control Plan for the Central Coast Basin, or Basin Plan, which lists the various beneficial water uses and describes the water quality which must be maintained to allow these uses. Water quality-related beneficial uses include municipal and domestic supply, wildlife habitat, agricultural supply and industrial process and service supplies.

3.9.2.2 NPDES General Construction Activities Storm Water Permit Requirements

Dischargers whose projects disturb one or more acres of soil or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ).

Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility.

The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP should contain a site map(s) which shows the construction site perimeter, existing and proposed buildings, lots, roadways, storm water collection and discharge points, general topography both before and after construction, and drainage patterns across the project. The SWPPP must list Best Management Practices (BMPs) the discharger would use to protect storm water runoff and the placement of those BMPs.

3.9.3 Thresholds of Significance

According to the State CEQA Guidelines and professional practices, the project would result in a significant hydrologic or water quality impact if it:

- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increased the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- Created or contributed runoff water which would exceed the capacity of existing or planned storm water drainage systems or provided substantial additional sources of polluted runoff;
- Violated SWRCB or RWQCB water quality standards;
- Substantially altered the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site; or,
- Substantially depleted groundwater supplies or interfered with groundwater recharge such that there would be a net deficit in aquifer storage or a lowering of the local groundwater table.

3.9.4 Answers to Checklist Questions

Questions A and H:

The construction of the proposed project could result in minor, short-term increases in erosion and sedimentation resulting from earth-moving operations and exposed soils. However, as construction would occur in an existing paved ROW, it would not require land clearing operations. No significant slopes occur at the project site; therefore, runoff from construction would be less than significant.

During construction, fuel and oil spills may occur from operation and fueling of equipment. Such specifics may lead to the discharge of wastes in surface waters and possible violation of water quality standards or waste discharge requirements imposed by the Central Coast Regional Water Quality Control Board.

Question B:

The project does not involve the extraction of groundwater. The project work area would be confined to a construction area of 900 linear feet within the paved ROW. Construction equipment staging and turn-arounds would also occur on portions of the unpaved road shoulder. The water main would be used as a conveyance for existing water supplies and would not significantly affect groundwater recharge.

Question C:

The total area disturbed would be less than one acre. Considering the small area that would be affected during construction and the return of the paved ROW to pre-project conditions, the proposed project would not result in runoff that would exceed the capacity of existing or planned storm water drainage systems or provide additional sources of runoff into surface waters.

Questions D and E:

The proposed project would not require the modification of any surface water courses. No alterations of existing topography would be required for the construction of the proposed project. No new impervious surfaces would be introduced by the project as excavation work for placement of the water main would be replaced by pavement as currently exists in the ROW.

Due to its limited magnitude as described above, the project is not anticipated to make any considerable cumulative changes in the course or direction of water movements that would result in flooding onsite or offsite.

Questions F and G:

The project site is not located within a 100-year flood zone as mapped on a Federal flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. It does not involve the placement of housing within a 100-year flood hazard zone.

Question I:

The project would not alter ground water or surface water quality, temperature, or dissolved oxygen. Stormwater runoff during construction would not be significant enough to affect the turbidity of nearby ephemeral streams or drainages.

3.9.5 Mitigation

Mitigation Measure HWQ-1. The NCSD shall comply with waste discharge requirements imposed by the Central Coast Regional Water Quality Control Board.

3.9.6 Finding

With the incorporation of mitigation, impacts to hydrology and water quality would be less than significant.

3.10 LAND USE AND PLANNING

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Conflict with applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?					--X--
b) Physically divide an established community?					--X--
c) Conflict with any applicable habitat conservation plan or natural community conservation plans?					--X--

3.10.1 Setting

The project site is located on land within the jurisdiction of the County in the South County Planning Area (Inland). The applicable portion of Hetrick Road is adjacent to the Urban Reserve Line of the Nipomo Urban Area. It is within a paved, County ROW. Adjacent land use categories include "Agriculture", "Rural Residential", and "Suburban Residential".

3.10.2 Regulatory Setting

The project area is not within any applicable combining designations within the South County Planning Area (Inland).

3.10.2.1 Legislative Authority of the NCSD

The NCSD is a California Community Services District organized pursuant to Government Code Sections 61000 et seq. The NCSD's service area overlies the southern portion of the Nipomo Mesa within the unincorporated portion of San Luis Obispo County. The powers of special districts such as the NCSD are limited solely to those conferred by the Legislature. The NCSD's powers do not include legislative and executive powers over zoning and land use. Zoning and land use authority for the unincorporated area of the County is designated to the County and to a limited extent, the San Luis Obispo Local Agency Formation Commission.

3.10.3 Answers to Checklist Questions

Question A:

The project involves replacement of existing water main and would not conflict with the County's San Luis Obispo area plan or land use ordinance.

Question B:

The project would not physically divide an established community.

Question C:

The project would not conflict with any habitat conservation plan or natural community conservation plans.

3.10.4 Finding

No significant land use impacts would occur; therefore, no mitigation measures are required.

3.11 NOISE

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Exposure of people to or generation of "unacceptable" noise levels as defined by the San Luis Obispo General Plan Noise Element, or general noise levels in excess of standards established in the Noise Ordinance?			--X--		
b) A substantial temporary, periodic, or permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			--X--		
c) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			--X--		
d) For a project located within an airport land use plan, or within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					--X--

3.11.1 Setting

Noise is generally defined as unwanted or objectionable sound and is measured on a logarithmic scale because of physical characteristics of sound transmission and reception. Noise energy is typically reported in units of decibels (dB). Noise levels diminish (or attenuate) as distance to the source increases according to the inverse square rule, but the rate constant varies with the type of sound source. Sound attenuation from point sources, such as industrial facilities, is about 6 dB per doubling of distance. Heavily traveled roads with few gaps in traffic

behave as continuous line sources and attenuate at 3 dB per doubling of distance. Noise from more lightly traveled roads is attenuated at 4.5 dB per doubling of distance.

Community noise levels are measured in terms of the A-weighted decibel (dBA). A-weighting is a frequency correction that correlates overall sound pressure levels with the frequency response of the human ear. Equivalent noise level (L_{eq}) is the average noise level on an energy basis for a specific time period. The duration of noise and the time of day at which it occurs are important factors in determining the impact of noise on communities. Noise is more disturbing at night and noise indices have been developed to account for the time of day and duration of noise generation. The Community Noise Equivalent Level (CNEL) and Day-Night Average Level (DNL or L_{dn}) are such indices. These indices are time-weighted average values equal to the amount of acoustic energy equivalent to a time-varying sound over a 24-hour period. The CNEL index penalizes night-time noise (10 p.m. to 7 a.m.) by adding 10 dB and evening noise (7 p.m. to 10 p.m.) by adding 5 dB to account for increased sensitivity of the community after dark. The L_{dn} index penalizes night-time noise the same as the CNEL index, but does not penalize evening noise.

The project area includes noise from traffic on local roadways, such as U.S. 101, aircraft flyovers, human activity, and wind. The only nearby sensitive noise receptor is a private residence located adjacent to the project site (at least 250 feet away).

3.11.2 Regulatory Setting

The Noise Element of the San Luis Obispo County General Plan provides a policy framework within which potential noise impacts may be addressed during project review and long-range planning. The San Luis Obispo Noise Element contains policies that are applicable to all development in the County, the most relevant of which are summarized below. Proposed activities that do not conform to these policies constitute a significant impact.

Policy 3.3.5. "Noise created by new proposed stationary noise sources or existing stationary noise sources which undergo modifications that may increase noise levels shall be mitigated as follows and shall be the responsibility of the developer of the stationary noise:

For new proposed resource extraction, manufacturing or processing noise sources or modifications to those sources which increase noise levels: where such noise source will expose existing noise-sensitive land uses (which are listed in the Land Use Element as allowable uses within their land use categories) to noise levels which exceed [a daytime L_{eq} of 50 dBA and nighttime L_{eq} of 45 dBA], best available control technologies shall be used to minimize noise levels. The noise levels shall in no case exceed [a daytime L_{eq} of 50 dBA and nighttime L_{eq} of 45 dBA]."

Policy 3.3.6. "San Luis Obispo County shall consider implementing mitigation measures where existing noise levels produce significant noise impacts to noise sensitive land uses or where new development may result in cumulative increases of noise upon noise sensitive land uses."

3.11.3 Answers to Checklist Questions

Questions A – C:

As the project involves the replacement of an existing water main, it does not have the potential to create a new long-term noise source. The project could; however, have the potential to result in short-term construction noise impacts.

Construction activities associated with the proposed project would occur during daylight hours, which would include the mobilization and demobilization of equipment, weather permitting. Increased noise levels would result from operation of the equipment and machinery, and transport of equipment, materials, and personnel to and from the site. Earthwork for the new water main is expected to produce the highest noise levels associated with the project. Such noise would be temporary and associated with mobile equipment. Noise levels at the nearby residence would likely exceed standards for short periods of time during equipment operation and is considered a potentially significant impact.

Question D:

The project is not located within an airport land use plan, or within two miles of a public airport or public use airport, which would result in the exposure of people residing or working in the project area to excessive noise levels.

3.11.4 Mitigation

Mitigation Measure NOI-1. To minimize impacts associated with noise during construction, no use of heavy equipment or heavy-duty trucks shall occur between 7 p.m. and 7 a.m., or any time Sundays or holidays. In addition, equipment engine covers shall be in place and mufflers shall be in good condition.

3.11.5 Finding

With the incorporation of mitigation, impacts from noise would be less than significant.

3.12 POPULATION AND HOUSING

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example by proposing new homes or businesses) or indirectly (for example, through extension of roads or other infrastructure)?					–X–
b) Displace substantial numbers of existing housing or people					–X–

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
necessitating the construction of replacement housing elsewhere?					

3.12.1 Setting

According to the 2000 Census, the Nipomo urban area supports a total of 12,626 residents with 4,146 dwelling units. Over the last 20 years, Nipomo's population has increased by approximately 7,397 people or 140%, an annual growth rate of 7.0%. From 1980 to 1990, the community of Nipomo increased by 1,862, a 35.5% increase, and an annual growth rate of 3.55%. In the 1990's, Nipomo's population increased 5,517 residents, a 10-year growth rate of 77.6%. The annual population growth rate for that decade averaged 7.76% (Nipomo Community Services District Waterline Intertie DEIR 2006).

The NCSD currently serves approximately 12,000 people within its service boundary, compared to an estimated 5,700 customers in 1990. Future population projections for the NCSD Sphere of Influence areas are estimated at 5,000 additional residents between the years 2000 and 2020 (Nipomo Community Services District Waterline Intertie DEIR 2006).

3.12.2 Answers to Checklist Questions

Question A:

Implementation of the proposed project would result in the creation of short-term construction employment opportunities. Various positions are anticipated to be filled by construction crews and workers presently residing in the vicinity of the project area or within commuting distance. However, the proposed project is of limited size and scope. Therefore, the provision of employment of the proposed project would not attract additional workforces and/or populations into the area. Also, housing stock in the area would not be affected because workers would commute to the project site from surrounding areas.

The primary purpose of the proposed project is to install a larger-diameter 12" water main (and abandon in-place an existing 8" water main) to meet necessary transmission requirements for both municipal water supply and fire suppression in the project vicinity. Therefore, the proposed project would not constitute a significant upgrade intended for growth and would have no significant impacts to growth in the area.

Question B:

The project would not displace substantial numbers of existing housing or people necessitating the construction of replacement housing elsewhere.

3.12.3 Finding

No significant impacts to population and housing would occur; therefore, no mitigation measures are required.

3.13 PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision, or need, of new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Fire protection?					--X--
b) Police protection?					--X--
c) Schools?					--X--
d) Parks?					--X--
e) Roads and other transportation infrastructure?					--X--
f) Other public facilities?					--X--

3.13.1 Setting

The project area relies on the County Sheriff and the California Highway Patrol (CHP) for police services. Response times for the Sheriff's Office vary based on allocated personnel, existing resources, time and day of week and prioritized calls for law enforcement services.

Fire Protection. Fire protection and emergency medical assistance for rural areas and areas between the city limits and the urban reserve line are provided by the California Department of Forestry (CDF), which acts as the County Fire Department by contract with the county. The County headquarters is north of the city limits on Highway 1 and the other station is at the County Airport south of the city on Highway 227.

Police Protection. Law enforcement services for the Nipomo area are provided by the County of San Luis Obispo, Sheriff's Department from their Oceano substation, located on Highway 1 in Oceano. The substation provides for a total staff of 23 patrol deputies and one supervisor. The Nipomo area is patrolled by one to two vehicles. The CHP provides traffic enforcement in the project area. On a countywide basis, the Sheriffs Department maintains a ratio of approximately 0.6 officers per 1,000 population (DEIR San Luis Obispo LAFCO 2003).

Schools. The proposed project is within the Santa Lucia Mar Unified School District. The schools within the District serving the Nipomo area include Arroyo Grande and Nipomo High School, Mesa Middle School, Dana Elementary School, and Nipomo Elementary School.

3.13.2 Answers to Checklist Questions

Question A:

Fire protection services for the proposed project area are provided by the CDF, with a station located at the County Airport on Highway 227. Implementation of the proposed project would not include any primary fire protection concerns, such as storage of flammable materials and toxic chemicals. Furthermore, one of the main objectives of the project is to increase the water transmission capacity for fire suppression, which would have a beneficial effect to fire protection services.

Question B:

Police protection services for the project area are provided by the County Sheriff's Department. Vandalism, theft of construction materials and equipment and burglary would be of potential concern during construction. Considering the temporary duration of construction and the nature of the finished project, the potential impacts to police protection would be less than significant.

Questions C – F:

The proposed project would not require additional public services, such as parks or schools, nor would it provide a substantial increase in service to existing NCSD customers. However, the project would improve existing service provided by the NCSD by incrementally increasing their supply of water for use during peak demand and emergency situations such as fire suppression. Therefore, the proposed project would not have an adverse effect upon, or result in, a need for new or altered governmental services.

3.13.3 Finding

No significant impacts to public services would occur; therefore, no mitigation measures are required.

3.14 RECREATION

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a. Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?					--X--
b. Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the					--X--

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
environment?					

3.14.1 Setting

The Central Coast of California is renowned for its beauty and moderate climate, making it an ideal destination for enjoying a variety of outdoor recreational opportunities year-round. San Luis Obispo County contains approximately 14,000 acres of parklands located along the scenic coast and offers public access to the Pacific Ocean and coastal mountain ranges. The region also provides multi-use trails, hiking, and camping activities, as well as outdoor sporting, such as golf, cycling, and fishing.

Key recreational resources located in the Nipomo area are as follows:

- Nipomo Community Park: A 132-acre park shaded with eucalyptus, oak, and pine trees. It contains facilities for a number of activities including tennis, handball, softball, baseball, football, volleyball and horseshoes. Picnic tables and barbecue pits are located throughout the park, and a natural area features a ring and trails for equestrians. A playground on the south side of the park provides recreational opportunities for children.

- Oso Flaco Lake: A brackish/fresh water lake located within an 18,000 acre, 18-mile pristine shoreline that has been designated a national natural landmark possessing high aesthetic and ecological value.

- Nipomo Dunes: One of the largest remaining dune systems in the nation; it is made up of 18 miles of 200 to 500-foot sandhills, seashores, wetland, and tidal marsh. The Dunes stretch from Pismo Beach in the north to Vandenburg Air Force Base in the south.

- Black Lake Ridge Golf Course: A privately-owned, open-to-the-public, 18-hole golf course located on Willow Road.

3.14.2 Answers to Checklist Questions

Questions A and B:

The project would not increase the use of existing neighborhood or regional parks or other recreational facilities, nor does it include recreational facilities or require the construction or expansion of recreational facilities.

3.14.3 Finding

No significant impacts to recreational resources would occur; therefore, no mitigation measures are required.

3.15 TRANSPORTATION/TRAFFIC

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?			--X--		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads and highways?					–X–
c) Substantially increase hazards due to design features (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?					–X–
d) Result in inadequate emergency access?			–X–		
e) Result in inadequate parking capacity onsite or offsite?					–X–
f) Conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?					–X–
g) Conflict with the with San Luis Obispo County Airport Land Use Plan resulting in substantial safety risks from hazards, noise, or a change in air traffic patterns?					–X–

3.15.1 Setting

Automobiles are the primary form of non-commercial regional transportation serving the San Luis Obispo region. U.S. Highway 101 is the region's principal access corridor, linking San Luis Obsipo with the metropolitan areas of Los Angeles and San Francisco. In addition, State Routes 1 and 227 are routes of regional importance which connect San Luis Obispo with other destinations in the county, including Arroyo Grande and Morro Bay.

The project site itself is located on Hetrick Road, a two-lane corridor through outlying area north of Nipomo connecting Pomeroy Road on the southern end with Los Berros Road on the northern end. Portions of this road to the north of the project site are unpaved and not maintained by the County. The applicable project portion of Hetrick Road is a 900-foot long stretch between Willow Road and Live Oak Ridge Road.

3.15.2 Thresholds of Significance

The following thresholds of significance are used to determine the level of impact to areas of potential environmental concern. The project would have a significant effect if it would:

- Cause increased traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections);
- Result in inadequate emergency access; and,
- Result in inadequate parking capacity.

3.15.3 Answers to Checklist Questions

Questions A and B:

Construction of the proposed project would generate a short-term increase in project-area traffic congestion due to closure of the southbound lane of traffic for approximately one month on Hetrick Road. Construction vehicles used to haul project materials, such as earth material, water main segments, and general construction equipment (i.e. backhoe) would utilize major arterials such as Pomeroy Road or Los Berros Rd. to access the project site. Minor, short-term impacts would also occur to traffic and circulation from the arrival and departure of work trucks during peak traffic periods. Approximately 15 to 20 truck trips total are expected for the entire project.

Question C:

The project may result in potential traffic hazards due to the hauling of water main segments to and from the project site. The closure of one lane of Hetrick Road during the duration of construction is a short-term, but significant impact. Standard procedures regarding flagging and safety procedures would be followed to minimize any traffic hazards.

Questions D – F:

The project site may potentially conflict with emergency access routes for the duration of construction activities. Standard traffic control measures and safety procedures would alleviate emergency access concerns for the temporary, but potentially significant, impact to emergency vehicle access routes. The project contractor will be required to obtain and comply with an encroachment permit from the County which will require a minimum of one lane of traffic during construction hours, and two lanes outside construction hours. The project plans require the contractor to submit a traffic control plan for review and approval prior to construction. Parking capacity would not be affected by the project.

Question G:

The project would not conflict with the San Luis Obispo County Airport Land Use Plan and would not result in substantial safety risks from hazards, noise, or a change in air traffic patterns.

3.15.4 Mitigation

Mitigation Measure TRA-1. The following will be implemented:

- Warning signs shall be placed on Hetrick Road prior to construction to notify through traffic of trucks entering and exiting the site; and,
- Traffic Control persons shall be onsite during construction activities to maintain a one-way traffic system through the construction zone on Hetrick Road.

3.15.5 Finding

With the incorporation of mitigation, impacts to transportation/traffic would be less than significant.

3.16 UTILITIES AND SERVICE SYSTEMS

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?					–X–
b) Require or result in the construction or expansion of new water treatment, waste water treatment, water quality control, or storm drainage facilities, the construction of which could cause significant environmental effects?					–X–
c) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new and expanded water resources needed?					–X–
d) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitment?					–X–
e) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?					–X–

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
f) Comply with federal, state, and local statutes and regulations related to solid waste?					--X--

3.16.1 Setting

3.16.1.1 Water Supply

The NCSD operates two water systems; the Town Division and the Black Lake Development. The Town Division system includes three main water tanks, 11 groundwater wells, and a pipeline distribution system comprised of 6, 8, 10, 12, and 16-inch diameter pipes.

3.16.1.2 Wastewater

The NCSD is responsible for collecting, transporting and treating wastewater for its 5,626 customers in the town area and 1,175 customers in Black Lake (NCSD Sphere of Influence Update DEIR 2003). The two systems are separate and the District operates both systems. According to the County's Annual Resource Summary Report, the town system is at approximately 40% of capacity during average dry weather flow and the Black Lake system is at 30% of capacity. The collection system is generally in good condition and is regularly maintained by the NCSD. The NCSD's Water and Sewer Master Plan provides for a capital improvement program to help prioritize and implement projects related to the sewer systems.

3.16.1.3 Solid Waste

The NCSD entered into a Solid Waste Collection Franchise Agreement with the South County Sanitary Service, Inc. on July 18, 2001. The San Luis Obispo County Integrated Waste Management Authority estimates that the daily per capita solid waste disposal rate from all sources in the State of California is approximately 4 to 5 pounds.

3.16.1.4 Gas and Electricity

The Pacific Gas & Electric Company supplies electricity to consumers in the vicinity of the project area. Natural gas is supplied to City residents by the Southern California Gas Company.

3.16.2 Regulatory Setting

3.16.2.1 County

The County's Annual Resource Summary Report rates the capability of unincorporated communities to provide public services to the areas they serve. The Annual Report uses a Level of Severity rating system (0/None being no capacity problems and 3 representing full capacity) to assess water systems in the County areas. The rating system for water includes evaluating the available supply and the production and distribution system for a particular

jurisdiction. In the case of the NCSD, the Report indicates a "0" Level of Severity for its water distribution system. This indicates that the NCSD has an adequate and stable water supply and that the delivery system is operating well within design specifications.

3.16.2.2 Local

The NCSD is defined as a "special district". State law defines a special district as "any agency of the state for the local performance of governmental or proprietary functions within limited boundaries" (Government Code Section 16271{d}). In plain language, a special district is a separate local government that delivers public services to a particular area. Special districts can be distinguished by their four common characteristics:

- A form of government;
- Governed by a Board;
- Provides services and facilities; and,
- Has defined boundaries.

3.16.3 Thresholds of Significance

The following thresholds of significance are used to determine the level of impact to areas of potential environmental concern. The impact would be considered significant if the project would:

- Cause a cumulative water demand in excess of Safe Annual Yield;
- Result in housing with water pressures lower than that required by the Uniform Building Code;
- Cause a cumulative demand on wastewater treatment in excess of current capacity;
- Cause an increase in demand for solid waste disposal in excess of current capacity; or,
- Cause an increase in gas or electricity demands beyond current capacities and supplies of the existing system.

3.16.4 Answers to Checklist Questions

Questions A and B:

The project would not exceed wastewater treatment requirements of the Central Coast Regional Water Quality Control Board. The project would not result in the construction or expansion of a new water treatment, waste water treatment, water quality control, or storm drainage facility.

Question C:

The project would increase the fire protection and municipal water storage capacity of the project vicinity. The water main upgrade is intended to meet these existing needs, thereby representing a beneficial impact.

Question D:

The project would not affect the NCSD's wastewater treatment capacity.

Questions E and F:

The project would abandon the existing 8" water main in place. Much of the earth material excavated for trenching purposes would be used to refill open trenches after installation of the 12" water main. No significant amounts of solid waste or hazardous materials would remain after project construction; however, any remaining waste material would be disposed of in accordance with standard procedures.

3.16.5 Finding

No significant impacts to utilities and service systems would occur, therefore, no mitigation measures are required.

3.17 MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				--X--	
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)				--X--	

Issues, Discussion and Supporting Information Sources	Sources	Potentially Significant Impacts	Potentially Significant Unless Mitigated	Less Than Significant Impact	No Impact
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			--X--		

The project involves placement of a 12" water main upgrade in the paved ROW of Hetrick Road between Live Oak Ridge Road and Willow Road to meet the NCSD's necessary water transmission requirements for both municipal water supply and fire suppression.

3.17.1 Answers to Checklist Questions

Questions A-C:

The project has minor potential to degrade the quality of the environment; however, measures have been incorporated into the project and mitigation measures have been proposed to minimize impacts to a level of less than significant.

3.17.2 Finding

With the incorporation of mitigation, the project would result in less-than-significant impacts.

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4.0 REFERENCES

Boyle Engineering Corporation. 2006. Hetrick Avenue Waterline Improvement Layout Plan & Profile. Prepared for Nipomo Community Services District.

California Air Resources Board Website, accessed June 2006 – January 2005.

California Air Resources Board Area Designations Map. Accessed May 2006. www.arb.gov/desig/adm/adm.htm.

County of San Luis Obispo. 1992. *Noise Element, San Luis Obispo General Plan.* San Luis Obispo, CA.

County of San Luis Obispo. 1998. *Safety Element, San Luis Obispo General Plan.* San Luis Obispo, CA.

Final New Bishop Water Storage Tank Initial Study/Mitigated Negative Declaration. 2005. Prepared for City of San Luis Obispo Community Development Department. Prepared by Padre Associates, Inc.

Fugro West, Inc. 2005. Geotechnical Report Hetrick Avenue Water Line Replacement, Nipomo, California. Prepared for Boyle Engineering Corporation.

Governor's Office of Planning and Research, CEQA: California Environmental Quality Act Statutes and Guidelines, 1994.

Hall, C.A. et al. 1979. "Geologic Map of the San Luis Obispo – San Simeon Region, California" [Map]. United States Geologic Survey (USGS).

Nipomo Community Services District Website, accessed June 2006. http://nipomocsd.com/ecm/Home.html

Nipomo Community Services District Waterline Intertie Draft Environmental Impact Report. 2006. Prepared for Nipomo Community Services District. Prepared by Douglas Wood & Associates, Inc.

Nipomo Community Services District Sphere of Influence Update-Municipal Service Review Draft Environmental Impact Report. 2003. Prepared for Nipomo Community Services District. Prepared by the San Luis Obispo Local Agency Formation Commission.

San Luis Obispo County Department of Planning and Building, General Plan Safety Element Maps. 2006. *Geology; Fault Hazards; Liquefaction Hazards.*

San Luis Obispo County Department of Planning and Building, Land Use Element and Zoning Maps, South County Planning Area (Inland). 2006. *Nipomo Urban Area Land Use Categories/Combining Designations Map; South County – Inland: Rural Land Use Category and Combining Designations Map.*

San Luis Obispo County Department of Planning and Building, Natural Hazard Disclosure Maps. 2006. *Fire Hazard Zones; Flood Hazards.*

San Luis Obispo County Department of Planning and Building, Resource Maps. 2006. *San Joaquin Kit Fox Mitigation Ratios.*

APPENDIX A

MITIGATION MONITORING AND REPORTING PROGRAM

REQUIRED MITIGATION AND MONITORING PROGRAMS

OVERVIEW

This Mitigation Monitoring and Reporting Program (MMRP) was developed to ensure that mitigation measures included in the Initial Study/Mitigated Negative Declaration (IS/MND) for the Hetrick Road water main upgrade project are fully implemented to reduce environmental impacts to a less than significant level. In addition, this MMRP complies with the requirements of Public Resources Code 21081.6, which requires the lead agency to adopt a reporting or monitoring program.

This MMRP is a comprehensive monitoring program capable of being implemented immediately upon approval of the project which is comprised of mitigation measures from the project's MND, implementation timing, and the agencies responsible for monitoring and verification. The MMRP would serve a dual purpose of verifying completion of the mitigation measures for the proposed project and generating information on the effectiveness of the mitigation measure to guide future decisions. However, the MMRP is dynamic in that changes may be made to the MMRP as specific information with regards to the monitoring efforts is provided.

The Nipomo Community Services District (NCSD) would coordinate construction activities through direct contact with the construction superintendent (CS) and the supporting contractors. NCSD staff would be responsible for oversight of construction activities to ensure compliance with mitigation measures and would also utilize environmental consultants to assist in supervising project construction.

OVERSIGHT OF CONSTRUCTION ACTIVITIES

The mitigation measures adopted as conditions of approval by the NCSD would be monitored prior to and during construction to ensure implementation. The oversight of construction activities to ensure implementation and compliance with mitigation measures would be accomplished by NCSD personnel, or by a third party specialist to serve as mitigation monitor for a specific task (i.e., delineation of construction fencing).

Prior to any project implementation, a pre-construction meeting would take place between the NCSD, the construction contractor, and other individuals retained to assist in implementation of the MMRP. The goal of the meeting would be to establish the responsibility and authority of the participants and overall project procedures and schedules. Mitigation measures, which need to be defined in greater detail, would be addressed during the meeting.

SPECIFIC MMRP REQUIREMENTS

The core of the MMRP is described in the following Implementation Table (Table A-1) listing measures from the IS/MND, the implementation timing, administrative action needed to ensure that the mitigation is included in the plans and construction of the project, and the party responsible for verification.

Table A-1. Mitigation Monitoring for the Nipomo Community Services District - Implementation Table

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
	AIR QUALITY			
AQ-1	The following standard mitigation measures shall be fully implemented during the construction period to ensure PM10 impacts are less than significant: • All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover; • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking; • When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained; • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes shall only be used where preceded or accompanied by sufficient wetting to limit the visible dust emissions; and, • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.	During construction	Monitor construction activities	Nipomo Community Services District

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
BIOLOGICAL RESOURCES				
BIO-1	The construction site shall clearly delineate specific cases where project construction would be within the immediate vicinity of oak trees. Construction fencing shall be installed at a minimum of one and a half times the dripline of oak trees.	Prior to construction	Incorporate into construction specifications	Nipomo Community Services District
CULTURAL RESOURCES				
CUL-1	If any significant archeological resources or human remains are found during construction, work shall stop within the immediate vicinity of the resource (precise area to be determined by a qualified archeologist in the field) until such time as the resource can be evaluated by the archeologist and any other appropriate individuals consistent with the provisions of CEQA -Section 15064.5.	During construction	Construction Manager monitor construction activities	Nipomo Community Services District
GEOLOGY, SEISMICITY, AND SOILS				
GEO-1	Proposed improvements to the Hetrick Road water main shall be designed and constructed in accordance with the following geotechnical recommendations: • Imported, or suitable material excavated from the northern portions of the site shall be provided for bedding and pipe zone material. The limits of suitable bedding and pipe zone materials shall be evaluated during construction. If necessary, processing or segregation of the excavated materials may be needed to make the materials suitable for use as pipe zone material and to avoid contamination with silty soils. • Temporary construction slopes will need to be either flattened to a stable slope inclination or shored to allow for the pipeline construction. Such slopes shall be constructed in conformance with the requirements of the California Occupational Health	Prior to finalization of construction specifications	Incorporate into construction specifications	Nipomo Community Services District

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
	and Safety Administration (Cal OSHA). See Appendix B, Geotechnical Report for detailed specifics. • Detailed geotechnical recommendations pertaining to grading activities, such as fill placement, materials specifications and use of on-site materials, as well as trench design, shall be followed in accordance with the recommendations in the Geotechnical Report.			
HAZARDS AND HAZARDOUS MATERIALS				
HAZ-1	Mitigation Measure HAZ-1. Staging of construction and equipment shall be located in areas without dry vegetation that could potentially spark a wildland fire.	Prior to and during construction	Incorporate into construction specifications	Nipomo Community Services District
HYDROLOGY AND WATER QUALITY				
HWQ-1	The NCSD shall comply with waste discharge requirements imposed by the Central Coast Regional Water Quality Control Board.	During construction	Incorporate into construction specifications	Nipomo Community Services District
NOISE				
NOI-1	To minimize impacts associated with noise during construction, no use of heavy equipment or heavy-duty trucks shall occur between 7 p.m. and 7 a.m., or any time Sundays or holidays. In addition, equipment engine covers shall be in place and mufflers shall be in good condition.	Prior to construction	Incorporate into construction specifications	Nipomo Community Services District

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
	TRANSPORTATION/CIRCULATION			
TRA-1	The following will be implemented: • Warning signs shall be placed on Hetrick Road prior to construction to notify through traffic of trucks entering and exiting the site; and, • Traffic Control persons shall be onsite during construction activities to maintain a one-way traffic system through the construction zone on Hetrick Road.	During construction	Incorporate into construction specifications	Nipomo Community Services District

NIPOMO COMMUNITY SERVICES DISTRICT

BOARD MEMBERS
LARRY VIERHEILIG, **PRESIDENT**
MICHAEL WINN, **VICE PRESIDENT**
JUDITH WIRSING, **DIRECTOR**
CLIFFORD TROTTER, **DIRECTOR**
ED EBY, **DIRECTOR**

STAFF
EDWARD KREINS, **GENERAL MANAGER**
LISA BOGNUDA, **ASSISTANT ADMINISTRATOR**
JON SEITZ, **GENERAL COUNSEL**

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: NipomoCSD.com

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

August 11, 2006

PROJECT: The Nipomo Community Services District (DISTRICT) proposes to construct 900 linear feet of 12" water main under Hetrick Road between Live Oak Ridge Road and the Willow Road Extension turnout in Nipomo and to abandon the old 8" water main in place.

LOCATION: The proposed water main would be installed under Hetrick Road between Live Oak Ridge Road and the Willow Road Extension turnout in the portion of West of US 101 and North of Tefft Street.

REVIEW PERIOD: Friday August 11, 2006 through Monday September 18, 2006.

ENVIRONMENTAL DETERMINATION: The DISTRICT Board of Directors is scheduled to make a determination on whether to adopt a mitigated Negative Declaration or to order the preparation of an Environmental Impact Report at its October 11, 2006 Board Meeting (the meeting will start at 9am and will be held at the DISTRICT Office, 148 South Wilson Street, Nipomo, CA.)

AVAILABLE INFORMATION: An Initial Study and a draft Mitigated Negative Declaration are available for public review during business hours (8am to 4:30pm) at the DISTRICT Office, 148 South Wilson Street. These documents can also be reviewed on the DISTRICT's website – nipomocsd.com.

CONTACT: Bruce Buel, DISTRICT Projects Assistant, (805) 929-1133 or bbuel@nipomcsd.com

This Notice is prepared pursuant to Public Resources Code 21092

T:DOCUMENTS/PROJECTS/CEQA/GENERIC NOI

RESOLUTION NO. 2006-Mit Neg

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION AND AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION FOR THE HETRICK WATERLINE UPGRADE PROJECT (DISTRICT INITIATED PROJECT)

WHEREAS, the Nipomo Community Services District ("District") is a community services district with limited purposes and powers as identified in Sections 61100 et seq. of the Government Code; and

WHEREAS, pursuant to Government Code Section 61100 (a) the Nipomo Community Services District is authorized to supply water for beneficial use to its residents; and

WHEREAS, the District has initiated a Project to replace approximately nine hundred lineal feet of eight (8) inch water main under Hetrick Road between Live Oak Ridge and Willow Road with a twelve (12) inch water main ("Project"); and

WHEREAS, the purpose of the Project is to eliminate a hydraulic bottleneck between the twelve (12) inch main in Hetrick to the north of the current eight (8) inch water main and the looped system of eight (8) inch mains in Hetrick Road and Live Oak Road to the South of the current eight (8) inch water main. The replacement of the current eight (8) inch water main with twelve (12) inch water main will maximize fire flow and pressure from both directions and maximize the fill rate of the District's Stand Pipe Storage Reservoir; and

WHEREAS, the California Environmental Quality Act (CEQA) requires the District to assess the impact of the Project on the environment, and to circulate such assessment for public comment; and

WHEREAS, as part of the environmental review process the District retained Padre Associates, Inc., to assess the impacts of the Project on the environment; and

WHEREAS, Padre Associates, Inc., has prepared a document titled Initial Study/Mitigated Negative Declaration Hetrick Road Water Main Upgrade Project ("Initial Study"). The Initial Study includes a detailed description of the Project and a Mitigation Monitoring and Reporting Program (Exhibit "A"). The Initial Study is incorporated herein by reference; and

WHEREAS, the Initial Study proposes that a Negative Declaration with Mitigation Measures be approved for the Project (herein "Mitigated Negative Declaration"); and

WHEREAS, public notice of the proposed Mitigated Negative Declaration was given as required by Section 21092 of the Public Resource Code; and

WHEREAS, on October 11, 2006, the District held a Public Hearing on the proposed Mitigated Negative Declaration, wherein Staff responded to written comments, and public testimony received by the Board of Directors; and

WHEREAS, having received, reviewed and considered the foregoing information, as well as any and all information in the record and based on its independent review, judgment and analysis, the Board of Directors hereby makes these Findings:

1. The Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act (Public Resources Code Section 21000, et seq) (CEQA), and CEQA Guidelines (14 Cal. Code Regs §§15000 et seq.), and the Board of Directors has received, reviewed and considered the information contained in the Initial Study, and all hearings and submissions of testimony from the public and other agencies and organizations.

2. That all potentially significant effects of the Project on the environment can and will be avoided or mitigated to a less than significant level by imposing on the Project the mitigation measures and Mitigation Monitoring and Reporting Program attached to this Resolution as Exhibit "A".

3. There is no substantial evidence supporting a fair argument that the Project as mitigated will result in any substantial or potentially substantial adverse change in the environment.

4. The District's record supporting these Findings, includes but is not limited to the following, which are located at the Nipomo Community Services District Offices, 148 S. Wilson, Nipomo, California, 93444:

   A. Documentary and oral evidence, testimony, and staff comments and responses received and reviewed by the Board during public hearings on the proposed Mitigated Negative Declaration for the Project.

   B. The Initial Study prepared by Padre Associates, Inc. and documents and Mitigation Monitoring and Reporting Programs referenced therein.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District, as follows:

1. That the Board of Directors of the Nipomo Community Services District, based on the Board of Directors independent judgment does hereby approve and adopt a Mitigated Negative Declaration for the Project, including the adoption of the mitigation measures and Mitigation Monitoring and Reporting Program identified in the Initial Study. (Exhibit "A").

2. District Staff will be responsible for oversight of Project construction activities to insure compliance with the Mitigation Monitoring and Reporting Program.

3. The General Manager is authorized to file a Notice of Determination in compliance with Section 21108 and/or 21152 of the Public Resource Code and the State Department of Fish & Game, Certificate of Fee Exemption.

4. The above Recitals and Findings are true and correct and incorporated into this Resolution by reference.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this _____ day of October, 2006, on the following roll call vote:

AYES: Directors

NOES:

ABSENT:

CONFLICTS:

_____
Lawrence Vierheilig, President
Nipomo Community Services District

ATTEST:

_____
Donna K. Johnson
Secretary to the Board

APPROVED AS TO FORM:

_____
Jon S. Seitz
District Legal Counsel

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REQUIRED MITIGATION AND MONITORING PROGRAMS

OVERVIEW

This Mitigation Monitoring and Reporting Program (MMRP) was developed to ensure that mitigation measures included in the Initial Study/Mitigated Negative Declaration (IS/MND) for the Hetrick Road water main upgrade project are fully implemented to reduce environmental impacts to a less than significant level. In addition, this MMRP complies with the requirements of Public Resources Code 21081.6, which requires the lead agency to adopt a reporting or monitoring program.

This MMRP is a comprehensive monitoring program capable of being implemented immediately upon approval of the project which is comprised of mitigation measures from the project's MND, implementation timing, and the agencies responsible for monitoring and verification. The MMRP would serve a dual purpose of verifying completion of the mitigation measures for the proposed project and generating information on the effectiveness of the mitigation measure to guide future decisions. However, the MMRP is dynamic in that changes may be made to the MMRP as specific information with regards to the monitoring efforts is provided.

The Nipomo Community Services District (NCSD) would coordinate construction activities through direct contact with the construction superintendent (CS) and the supporting contractors. NCSD staff would be responsible for oversight of construction activities to ensure compliance with mitigation measures and would also utilize environmental consultants to assist in supervising project construction.

OVERSIGHT OF CONSTRUCTION ACTIVITIES

The mitigation measures adopted as conditions of approval by the NCSD would be monitored prior to and during construction to ensure implementation. The oversight of construction activities to ensure implementation and compliance with mitigation measures would be accomplished by NCSD personnel, or by a third party specialist to serve as mitigation monitor for a specific task (i.e., delineation of construction fencing).

Prior to any project implementation, a pre-construction meeting would take place between the NCSD, the construction contractor, and other individuals retained to assist in implementation of the MMRP. The goal of the meeting would be to establish the responsibility and authority of the participants and overall project procedures and schedules. Mitigation measures, which need to be defined in greater detail, would be addressed during the meeting.

SPECIFIC MMRP REQUIREMENTS

The core of the MMRP is described in the following Implementation Table (Table A-1) listing measures from the IS/MND, the implementation timing, administrative action needed to ensure that the mitigation is included in the plans and construction of the project, and the party responsible for verification.

Table A-1. Mitigation Monitoring for the Nipomo Community Services District - Implementation Table

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
	AIR QUALITY			
AQ-1	The following standard mitigation measures shall be fully implemented during the construction period to ensure PM10 impacts are less than significant: • All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover; • All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking; • When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained; • All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes shall only be used where preceded or accompanied by sufficient wetting to limit the visible dust emissions; and, • Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.	During construction	Monitor construction activities	Nipomo Community Services District

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
	BIOLOGICAL RESOURCES			
BIO-1	The construction site shall clearly delineate specific cases where project construction would be within the immediate vicinity of oak trees. Construction fencing shall be installed at a minimum of one and a half times the dripline of oak trees.	Prior to construction	Incorporate into construction specifications	Nipomo Community Services District
	CULTURAL RESOURCES			
CUL-1	If any significant archeological resources or human remains are found during construction, work shall stop within the immediate vicinity of the resource (precise area to be determined by a qualified archeologist in the field) until such time as the resource can be evaluated by the archeologist and any other appropriate individuals consistent with the provisions of CEQA -Section 15064.5.	During construction	Construction Manager monitor construction activities	Nipomo Community Services District
	GEOLOGY, SEISMICITY, AND SOILS			
GEO-1	Proposed improvements to the Hetrick Road water main shall be designed and constructed in accordance with the following geotechnical recommendations: • Imported, or suitable material excavated from the northern portions of the site shall be provided for bedding and pipe zone material. The limits of suitable bedding and pipe zone materials shall be evaluated during construction. If necessary, processing or segregation of the excavated materials may be needed to make the materials suitable for use as pipe zone material and to avoid contamination with silty soils. • Temporary construction slopes will need to be either flattened to a stable slope inclination or shored to allow for the pipeline construction. Such slopes shall be constructed in conformance with the requirements of the California Occupational Health	Prior to finalization of construction specifications	Incorporate into construction specifications	Nipomo Community Services District

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
	and Safety Administration (Cal OSHA). See Appendix B, Geotechnical Report for detailed specifics. • Detailed geotechnical recommendations pertaining to grading activities, such as fill placement, materials specifications and use of on-site materials, as well as trench design, shall be followed in accordance with the recommendations in the Geotechnical Report.			
	HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1	Staging of construction and equipment shall be located in areas without dry vegetation that could potentially spark a wildland fire.	Prior to and during construction	Incorporate into construction specifications	Nipomo Community Services District
	HYDROLOGY AND WATER QUALITY			
HWQ-1	The NCSD shall comply with waste discharge requirements imposed by the Central Coast Regional Water Quality Control Board.	During construction	Incorporate into construction specifications	Nipomo Community Services District
	NOISE			
NOI-1	To minimize impacts associated with noise during construction, no use of heavy equipment or heavy-duty trucks shall occur between 7 p.m. and 7 a.m., or any time Sundays or holidays. In addition, equipment engine covers shall be in place and mufflers shall be in good condition.	Prior to construction	Incorporate into construction specifications	Nipomo Community Services District

Mitigation Number	Mitigation Measure	Implementation Timing	Administrative Action	Agency Responsible for Verification
TRANSPORTATION/CIRCULATION				
TRA-1	The following will be implemented: • Warning signs shall be placed on Hetrick Road prior to construction to notify through traffic of trucks entering and exiting the site; and, • Traffic Control persons shall be onsite during construction activities to maintain a one-way traffic system through the construction zone on Hetrick Road.	During construction	Incorporate into construction specifications	Nipomo Community Services District

Notice of Determination

Appendix D

To: ☑ Office of Planning and Research

For U.S. Mail: P.O. Box 3044, Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Sacramento, CA 95814

☑ County Clerk
County of: San Luis Obispo
Address: 1050 Monterey Street, Room D120, San Luis Obispo, CA 93408-3237

From: Public Agency: Nipomo Community Services District
Address: P.O. Box 326, Nipomo, CA 93444-0326
Contact: Bruce Buel, Project Assistant to the Manager
Phone: (805) 929-1133

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): N/A

Project Title:
Hetrick Road Water Main Upgrade Project

Project Location (include county):
Hetrick Road, Nipomo, San Luis Obispo County, CA

Project Description:

The NCSD is proposing to construct and maintain an upgraded 12" water main along Hetrick Road between Willow Road and Live Oak Ridge Road. Construction and operation of the new water main would be the responsibility of the NCSD. The existing 8" main, which is located within the shoulder next to the southbound lane, would be abandoned in place. The new 12" water main would be constructed within the road (under pavement) in County public right-of-way (ROW). Related valves and flanges would also be upgraded. The project also involves the granting of a temporary easement from the County of San Luis Obispo for construction of the project.

This is to advise that the Nipomo Community Services District (☒ Lead Agency or ☐ Responsible Agency) has approved the above described project on 10-11-2006 (Date) and has made the following determinations regarding the above 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: 148 South Wilson Street, Nipomo, CA 93444

Signature (Public Agency) _____ Title _____
Date _____

Date received for filing at OPR:

Revised 2004