

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: APRIL 20, 2012



## CONSIDER SUPPLEMENTAL WATER PROJECT ADDENDUM ENVIRONMENTAL IMPACT REPORT

### ITEM

Consider an Addendum to the Environmental Impact Report (FEIR) for the Supplemental Water Project [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING SUPPLEMENTAL WATER PROJECT ADDENDUM EIR].

### BACKGROUND

An Addendum to the Environmental Impact Report (or "Addendum EIR") has been prepared to address changes and additions the Nipomo Community Services District Supplemental Water Project (known at the time of preparation as the Waterline Intertie Project) and herein the Project or Supplemental Water Project. The Final EIR for the Supplemental Water Project was certified by the Nipomo Community Services District Board of Directors on April 22, 2009.

The Final EIR was based on a preliminary engineering design and the design is now being finalized. This Addendum EIR addresses several changes and additions to the Supplemental Water Project that were not specifically analyzed in the Final EIR. These additional project elements involve: 1) the provision of temporary laydown areas/construction yards at eight locations within the Nipomo Mesa, along Southland Street and adjacent to Orchard Road and Joshua Street, as well as in Santa Maria adjacent to North Blosser Road; 2) the reconfiguration of the Via Concha well site and 3) the upsizing of the currently proposed Phase 1 pipeline extension adjacent to Blosser Road from 18 to 24 inches and elimination of the Phase III additional 18-inch parallel waterline or replacement 24-inch waterline.

Pursuant to the California Environmental Quality act and CEQA Guidelines Doug Wood has prepared the Addendum EIR to address the above referenced changes and additiona that is attached to this staff report and Resolution. Mr. Wood and Staff will be available to discuss the Addendum EIR.

### FISCAL IMPACT

Staff time and professional consulting services related to supplemental water project development are included in the 2011-2012 budget. These costs are capitalized and included in the project cost and may be recovered if there is a successful financing vote.

### STRATEGIC PLAN

Strategic Plan Goal 1.2 – Secure New Water Supplies

### RECOMMENDATION

Staff recommends your Board, by motion and roll call vote, adopt Resolution 2012-XXXX approving Supplemental Water Project Addendum EIR.

### ATTACHMENTS

- Resolution 2012-SWP and ADDENDUM EIR

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2012-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING ADDENDUM TO ENVIRONMENTAL IMPACT REPORT FOR THE NCSD  
SUPPLEMENTAL WATER PROJECT**

**WHEREAS**, the Nipomo Community Services District ("District") Supplemental Water Project (a.k.a. Water Intertie Project) here forth "Project" is more particularly described in the Final Environmental Impact Report and is summarized as follows:

The proposed Project involves the construction of a waterline from the City of Santa Maria to the Nipomo Community Services District water distribution system and the potential importation of a maximum of 6,200 acre feet of water per year to the District. The pipeline will be constructed beneath the Santa Maria River by horizontal directional drilling. A pump station(s) and water storage facilities will be constructed to boost the water pressure into the District system and provide operational or emergency water storage as necessary. Several water transmission facilities within the NCSD will be upgraded or replaced. A final element of the proposed Project involves the conversion of District water supply wells from chlorination to chloramination treatment in order to provide disinfection that is compatible with the imported water supply; and

**WHEREAS**, The Final Project EIR dated March, 2009 ("FEIR") was certified on April 22, 2009; and

**WHEREAS**, The District retained the services of Douglas Wood and Associates to analyze the following changes and additions to the Project pursuant to the to the California Environmental Quality Act as well as the CEQA Guidelines (Section 15120 et. seq.);

1) the provision of temporary laydown areas/construction yards at eight locations within the Nipomo Mesa, along Southland Street and adjacent to Orchard Road and Joshua Street, as well as in Santa Maria adjacent to North Blosser Road; 2) the reconfiguration of the Via Concha well site and 3) the upsizing of the currently proposed Phase 1 pipeline extension adjacent to Blosser Road from 18 to 24 inches and elimination of the Phase III additional 18-inch parallel waterline or replacement 24-inch waterline; and

**WHEREAS**, Douglas Wood and Associates has prepared and Addendum to the FEIR to address the above referenced changes and additions to the Project. The Addendum to the FEIR is attached hereto as Exhibit A and incorporated herein by this reference.

**WHEREAS**, based on the Staff Report, Staff presentation, the Addendum to the FEIR and public comment the District finds as follows:

1. The Addendum to the FEIR has been prepared in accordance with the California Environmental Quality Act as well as the CEQA Guidelines; and
2. On Wednesday, April 25, 2012 the District considered the proposed Addendum to the FEIR,
3. The consideration of the Addendum to the FEIR has been appropriately noticed under the Brown Act.

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2012-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING ADDENDUM TO ENVIRONMENTAL IMPACT REPORT FOR THE NCSD SUPPLEMENTAL WATER PROJECT

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

1. The District has independently reviewed and analyzed the Addendum to the Environmental Impact Report and considered the information contained therein and all comments, written and oral, received prior to approving this Resolution.
2. The Board of Directors approves the Addendum to the Environmental Impact Report (Exhibit A) in compliance with the California Environmental Quality Act (CEQA) and State CEQA guidelines.
3. The Board of Directors hereby finds that the Addendum to the Environmental Impact Report reflects the District's independent judgment and analysis.
4. The above recitals are true and correct, incorporated herein, and constitute additional findings in support of this Resolution.
5. The mitigation and monitoring measures incorporated into the Addendum to the FEIR shall be incorporated into the Project contract documents. District staff shall monitor compliance with the mitigation measures and may utilize environmental consultants to assist in monitoring Project construction to ensure compliance.
6. The Nipomo Community Services District located at 148 S. Wilson Street, Nipomo, CA 93444, as the Lead Agency, attention District General Manager, is the custodian of the documents and other material which constitute the record of the proceedings upon which the FEIR certification and this Addendum Environmental Impact report is based.

Upon motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the following roll call vote, to wit:

AYES:

NOES:

ABSTAIN:

the foregoing resolution is hereby passed and adopted this 25<sup>nd</sup> day of April, 2012.

\_\_\_\_\_  
JAMES HARRISON  
President of the Board

ATTEST:

APPROVED:

\_\_\_\_\_  
MICHAEL S. LEBRUN  
Secretary to the Board

\_\_\_\_\_  
JON S. SEITZ  
District Legal Counsel

# **NIPOMO COMMUNITY SERVICES DISTRICT SUPPLEMENTAL WATER PROJECT**



## **Addendum Environmental Impact Report**

Prepared for:

**NIPOMO COMMUNITY SERVICES DISTRICT**  
148 S. Wilson Street  
Nipomo, California 93444  
(805) 929-1133

Prepared by:

**DOUGLAS WOOD & ASSOCIATES, INC.**  
1461 Higuera Street  
San Luis Obispo, California 93401  
(805) 544-1680

April 25, 2012

# TABLE OF CONTENTS

<u>Section</u>	<u>Page</u>
I. INTRODUCTION AND PURPOSE .....	I-1
II. ADDENDUM EIR SUMMARY .....	II-1
III. PROJECT DESCRIPTION .....	III-1
IV. ENVIRONMENTAL ANALYSIS.....	IV-1
V. REFERENCES.....	V-1

## LIST OF FIGURES

<u>Figure</u>	<u>Page</u>
1. REGIONAL MAP.....	III-6
2. VICINITY MAP.....	III-7
3. AERIAL PHOTOGRAPH.....	III-8
4. POTENTIAL TEMPORARY LAYDOWN AREAS AND CONSTRUCTION YARDS .....	III-10
5. VIA CONCHA WELL SITE .....	III-12
6. BLOSSER ROAD WATERLINE .....	III-14
7. UPDATED PHASE I PROJECT FACILITIES.....	III-16
8. UPDATED PHASE III PROJECT FACILITIES .....	III-17

# **I. INTRODUCTION AND PURPOSE**

## **A. ENVIRONMENTAL PROCEDURES AND FORMAT**

This Addendum to Environmental Impact Report (or “Addendum EIR”) has been prepared to introduce technical changes and additions to the Final Environmental Impact Report (“Final EIR”) for the Nipomo Community Services District Supplemental Water Project (known at the time of preparation as the Waterline Intertie Project). The Final EIR for the Supplemental Water Project was certified by the Nipomo Community Services District (or “District”) Board of Directors on April 22, 2009.

The previously certified Final EIR was based upon a preliminary engineering design that is now being finalized. This Addendum EIR addresses changes or additions to the Supplemental Water Project that were not specifically analyzed in the previously-certified Final EIR for the NCS D Supplemental Water Project. The currently proposed changes or additions (to be referred to herein as the “additional project facilities”) involve: 1) the provision for temporary laydown areas/construction yards at eight possible locations within the Nipomo Mesa, along Southland Street and adjacent to Orchard Road and Joshua Street, as well as in Santa Maria adjacent to North Blosser Road; 2) the reconfiguration of the Via Concha well site and 3) the upsizing of the currently proposed Phase I waterline extension adjacent to Blosser Road from 18 to 24 inches and the elimination of the Phase III additional 18-inch parallel waterline or replacement 24-inch waterline.

This document has been prepared in accordance with procedures adopted by the Nipomo Community Services District as Lead Agency relative to the California Environmental Quality Act as well as the CEQA Guidelines (Section 15120 et. seq.). According to the CEQA Guidelines, an Addendum EIR can be prepared when “minor technical changes or additions” to the previously certified EIR are necessary, if no substantial changes to the proposed project or circumstances surrounding the project occur and if there are no new or more severe project impacts or significantly different mitigation measures or project alternatives from those in the previously certified Final EIR (per Sections 15162 and 15164 of the CEQA Guidelines). Section 15164 specifically states that:

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(c) An addendum need not be circulated for public review but can be included in or attached to the Final EIR or adopted negative declaration.

(d) The decision making body shall consider the addendum with the Final EIR or adopted negative declaration prior to making a decision on the project.

This Addendum EIR will focus its analysis on the impacts and mitigation measures associated with the currently proposed additional project facilities. This Addendum EIR will specifically focus its analysis of project impacts and mitigations to those associated with the additional project facilities thereby not involving or affecting the previously certified Final Environmental Impact Report for the overall Supplemental Water Project. However, if this Addendum EIR is accepted by the NCSD Board of Directors, it becomes part of and an attachment to the Final EIR for the overall Supplemental Water Project.

This Addendum EIR begins with Section I. Introduction and Purpose, which provides an introductory discussion of the purpose and scope of the document. Section II. Addendum EIR Summary summarizes the project impacts and any required mitigation measures as they pertain specifically to the additional project facilities noted above. Section III. Project Description identifies and describes in detail the project facilities involving the provision of proposed temporary laydown areas/ construction yards, the reconfiguration of the Via Concha well site and the upsizing of the currently proposed Phase I waterline extension adjacent to Blosser Road with the elimination of the Phase II additional 18-inch parallel waterline or replacement 24-inch waterline.

Section IV. Environmental Analysis of this Addendum EIR will analyze the additional project facilities in relation to a full range of environmental issues in order to determine whether there are any additional significant impacts or mitigation measures associated with the currently proposed additional project facilities that were not addressed within the Supplemental Water Project Final Environmental Report. These environmental issues include the same issues addressed in the Final EIR, those being land use and planning, population and housing, water, biological resources, aesthetics, cultural resources, geology, traffic, noise and air quality. Section V. References cites the various documents which were consulted during the preparation of this Addendum EIR.

This Addendum EIR is intended to provide the District, as Lead Agency, with a document that will identify potentially significant environmental impacts, if any, and/or mitigation measures associated with the additional project facilities within the topic areas noted above which were not fully analyzed in the previously-certified Final EIR. Within this effort, the Final EIR will serve as the “baseline” document for this current analysis. The Addendum EIR will indicate the applicability of the impacts and mitigation measures within the previously-certified Final EIR to the impacts and mitigation measures associated with the additional project facilities.

Documents which have been utilized in the preparation of this Addendum EIR which are incorporated by reference into this document include various technical studies and other relevant planning documents that are specifically listed in Section V. References of this Addendum EIR.



This Addendum EIR will provide a full and fair discussion of the potential environmental impacts of the currently proposed additional project facilities associated with the NCSD Supplemental Water Project. In preparing this Addendum EIR, the Nipomo Community Services District decision-makers, staff and members of the public will be fully informed as to the impacts and mitigation measures associated with the additional project facilities.

Pursuant to California *Public Resources Code* 21082.1, the Nipomo Community Services District has independently reviewed and analyzed the information contained in this Addendum Environmental Impact Report prior to its consideration by the NCSD Board of Directors. The conclusions and discussions contained herein reflect the independent judgment of the District as to those issues at the time of publication.

## ***B. CEQA TOPICS LOCATION***

<u>TOPIC</u>	<u>LOCATION</u>
Environmental Procedures and Format	Section I
Addendum EIR Summary	Section II
Project Description	Section III
Environmental Analysis	Section IV
References	Section V

## II. ADDENDUM EIR SUMMARY

Based upon the information and conclusions contained in the previously-certified Final Environmental Impact Report for the Supplemental Water Project (known at the time of preparation as the Waterline Intertie Project), this Addendum EIR has determined that no significant unavoidable environmental impacts will occur in conjunction with the construction and operation of the currently proposed additional project facilities. Potential impacts in the areas of water, biological resources, aesthetics, cultural resources, traffic, noise and air quality were determined to be potentially significant but mitigable (Class II Impact). Potential impacts in the areas of land use and planning, population and housing, biological resources, aesthetics, geology, and traffic were determined to be insignificant (Class III Impact). Certain impacts within the areas of land use and planning and water were determined to be beneficial (Class IV Impact) (see table titled "Project Impact Summary" on next page).

The following table lists the potential project impacts associated with the Supplemental Water Project as analyzed in the previously-certified Final EIR. This summary table indicates the Final EIR's determination of whether each of these impacts are either: 1) significant and unavoidable adverse impacts that cannot be mitigated to a level of insignificance (or a Class I Impact); 2) potentially adverse impacts that have been mitigated to an insignificant level (Class II Impact); 3) an adverse impact which is found to be insignificant (Class III Impact) or 4) a positive or beneficial impact (Class IV Impact). This table indicates which of these impacts apply to the currently proposed additional project facilities that are the subject of this Addendum EIR.

These additional project facilities include: 1) the provision of temporary laydown areas/construction yards at eight possible locations within the Nipomo Mesa, along Southland Street and adjacent to Orchard Road and Joshua Street as well as in Santa Maria adjacent to North Blosser Road; 2) the reconfiguration of the Via Concha well site and 3) the upsizing of the currently proposed Phase I waterline extension adjacent to Blosser Road from 18 to 24 inches and the elimination of the Phase III additional 18-inch parallel waterline or replacement 24-inch waterline. In so doing, this table provides a comparison of the impact determinations in the previously-certified Final EIR for the Supplemental Water Project and the impact determinations in this Addendum EIR. The nature and extent of impacts addressed in the Final EIR for the Supplemental Water Project either remain unchanged or are reduced as a result of the introduction and implementation of the currently proposed additional project facilities.

Two impact areas were considered to have significant, unavoidable adverse (Class I) impacts in the Final EIR for the Supplemental Water Project, those being in the areas of land use and planning and population and housing. Those unavoidable, adverse impacts in the Final EIR are considered to be insignificant impacts in relation to the additional project facilities that are the subject of this Addendum EIR.

## PROJECT IMPACT SUMMARY

Project Impact	Impact Area	Final EIR Impact Category	Addendum EIR Impact Category
A. Land Use and Planning	Long-term and cumulative impacts due to elimination of a constraint upon future development in areas served by additional water supplies.	Class I	Class III
	Direct impacts on adjacent land uses due to project construction and operations.	Class III	Class III
	Elimination of the need for construction of an additional or replacement waterline along Blosser Road during Phase III of the Supplemental Water Project	---	Class IV
B. Population and Housing	Long-term and cumulative impacts due to elimination of a constraint upon future development in areas served by additional water supplies.	Class I	Class III
	Increased housing demand associated with project construction.	Class III	Class III
C. Water	Water quality impacts due to differences in water treatment employed by the City of Santa Maria and the NCSD.	Class II	Class II
	Addition of groundwater supplies to the Nipomo Mesa Management Area.	Class IV	Class IV
D. Biological Resources	Impacts related to nesting activities of protected migratory birds and raptors, special status terrestrial and avian species, special status aquatic or semi-aquatic species, sensitive habitat areas within the Santa Maria River, large eucalyptus trees adjacent to Blosser and Via Concha Roads, the generation of silt and sedimentation and long-term waterline operations and maintenance activities.	Class II	Class II
	Impacts upon non-listed wildlife species found within or adjacent to the Santa Maria River wildlife migration corridor, foraging bird species and special status plant species.	Class III	Class III
E. Aesthetics	Impacts associated with the generation of light and glare.	Class II	Class II
	Visual impacts associated with project construction and degradation of views from surrounding areas.	Class III	Class III
F. Cultural Resources	The potential disturbance or alteration of cultural resources or the discovery of currently unknown cultural resources during project construction.	Class II	Class II
G. Geology	Exposure of facilities to seismic ground shaking and associated ground failure, exposure of facilities to landslides, locating the project on an unstable geologic unit or unstable soils and the loss of available mineral resources.	Class III	Class III
H. Traffic	Impacts related to the diversion of traffic, impeding access to adjacent properties and potential hazards to pedestrians or bicyclists.	Class II	Class II
	Impacts related to construction-related traffic generation and the loss of available parking.	Class III	Class III
I. Noise	Impacts related to the short-term generation of construction noise and long-term project operations.	Class II	Class II
J. Air Quality	Air quality impacts associated with project construction and long-term project operations.	Class II	Class II

### II. Addendum EIR Summary

#### *NCSD Supplemental Water Project Addendum EIR*

Class I Impact – Significant unavoidable adverse impacts that cannot be mitigated to a level of insignificance. Although mitigation measures may be proposed, these measures are not sufficient to reduce project impacts to a level of insignificance. These significant, unavoidable adverse impacts require the adoption of a Statement of Overriding Consideration by the Lead Agency if the proposed project is approved.

Class II Impact – Potentially significant adverse impacts which can be reduced to a level of insignificance or avoided entirely with the implementation of proposed mitigation measures.

Class III Impact – Adverse impacts which are found not to be significant for which mitigation measures may be applied but are not required.

Class IV Impact – Project impacts which are considered to be positive or of benefit to the site or the adjacent environment.

In addition, all of the mitigation measures contained within this Addendum EIR are identical or similar to those contained in the Final EIR for the Supplemental Water Project. As such, no new or significantly different mitigation measures from those provided in the Final EIR are required to address the impacts associated with the additional project facilities which are the subject of this Addendum EIR.

Mitigation measures applied to the Class II Impacts in this Addendum EIR are listed in the table below followed by a page reference of where the identical or similar mitigation measures are found in the Final EIR for the Supplemental Water Project.

## MITIGATION MEASURE SUMMARY

Project Impact	Addendum EIR Mitigation Measures	Final EIR Page Reference
A. Land Use and Planning	Direct impacts on adjacent agricultural lands.	Pages V-15 and V-16
B. Population and Housing	No mitigation measures proposed.	---
C. Water	Impacts related to water quality and storm water pollution.	Pages V-51 and V-52
D. Biological Resources	Impacts upon migratory birds and raptors, terrestrial and avian species, aquatic or semi-aquatic species and impacts of silt and sedimentation.	Pages V-79 through V-85
E. Aesthetics	Impacts due to the generation of light and glare.	Page V-94
F. Cultural Resources	Impacts upon prehistoric resources and impacts related to the discovery of unknown cultural resources.	Page V-117
G. Geology	No mitigation measures proposed.	---
H. Traffic	Impacts related to the diversion of traffic, property access and impacts upon bicyclists and pedestrians.	Page V-129
I. Noise	Impacts related to short-term construction noise and long-term project operations.	Pages V-132 and V-133
J. Air Quality	Impacts of pollutant generation during project construction.	Pages V-142 and V-143

As noted in Section I. Introduction and Purpose, an Addendum EIR can be prepared if only “minor technical changes or additions” to the previously certified EIR are necessary, if no substantial changes to the proposed project or circumstances surrounding the project occur and if there are no new or more severe project impacts or significantly different

II. Addendum EIR Summary

*NCSD Supplemental Water Project Addendum EIR*

mitigation measures or project alternatives from those in the previously certified Final EIR (per Sections 15162 and 15164 of the CEQA Guidelines).

Based upon the summaries provided above as well as the data and conclusions contained in the Addendum EIR, none of the currently proposed additional project facilities: 1) represent a substantial change to the Supplemental Water Project as currently approved; 2) result in new or more severe project impacts as compared to those impacts described in the previously-certified Final EIR for the Supplemental Water Project or 3) result in the need for significantly different mitigation measures from those contained in the previously certified Final EIR. As a result, the analyses and impact assessments contained within this Addendum EIR do not constitute substantial changes to the Supplemental Water Project and will not require any revisions to the previously certified Final EIR for the Supplemental Water Project.

### **III. PROJECT DESCRIPTION**

#### **A. PROJECT BACKGROUND**

In 1997, the Santa Maria Groundwater Basin, including the Nipomo Mesa Groundwater Management Area, became the subject of ongoing adjudication based upon a lawsuit initiated by the Santa Maria Valley Water Conservation District against the City of Santa Maria and other water purveyors in the groundwater basin. Subsequently, the lawsuit was broadened to address groundwater management of the entire Santa Maria Groundwater Basin. By stipulation and Court action, three separate management areas were established: the Northern Cities Management Area, the Nipomo Mesa Management Area (NMMA) and the Santa Maria Valley Management Area. The provisions in the Stipulation regarding Supplemental Water provide in part:

“The NCS D agrees to purchase and transmit to the NMMA a minimum of 2,500 acre-feet of Nipomo Supplemental Water each year. However, the NMMA Technical Group may require the NCS D in any given year to purchase and transmit to the NMMA an amount in excess of 2,500 acre-feet and up to the maximum amount of Nipomo Supplemental Water which the NCS D is entitled to receive under the MOU if the Technical Group concludes that such an amount is necessary to protect or sustain groundwater supplies in the NMMA. The NMMA Technical Group also may periodically reduce the required amount of Nipomo Supplemental Water used in the NMMA so long as it finds that groundwater supplies in the NMMA are not endangered in any way or to any degree whatsoever by such a reduction.”

“Once the Nipomo Supplemental Water is capable of being delivered, those certain Stipulating Parties listed below shall purchase the following portions of the Nipomo Supplemental Water yearly:

NCS D – 66.8%  
Woodlands – 16.66%  
SCWC (i.e. GSWC) – 8.33%  
RWC – 8.33%

The final Judgment entered on January 24, 2008 states, “The court approves the Stipulation, orders the Stipulating Parties only to comply with each and every term thereof, and incorporates the same herein as though set forth in full.”

Thus, the terms of the stipulation as herein stated must be complied with in accordance with the order of the Court.

In response to concerns regarding the availability of groundwater supplies in combination with judicial directives, the City of Santa Maria entered into a Wholesale Water Supply Agreement with the Nipomo Community Services District dated January 5, 2010 for the

purchase of supplemental water from the City. The water would be a blend of both City groundwater and State Water Project water that is delivered to the customers of the City. This acquisition of additional water supply was intended to augment current groundwater inventories with the goals of increasing the reliability and diversity of water supplies and balancing groundwater levels in the Nipomo Mesa Management Area.

In 2005, the Nipomo Community Services District prepared a Feasibility Study which evaluated several alternative methods for extension of a waterline from the City of Santa Maria across the Santa Maria River to connect to existing water transmission facilities within the NCSD. This study provided the basis for selection of three alternatives for extending a waterline from the City of Santa Maria.

In June, 2008, an Initial Study was prepared which identified the potential environmental impacts attributed to the three alternative waterlines extension routes and other required infrastructure facilities for the NCSD Supplemental Water Project (known at that time as the NCSD Waterline Intertie project). A Draft Environmental Impact Report was prepared and circulated for public and agency review between the months of November, 2008 and January, 2009. The Draft EIR provided a detailed analysis of potential impacts of the Supplemental Water Project associated with a wide range of environmental issues including land use and planning, population and housing, water, biological resources, aesthetics, cultural resources, geology, traffic, noise and air quality.

Upon receipt of all public and agency comments, the Final Environmental Impact Report for the Supplemental Water Project was prepared. Public hearings were held by the NCSD Board of Directors prior to the certification of the Final EIR on April 22, 2009. The 30 day period subsequent to the submittal of the Notice of Determination to the State Office of Planning and Research lapsed with no challenges to the adequacy of the Final EIR for the Supplemental Water Project.

The approved Supplemental Water Project extends from a waterline connection and pump station site at the intersection of West Taylor Street and North Blosser Road approximately one mile south of the Santa Maria River in the City of Santa Maria. The waterline extension will run north on Blosser Road to the Santa Maria River levee. At that point, a waterline will be placed under the levee, extended toward the bank of the river through an agricultural area, then directionally drilled beneath the Santa Maria River to a point on the Nipomo Mesa. Connection will be made to an existing waterline on Orchard Road near Joshua Street which runs to Southland Street. This line will then connect to the upgraded NCSD water distribution system on Orchard Road (north of Southland Street), Southland Street (east of Orchard Road), South Frontage Road (north of Southland Street), Darby Lane (east of South Frontage Road) and South Oakglen Avenue (north of Darby Lane to Tefft Street). The District had originally intended to construct the Supplemental Water Project in three separate phases. Phase I would supply approximately 2,000 acre-feet per year (AFY) by waterline from Santa Maria following Phase 1 construction completion. Phase II would supply up to an additional 1,000 AFY by waterline from Santa Maria (a cumulative total of 3,000 AFY). A third phase (Phase III), if implemented, would supply up to an additional 3,200 AFY (a cumulative total of

---

III. Project Description

*NCSD Supplemental Water Project Addendum EIR*

6,200 AFY) by waterline from Santa Maria. In the Final EIR, it was originally anticipated that each phase would be separately approved and funded by authorization of the NCS D Board of Directors. However, the Board directed their staff and consultants to proceed with Phases I and II as one design and construction project. Phases I and II will supply water only to customers in the current NCS D boundaries and other water purveyors in the NMMA, specifically the Woodlands Mutual Water Company, Golden State Water Company and Rural Water Company. Only in Phase III will water be made available to new customers in the 2004 Sphere of Influence Areas that are annexed into the NCS D boundaries.

This Addendum EIR addresses changes and additions to the Supplemental Water Project that were not analyzed in the previously-certified Final EIR. These additional project facilities involve: 1) the provision of temporary laydown areas/ construction yards at eight possible locations within the Nipomo Mesa, along Southland Street and adjacent to Orchard Road and Joshua Street as well as in Santa Maria adjacent to North Blosser Road; 2) the reconfiguration of the Via Concha well site and 3) the upsizing of the currently proposed Phase I waterline extension adjacent to Blosser Road from 18 to 24 inches and the elimination of the Phase III additional 18-inch parallel waterline or replacement 24-inch waterline.

## **B. PROJECT OBJECTIVES**

The basic objective of the Nipomo Community Services District Supplemental Water Project is to construct a waterline connection from the City of Santa Maria water distribution system across the Santa Maria River to the existing water distribution system within the Nipomo Community Services District. At completion, the Supplemental Water Project will have a water delivery capacity of 6,200 acre-feet per year (AFY). Of this total, approximately 2,500 AFY is planned to offset current groundwater production in order to avoid further depletion and assist in balancing of groundwater levels of the Nipomo Mesa Management Area (NMMA). An additional 500 AFY of supplemental water is anticipated to be used by the NCS D to serve future customers on currently vacant land within the existing NCS D boundaries. The remaining 3,200 AFY, if implemented, would be utilized to serve future development within the Sphere of Influence areas adjacent to the existing NCS D boundaries. The Final EIR for the Supplemental Water Project also identified several additional project objectives as listed below:

1. Slow the depletion of the above-sea-level groundwater in storage beneath the Nipomo Mesa Groundwater Management Area (NMMA) of the Santa Maria Groundwater Basin to reduce the potential for sea water intrusion by using supplemental water consistent with the settlement agreement and the judgment related to the groundwater adjudication.
2. Comply with the 2005 groundwater adjudication settlement stipulation and judgment that dictates the need for active management of the NMMA.



3. Assist in stabilizing the groundwater levels in the NMMA by reducing pumping in the NMMA.
4. Augment current water supplies available to the Nipomo Community Services District by a phased delivery of supplemental water.
5. Augment current water supplies available to the Woodlands and other water purveyors on the Mesa by 831 AFY as follows: Woodlands (415 AFY), Golden State Water Company (208 AFY) and Rural Water Company (208 AFY).
6. Increase the reliability of District water supply by providing a diversity of water sources. Avoid the potential use of supplemental water return flows from the District, the Woodlands and the other purveyors, being used to support the water requirements of new development.
7. Comply with Local Agency Formation Commission (LAFCO) conditions for securing supplemental water prior to annexation of lands now within the District's Sphere of Influence. This supplemental water for annexations shall be in addition to the 3,000 AFY developed by Phases I and II.
8. Avoid multiple waterline crossings of the Santa Maria River and associated environmental impacts, by constructing a single pipeline capable of transporting sufficient water for potential NMMA growth consistent with the South County Area Plan (Inland) of San Luis Obispo County's General Plan. The pipeline diameter crossing the Santa Maria River would accommodate a 6,200 AFY capacity.
9. Slow the depletion of the above-sea-level groundwater in storage beneath the NMMA by:
  - A. Providing supplemental water for new development within the current service area of the District and the Mesa's other water purveyors (Golden State and Rural Water) consistent with the South County Area Plan (Inland);
  - B. Facilitating supplemental water delivery for new development within the District's Sphere of Influence consistent with the South County Area Plan (Inland) and the conditions in LAFCO's 2004 Sphere of Influence Update;
  - C. Providing the basis for the assessment of County Impact Fees upon development outside the District's Sphere of Influence and the service areas of the Mesa's other water purveyors (Golden State and Rural Water Companies).

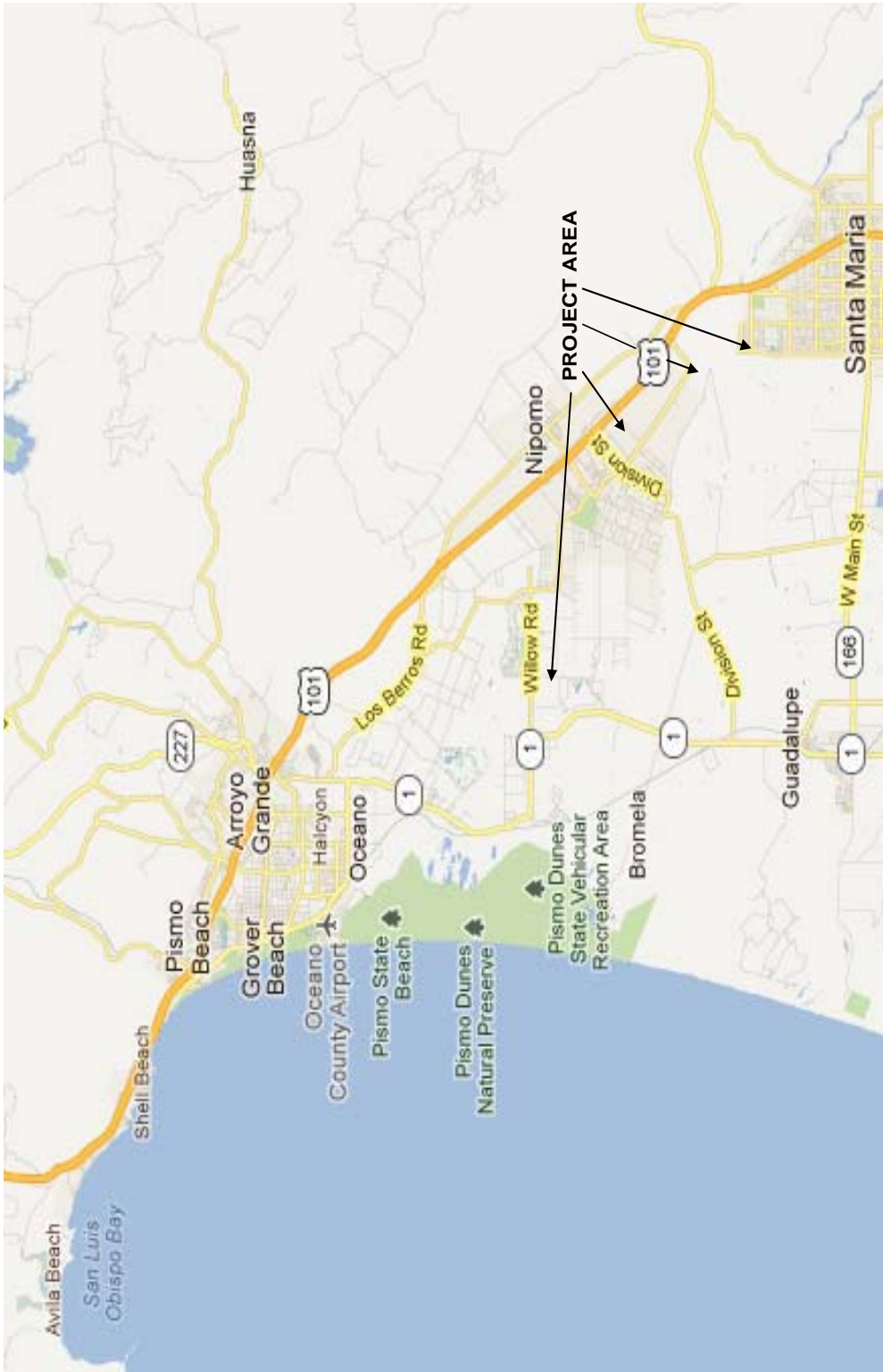
The additional project facilities that are the subject of this Addendum EIR will assist in meeting all of the project objectives noted above.

## **C. PROJECT LOCATION**

The Nipomo Community Services District encompasses approximately seven square miles southeast of the City of Arroyo Grande within the southern portion of San Luis Obispo County (see Figure 1, Regional Map). Approximately one-half mile south of the District boundary is the Santa Maria River with a width ranging between 2,000 to 3,000 feet. The City of Santa Maria is located within Santa Barbara County on the south side of the Santa Maria River (see Figure 2, Vicinity Map and Figure 3, Aerial Photograph).

The temporary laydown areas/ construction yards may be located at eight possible locations throughout the Nipomo Mesa on the north side of the Santa Maria River and adjacent to Blosser Road on the south side of the River. The Via Concha well site is located adjacent to and west of Via Concha Road approximately 1000 feet south of Willow Road. The proposed 24-inch Blosser Road waterline extension will occur immediately east of Blosser Road within the City of Santa Maria.

**FIGURE 1**  
Regional Map



**NCSD Supplemental Water Project**

Douglas Wood & Associates, Inc.

Addendum EIR

**FIGURE 2**  
**Vicinity Map**

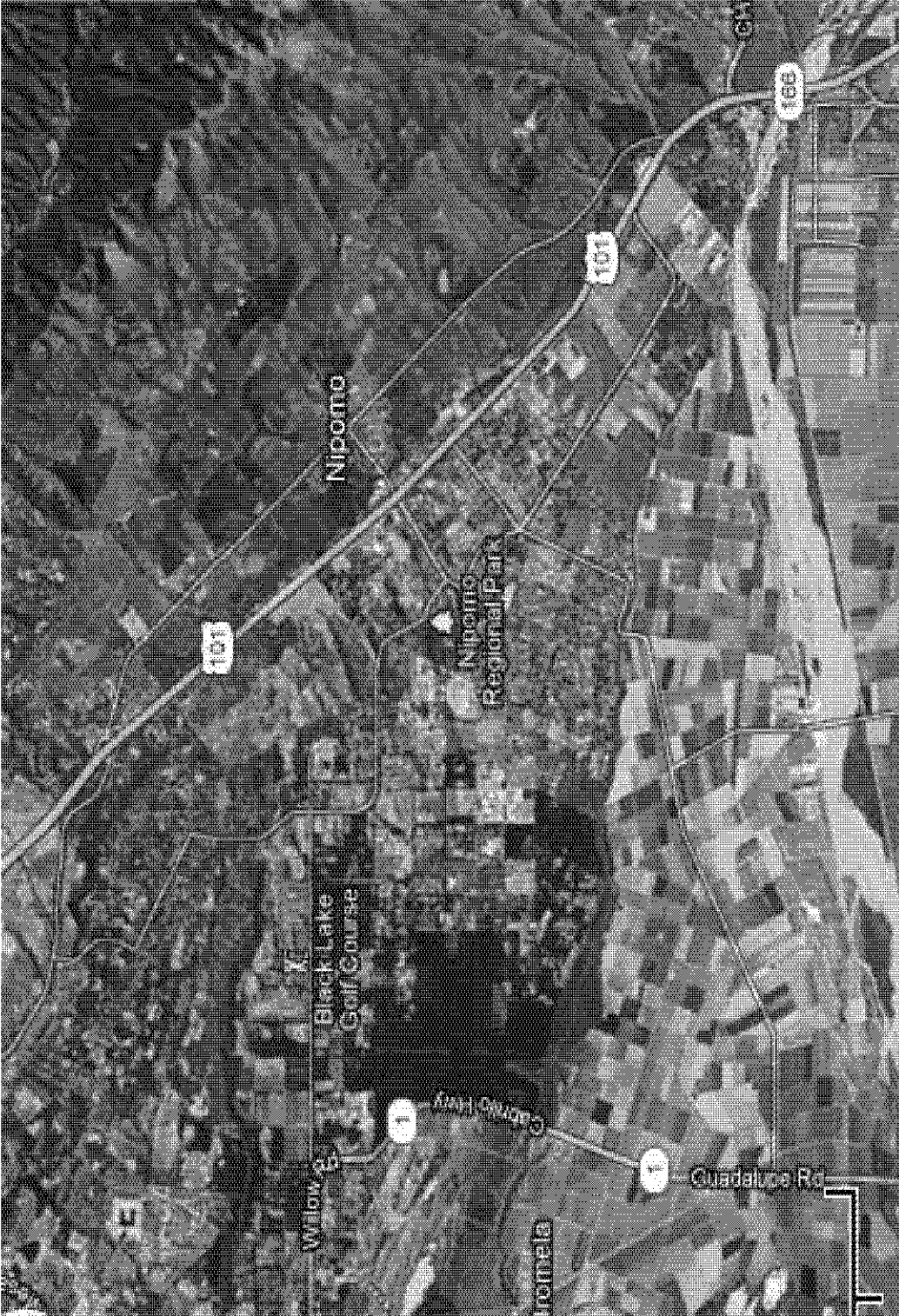


***NCSD Supplemental Water Project***

Douglas Wood & Associates, Inc.

*Addendum EIR*

**FIGURE 3**  
Aerial Photograph



***NCSD Supplemental Water Project***

*Addendum EIR*

Douglas Wood & Associates, Inc.

## D. PROJECT CHARACTERISTICS

As previously noted, this Addendum EIR addresses several changes and additions to the Supplemental Water Project that were not analyzed in the previously-certified Final EIR. These additional project facilities involve: 1) the provision of temporary laydown areas/construction yards at eight possible locations within the Nipomo Mesa, along Southland Street and adjacent to Orchard Road and Joshua Street as well as in Santa Maria adjacent to North Blosser Road; 2) the reconfiguration of the Via Concha well site and 3) the upsizing of the currently proposed Phase I waterline extension adjacent to Blosser Road from 18 to 24 inches.

The specific locations of the temporary laydown areas/construction yards were not included in the Project Description of the previously certified Final EIR for the Supplemental Water Project. While the issue of chloramination was discussed in terms of four well sites including the Via Concha well site in the Final EIR, there was no specific reference in that document to requiring additional property acquisition or an expansion of the existing facilities beyond the existing fence line at the Via Concha well site. At that time, the need for expanding the District's well sites to provide room for the addition of chemical feed facilities was not anticipated. Each of the other three well sites will require construction within the footprint of existing easements. The Blosser Road waterline extension was previously approved for construction as an 18-inch line in Phase I of the Supplemental Water project with an additional 18 or a replacement 24-inch waterline to be installed in Phase III.

- *Temporary Laydown Areas and Construction Yards*

The Supplemental Water Project will require a maximum of eight temporary laydown areas and/or construction yards. Eight locations have been specifically identified in this Addendum EIR and represent the sites that could be selected for use by the contractor. These areas are located throughout the Nipomo Mesa as well as adjacent to Blosser Road (see Figure 4, Potential Temporary Laydown Areas and Construction Yards). These temporary laydown areas/construction yards may be utilized for storage of pipes, construction materials (i.e. valves, fittings, tools, building and storage tank materials, backfill for trenches etc.), staging or construction of mechanical systems to be installed elsewhere and construction vehicles such as backhoes, haul trucks and supervisor vehicles.

**FIGURE 4**  
Potential Temporary Laydown  
Areas and Construction Yards



***NCSD Supplemental Water Project***

Douglas Wood & Associates, Inc.

*Addendum EIR*

Each of these temporary laydown areas/construction yards will have security fencing along the perimeter of each site and, if necessary, an area set aside for a construction trailer. Site preparation of each of these areas will involve minor leveling and the digging of post holes in order to provide the vertical supports for the security fencing.

These temporary laydown areas/construction yards will range in size from 10,000 to 20,000 square feet or approximately one-quarter to one-half acre. The largest laydown/storage area may be located adjacent to and south of the Santa Maria River Channel and will measure approximately 250 feet by 80 feet or 20,000 to 30,000 square feet.

- ***Via Concha Well Site***

The Final EIR for the Supplemental Water Project, (page III-24) stated that the importation of water from the City of Santa Maria water system creates water quality compatibility issues. The Nipomo Community Services District currently employs chlorination water treatment in order to provide disinfection within the District's water distribution system and to meet State and Federal drinking water standards. The City of Santa Maria utilizes chloramination to boost chloramine levels in their blended groundwater and imported State Water supplies. Engineering analyses provided several options to resolve the incompatibility between these two treatment methods. As discussed in the Final EIR, the District decided to convert the NCS D water supply system to chloramine treatment. This approach was selected due to the fewest water quality impacts. The use of chloraminated water will reduce trihalomethane generation potential and will result in a reduction in chlorine-related taste and odor.

This change in water treatment, from chlorination to chloramination, will require the introduction of ammonia at District wells and increased chemical introduction capacity, i.e. larger chlorine solution tanks and chemical feed pumps. Each well will also require online monitoring equipment to provide dosage control and a building to house two chemical solution tanks and four pumps for chemical introduction. These improvements will not increase the capacity of the Via Concha well site nor any of the other wells within the NCS D water supply system.

The Nipomo Community Services District currently operates four wells that will undergo similar improvements. They are located: 1) near the corner of Camino Caballo and Sundale Way; 2) along Willow Road near the Blacklake Golf Course; 3) near the intersection of Willow Road and Highway 1 and 4) the Via Concha well site which is located adjacent to and west of Via Concha Road approximately 1000 feet south of Willow Road.

Unlike the other three well sites discussed in the Final EIR, the Via Concha well site will require an additional easement in order to allow for access of construction equipment as well as an area for a new 175 square foot (17 feet by 10 feet) building which will house the necessary chloramination equipment (see Figure 5, Via Concha Well Site).





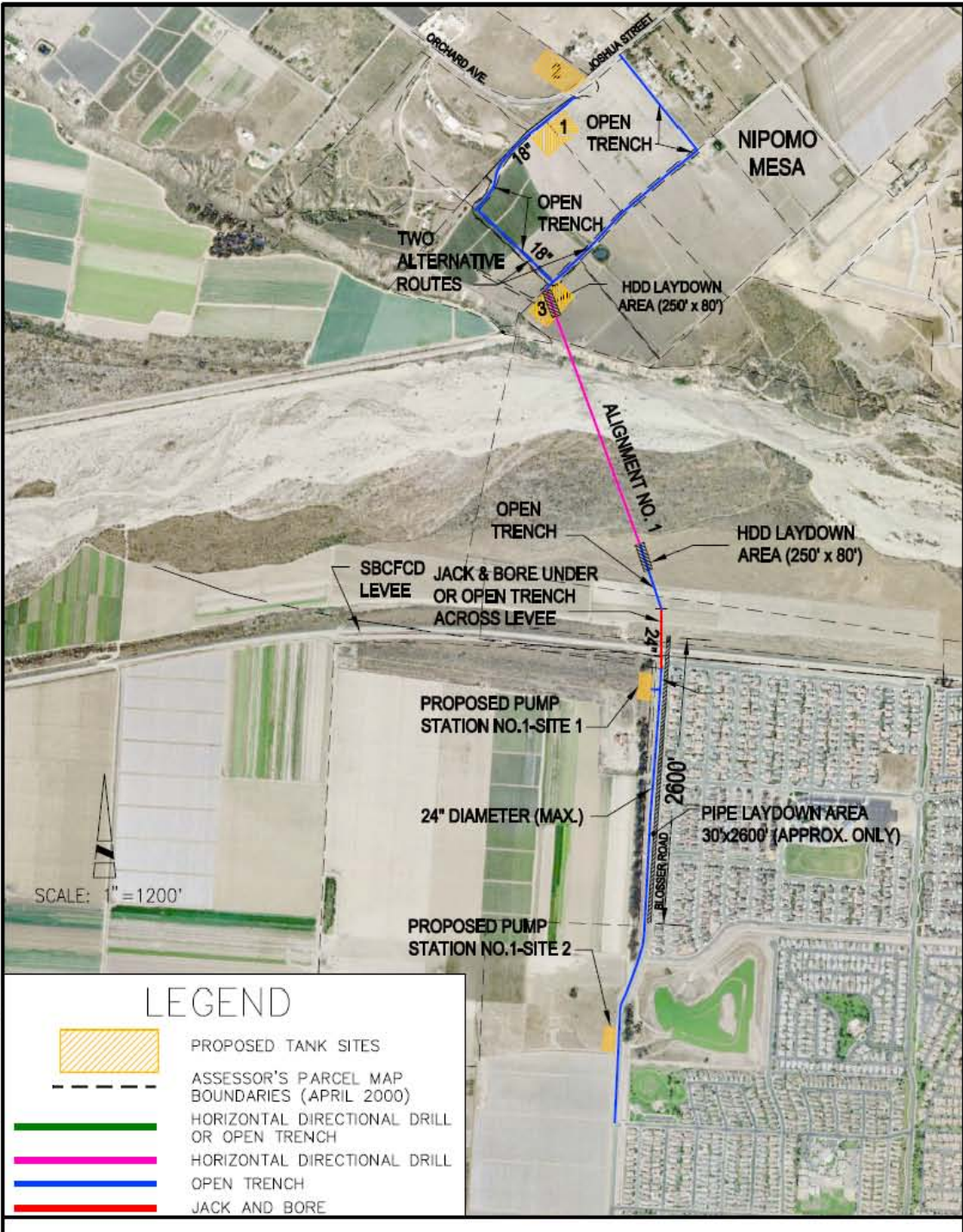
The additional easement area will expand the Via Concha well site from 1,250 square feet (50 feet by 25 feet) to 5,625 square feet (65 feet by 40 feet). The typical size of most well sites throughout the District is 75 feet by 75 feet.

- ***Blosser Road Waterline***

The Final EIR for the Supplemental Water Project (page III-12) stated that approximately 5,000 linear feet of 18-inch waterline will be installed along the east side of Blosser Road from West Taylor Street to Atlantic Street. This waterline segment, to be installed within Phase I of the overall project, will then connect to a 24-inch carrier pipe which will be extended under the Santa Maria River and immediately north of Atlantic Street. The Final EIR also indicates (page III-14) that within Phase III of project construction, either an additional 18-inch parallel waterline or a replacement 24-inch waterline would be installed along the same alignment as the Phase I 18-inch waterline immediately east of Blosser Road.

The currently proposed additional project facilities involve an upsizing of the Phase I Blosser Road waterline from 18 to 24 inches from West Taylor Street to Atlantic Street (see Figure 6, Blosser Road Waterline). This upsizing results in the elimination of any additional or replacement waterline along Blosser Road from West Taylor Street to Atlantic Street as previously approved for Phase III of the Supplemental Water Project. There will be no change in the timing for Phase I of project construction or any increase in the trench size or length as a result of this proposed increased waterline size to 24 inches. This upsized waterline represents one among several elements of the overall project that would increase the delivery capacity of the water transmission system from 3,000 to 6,200 acre-feet per year, most of which will be constructed within Phase III of the Supplemental Water Project if implemented.

**FIGURE 6**  
 Blosser Road Waterline



*NCSD Supplemental Water Project*

## **E. PROJECT TIMING**

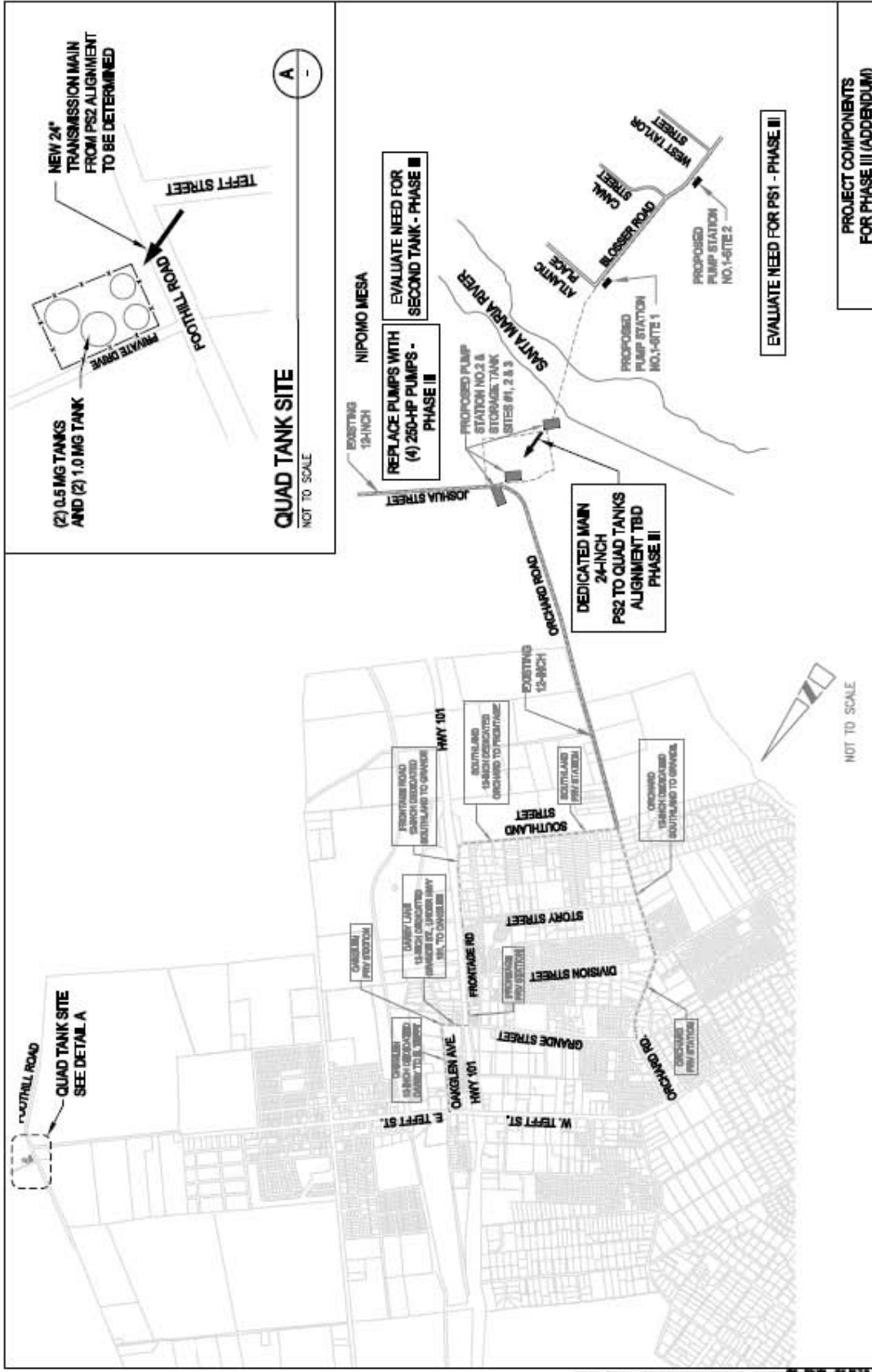
The Final EIR for the Supplemental Water Project (pages III-16 through III-24) identifies the various project facilities to be constructed within each of the three phases of project development.

The timing for installation of the additional project facilities will not deviate from the original project phasing schedule provided in the Final EIR with the sole exception of the Blosser Road waterline. The upsizing of the Blosser Road waterline to 24 inches was originally scheduled for Phase III of the project in the form of either an additional 18-inch waterline or a replacement 24-inch waterline. As now proposed, the 24-inch waterline along Blosser Road may be installed within Phase I of the Supplemental Water Project (see Figure 7, Updated Phase I Project Facilities) thereby eliminating any additional Phase III waterline installation or replacement (see Figure 8, Updated Phase III Project Facilities).

The temporary laydown areas/construction yards will be installed and utilized throughout various project phases while the Via Concha well site improvements will be constructed within Phase I of the overall Supplemental Water Project. This timing does not deviate from the original project phasing schedule contained within the Final EIR.



**FIGURE 8**  
Updated Phase III Project Facilities



**NCSD Supplemental Water Project**

Douglas Wood & Associates, Inc.

## IV. ENVIRONMENTAL ANALYSIS

As indicated in Section I. Introduction and Purpose, this Addendum EIR has been prepared to introduce technical changes and additions to the Final Environmental Impact Report for the Nipomo Community Services District Supplemental Water Project. The Final EIR for the project was certified by the Nipomo Community Services District Board of Directors on April 22, 2009. This Addendum EIR addresses changes and additions to of the Supplemental Water Project that were not analyzed in the previously-certified Final EIR for the NCSD Supplemental Water Project. These currently proposed additional project facilities involve: 1) the provision of temporary laydown areas/construction yards at eight possible locations within the Nipomo Mesa, along Southland Street and adjacent to Orchard Road and Joshua Street, as well as in Santa Maria adjacent to North Blosser Road; 2) the reconfiguration of the Via Concha well site and 3) the upsizing of the currently proposed Phase I waterline extension adjacent to Blosser Road from 18 to 24 inches and elimination of the Phase III additional 18-inch parallel waterline or replacement 24-inch waterline.

This Addendum EIR analyzes the impacts of the currently proposed additional project facilities in terms of the following environmental issues: Land Use and Planning, Population and Housing, Water, Biological Resources, Aesthetics, Cultural Resources, Geology, Traffic, Noise and Air Quality. The discussion of each environmental issue within this section adheres to the format noted below.

1. Existing Conditions - The existing environment within and in the vicinity of the project site is discussed from both a local and regional perspective.
2. Project Impacts - The nature and extent of project impacts relative to the issue areas noted above are analyzed. This section will also designate all impacts as significant, potentially significant but mitigable, insignificant or beneficial pursuant to the previously identified thresholds of significance.
3. Mitigation Measures – For many environmental issues, mitigation measures are provided in order to reduce potential environmental impacts to a level of insignificance.
4. Residual Impacts - After evaluation of the identified project impacts, proposed mitigation measures and cumulative impacts, the residual (or remaining) significant impacts are identified. The residual impacts are classified according to the following criteria:
  - Class I Impact - Significant adverse impacts that cannot be mitigated to a level of insignificance.
  - Class II Impact - Potentially significant adverse impacts which can be reduced to a level of insignificance or avoided entirely with the implementation of proposed mitigation measures.

- Class III Impact - Adverse impacts which are found not to be significant.
- Class IV Impact - Project impacts which are considered to be positive or of benefit to the site or the adjacent environment.

The following environmental analysis is intended to: 1) provide background as to the existing conditions at the location of these currently proposed additional project facilities; 2) identify any impacts associated with these additional project facilities; 3) determine the need for measures to mitigate these impacts and 4) compare these above assessments with data contained in the previously-certified Final EIR for the Supplemental Water Project. This comparison of data noted in task 4 will provide the basis for a determination as to whether or not any of the additional project facilities:

1. Constitute substantial changes to the project which will require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Constitute substantial changes with respect to the circumstances under which the project is undertaken which will require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. Constitute new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects in the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

---

IV. Environmental Analysis



## **A. LAND USE AND PLANNING**

### **1. Existing Conditions**

The proposed temporary laydown areas/construction yards are located both north and south of the Santa Maria River (see Figure 4, Potential Temporary Laydown Areas and Construction Yards). Facilities to the north are located adjacent to Joshua Street, Orchard Road and along Southland Street while facilities south of the River are located adjacent to Blosser Road. Areas immediately south of the Santa Maria River in the vicinity of Blosser Road are devoted primarily to single family residential uses in neighborhoods served by Atlantic Place, Preisker Lane as well as by Blosser Road.

The majority of areas adjacent to Joshua Street and Orchard Road are devoted to agricultural farmlands and scattered residences with low and medium density residential uses in the vicinity of Southland Street.

The Via Concha well site is located adjacent to and west of Via Concha Road approximately 1000 feet south of Willow Road. Land uses adjacent to this well site involve low density residential and vacant open space.

The proposed 24-inch Blosser Road waterline will run parallel to and east of Blosser Road which is adjacent to single family residential uses east of Blosser Road and vacant open space to the west.

### **2. Impact Analysis**

**Impact A-1:** *The currently proposed additional project facilities may impact land uses in areas adjacent to short-term project construction activities or long-term project operations.*

The areas in which the additional project facilities are located contain residential, agricultural and open space land uses. Proposed temporary laydown areas/construction yards 1 through 4 are located on each side and at the northern terminus of Blosser Road. These facilities which are adjacent to vacant open space further to the west and north are separated from residential uses to the east by Blosser Road. Short-term use of these areas during project construction is not expected to significantly impact these adjacent land uses.

Proposed temporary laydown areas/construction yards 5 through 7 are located adjacent to Joshua Street and Orchard Road and are also adjacent to existing agricultural uses containing strawberry crops. Use of these areas for temporary laydown areas/construction yards may directly impact these ongoing agricultural activities. These potentially significant impacts will be reduced to a level of insignificance with implementation of Mitigation Measures A-1 and A-2 below.

Proposed temporary laydown areas/construction yard 8 is located adjacent to Southland Street within an area containing low and medium density residential uses. Short-term use of this area during project construction is not expected to significantly impact these adjacent land uses.

Construction at the Via Concha well site is located adjacent to low density residential and vacant open space. This short-term construction activity as well as the long-term operations of the well site are not expected to significantly impact residential land uses in the adjacent areas.

The proposed upsizing of the Blosser Road waterline will occur in an area bounded by Blosser Road and existing single family residential uses to the east. Impacts to these adjacent land uses are expected to be less than significant. However, it should also be acknowledged that the proposed upsizing of the Blosser Road waterline within Phase I of the Supplemental Water Supply Project will eliminate the need for installation of an expanded or replacement waterline in Phase III of the proposed project thereby resulting in a beneficial environmental impact.

With the exception of proposed temporary laydown areas/construction yards 5 through 7, the currently proposed additional project facilities are not expected to potentially impact any existing land uses in adjacent areas.

The additional project facilities do not require any amendments to the South County Area Plan or any other Elements of the County General Plan and do not require any changes to existing zoning. The additional project facilities will not directly conflict with any environmental plans or policies adopted by agencies with jurisdiction over the project area.

**Impact A-2.** *The currently proposed additional project facilities may contribute to changes in land use as a result of the reduction or elimination of a potential constraint upon development within areas served by the increased water supplies provided by the Supplemental Water Project.*

As noted on page V-11 of the Final EIR for the Supplemental Water Project, “the proposed (Supplemental Water) project will not directly cause a change in the San Luis Obispo County land use designation or zoning or an increase in the intensity of currently-designated land uses. The project does, however, involve the provision of additional water supplies thereby reducing or eliminating a potential constraint to future development within areas to be served by this additional water.”

The Final EIR subsequently concluded (page V-16) that the proposed (Supplemental Water) project’s potential long-term and cumulative land use and planning impacts resulting from the elimination of a constraint upon future development of areas served by the additional water supplies provided by the proposed project are considered to be significant impacts which cannot be reduced to an insignificant level. These significant, unavoidable adverse impacts resulted in the adoption of a Statement of Overriding

IV. Environmental Analysis

Considerations by the Nipomo Community Services District as Lead Agency at the time of certification of the Final EIR.

However, the determination of an unavoidable adverse (Class I) impact within the Final EIR is based upon the Supplemental Water Project's importation of water. The currently proposed additional project facilities do not relate to the importation of water but instead are facilities improvements (the Via Concha well site and the Blosser Road waterline) and construction practices (temporary laydown areas/construction yards). The additional project facilities do not represent a substantial change to the Supplemental Water Project and, therefore, do not require major revisions to the previously certified EIR. These additional project facilities do not result in any new significant effects or a substantial increase in the severity of any significant effects identified in the Final EIR. Therefore, these additional project facilities do not contribute to the unavoidable adverse land use and planning impacts as identified in the previously-certified Final EIR and instead result in a less than significant impact.

### **3. Mitigation Measures**

The following mitigation measures which are found on pages V-15 and V-16 of the Final EIR will reduce impacts to adjacent agricultural land uses to an insignificant level.

A-1: For any construction staging or storage proposed on prime farmland, permanent impacts to soil resources can be avoided with the following measures

- A geotextile membrane shall be placed on top of native soils prior to the placement of any stockpile, fill, base materials or construction materials
- Upon completion of the project, native soil will be replaced to its previous condition in terms of soil texture, water holding capacity and soil permeability
- Pipelines will be placed five to six feet below existing grade through agricultural farmland
- All excavated soils will be stockpiled during construction in a manner that protects the soils' physical, chemical and biological characteristics. Biologically active topsoil (A horizon) shall be segregated from deeper soils during construction and replaced in a similar manner upon completion of construction
- At the conclusion of construction, soils will be replaced in a manner that mimics the pre-construction characteristics of the

soils, including compacting the soils to the same soil permeability, soil texture and available water holding capacity

A-2: Project construction shall be coordinated with property owners and any farm lessee/operators. Impacts to agricultural use of the property can be avoided or minimized with the following measures:

- All existing irrigation systems shall be located in order to avoid damaging buried irrigation lines, wells, risers and other agricultural infrastructure
- Early notice of any planned closures or detours on existing roadways either within the fields or along existing paved roads with regular updates about forthcoming closures or detours shall be provided to area agricultural producers so that adequate planning can be made for the movement of agricultural goods and personnel.

#### **4. Residual Impacts**

Mitigation Measures A-1 and A-2 from pages V-15 and V-16 of the Final EIR will reduce potentially significant temporary impacts to agricultural lands adjacent to the proposed temporary laydown areas/construction yards 5 through 7 to an insignificant level (Class II Impact).

Potential direct impacts upon adjacent land uses associated with the remaining temporary laydown areas/construction yards, the Via Concha well site and the upsizing of the Blosser Road waterline as well as potential adverse land use and planning impacts related to the elimination of a constraint upon future development of areas served by additional water supplies are considered to be less than significant (Class III Impact).

The elimination of the need for construction of an additional or replacement waterline along Blosser Road during Phase III of the Supplemental Water Project as a result of the currently-proposed waterline upsizing in Phase I of the Supplemental Water Project is considered to represent a beneficial impact (Class IV Impact).

## **B. POPULATION AND HOUSING**

### **1. Existing Conditions**

The currently proposed additional project facilities as part of the larger Supplemental Water Project are located within the Nipomo urban area which supports a population total of approximately 14,000 residents and 5,000 dwelling units.

In October, 1990, the San Luis Obispo County Board of Supervisors adopted Title 26, Growth Management Ordinance, specifying that the maximum annual rate of growth shall not exceed a 2.3 percent increase per year in the number of residential dwelling units in the unincorporated portion of the County. The Growth Management Ordinance has kept overall unincorporated county growth below 2.3 percent per year, but has identified concentrated growth in certain communities, including Nipomo. The average annual percentage increase in dwelling units in Nipomo from 1990 through 2007 was 6.01 percent, the highest average annual percent increase in housing of any community or planning area in the County.

### **2. Impact Analysis**

**Impact B-1.** *The currently proposed additional project facilities may result in the demand for new housing due to the need for labor during project construction.*

Construction activities associated with the additional project facilities are estimated to generate a maximum total of 42 employees. It is anticipated that many of these employees will reside locally thereby not generating any demand for temporary housing. Those employees residing outside the area will find temporary accommodations in hotels and motels in the area or in short-term rental housing. The general availability of temporary housing in the area is expected to accommodate these workers with no substantial displacement of people or significant affect upon the available housing inventory. As a result, the construction phase of the proposed project will not create the demand for additional new housing. Therefore, the potential for creation of demands for new housing as a result of project construction represents a less than significant impact.

The currently proposed additional project facilities will not directly induce population or housing growth in the area.

**Impact B-2.** *The currently proposed additional project facilities may indirectly induce a substantial growth in population as a result of the reduction or elimination of a potential constraint upon development within areas served by the increased water supplies provided by the Supplemental Water Project.*

As noted on pages V-20 through V-21 of the Final EIR for the Supplemental Water Project, “the proposed (Supplemental Water) project “will not directly generate any new population or housing. The proposed project does, however, involve the provision of

additional water supplies thereby reducing or eliminating a potential constraint to future development within areas to be served by this additional water. The project involves the importation of water in order to reduce the current imbalance of groundwater levels, to serve new development consistent with the South County Area Plan within the current boundaries of the Nipomo Community Services District and its Sphere of Influence areas which are located adjacent to the District boundaries.”

The Final EIR subsequently (page V-22) concluded that the (Supplemental Water) project’s potential long-term and cumulative population and housing impacts resulting from the elimination of a constraint upon future development of areas served by the additional water supplies provided by the proposed project are considered to be significant impacts which cannot be reduced to an insignificant level. These significant, unavoidable adverse impacts resulted in the adoption of a Statement of Overriding Considerations by the Nipomo Community Services District as Lead Agency at the time of EIR certification.

However, the determination of an unavoidable adverse (Class I) impact within the Final EIR is based upon the Supplemental Water Project’s importation of water. The currently proposed additional project facilities do not relate to the importation of water but instead are facilities improvements (the Via Concha well site and the Blosser Road waterline) and construction practices (temporary laydown areas/construction yards). The additional project facilities do not represent a substantial change to the Supplemental Water Project and, therefore, do not require major revisions to the previously certified Final EIR. These additional project facilities do not result in any new significant effects or a substantial increase in the severity of any significant effects identified in the Final EIR. Therefore, these additional project facilities do not contribute to the unavoidable adverse population and housing impacts as identified in the previously-certified Final EIR and instead result in a less than significant impact.

### **3. Mitigation Measures**

No mitigation measures are proposed.

### **4. Residual Impacts**

Potential impacts related to increased housing demand associated with project construction activities as well as potential adverse population and housing impacts related to the elimination of a constraint upon future development of areas served by additional water supplies are considered to be less than significant (Class III Impact).

## **C. WATER**

### **1. Existing Conditions**

The proposed temporary laydown areas/construction yards located south of the Santa Maria River (sites 1 through 4 as noted on Figure 4, Potential Temporary Laydown Areas and Construction Yards) as well as the site of the upsized Blosser Road waterline are located within the Santa Maria River coastal watershed comprising a total of 723,000 acres or approximately 1,130 square miles.

The Via Concha well site is located within the west-trending Nipomo Mesa drainage which ultimately leads to and drains into the Pacific Ocean.

The proposed temporary laydown areas/construction yards north of the Santa Maria River (sites 5 through 8) and the Via Concha well site are located within the Nipomo Mesa Management Area which overlies the sand dune deposits that form the Nipomo Mesa and contain the primary groundwater aquifer. These dune deposits are highly porous and permeable. Recharge to the aquifer occurs through precipitation, agricultural irrigation and urban return flows.

The proposed temporary laydown areas/construction yards (sites 1 through 4) are located within the Santa Maria Groundwater Basin. The sources of recharge to the SMGB include: infiltration of precipitation, inflow from adjacent areas, return flows from irrigation and percolation of water from streams flowing across or in the vicinity of the basin, primarily the Arroyo Grande Creek to the north and the Santa Maria and Sisquoc Rivers to the south.

In 1997, the Santa Maria Groundwater Basin, including the Nipomo Mesa Groundwater Management Area, became the subject of an adjudication based upon a lawsuit initiated by the Santa Maria Valley Water Conservation District against the City of Santa Maria and other water purveyors in the groundwater basin. Subsequently, the lawsuit was broadened to address groundwater management of the entire Santa Maria Groundwater Basin. A preliminary ruling by the Court concluded that the overall Santa Maria Groundwater Basin was not in an overdraft condition but recognized the need for active management of the existing hydrologic subareas.

In response to concerns regarding the availability of groundwater supplies in combination with judicial directives, the City of Santa Maria entered into a Memorandum of Understanding with the Nipomo Community Services District dated September 7, 2004 for the purchase of water from the City. The water would be a blend of both City groundwater and State Water Project water that is delivered to the customers of the City. The acquisition of this additional water supply is intended to augment current groundwater inventories with the goals of increasing the reliability and diversity of water supplies and balancing groundwater levels in the Nipomo Mesa Management Area.

## 2. Impact Analysis

**Impact C-1.** *The currently proposed additional project facilities may assist in the prevention of water quality incompatibility due to the differences in water treatment employed by the City of Santa Maria and the NCSD.*

The importation of water from the City of Santa Maria water system creates water quality compatibility issues. The Nipomo Community Services District currently uses chlorination water treatment in order to provide disinfection within the District's water distribution system and meet State and Federal drinking water standards. The City of Santa Maria utilizes chloramination to boost chloramine levels in their blended groundwater and imported State Water supplies. Engineering analyses provided three potential water treatment alternatives, those being: 1) uncontrolled blending of City of Santa Maria and NCSD water; 2) converting City of Santa Maria water to chlorine treatment or 3) converting the NCSD water supply system to chloramine treatment.

The District selected the third option, that being conversion of the NCSD water supply system to chloramine treatment.

This change in water treatment, from chlorination to chloramination, will require the introduction of ammonia at District wells and increased chemical introduction capacity using larger chlorine solution tanks and chemical feed pumps. Each well will also require online monitoring equipment to provide dosage control and a building to house two chemical solution tanks and four pumps for chemical introduction. The Via Concha well site will assist in maintaining a chloramine residual within the NCSD water supply resulting in a beneficial environmental impact.

Maintaining a chloramine residual in the NCSD water supply will result in the lowest potential for formation of disinfection by-products and the fewest water quality problems in the water distribution system. It is also anticipated that there will be a reduction in customer complaints related to taste and odor. However, this change in treatment method may affect certain aquatic pet species and reptiles, users of ultra pure water, kidney dialysis patients and chloramine sensitive manufacturing processes. Monitoring and public awareness programs will be required in order to insure that potential water quality incompatibility is a potentially significant but mitigable impact.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measure C-1 below.

**Impact C-2.** *The currently proposed additional project facilities may result in degradation of surface water quality as a result of potential construction related spills.*

Use of fuels and lubricants associated with the construction equipment could affect water quality in the event that an accidental spill occurred during construction and was washed into nearby drainages or the Santa Maria River. Water quality impacts would be potentially significant, but mitigable through the adoption of a Stormwater Pollution



Prevention Plan (SWPPP) and the implementation of Best Management Practices (BMP's).

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measure C-2 below.

**Impact C-3.** *The currently proposed additional project facilities may assist in the replenishment of groundwater supplies within the Nipomo Mesa Management Area.*

The importation of additional water as a result of the NCSO Supplemental Water Project will augment current water supplies available to the Nipomo Community Services District as well as supplies available to other local water purveyors due to reduced groundwater pumping and via return flows. It will also provide a greater diversity of water sources to the District through the addition of a second water source which reduces the potential need for groundwater "mining" thereby increasing the reliability of water supply to the District. A portion of these future water supplies (2,500 acre-feet per year) will assist in the balancing of groundwater levels in the Nipomo Mesa Management Area. These additional water supplies will serve existing customers, new development within the current service area of NCSO, the District's Sphere of Influence area and areas outside both the current service area or Sphere of Influence area of the District or local water purveyors. For these reasons, the additional project facilities will assist in providing a beneficial impact to groundwater supplies within the Nipomo Mesa Management Area.

### **3. Mitigation Measures**

The following mitigation measures which are found on pages V-51 and V-52 of the Final EIR will reduce potential water quality impacts to an insignificant level.

- C-1:** A public awareness program shall be implemented by the Nipomo Community Services District that alerts District customers to the potential harmful effects of chloramines on certain aquatic species and reptiles and to treatment products that are readily available to treat water for fish tanks. Users of ultra-pure water, kidney dialysis patients and chloramine-sensitive manufacturing processes shall also be notified of the addition of chloramine to the District water supplies.
- C-2:** The Nipomo Community Services District shall develop a Stormwater Pollution Prevention Plan (SWPPP) that will include Best Management Practices (BMPs) to prevent the discharge of construction materials, contaminants, washings, concrete, fuels, and oils. The SWPPP will be reviewed and approved by the Central Coast RWQCB prior to commencement of any clearing or other construction activities. BMPs should include the following measures:

- Properly maintain (off-site) all construction vehicles and equipment that enter the construction area to prevent leaks of fuel, oil, and other vehicle fluids.
- Conduct equipment and vehicle fueling off-site. If refueling is required at the Project site, it will be done within a bermed area with an impervious surface to collect spilled fluids.
- Prepare a Spill Prevention/Spill Response Plan for the site that includes training, equipment and procedures to address spills from equipment, stored fluids and other materials including disposal of spilled material and materials used for clean up of contaminated soils and materials.
- Place all stored fuel, lubricants, paints, and other construction liquids in secured and covered containers within a bermed area.
- Conduct any mixing and storage of concrete and mortar in contained areas.
- Insure that all equipment washing and major maintenance is prohibited at the project site except in bermed areas.
- Remove all refuse and excess material from the site as soon as possible.
- Channelize storm water to avoid construction equipment and materials, and to divert runoff to existing drainages.

#### **4. Residual Impacts**

Mitigation Measure C-1 from pages V-51 and V-52 of the Final EIR will reduce potentially significant impacts related to water quality incompatibility due to differences in water treatment employed by the City of Santa Maria and the NCSD to an insignificant level (Class II Impact).

Mitigation Measure C-2 from page V-52 of the Final EIR will reduce potentially significant water quality impacts associated with equipment maintenance and fueling spills to an insignificant level (Class II Impact).

Potential impacts related to maintaining proper water treatment and groundwater supplies within the Nipomo Mesa Management Area are considered to represent a beneficial (Class IV Impacts).

## ***D. BIOLOGICAL RESOURCES***

### **1. Existing Conditions**

The proposed temporary laydown areas/construction yards located south of the Santa Maria River (sites 1 through 4 as noted on Figure 4, Potential Temporary Laydown Areas and Construction Yards) as well as the site of the Blosser Road waterline are located in an area containing ruderal vegetation (i.e. areas that have been disturbed by past land use practices and/or recent ground disturbance) and agricultural lands on the west side of Blosser Road and ornamental vegetation adjacent to existing residential development on the east side of Blosser Road. A eucalyptus tree row runs along the east portion of Blosser Road south of Canal Street. North of Canal Street, the eucalyptus tree row runs along the west side of Blosser Road.

The proposed temporary laydown areas/construction yards located north of the Santa Maria River (sites 5 through 8) are located on lands containing agricultural operations (strawberry cultivation) or vacant areas containing ruderal vegetation.

The Via Concha well site is located on property containing existing pump facilities bounded by vacant land containing ruderal vegetation. A large eucalyptus grove is located on the opposite side of Via Concha Road from the well site.

None of the areas noted above contain any observed special status plant species nor were any noted during previously conducted walkover surveys of the project area completed in 2008. Special status plant species are either listed as endangered or threatened under the Federal or California Endangered Species Acts, listed as rare under the California Native Plant Protection Act or considered to be rare (but not formally listed) by resource agencies, professional organizations or the scientific community.

Two special status wildlife species have been observed or are likely to occur within areas adjacent to four of the proposed temporary laydown areas/construction yards (sites 1, 2, 3 and 5) as well as the Via Concha well site. Special status wildlife species are either listed as endangered or threatened under the Federal or California Endangered Species Acts or considered to be rare (but not formally listed) by resource agencies, professional organizations or the scientific community.

The overwintering habitats for the Monarch butterfly are considered to be of special concern by the California Department of Fish and Game. This species is known to roost in winter (usually in dense concentrations) within coastal groves of eucalyptus, cypress or pine trees. Autumnal roosts are abandoned early (in November or December) by individuals seeking more favorable conditions, while permanent roosts begin forming in October and persist into February. There are several known monarch butterfly roosting areas located within coastal San Luis Obispo County. The nearest known roosting site within the vicinity of the currently proposed additional project facilities is in Preisker Park, which is located approximately one mile east of Blosser Road. Preisker Park is an

autumnal site, with a maximum monarch count of 27 in 1999. Several eucalyptus windrows occur within the project area that may provide suitable overwintering habitat. However, no monarch butterflies have been observed within the project area particularly in areas adjacent to Blosser Road, the location of the proposed temporary laydown areas/construction yards sites 1, 2, and 3, as well as the Via Concha well site. These windrows are considered to be less suitable for Monarchs as compared to Preisker Park. Therefore, it is unlikely the Monarch butterfly overwinters within these areas, but may utilize portions of the project area for temporary roosting.

In addition rows of eucalyptus trees along Blosser Road and on the east side of Via Concha may provide suitable habitat for a number of migratory birds and raptors.

The California red-legged frog (CRLF) is a Federally listed threatened species and a California species of special concern. The CRLF occurs in different habitats depending on their life stage and season. All stages are most likely to be encountered in and around breeding sites, which include coastal lagoons, marshes, springs, permanent and semi-permanent natural ponds, ponded and backwater portions of streams and artificial impoundments such as stock ponds, irrigation ponds and siltation ponds. This species prefers dense emergent and bank vegetation including willow, cattail and bullrush.

CRLF has been observed in several locations within the project area. A U.S. Fish and Wildlife Service protocol-level survey was conducted by the field biologist in 2007 in order to determine the presence or absence of this species. During the surveys, adult CRLF were observed within the agricultural pond on the Nipomo Mesa approximately 500 feet northeast of the proposed laydown area/temporary construction yard site 5 and one adult CRLF was observed within the Blosser Road drainage approximately 300 feet north of proposed laydown area/temporary construction yard site 3.

The southern boundary of the Santa Maria River provides suitable habitat for the Coast horned lizard, migratory birds and, when water is present, a number of semi-aquatic special status species.

## 2. Impact Analysis

**Impact D-1:** *Construction activities within the proposed Blosser Road waterline alignment and proposed temporary laydown areas/construction yards 3 and 4 may adversely affect non-listed wildlife occupying habitats within or adjacent to the Santa Maria River wildlife migration corridor.*

Construction activities associated with the installation of the currently proposed 24-inch Blosser Road waterline, particularly at its northern terminus with the Santa Maria River as well as use of proposed temporary laydown areas/construction yards 3 and 4 (see Figure 4, Potential Temporary Laydown Areas and Construction Yards) may potentially affect non-listed wildlife occupying adjacent habitats with the Santa Maria River wildlife migration corridors. In general, construction-related disturbance, due to waterline installation and site preparation will generate noise, dust, heavy equipment operations

IV. Environmental Analysis

and truck traffic which may prevent local wildlife species from foraging and breeding within portions of the Santa Maria River and adjacent habitat areas. However, these adverse effects would only impact a small portion of available habitat for a relatively short period. Periods of intense activity would likely be limited to several months at any one project location. Due to the relatively small area of habitat to be affected by project operations at these locations and the short duration of overall impacts, no significant impacts upon non-listed wildlife or their foraging or breeding habitats is expected due to the construction activities noted above.

Due to the small area affected by installation of the Blosser Road waterline and proposed temporary laydown areas/construction yards 3 and 4 and the short duration of their disturbance, impacts to the wildlife migration corridor are considered to be less than significant.

The remaining proposed temporary laydown areas/construction yards as well as the Via Concha well site are located well away from the Santa Maria River therefore not significantly impacting its wildlife migration corridors.

**Impact D-2:** *Construction activities within the proposed Blosser Road waterline alignment and proposed temporary laydown areas/construction yards 2, 3 and 4 could adversely affect nesting activities of protected migratory birds and raptors.*

Raptor and migratory bird species protected under the Migratory Bird Treaty Act and the California Fish and Game Code may nest along portions of the waterline alignments (i.e., eucalyptus woodland) and the areas adjacent to the Santa Maria River. These include ground nesters (Western meadowlark and Lark sparrow), small tree/shrub nesters (Bushtit, American robin, Northern mockingbird, Loggerhead shrike, House finch, and Lesser goldfinch), freshwater marsh nesters (Red-winged blackbird) and several raptors which require large trees, such as eucalyptus for nesting purposes (Turkey vulture, Red-tailed hawk, Red-shouldered hawk, Great-horned owl and Barn owl). Short-term impacts to these species may occur from vegetation clearing, debris removal, dust generation, noise disturbance, associated trenching, site clearing and general construction activities and traffic.

These activities may indirectly impact nests, nestlings or hatchlings of these protected bird species. Scheduling waterline, storage tank and pump station construction outside the nesting season or conducting pre-construction surveys would result in potentially significant but mitigable impacts.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measure D-1 below.

Although the Via Concha well site is located approximately 150 feet from a large eucalyptus grove, the limited nature of project construction at this location combined with the separation/buffer provided by Via Concha Road results in a less than significant impact to protected bird species at this location.

**Impact D-3:** *Construction activities within the proposed Blosser Road Waterline alignment and proposed temporary laydown areas/construction yards 2, 3 and 4 could adversely affect special-status terrestrial and avian species potentially occurring along the southern boundary of the Santa Maria River and along Blosser Road.*

Construction activities associated with the installation of the currently proposed 24-inch Blosser Road waterline, particularly at its northern terminus near the Santa Maria River as well as use of proposed temporary laydown areas/construction yards 3 and 4 (see Figure 4, Potential Temporary Laydown Areas and Construction Yards) may affect special status terrestrial and avian species potentially occurring along the southern boundary of the Santa Maria River and along Blosser Road. Construction-related disturbance related to waterline installation and site preparation will generate noise, dust, heavy equipment operations and truck traffic. These short-term construction activities have the potential to adversely affect terrestrial special status wildlife species found in the project area. Specifically, the Coast horned lizard may be present within and/or adjacent to the proposed work areas along the southern boundary of the Santa Maria River during the construction phase of the project. The areas proposed for disturbance by the proposed temporary laydown areas/construction yards 2, 3 and 4 and the Blosser Road waterline consist of annual grassland, agricultural fields and ruderal or ornamental vegetation. It is likely that historical disturbance, including agriculture and encroachment of residential development, has resulted in a decreased population of Coast horned lizard within the project area. As such, the number of individuals affected is expected to be very small. However, increased mortality of this species would be expected to affect the overall distribution and/or survival of this species in the region. Therefore, impacts to coast horned lizard are considered to be potentially significant but mitigable.

Special-status bird species such as the Sharp-shinned hawk that have the potential to periodically frequent the area for the purpose of foraging may be temporarily affected by construction activities due to the short-term loss of foraging opportunities. However, the Loggerhead shrike and California horned lark could potentially be impacted during construction through the disruption of breeding activities and/or short-term loss of foraging opportunities within areas of construction. This would be most applicable along the south side of the Santa Maria River. The Northern harrier could also be affected during the breeding season by the short-term disturbance of the open grassland areas along the south side of the river channel. Further, the White-tailed kite and Cooper's hawk are likely to be affected by the short-term disturbance of both foraging habitat and potential nest sites, including the eucalyptus woodland windrows located along Blosser Avenue.

Due to the relatively small area of disturbance and short-term construction period, overall impacts to foraging special-status raptors are expected to be minimal. Surveying of potential nesting habitat of all migratory and special-status bird species in the project area prior to construction will result in potentially significant but mitigable impacts.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measures D-2 through D-7 below.

**Impact D-4.** *Construction activities within areas adjacent to the Santa Maria River and adjacent to the Blosser Road drainage channel could adversely affect aquatic and semi-aquatic special-status species.*

The Blosser Road drainage provides habitat for the Federally-listed California red-legged frog (CRLF). Other semi-aquatic, special status species such as the Southwestern pond turtle and the Two-striped garter snake also have the potential to occur in temporarily ponded areas of the Santa Maria River during wet periods. Trenching activities associated with the installation of the proposed Blosser Road waterline have the potential to reach shallow groundwater, thereby forming temporary aquatic habitat suitable for dispersing juvenile and adult CRLF. As such, waterline installation activities could potentially result in direct take of Federally-listed CRLF.

Construction activities associated with proposed temporary laydown areas/construction yards 3 and 4 may impact two semi-aquatic special-status species, the Southwestern pond turtle and the Two-striped garter snake.

Impacts to the California red-legged frog, Southwestern pond turtle and Two-striped garter snake are considered to be potentially significant but mitigable with implementation of mitigation measures to avoid or minimize impacts to these species.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measures D-8 through D-11 below.

**Impact D-5:** *Construction activities may result in long-term impacts to the large eucalyptus trees located along the proposed waterline alignment located on Blosser Road and along Via Concha Road. These trees may represent potential habitat for Monarch butterflies or nesting raptors.*

The Blosser Road waterline would be installed along the east side of the roadway near the existing large eucalyptus tree row which runs along the east side of Blosser Road between West Taylor Street and Canal Street. However, the proposed waterline alignment would be separated from the root systems of the existing eucalyptus tree rows at this location. Proposed laydown area/temporary construction yard 3 will be located adjacent to but separate from the existing eucalyptus tree row on the west side of Blosser Road at this location. The Via Concha well site is separated from an existing eucalyptus tree grove by Via Concha Road. Although these large eucalyptus trees represent potential habitat for Monarch butterflies or nesting raptors, the primary project impacts involve the impact of trenching or other major construction upon vital root systems of these trees. Given the physical separation of the proposed Blosser Road waterline, proposed laydown area/temporary construction yard 3 and the Via Concha well site, the root systems of these eucalyptus trees will be avoided. As a result, potential impacts to the eucalyptus trees along Blosser Road and Via Concha Road will be insignificant.

**Impact D-6:** *Long-term impacts associated with the potential generation of silt and sedimentation due to the currently proposed additional project facilities could result in adverse effects to habitat areas adjacent to the Santa Maria River and associated special status wildlife species.*

Terrestrial and semi-aquatic, special status wildlife species potentially present within the waterline alignments, storage tank and pump stations include the Coast horned lizard, CRLF, Southwestern pond turtle and Two-striped garter snake. The majority of these species (if present) would be expected to forage and possibly breed within the alluvial scrub and aquatic habitats along the Santa Maria River and the Blosser Road drainage channel. The proposed temporary laydown areas/construction yards 2, 3 and 4 and the Blosser Road waterline will result in trenching and localized surface disturbance of ruderal, agricultural, and California annual grassland habitat areas throughout the area. Potential long-term surface erosion of the disturbed areas due to the installation of the Blosser Road waterline and proposed temporary laydown areas/construction yards 2, 3 and 4 could result in the degradation of adjacent habitat areas over time due to secondary effects to associated aquatic habitats and residing special-status species. Implementation of mitigation measures to avoid or minimize impacts to habitat areas would result in potentially significant but mitigable impacts.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measure D-12 below.

### **3. Mitigation Measures**

The following mitigation measures which are found on pages V-79 through V-85 of the Final EIR will reduce potential impacts to biological resources to an insignificant level.

**D-1:** Construction operations shall be conducted prior to, or after, the nesting season (February 15 to September 15) to avoid any potential impacts to nesting birds. This shall include any necessary vegetation and/or tree removals which could disrupt nesting birds. Therefore, construction activities should be conducted between the months of October and January to the extent feasible.

If the above measure is not feasible, pre-construction surveys shall be conducted by a qualified biologist two weeks prior to the initiation of construction activities initiated between February 15 and September 15 to identify potential bird nesting sites.

- If active nest sites of common bird species protected under the Migratory Bird Treaty Act (e.g., Northern mockingbird, House finch, etc.) and Fish and Game Code Sections 3503 and 3503.5 are observed within 300 feet of construction activities, then the project shall be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs and/or young.
- If active nest sites of raptors and/or species of special concern are observed within the vicinity of project construction activities, construction shall avoid

IV. Environmental Analysis



the nest site or be terminated until the California Department of Fish and Game is contacted and an appropriate buffer zone around the nest site is established. Construction activities in the buffer zone shall be prohibited until the young have fledged the nest or the nest is abandoned.

- D-2:** All equipment staging and construction crew parking areas shall be located within pre-designated staging areas identified on construction plans which avoid identified sensitive habitats as determined by a qualified biological monitor. Additionally, all construction access routes shall be established in previously disturbed areas and/or existing roadways.
- D-3:** Exclusionary and silt fencing will be erected at the boundaries of the construction areas to avoid equipment and human intrusion into adjacent habitats with emphasis on protection of areas containing special-status species. The exact location of exclusionary and silt fencing for each construction area shall be determined by a qualified biological monitor. The fencing shall remain in place throughout the construction phase for each project component.
- D-4:** A qualified biological monitor shall conduct a worker orientation for all construction contractors (site supervisors, equipment operators and laborers) which emphasizes the presence and identification of special-status species within the project area, their habitat requirements and applicable regulatory policies and provisions regarding their protection and measures being implemented to avoid and/or minimize impacts.
- D-5:** If nighttime construction activities are warranted, all equipment lighting shall be shielded away from adjacent wildlife habitat areas and the open sky in order to minimize lighting/glare impacts of wildlife while still providing safe working conditions for construction personnel.
- D-6:** A dust control program during the construction phase of the project shall be implemented to minimize dust impacts to adjacent vegetation communities and associated special-status species (see Section J. Air Quality subsection 3, Mitigation Measures).
- D-7:** Nesting bird surveys shall be conducted between February 15 and August 15 to identify nest sites of special-status bird species including Loggerhead shrike, California horned lark, Northern harrier, Cooper's hawk, White-tailed kite and Tricolored blackbird.
- D-8:** A qualified biological monitor shall conduct a worker orientation which emphasizes the presence of semi-aquatic, special-status species within the project area (e.g., California red-legged frog, Two-striped garter snake, etc.), their habitat requirements, applicable regulatory policies and provisions regarding their protection and measures being implemented to avoid and/or minimize impacts.
- D-9:** The Blosser Road drainage canal shall be illustrated on all final construction plans. At no time shall any equipment and/or materials staging be allowed within the bed or banks of the drainage feature. In addition, a row of silt fencing or

equivalent shall be installed along the perimeter of the drainage canal during project operations to prohibit CRLF movement into the work zone.

- D-10:** All work areas within 100 feet of known California red-legged frog habitat shall be surveyed by a qualified biologist each day prior to the initiation of construction activities. As necessary, the qualified biologist shall physically relocate semi-aquatic, special-status species (e.g., Southwestern pond turtle, Two-striped garter snake, etc.) and common semi-aquatic species (e.g., Western toad, Pacific chorus frog, etc.) to suitable habitat areas located outside the construction zone(s). Exact procedures and protocols for relocation of the special-status species shall be based upon pre-project consultation with the California Department of Fish and Game. In the event California red-legged frog is identified in a work area, all work shall cease until the California red-legged frog has safely vacated the work area. At no time shall any California red-legged frog be relocated and/or affected by project operations without prior approval from the U.S. Fish and Wildlife Service. Exclusionary fencing will be erected at the boundaries of the construction areas to avoid equipment and human intrusion into adjacent habitats with emphasis on protection of areas containing special-status species. In addition, silt fencing will be installed around temporary aquatic habitats (i.e. trenches that have perched groundwater) that have formed during project activities, to minimize the potential for migration of CRLF from the adjacent agricultural pond. The exact location of exclusionary and silt fencing shall be determined by a qualified biological monitor. The fencing shall remain in place throughout the construction phase for each individual project component.
- D-11:** Prior to commencing construction, NCS D shall prepare the following plans and agency permit applications, and shall implement all plans prior to, during and immediately following construction activities.
- In compliance with the San Luis Obispo County Land Use Ordinance, the District shall prepare an Erosion and Sedimentation Control Plan (ESCP) outlining the measures to address both temporary (i.e., site disturbance, stock piling etc.) and final (i.e., post-construction) methods for stabilizing soil and minimizing soil loss from the proposed project site. All applicable measures shall be included on final construction plans and adhered to throughout the project.
  - All project operations shall comply with the requirements under the General Construction Storm Water General Permit, issued by the State Water Resources Control Board. Such requirements will include preparation of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include provisions for the installation and maintenance of Best Management Practices to reduce the potential for erosion of disturbed soils at the project site.
  - A Spill Contingency Plan (SCP) shall be prepared outlining measures to prevent the release of petroleum and hazardous materials including containment methods for emergency clean-up operations. Prevention measures shall include, but not be limited to identification of appropriate

fueling areas away from sensitive habitat areas such as swales and/or drainages, a maintenance schedule for equipment, and a list of appropriate containment and spill response materials to be stored on-site. All vehicles shall be staged only in appropriately marked and protected areas and at no time shall any cleaning and/or refueling of equipment be allowed upslope and/or within the vicinity of any drainages and/or wetland habitat areas, including agricultural stock ponds. If an accidental spill of a hazardous or toxic material occurs, the Regional Water Quality Control Board (RWQCB), the California Department of Fish and Game and California Department of Toxic Substances (CDTS) shall be notified.

**D-12:** Mitigation Measure D-11 includes provisions for stabilizing soils surrounding the currently proposed additional project facilities affected by project construction. As necessary, this shall include the following:

- Implementation of standard Best Management Practices (e.g., hydroseeding, wattles, and earthen swales, etc.) along the recontoured sites and erosion control monitoring during subsequent rainy seasons to ensure that previously disturbed areas are stabilized.
- Installation of long-term drainage devices at all temporary laydown areas/construction yards, water storage tank and pump stations, including, as necessary, catchment basins, culverts with down-drains and storm flow energy dissipating devices (riprap or diffusers).

## **5. Residual Impacts**

Mitigation Measure D-1 from page V-79 of the Final EIR will reduce potentially significant impacts related to nesting activities of protected migratory birds and raptors to an insignificant level (Class II Impact).

Mitigation Measures D-2 through D-7 from pages V-79 through V-81 of the Final EIR will reduce potentially significant impacts associated with special status terrestrial and avian species to an insignificant level (Class II Impact).

Mitigation Measures D-8 through D-11 from pages V-81 through V-83 of the Final EIR will reduce potentially significant impacts associated with special status aquatic or semi-aquatic species to an insignificant level (Class II Impact).

Mitigation Measure D-12 from pages V-84 and V-85 of the Final EIR will reduce potentially significant long-term impacts associated with the generation of silt and sedimentation to an insignificant level (Class II Impact).

Potential impacts upon non-listed wildlife species within or adjacent to the Santa Maria River wildlife migration corridor and potential impacts to large eucalyptus trees adjacent to Blosser Road and Via Concha Road are considered to be less than significant (Class III Impact).

## ***E. AESTHETICS***

### **1. Existing Conditions**

South of the Santa Maria River, existing views include residential areas in neighborhoods served by Blosser Road and Atlantic Place with Highway 101 and the Santa Maria River Bridge dominating views to the east. The river levee, adjacent eucalyptus tree rows, agricultural fields and vacant open space adjacent to Blosser Road define views to the west of the southern boundary of the river.

North of the Santa Maria River on the Nipomo Mesa, a majority of views adjacent to Joshua Street and Orchard Road and south of Southland Street include agricultural fields, overhead transmission lines emanating from an existing P.G.&E. electrical substation and scattered residences with Highway 101 and rolling hillsides visible in the distance to the north.

Views in the areas adjacent to Southland Street between Orchard and South Frontage Roads and along Via Concha Road involve more developed residential uses and undeveloped lots.

### **2. Impact Analysis**

**Impact E-1.** *The currently proposed additional project facilities may result in the short-term alteration of views from adjacent areas.*

Construction activities associated with preparation and use of the proposed temporary laydown areas/construction yards, the reconfiguration of the Via Concha well site and the installation of the Blosser Road waterline may result in a short-term alteration of views from surrounding vantage points.

Construction activities, while considered usually obtrusive, are unable to employ mitigation measures such as those implemented after a project is constructed. While highly visible, impacts to views in surrounding areas are, due to their temporary nature, considered to be less than significant.

**Impact E-2.** *The currently proposed additional project facilities may degrade views from adjacent areas.*

The only permanent above ground structure associated with the additional project facilities is the proposed construction of the Via Concha well site improvements. A new 175 square foot building will house equipment necessary to provide chloramination treatment and maintain proper water quality.

This facility is not considered to represent a major addition to the existing visual landscape of the areas adjacent to Via Concha Road and will therefore not degrade any views from surrounding areas. This impact is considered to be less than significant.

**Impact E-3.** *Long-term operations of the Via Concha well site may result in the generation of light and glare into surrounding areas.*

As noted above, the only permanent above ground structure associated with the additional project facilities is the 175 square foot building that is part of the proposed Via Concha well site improvements.

This building will require exterior lighting for security purposes. It is anticipated that such low-level lighting will remain on throughout the evening. While night lighting will be generated from this building, travelers on Via Concha Road as well as residents in adjacent areas will not be as sensitive to the presence of night lighting at these locations. This is due to the relatively low level of illumination proposed coupled with existing lighting emanating from adjacent properties as well as light and glare from traffic on Via Concha Road.

The extent of visual impacts associated with lighting from this building is highly dependent upon the type and design of selected lighting. By specifying appropriate lighting fixtures and types of lighting to be utilized, potential light and glare generated by this building will result in a potentially significant, but mitigable impact.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measure E-1 below.

### **3. Mitigation Measures**

The following mitigation measure which is found on page V-94 of the Final EIR will reduce potential aesthetics impacts to an insignificant level.

**E-1:** Prior to construction of the Via Concha well site improvements, an Exterior Lighting Plan shall be prepared for the District which indicates the height, location and intensity of all proposed exterior lighting. All light fixtures shall be shielded so that neither the lamp nor the reflective interior surface is visible from beyond 50 feet of project facilities. All light poles, fixtures and hoods shall be dark (non-reflective) colored. All exterior lighting sources shall be low-level adjusted so that light is directed downward. Security lighting shall be shielded so as not to create glare when viewed from adjacent properties with lighting heights no more than is absolutely necessary. All project lighting shall not be obtrusive to travelers along Via Concha Road.

#### **4. Residual Impacts**

Mitigation Measure E-1 from page V-94 of the Final EIR will reduce potentially significant visual impacts due to the generation of light and glare to an insignificant level (Class II Impact).

Potential impacts related to the visual impacts associated with project construction and the degradation of views from surrounding areas are considered to be less than significant (Class III Impact).

## ***F. CULTURAL RESOURCES***

### **1. Existing Conditions**

This project area lies within the territory historically occupied by the Obispeño Chumash, the northernmost of the Chumashian speaking peoples of California. Archaeological evidence has revealed that the ancestors of the Obispeño settled in northern Santa Barbara County and San Luis Obispo County more than 9,000 years ago.

The Nipomo area contains more square meters of light density cultural deposits than any other area in southern San Luis Obispo County. This can be partly due to the large number of surface surveys conducted in the area associated with several water and roadway projects. This proliferation of resources may also be due to the fact that the cultural deposits in the area are more dispersed on relative flat sandy terraces, all near water. Surveys conducted on the south, west and north sides of Nipomo Mesa have recorded many archaeological sites along the edges of the mesa but very few in the interior.

An archival records search for the project area was conducted in 2008 and again in 2012 at the Central Coast Archaeological Information Center located at the University of California, Santa Barbara. The Central Coast Information Center is the official repository and clearinghouse for all archaeological information for San Luis Obispo County. The archival search yielded information on previously surveyed tracts within or near the project area, the intensity of previous survey efforts, the previously recorded properties within or near the project area, the characteristics of previously recorded properties and the dates of previous surveys and excavation programs, technical reports and authors. According to the results of this archival records search, two prehistoric sites, SLO-808 and SLO-1254, were recorded adjacent to South Frontage Road between Division Street and Tefft Street. A third prehistoric site, SLO-1394, was recorded southeast of the intersection of Tefft Street and Highway 101. None of these resources are located within or in the vicinity of any of the currently proposed additional project facilities.

In addition to the archival records search, walkover surveys of areas to contain the additional project facilities were also conducted. The areas along the east side of Blosser Road between West Taylor Street and the Santa Maria River levee is approximately 5,000 feet long and contains pavement, sidewalks and a drainage. This area contains proposed laydown area/temporary construction yards 1 through 4 and the location of the proposed Blosser Road waterline. Areas on the west side of Blosser Road at this location contain agricultural fields and vacant open space. Immediately south of the levee on the west side of Blosser Road is evidence of the North Side Air Field. This abandoned facility contained a single runway and was likely used for small aircraft or as an emergency landing field.

Native soils were a loose sandy loam with various sized gravels which indicate a very high alluvial deposition. This confirms the floods in the area. Although modern stream

IV. Environmental Analysis

flows are contained in levees built between 1957 and 1959 for the Santa Maria Flood Control project, prehistoric and historic floods inundated the entire Santa Maria Valley plain as far south as Battles Road. No cultural materials were observed in this section.

The agricultural fields southwest and northeast of the intersection of Joshua Street and Orchard Road were also surveyed. This area contains proposed temporary laydown areas/construction yards 5, 6 and 7. These areas included dirt access roads and vacant areas adjacent to existing agricultural fields which contained strawberry rows. No cultural resources were found during prior or current surveys of this area.

The section along Southland Street from Frontage Road to Orchard Road which includes proposed temporary laydown areas/construction yard 8 is bordered by vacant lots and residential development. Numerous Pismo Clam fragments were identified on the south side of Southland Street. Much of the road shoulder is compact sandy soil, however, several areas of soft sand produced a limited number of small fragments of Pismo and other clam species. A vacant lot located across the street from 641 Southland Street was observed to have significant amount of shell covering the unpaved driveway, including Pismo Clam, Washington Clam, Turban Snail, non-native Oyster and domestic animal bone. The shells were in an area about 5 meters wide by 20+ meters long and are assumed to be a modern deposit of shell, possibly to stabilize the sand for an access driveway or just a trash scatter. This concentration of shell and bone fragments is not considered to be a significant resource. No prehistoric or significant historic cultural artifacts were identified elsewhere along Southland Street.

The Via Concha well site is an area previously disturbed from construction of the existing well and pump station. No prehistoric resources were identified in areas within or adjacent to this site.

## **2. Impact Analysis**

**Impact F-1.** *Construction of the currently proposed additional project facilities may disturb or materially alter areas containing prehistoric cultural resources which may be related to an identified prehistoric site.*

The only identified prehistoric site within the vicinity of the currently proposed additional project facilities is an area containing shells and shell fragments on the south side of Southland Street between South Frontage Road and Orchard Road. A significant amount of weathered shell fragments and a bone fragment were observed on the south side of Southland Street on a lot directly south of 641 Southland. The proposed temporary laydown area/construction yard 8 (see Figure 4, Potential Temporary Laydown Areas and Construction Yards) which will be located along the south side of Southland Avenue will involve minor leveling necessary for site preparation.

Although these shell and bone fragments are not considered to be a significant resource any site preparation activity for temporary laydown area/construction yard 8 should be monitored in order to record the nature and distribution of the shells. If any trash pits or



unusual items are unearthed, they can be examined by a qualified archeologist and appropriate recommendations can be made.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measures F-1 through F-3 below.

For the remainder of the additional project facilities, no prehistoric cultural materials (chert flakes, weathered shell or other prehistoric materials) or historic cultural materials were noted and no cultural resource monitoring is recommended during construction unless undiscovered cultural materials are accidentally unearthed.

**Impact F-2.** *Grading and construction associated with the currently proposed additional project facilities may result in the discovery of currently-unknown cultural resources.*

Surface walkover surveys did not reveal any prehistoric or historic resources beyond those discussed above. Although no other significant cultural resources were encountered in the area during site surveys, there remains the potential that currently unknown cultural resources may be unearthed during grading or construction. If any cultural resources are unearthed during project grading or excavation, work will be temporarily halted in that area until the unearthed cultural resources are examined and appropriate recommendations are made. In addition, an archaeological workshop shall be conducted for construction personnel to educate them as to the types of cultural resources that may be encountered during construction grading and excavation. These workshops are effective in preventing accidental damage to significant cultural resources during the construction phase of a project; they also help to reduce unnecessary delays in construction activity. The ability to halt grading or excavation when unknown cultural resources are encountered coupled with the archaeological workshops for construction personnel will result in potentially significant, but mitigable impacts.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measures F-2 and F-3 below.

### **3. Mitigation Measures**

The following mitigation measures are found on page V-117 of the Final EIR and will reduce potential impacts to cultural resources to an insignificant level.

**F-1:** Cultural resource monitoring shall accompany site preparation for the proposed temporary laydown area/construction yard 8 if this facility is located on the south side of Southland Street in the vicinity of 641 Southland in order to record the nature and distribution of weathered shells, bone fragments or any other unearthed resources.

**F-2:** An archaeological workshop shall be conducted by a qualified archaeologist at the pre-construction meeting for construction personnel to

IV. Environmental Analysis

educate them about what types of cultural material may be encountered during construction grading and excavation. A procedure for notification of accidental discovery and communication network shall be developed so that if any suspected cultural materials are unearthed, they can be quickly examined and evaluated by a qualified archaeologist and appropriate recommendations can be made.

**F-3:** During any grading or excavation associated with the project, if any cultural materials are unearthed, work in that area shall be halted until all cultural materials can be examined by a qualified archaeologist and appropriate recommendations made pursuant to County Land Use Ordinance Section 22.0.

#### **4. Residual Impacts**

Mitigation Measures F-1 through F-3 from page V-117 of the Final EIR will reduce potentially significant impacts related to the disturbance or alteration of prehistoric cultural resources to an insignificant level (Class II Impact).

Mitigation Measures F-2 and F-3 from page V-117 of the Final EIR will reduce potentially significant impacts related to the discovery of currently-unknown cultural resources during project construction to an insignificant level (Class II Impact).

## **G. GEOLOGY**

### **1. Existing Conditions**

The project area includes the Nipomo Mesa on the north and the Santa Maria floodplain to the south. The northern, Nipomo Mesa portion of the project area, which is located generally north of the Santa Maria River, consists of a relatively flat-topped mesa, which rises approximately 120 feet above the adjacent Santa Maria River. The Santa Maria River runs through the relatively flat floodplain which was formed over centuries of river flooding.

The Nipomo Mesa is underlain by massive sand dune deposits whose thickness ranges from 150 to 250 feet in depth at certain locations. The Santa Maria River and adjacent areas are underlain by sand and silty alluvial soils deposited from flows of the river.

The project area is located within the seismically-active Central Coast region. Should a major earthquake occur in the area, significant groundshaking is expected to occur. The San Andreas fault is considered the most likely to generate a major earthquake in the region in the near future. Such an earthquake is expected to produce moderate to strong ground shaking in the area.

### **2. Impact Analysis**

**Impact G-1.** *The currently proposed additional project facilities could expose people to potential substantial adverse effects, including the risk of loss, involving strong seismic ground shaking and associated ground failure, including liquefaction.*

Several regionally active faults are capable of producing significant ground shaking in the project area which could damage and/or rupture the proposed Blosser Road waterline and the reconfigured Via Concha well site. Other possible types of seismic-related ground failure include lateral spreading, differential settlement, tectonic subsidence and liquefaction. Lateral spreading typically occurs when unsupported stream banks or drainage banks fail laterally during strong ground shaking, resulting in expansion cracks and ground collapse. The proposed above ground structures, such as the Via Concha well site building and waterlines in trenched areas along Blosser Road, would be located at or near the ground surface and would potentially be subject to damage as a result of lateral spreading. Damage to such infrastructure cannot be totally precluded even with implementation of modern engineering and construction practices.

Differential settlement or subsidence typically occurs when non-uniformly compacted soils or non-uniformly competent bedrock settle differing amounts during ground shaking, potentially resulting in damage to overlying waterlines and related infrastructure. During very large earthquakes, subsidence could occur instantaneously and may total several feet, resulting in waterline damage and/or rupture.

Several design measures are required by the State of California Uniform Building Code to minimize the potential earthquake shaking impacts noted above. A 50-foot setback is required from active faults. In addition, engineering designs must incorporate reinforcement and materials that can withstand seismic activity effects related to known credible ground acceleration factors. Although no active faults are located in the immediate vicinity of the Via Concha well site, all structures would be required to incorporate designs consistent with the Uniform Building Code Seismic Zone IV, corresponding to 0.75 g to 0.80 g. Because these measures are regulated by ordinance, they would be required as part of standard San Luis Obispo County Department of Planning and Building plan check review. Therefore, these regulations would reduce the potential impacts of earthquake ground shaking on the additional project facilities. These potential seismic impacts are, therefore, considered to be less than significant.

**Impact G-2.** *The currently proposed additional project facilities would be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and could potentially result in lateral spreading, subsidence, liquefaction, or collapse.*

The proposed Blosser Road waterline is located in an area of potential lateral spreading and liquefaction susceptibility. Lateral spreading and liquefaction-induced ground failure could result in waterline damage and/or failure. However, as previously discussed, several design measures are required by the State of California Uniform Building Code to minimize potential earthquake shaking impacts. Because these measures are regulated by ordinance, they would be required as part of standard plan check review. As a result of these regulations, the potential impacts of earthquake ground shaking on the proposed Blosser Road waterline are considered to be less than significant.

### **3. Mitigation Measures**

No mitigation measures are proposed.

### **4. Residual Impacts**

Potential impacts related to exposure of people to seismic ground shaking and associated ground failure or locating the project on an unstable geologic unit or unstable soils are considered to be less than significant (Class III Impact).

## **H. TRAFFIC**

### **1. Existing Conditions**

Primary access to the project area is provided via State Highway 101. In the project area, Highway 101 is a four-lane freeway served by interchanges at Tefft Street, Hutton Road (Highway 166) and Broadway Street. Other regional roadways near the project area are State Highway 1 and State Highway 166. The local circulation system in the vicinity of the currently proposed additional project facilities serving the Nipomo area includes Joshua Street, Orchard Road, Southland Street, Pomeroy Road, Via Concha Road and Tefft Street. With the exception of the four lanes on Tefft Street, all these local roadways are two-lane paved roads.

On the south side of the Santa Maria River, local roadways include Blosser Road, a two and four lane roadway north of West Taylor Street, and Preisker Lane, a two lane roadway.

### **2. Impact Analysis**

**Impact H-1.** *The currently proposed additional project facilities will generate additional traffic which could result in traffic congestion or unacceptable levels of service on an adjacent roadway or intersection.*

The proposed additional project facilities will generate a minor amount of traffic during construction activities. The traffic generated by project construction activities will involve automobile trips associated with worker commutes, haul trucks and construction equipment.

The Final EIR (page V-128) indicates that the Blosser Road Water Main installation will require a total of ten employees. Site preparation for the proposed temporary laydown areas/construction yards will involve minor leveling and installation of fencing and is expected to require a maximum of three employees at any one time.

It is also estimated that eight employees will be required for the proposed Via Concha well site improvements. Assuming a maximum probable impact (“worst case”) scenario that the Blosser Road waterline, eight laydown areas and the Via Concha well site improvements were constructed concurrently, a maximum total of 42 workers could be generated. It should be noted that this worst case estimate involves workers at ten separate locations. The maximum number of employees at any one location is ten workers.

Assuming two daily vehicle trips per employee combined with an additional two trips per employee to account for vehicle trips associated with supervisors, haul trucks, construction equipment, etc. results in an estimated maximum of 168 total vehicle trips per day with no individual site generating more than 40 vehicle trips per day. Regional

traffic flows will not be affected by the long-term operation of the additional project facilities. These low daily volumes combined with the short-term nature of construction activities results in a less than significant impact. Regional traffic flows will not be affected by the long-term operation of the additional project facilities.

**Impact H-2.** *Construction activities associated with the currently proposed additional project facilities may result in the diversion of traffic creating an unacceptable level of service, insufficient parking, blocking or impeding access to adjacent properties or result in hazards to pedestrians or bicyclists.*

Construction activities associated with the currently proposed additional project facilities may result in the short-term diversion of automobile traffic or farm equipment from adjacent agricultural farmlands on certain local roadways. These roadways may include Blosser Road, West Taylor Street, Canal Street and Atlantic Place south of the Santa Maria River and Joshua Street, Orchard Road, Southland Street and Via Concha Road north of the Santa Maria River. With the provision of traffic controls or flagmen, where necessary, these impacts to traffic and circulation are considered to be potentially significant, but mitigable impacts.

These construction activities may result in the temporary loss of available parking on roadways. However, most areas of construction have adequate on- or off-street parking generally in areas with little parking demand. The potential loss of parking is considered to be short-term and, therefore, represents a less than significant impact.

Project construction activities may also result in the temporary blockage of access to adjacent properties or pedestrian or bicycle routes on roadways subject to construction. These blockages are considered to be short-term and with the provision of traffic controls or flagmen, where necessary, are considered to represent potentially significant, but mitigable impacts.

These potentially significant impacts can be reduced to a level of insignificance with implementation of Mitigation Measure H-1 below.

### **3. Mitigation Measures**

The following mitigation measure is found on page V-129 of the Final EIR and will reduce traffic impacts to an insignificant level.

**H-1:** All project construction sites and temporary laydown areas/construction yards accessing onto or occurring adjacent to public roadways shall provide adequate signage, barriers and, if necessary, flagmen in order to insure the safe diversion of traffic, bicyclists and/or pedestrians. These measures shall also insure continued access from adjacent properties to local roadways.

#### **4. Residual Impacts**

Mitigation Measure H-1 from page V-129 of the Final EIR will reduce potentially significant impacts related to the diversion of traffic, impeding access to adjacent properties and potential hazards to pedestrians or bicyclists to an insignificant level (Class II Impact).

Potential impacts related to construction-related traffic generation and the potential loss of available parking are considered to be less than significant (Class III Impact).

# ***I. NOISE***

## **1. Existing Conditions**

Ambient noise levels in the project area range from the low-30 to mid-60 dBA. Noise sources include traffic on Highway 101, automobile and truck traffic noise on local roadways, industrial uses, occasional small aircraft and other less obtrusive non-urban noise sources.

## **2. Impact Analysis**

**Impact I-1.** *The currently proposed additional project facilities will generate construction noise which may impact surrounding areas containing noise sensitive uses.*

Construction noise represents a short-term impact on ambient noise levels. The primary source of construction noise is heavy equipment, including trenching equipment, trucks, graders, bulldozers, concrete mixers and portable generators that can reach high levels. The peak noise level for most of the heavy equipment that will be used during project construction is 70 to 95 dBA at a distance of 50 feet. At 200 feet, the peak construction noise levels range from 58 to 83 dBA. At 400 feet, the peak noise levels range from 52 to 77 dBA. These noise levels are based upon worst-case conditions. Typically, construction-related noise levels near the construction site will be less.

Noise sensitive uses in the immediate vicinity of proposed locations for construction activities associated with the additional project facilities include residential uses adjacent to Blosser Road and Atlantic Place south of the Santa Maria River and existing residential uses in areas adjacent to Joshua Street, Orchard Road and Via Concha Road north of the river. Areas of maximum noise exposure are anticipated to be residences adjacent to Blosser Road that would be impacted by the installation of the Blosser Road waterline. These residences may be located as close as 100 feet from waterline construction. However, in many cases, these residences are separated from the construction area by sound walls. It is estimated that these residences may be exposed to a maximum noise level of 71 dBA. In all cases, these maximum noise levels would be temporary and represent “worst case” estimates of construction noise. Average noise levels during peak periods of construction are not expected to exceed 60 CNEL. These peak noise levels may occur over the 120 to 140 day construction period estimated for the Blosser Road waterline. The remaining additional project facilities will generate construction noise at significantly lower levels over a shorter time period.

These potentially significant impacts can be reduced to a level of insignificance with implementation of Mitigation Measures I-1 and I-2 below.



**Impact I-2.** *The reconfigured Via Concha well site may generate increased noise levels during long-term operations.*

Noise associated with long-term operations of the reconfigured Via Concha well site will involve the operation of the pump station, equipment used for chloramine introduction as well as occasional vehicle trips for maintenance.

Any stationary noise sources located within 300 feet of any occupied residential dwellings must be contained within a housing enclosure or other appropriate noise screen in order to insure that exterior noise levels do not exceed 60 CNEL. Maximum exterior noise levels from equipment within the enclosed Via Concha equipment building is not expected to exceed 60 dBA. Noise generated by long-term project operations or vehicle traffic is considered negligible. Long-term noise impacts are considered to be potentially significant, but mitigable impacts. This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measure I-3 below.

### **3. Mitigation Measures**

The following mitigation measures are found on pages V-132 and V-133 of the Final EIR and will reduce potential noise impacts to a level of insignificance.

- I-1:** All project construction activities shall comply with the County of San Luis Obispo Noise Ordinance Section 22.06.042(d) which limits noise-generating construction activities to the hours between 7:00 a.m. and 9:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays and Sundays.
- I-2:** All construction equipment utilizing combustion engines shall be equipped with “critical” grade (rather than “stock” grade) noise mufflers that are in good condition. Noise level reductions with the use of “critical” grade mufflers can be as high as 5 dBA. Back up “beepers” will also be tuned to insure lowest possible noise levels.
- I-3:** Stationary noise sources (i.e. the Via Concha well site) shall involve the provision of noise-reducing housing enclosures or other appropriate noise screens in order to insure that exterior noise levels do not exceed 60 CNEL.

### **6. Residual Impacts**

Mitigation Measures I-1 and I-2 from pages V-132 and V-133 of the Final EIR will reduce potentially significant impacts related to the generation of short-term construction noise to an insignificant level (Class II Impact).

Mitigation Measure I-3 from page V-133 of the Final EIR will reduce potentially significant noise impacts associated with long-term project operations to an insignificant level (Class II Impact).

## ***J. AIR QUALITY***

### **1. Existing Conditions**

The climate of the project area can be generally characterized as Mediterranean, with warm, dry summers and cooler, relatively damp winters. Inland areas are characterized by a wide range of temperature conditions. Maximum summertime temperatures generally reach the high 80's and 90's whereas minimum winter temperatures can range down to the low 20's.

The California Clean Air Act (CCAA) requires that all Air Pollution Control Districts (APCDs) and Air Quality Management Districts (AQMDs) adopt and enforce regulations to achieve and maintain the state ambient air quality standards for the area under its jurisdiction. The CCAA requires nonattainment districts to develop and adopt an Air Quality Management Plan (AQMP).

San Luis Obispo County has been designated a nonattainment area for the State standards for ozone. Ground level ambient ozone is primarily generated by combustion byproducts reacting with sunlight and ambient conditions. San Luis County's primary areas where ozone violations occur are in the northern and eastern portions of the County where the summer temperatures are high. In addition, ozone is transported to San Luis Obispo County from upwind regions in the state.

### **2. Impact Analysis**

**Impact J-1.** *The currently proposed additional project facilities will result in the generation of air pollutants during project construction activities.*

The additional project facilities involve site preparation (i.e. minor leveling) for the eight temporary laydown areas/construction yards, construction of an additional structure at the Via Concha well site and excavation for the installation of the upsized Blosser Road waterline.

Particulate matter in the form of fugitive dust will be generated during site preparation and construction activities for the proposed temporary laydown areas/construction yards, the Via Concha well site building and the upsized Blosser Road waterline.

In order to provide a maximum probable ("worst case") estimate of emissions associated with the site preparation and construction of these additional project facilities, it is assumed that two laydown areas (totaling 30,000 square feet) and the Via Concha well site improvements (a maximum of 4,375 square feet) and a 1,000 linear feet (or 15,000 square feet) for the installation of the upsized Blosser Road waterline would be constructed simultaneously. Based upon the APCD particulate generation factor of 40 pounds per acre of undisturbed soil per day, the potential disturbance of a total of 49,375

square feet (or 1.13 acres) results in an estimated generation of a total of 45.2 pounds of particulates per day or 0.475 tons of particulates per month.

If water and other soil stabilizers are used to control dust, these emissions can be reduced by 50 percent. This site preparation and construction activity with these dust control measures is estimated to generate a maximum or “worst case” total of .0713 tons of particulate matter per quarter. With implementation of proposed mitigation measures to reduce dust generation during project construction, this total does not exceed the APCD Tier 2 significance thresholds. With these measures, short-term air quality impacts associated with fugitive dust generation represent a significant, but mitigable impact.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measures J-1 through J-11.

Air pollutants will be emitted by construction equipment during site preparation and construction activities for the proposed temporary laydown areas/construction yards, the Via Concha well site, and the upsized Blosser Road waterline. During the anticipated period of operation of this equipment, nitrogen oxides, reactive organic gases, sulphur oxides, particulates and carbon monoxide will be emitted. Operation of diesel fueled equipment may generate pollutants that approach or exceed APCD thresholds of significance. Equipment maintenance coupled with proper tuning and fuel selection will insure that these thresholds for construction equipment emissions do not exceed APCD standards.

This potentially significant impact can be reduced to a level of insignificance with implementation of Mitigation Measures J-12 through J-15.

As discussed in Section V. H. Traffic, a “worst case” maximum total of 42 workers could be generated if the additional project facilities were constructed simultaneously. Assuming two daily vehicle trips per employee combined with an additional two trips per employee to account for vehicle trips associated with supervisors, haul trucks, construction equipment, etc. results in an estimated maximum of 168 total vehicle trips per day. Assuming an average trip length of five miles results in a total of 840 vehicle miles per day during the maximum probable construction conditions.

The table below provides a breakdown of pollutants generated by motor vehicle use during construction of the additional project facilities.

<b>Pollutant</b>	<b>Factor (gms/mile)</b>	<b>Emissions (lbs/day)</b>	<b>Tier 1 Significance Threshold (lbs/day)</b>
CO	7.48	13.8	50
ROG	0.48	0.88	10
NO <sub>x</sub>	0.82	1.51	10
PM <sub>10</sub>	0.06	2.72	10
SO <sub>x</sub>	0.29	0.53	10

These totals do not exceed the APCD Tier 1 significance thresholds. Short-term air quality impacts associated with project construction vehicular use is considered to be an insignificant impact.

**Impact J-2.** *The currently proposed additional project facilities will generate pollutants associated with long-term project operations.*

None of the additional project facilities involve the long-term operations of pumps, diesel motors or vehicle trips other than occasional use of vehicles for maintenance. As such, potential air quality impacts associated with the long-term operation and maintenance of the additional project facilities is considered to represent an insignificant impact.

### **3. Mitigation Measures**

The following mitigation measures which are found on pages V-142 and V-143 of the Final EIR will reduce potential air quality impacts to an insignificant level.

- J-1:** Water trucks or sprinkler systems shall be used in sufficient quantities to prevent airborne dust from leaving any construction site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed water, if available, shall be used for dust control and other construction-related purposes during project construction.
- J-2:** All dirt stock-pile areas shall be sprayed daily as needed.
- J-3:** Exposed ground areas that are planned to be reworked at dates greater than one month shall be sown with a fast-germinating native grass seed and watered until vegetation is established.
- J-4:** All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting or other methods approved by the APCD.

- J-5:** All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- J-6:** Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at a construction site.
- J-7:** All trucks hauling dirt, sand, soil or other loose materials shall be covered or maintain at least two feet of freeboard.
- J-8:** Where vehicles enter and exit unpaved roads onto streets, wheel washers or gravel pads shall be installed or trucks and equipment will be washed when leaving the site.
- J-9:** Streets shall be swept at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where possible.
- J-10:** All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day.
- J-11:** All PM10 mitigation measures required must be included on any grading or building plans. These plans shall indicate the source of reclaimed water to be used for dust control. In addition, the contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of particulate matter off site. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to construction.
- J-12:** All construction equipment shall be properly maintained and tuned according to manufacturer's specifications.
- J-13:** All off-road and portable diesel-powered equipment shall be fueled exclusively with CARB motor vehicles diesel fuel.
- J-14:** Where possible, diesel powered equipment shall be replaced with gasoline, electrical, CNG or LPG powered equipment.
- J-15:** Best Available Control Technologies including diesel particulate filters and/or proper fuel selection shall be implemented where feasible.

#### **4. Residual Impacts**

Mitigation Measures J-1 through J-15 from pages V-142 and V-143 of the Final EIR will reduce potentially significant construction-related air quality impacts to an insignificant level (Class II Impact).

Potential air quality impacts related to vehicular use during project construction are considered to be less than significant (Class III Impact).

Potential air quality impacts associated with long-term project operations and maintenance are considered to be less than significant (Class III Impact).

## V. REFERENCES

- Final Biological Resources Survey Report for the Nipomo Community Services District Southland Wastewater Treatment Facility Expansion Project; Padre Associates, Inc.; August 2, 2010.
- Final Biological Resources Survey Report for the Nipomo Community Services District Waterline Intertie Project; Padre Associates, Inc.; June, 2008.
- Nipomo Community Services District Waterline Intertie, Final Environmental Impact Report, State Clearinghouse No. 2005071114; Nipomo Community Services District; March, 2009.
- Nipomo Community Services District, Southland Wastewater Treatment Facilities Improvements, Expanded Initial Study; Nipomo Community Services District; December 10, 2008.
- Nipomo Community Services District Waterline Intertie Project, Biological Resources Evaluation; Science Applications International Corporation (SAIC); July 29, 2005.
- Nipomo Community Services District Waterline Intertie Project, Geological Resources Evaluation; Science Applications International Corporation (SAIC); July 29, 2005.
- Protocol-level California Red-Legged Frog Survey Report for the NCSD Wastewater Treatment Facility Expansion Project; Padre Associates, Inc.; June, 2010.
- Results of Addendum Report of Archival Records Search and Phase One Archaeological Surface Survey for the Nipomo Community Services District Waterline Intertie, San Luis Obispo County and Santa Barbara County, CA; Gibson's Archaeological Consulting; June 11, 2008.
- Results of Archival Records Search and Phase One Archaeological Surface Survey for the Nipomo Community Services District and City of Santa Maria Waterline Intertie, San Luis Obispo County and Santa Barbara County, CA; Gibson's Archaeological Consulting; July 25, 2005.
- Results of Archival Records Search and Phase One Archaeological Surface Survey for the Nipomo Community Services District Southland Wastewater Treatment Facilities Improvement Project, San Luis Obispo County, CA; Gibson's Archaeological Consulting; November 22, 2010.

South Frontage Road, Trunk Sewer Replacement Project, Draft Expanded Initial Study;  
Nipomo Community Services District; October 14, 2010.

2010 Urban Water Management Plan; Water Systems Consulting, Inc.; September, 2010.

Willow Road/Highway 101 Interchange, Final Environmental Impact Report, State  
Clearinghouse No. 95051065; County of San Luis Obispo; March, 1999.



TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: APRIL 20, 2012



**NIPOMO COMMUNITY PARK MASTER PLAN  
DRAFT ENVIRONMENTAL IMPACT REPORT  
AD-HOC COMMITTEE REVIEW AND RECOMMENDATION**

**ITEM**

Receive a report and recommendation from Ad-Hoc Committee regarding Nipomo Community Park Master Plan Draft EIR [RECOMMEND CONSIDER COMMITTEE RECOMMENDATION AND DIRECT STAFF]

**BACKGROUND**

At the February 29, 2012 Regular Meeting, President Harrison appointed Directors Winn and Gaddis to an Ad-Hoc committee assigned to review the County's Draft EIR for the Nipomo Community Park Master Plan and report back to your Board with recommendations.

The Ad-Hoc committee will present their recommendation.

**FISCAL IMPACT**

Negligible staff time to prepare these materials.

**STRATEGIC PLAN**

Strategic Plan Goal 2.3 – Select disposal solution for Southland WWTF  
Strategic Plan Goal 3.2 – Strengthen ties with County of SLO  
Strategic Plan Goal 7.D.1 – Plan for Parks and Open Space

**RECOMMENDATION**

Consider the Committee recommendation and direct staff

t:\board matters\board meetings\board letter\2012\120425 community park eir.docx

TO: MICHAEL S. LEBRUN *MSL*  
 GENERAL MANAGER

FROM: LISA BOGNUDA *MSB*  
 FINANCE DIRECTOR

DATE: APRIL 20, 2012

**AGENDA ITEM**

**E-3**

**APRIL 25, 2012**

**REVIEW CREDIT AND DEBIT CARD PAYMENT BY CUSTOMERS**

**ITEM**

Review credit and debit card payment by customers [RECOMMEND ACCEPT REPORT AND PROVIDE DIRECTION].

**BACKGROUND**

In March 2011, the Board of Directors reviewed and approved the implementation of a pilot program to accept credit/debit cards as an option for customers to pay their water/sewer utility bill. In addition, in September 2011, the Board of Directors reviewed and approved a contract with Official Payments Corp to provide on-line bill pay option to our customers. The Board of Directors directed Staff to report back in one year on the status of the pilot program.

Over-The-Counter (12 months) - Average transactions per month = 47

Number of Transactions (A)	Amount Charged to Credit/Debit Card	Fees incurred by NCSD (B)	Average Cost Per Transaction to NCSD (B)/(A)
569	\$111,715.48	\$1,590.13	\$2.79

On-Line Bill Pay (4 months) – Average transactions per month = 29

Number of Transactions (A)	Amount Charged to Credit/Debit Card	Fees incurred by NCSD (B) (1)	Average Cost Per Transaction to NCSD (B)/(A)
115	\$19,888.29	\$0.00	\$0.00

(1) Official Payments charges the customer a Convenience Fee of \$3.95 and there is no charge to NCSD

**Over-The-Counter**

The District anticipated there would be a reduction in the number of second notices, door hangers and turn-offs as a result of offering the use of credit/debit cards as a form of payment, however, this has not been the case. The majority of customers using this service are doing so as a convenience to them and would have paid their bill by the due date anyway. Customers have expressed that they are happy to have the option to pay with a debit/credit card. However, the entire District customer base is absorbing the cost of the transactions for the small number of customers who choose to use their credit/debit card.

**On-Line Bill Pay**

Customers are pleased that the District is offering this service, however, we have received several complaints about the \$3.95 convenience fee. The District's current utility billing system does not provide for an on-line bill pay feature and contracting with Official Payments is a

method of providing an on-line bill pay option. This is a convenience to the customer because they have the capability to pay their bill 24 hours a day, 7 days a week, provided they have internet access.

Official Payments also suggested the District consider adding a kiosk with internet connection in the lobby whereby walk-in customers could initiate credit/debit card payments without District interaction. The \$3.95 convenience fee would apply. This would eliminate the need for the Over-the-Counter transactions and associated transaction fees incurred by the District. Staff has not investigated the costs associated with installation/set-up of a kiosk.

Auto Pay

The District has provided Auto Pay (ACH) to its customers since 2005. The amount of the bill is automatically debited from the customer's account on the due date. There are no fees associated with Auto Pay to the customer or the District.

Auto Pay – Average transactions per month = 210

Number of Transactions (A)	Amount Charged to Credit/Debit Card	Fees incurred by NCSD (B) (1)	Average Cost Per Transaction to NCSD (B)/(A)
2,252	\$472,287.86	\$0.00	\$0.00

**FISCAL IMPACT**

As more customers elect to pay with a credit/debit card Over-The-Counter, the cost incurred to the District will increase.

**STRATEGIC PLAN**

Strategic Plan Item 5.3 – Provide for Excellent Customer Service

**RECOMMENDATION**

Staff recommends your Board accept report and provide direction. Options may include:

1. Continue with Over-The-Counter and On-Line Bill Pay.
2. Suspend the Over-The-Counter and On-Line Bill Pay.
3. Suspend the Over-The-Counter payment option and maintain the On-Line Bill Pay.
4. Suspend the Over-The Counter payment option and implement an Official Payments on-line bill pay kiosk in the Office Lobby.

**ATTACHMENT**

- None

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *ML*  
GENERAL MANAGER  
DATE: APRIL 20, 2012



**CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS**

**ITEM**

CSDA Board call for nominations to Region 4, Seat A [RECOMMEND CONSIDER REQUEST FROM CSDA AND DIRECT STAFF]

**BACKGROUND**

Attached is a February 24, 2012, memorandum from CSDA Board of Directors calling for nominations to Region 4, Seat A. The nomination is due by May 25, 2011.

**FISCAL IMPACT**

Submission of the application involves minor staff time and postage.

**RECOMMENDATION**

Staff recommends that the Board consider forwarding a nomination to CSDA Board of Directors.

**ATTACHMENTS**

- February 24, 2012 CSDA Memorandum
- 2011 CSDA Annual Report

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2012\120425 CSDA NOMINATION.DOCX

DUE MAY 25, 2012



**California Special  
Districts Association**  
*Districts Stronger Together*

RECEIVED

FEB 24 2012

NIPOMO COMMUNITY  
SERVICES DISTRICT

**DATE:** February 24, 2012  
**TO:** CSDA Voting Member Presidents and General Managers  
**FROM:** CSDA Elections and Bylaws Committee  
**SUBJECT: CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS  
SEAT A**

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2013 - 2015 term.

The leadership of CSDA is elected from its six geographical regions. Each of the six regions has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA regular member located within the geographic region that they seek to represent. (See attached Region Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration.

**Commitment:** Serving on the Board requires one's interest in the issues confronting special districts statewide. A board member is expected to attend all board meetings held every other month, usually on the second Friday of the month, at CSDA's office in Sacramento. Besides serving on the Board, each Board Member is expected to participate on at least one committee, which usually meets 3-4 times a year in Sacramento. CSDA reimburses directors for their related expenses for Board and Committee meetings as outlined in Board Policy. In addition, all Board Members are expected to attend CSDA's two annual events: Special Districts Legislative Days (held in the spring) and the Annual Conference (held in the fall) as part of their obligation to the CSDA membership; expenses for these two events are not reimbursed by CSDA, even if a board meeting or committee meeting is held in conjunction with the event.

**Nomination Procedures:** Any regular member Independent Special District is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of

Directors. **A copy of the member district's resolution or minute action must accompany the nomination. The deadline for receiving nominations is May 25, 2012.** Nominations and supporting documentation may be mailed or faxed.

Nominees will receive a Candidate's Packet in the mail. The packet will include campaign guidelines.

CSDA will mail ballots on June 8<sup>th</sup>. The ballots must be received by CSDA no later than 5:00 p.m. August 3, 2012 and must be the original ballot (no faxes or e-mails). The successful candidates will be notified no later than August 7<sup>th</sup>. All selected Board Members will be introduced at the Annual Conference in San Diego, CA in September.

### **Expiring Terms**

(See enclosed map for regional breakdown)

<b>Region 1</b>	Seat A	Mark Bryant, Garberville Sanitary District*
<b>Region 2</b>	Seat A	Noelle Mattock, El Dorado Hills Community Services District*
<b>Region 3</b>	Seat A	James Kohlen, Alameda County Mosquito Abatement District*
<b>Region 4</b>	Seat A	Ann Mathews, Kern County Water Agency*
<b>Region 5</b>	Seat A	Jack Curtis, Ventura River County Water District
<b>Region 6</b>	Seat A	Jo MacKenzie, Vista Irrigation District*
	Seat C	Dewey Ausmus, North County Cemetery District

(\* = Incumbent is running for re-election)

If you have any questions, please contact Charlotte Lowe at 877-924-CSDA or [charlottel@csda.net](mailto:charlottel@csda.net).



**California Special  
Districts Association**  
*Districts Stronger Together*

## BOARD OF DIRECTORS NOMINATION FORM

PLEASE BE SURE THE CANDIDATE'S PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE

Name of Candidate: \_\_\_\_\_

District: \_\_\_\_\_

Mailing  
Address: \_\_\_\_\_  
\_\_\_\_\_

Region: \_\_\_\_\_ (see attached map)

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Nominated by (optional): \_\_\_\_\_

Return this **form and a Board resolution/minute action** supporting  
the candidate by fax or mail to:

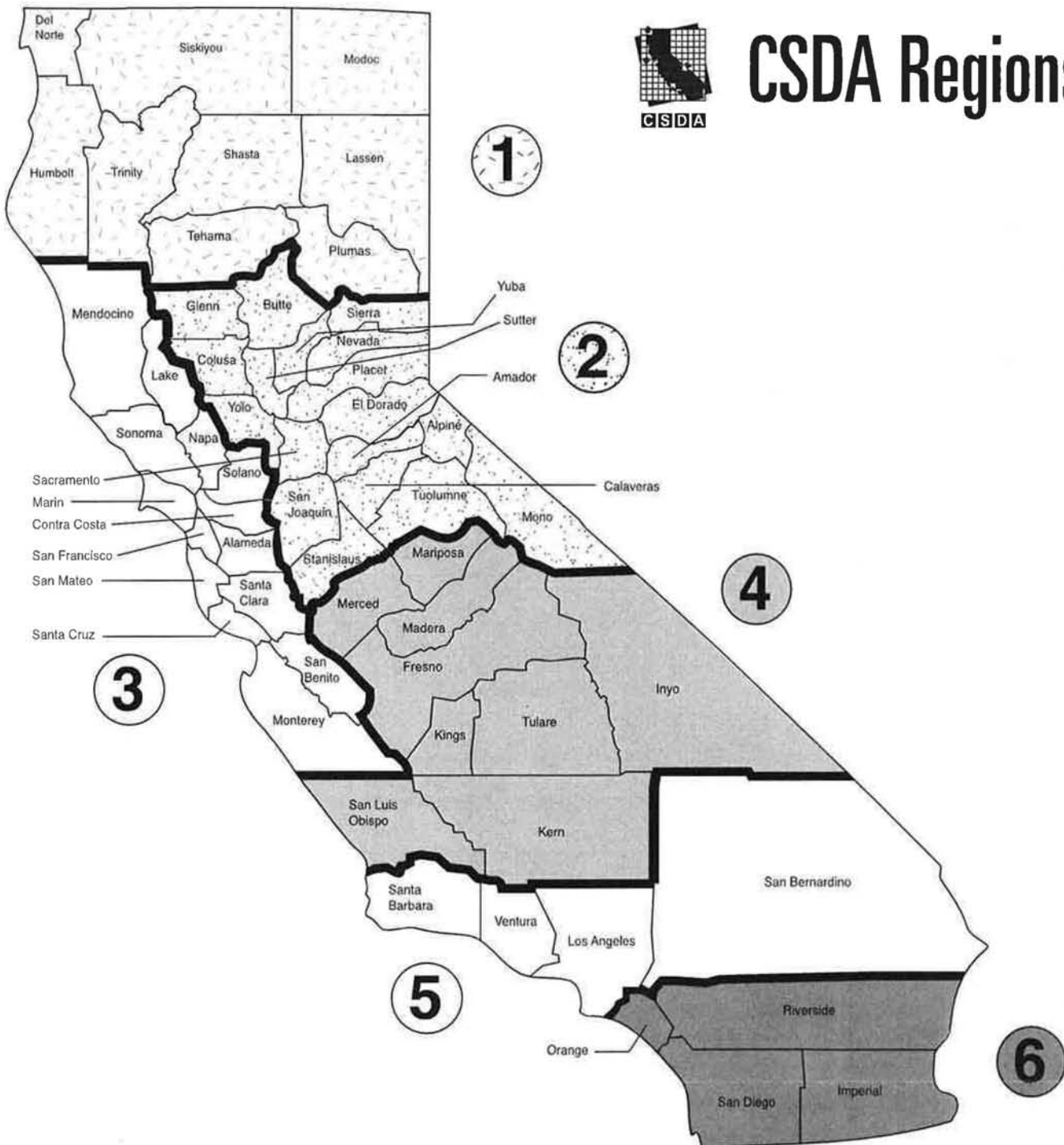
CSDA  
Attn: Charlotte Lowe  
1112 I Street, Suite 200  
Sacramento, CA 95814  
(877) 924-2732 (916) 442-7889 fax

***DEADLINE FOR RECEIVING NOMINATIONS – May 25, 2012***

3



# CSDA Regions



## 2012 Board of Directors by Region

### Region 1

Mark Bryant, *Garberville Sanitary District*  
 Phil Schoefer, *Western Shasta RCD*  
 Norman Shopay, *McKinleyville CSD*

### Region 3

Stanley Caldwell, *Mt. View Sanitary District*  
 James Kohnen, *Alameda County Mosquito AD*  
 Sherry Sterrett, *Pleasant Hill RPD*

### Region 5

Jim Acosta, *Saticoy Sanitary District*  
 Jack Curtis, *Ventura River County Water District*  
 Kathy Tiegs, *Cucamonga Valley Water District*

### Region 2

Pete Kampa, *Tuolumne Utilities District*  
 Noelle Mattock, *El Dorado Hills CSD*  
 Ginger Root, *Tuxedo Country Club FPD*

### Region 4

Adrienne (Ann) Mathews, *Kern County Water Agency*  
 Steve Perez, *Rosamond CSD*  
 Tim Ruiz, *East Niles CSD*

### Region 6

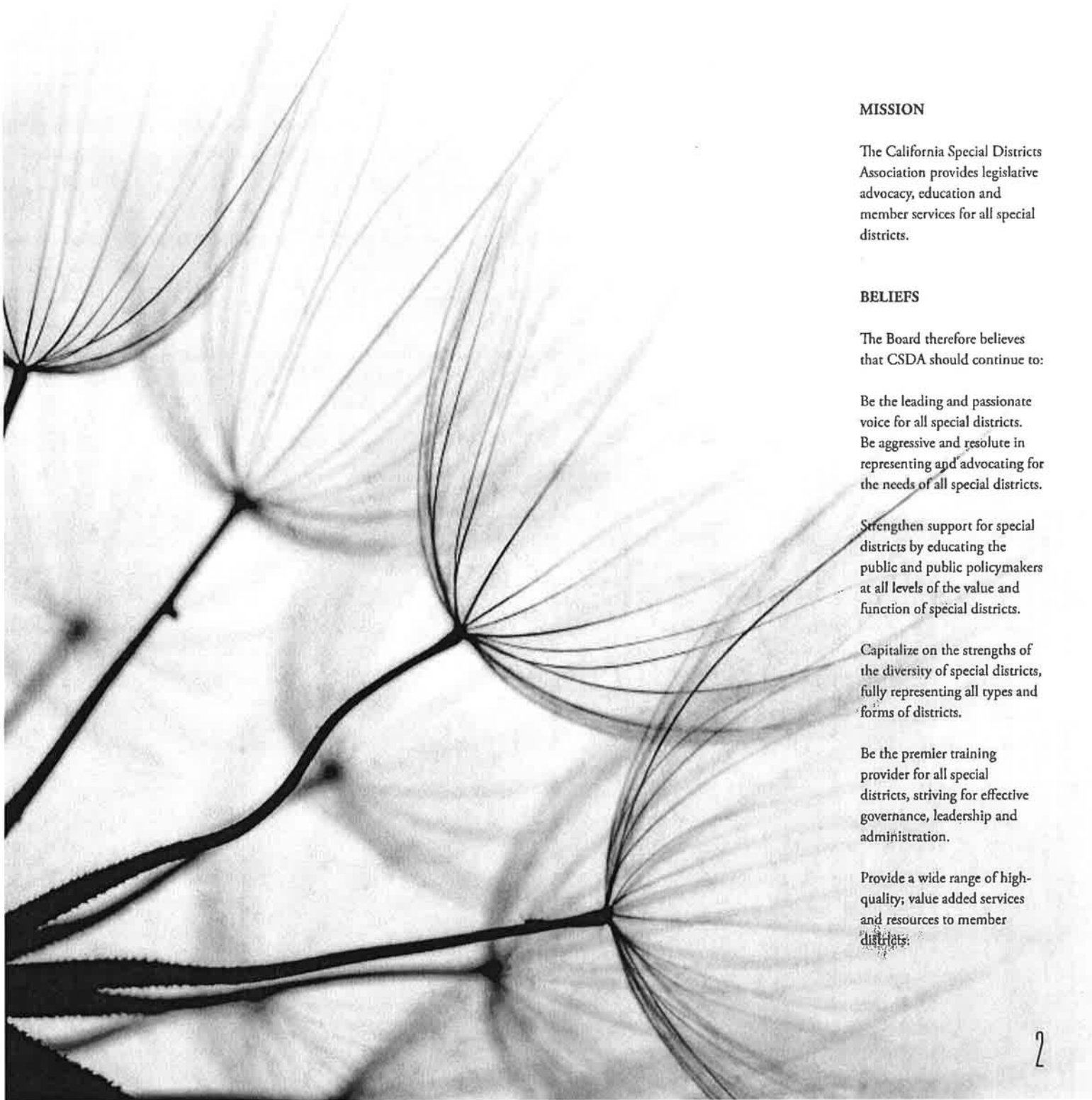
Dewey Ausmus, *North County Cemetery District*  
 William Nelson, *Orange County Cemetery District*  
 Jo MacKenzie, *Vista Irrigation District*



CALIFORNIA SPECIAL DISTRICTS ASSOCIATION  
**2011 Annual Report**

**increase GROWTH  
EXPAN  
SION**





## MISSION

The California Special Districts Association provides legislative advocacy, education and member services for all special districts.

## BELIEFS

The Board therefore believes that CSDA should continue to:

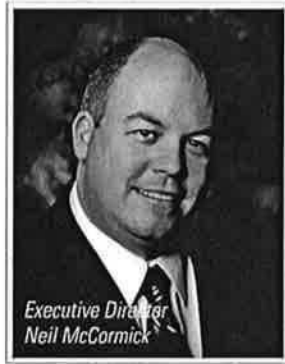
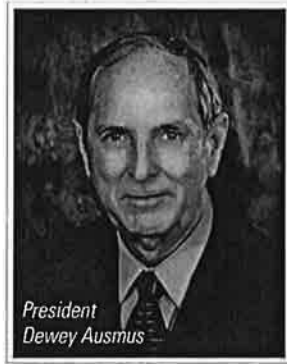
Be the leading and passionate voice for all special districts.  
Be aggressive and resolute in representing and advocating for the needs of all special districts.

Strengthen support for special districts by educating the public and public policymakers at all levels of the value and function of special districts.

Capitalize on the strengths of the diversity of special districts, fully representing all types and forms of districts.

Be the premier training provider for all special districts, striving for effective governance, leadership and administration.

Provide a wide range of high-quality, value added services and resources to member districts.



## GROWING IN EVERY WAY TO MEET YOUR NEEDS

As you view the **2011 CSDA Annual Report**, you'll notice a theme surrounding all aspects of the association: **GROWTH**. In 2011, our membership continued to grow, making representation of special districts stronger than ever; our educational programs grew, with the introduction of our first specialized training conference; and our voice at the Capitol grew, as we formed caucuses, sat on committees and spoke at numerous hearings.

The accomplishments CSDA was able to make to protect and benefit special districts absolutely could not have happened without our members' continued support. State/local reform was a major issue this year, and thanks to feedback and grassroots action from member districts, CSDA's voice was heard and local control for districts was protected. CSDA made a priority to work with other groups as much as possible to make sure the voice of special districts was heard and our relationships and networks have grown as a result.

This year, we expanded our professional development program, offering new workshops and a brand new conference for Board Secretaries/Clerks. Professional development is critical for all levels of district board and staff to ensure special districts provide their services to the public at the most optimum level. CSDA is continuing to grow the professional development program into 2012 and will be sharing some of those opportunities with you soon.

Thank you for continued support of this association.

# Advocacy and Public Affairs

## PROTECTING DISTRICT FUNDS

- Secured critical amendments to California Forward's state-local restructuring proposal to safeguard against arbitrary consolidation of special districts or top-down reallocation of property tax dollars. This planned November 2012 initiative will focus on performance based budgeting and "community action plans" that would allow local entities to partner on shared services with a mechanism for voluntary revenue sharing.
- Sponsored Senate Bill 288, which took effect January 1, 2012 and could save thousands of dollars for special districts that utilize the county treasurer as their district treasurer. SB 288 allows these districts to establish larger revolving funds, which will increase flexibility, eliminate costly warrant fees, and reduce chronic late charges.
- Ensured that legislation on redevelopment agencies (RDAs) did not eliminate pass-through payments to special districts or otherwise jeopardize existing property tax revenue. In light of the California Supreme Court case eliminating RDAs, CSDA is working to prevent new legislation from using special district revenue to fund any restoration of redevelopment activities.

## MAINTAINING LOCAL CONTROL

- Testified in a series of legislative hearings investigating the efficiency and responsiveness of special districts and advocated against committee recommendations, which were ultimately not approved. CSDA submitted key examples, analyses, and other background to the Legislative Analyst's Office (LAO) as they prepared a legislative report on special districts.
- After three years of defending against legislative attacks, successfully negotiated an agreement on municipal bankruptcy legislation that preserves local control and emergency fiscal protection. As amended, Assembly Bill 506 provides a mediation process with the option to file for federal bankruptcy following a majority vote of the local board.
- Led special districts in responding to a package of nearly two dozen bills aimed at transparency and accountability following the salary scandal in the City of Bell. Opposed duplicative and costly mandates while promoting proactive local approaches. Furthermore, facilitated members in achieving an over 98 percent compliance rate on new public compensation reports.

## PROVIDING A SEAT AT THE TABLE

- When the Legislature appointed a rare interim conference committee on pension reform, CSDA kept members informed, gathered critical member feedback to establish policy principles and represented special districts at the conference committee's first two hearings.
- Formed the Public Works Coalition with schools, counties, cities and others in order to effectively and strategically confront legislation targeting crucial contracting rights; took a leading role in opposition to legislation to cap contract retentions.
- Represented members on dozens of bills impacting labor, retirement and workers' compensation, such as SB 931, which jeopardized districts' right to legal counsel and was pulled by its author following significant grassroots opposition.

## UNITING ALL SPECIAL DISTRICTS

- Established the Special Districts Caucus to bring together each of the associations representing special districts, with the purpose of sharing information and coordinating efforts on major issues facing the special district community.
- Grew participation in Special Districts Legislative Days (SDLD), a dynamic two-day legislative conference that featured State Treasurer Bill Lockyer, state legislators and a new roundtable session with CSDA Partners, CalPERS, California Forward, and the FPPC.

# GROWTH IN ADVOCACY



Legislators prepare to discuss current issues facing districts during the local government panel.



Attendees listen to keynotes and discussions on the top legislative issues facing special districts.

When the Legislature appointed a rare interim conference committee on pension reform, **CSDA kept members informed**, gathered critical member feedback to establish policy principles and represented special districts at the conference committee's first two hearings.

ACY

5



2011 CSDA Annual Report

9

# GROWTH IN EDUCATION

## Professional Development

### EXPANDED OPPORTUNITIES

CSDA strives to be the premier provider of special district professional development in the state of California. In 2011 CSDA provided over 60 education opportunities to almost 3,000 attendees throughout the state including: 16 workshops, 27 webinars, four regional events, and 18 leadership academy courses.

### *New workshops and webinars in 2011:*

- Proposition 218, Proposition 26, and Rate Setting
- Credit Ratings: Do you need a credit rating?
- Form 700: Easier Than it Looks
- How To Assist the Board in Running an Effective Meeting
- Records Retention & Management

### 2011 CSDA ANNUAL CONFERENCE & EXHIBITOR SHOWCASE

The 2011 CSDA Annual Conference & Exhibitor Showcase was held in October in beautiful Monterey. Over 500 attendees heard from outstanding speakers including former Yahoo! Executive Tim Sanders regarding "The Power of Great Relationships." Entertainment industry veteran, Libby Gill, shared her insight into "Inspiring High-Passion and High-Performance at All Levels in Your Organization." Don McMillan shared an unforgettable presentation on "The 3 Keys to Leadership." Attendees benefitted from over 30 educational breakout sessions, legislative updates, as well as numerous networking opportunities. One of the highlights of this year's conference was the expanded exhibit hall.

This event would not be possible without the support of our annual conference sponsors:

**Platinum Sponsors:** California Special Districts Alliance, CSDA Finance Corporation, and Special District Risk Management Authority

**Gold Sponsors:** Bank of the West and Meyers Nave

**Silver Sponsors:** Bank of New York Mellon and Liebert Cassidy Whitmore

**Bronze Sponsors:** BHI Management Consulting, CH2M Hill, CPS HR Consulting, McMurchie Law, Nationwide Retirement Solutions, NBS, Nossaman, LLP, PARS, Prager, Sealy & Co., LLC, Raymond James, and Wallace Group

### CSDA'S SPECIAL DISTRICT BOARD SECRETARY/CLERK CERTIFICATE PROGRAM & CONFERENCE

130 Board Secretaries and Clerks gathered in Monterey on March 3 and 4 for CSDA's 1st Annual Special District Board Secretary/Clerk Conference. The conference, co-sponsored by Special District Risk Management Authority (SDRMA), was specifically designed for special districts. It included two full days of education on all major areas related to the many aspects of the Board Secretary/Clerk's responsibilities.

### *Courses included:*

- Board Secretary/Clerk Foundations
- Best Practices in Agenda Preparation & Taking/Recording Minutes
- Records Retention & Management
- Staying in Compliance
- Understanding Board Member & District Liability Issues
- Strategies for Excellent Customer Service
- Rules of Order & Facilitating Board Protocols
- How to Assist the Board in Running an Effective Meeting

The 130 attendees enjoyed hosted receptions sponsored by California Special Districts Alliance that also gave them time to network with their peers. Conference attendees were able to learn about services provided by exhibitors, including Incrementum and Nichols Consulting. At the conclusion of the two day conference, attendees were awarded a certificate of completion.

# TION

**CSDA strives to be the premier provider** of special district professional development in the state of California. In 2011 CSDA accomplished that goal by providing over 60 education opportunities to almost 3,000 attendees throughout the state including: 16 workshops, 27 webinars, four regional events, and 18 leadership academy courses.



7

2011 CSDA Annual Report

11

# GROWTH IN EDUCATION

2011 CSDA Annual Conference & Exhibitor Showcase - Monterey, CA



Attendees networked throughout the conference with fellow attendees and exhibitors.



Keynote speakers Ralph Heim (above) and Don McMillan.



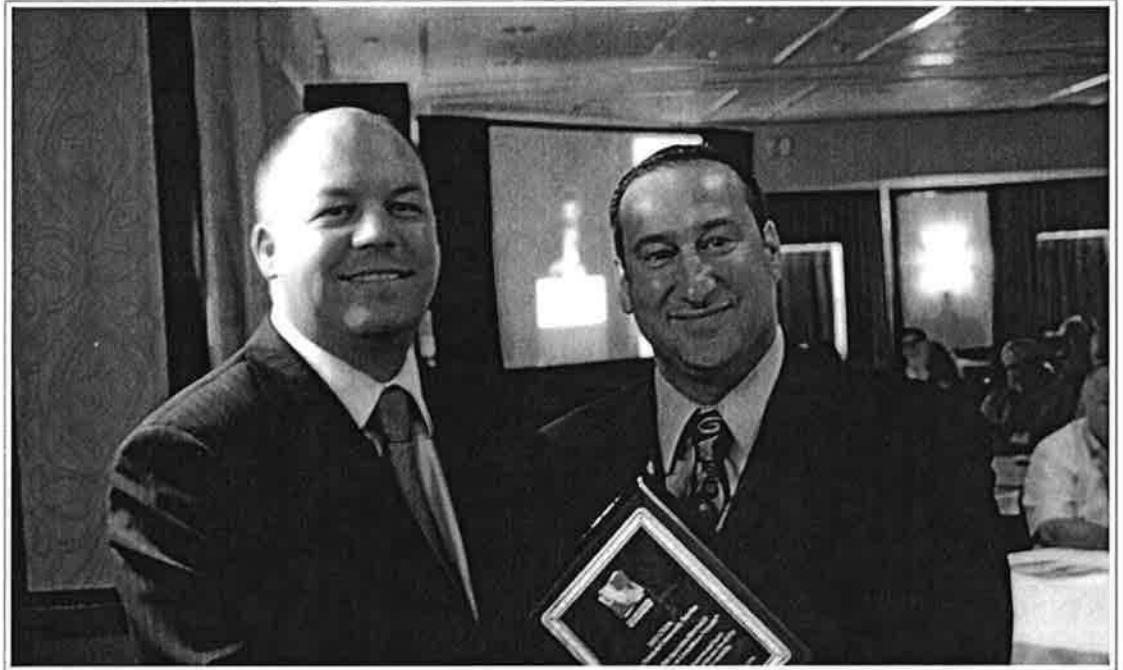


# TION



Over 500 attendees heard from outstanding speakers including former Yahoo! Executive Tim Sanders regarding "The Power of Great Relationships."

CSDA presented a number of awards throughout the conference to individuals and districts, honoring them for excellence in leadership, outreach, innovation and service.



2011 CSDA Annual Report

# Member Services

## CSDA: DISTRICTS STRONGER TOGETHER

At the close of 2011, CSDA was 1,000 members strong. Sixty-five new members joined the association last year, in the largest growth spurt of the past five years. More and more districts are realizing the value of participating in the only association that addresses the needs and concerns facing all types of special districts.

Retention rates were up as well. Districts that renewed their CSDA membership in a timely manner received access to free on-demand AB 1234 Ethics Compliance Training for their entire Board. Just our way of saying, "Thank you!"

CSDA also thanks our Business Affiliates for their help in supporting advocacy efforts and educational programs. In particular we recognize our Diamond level members, CSDA Finance Corporation, Meyers Nave and the Special District Risk Management Authority (SDRMA).

## NEW CSDA CHAPTER IN THE GOLD COUNTRY REGION

Special districts in the counties of Amador, Calaveras, El Dorado, Nevada, Placer, Sierra and Tuolumne have come together in the formation of a Gold Country Regional Chapter of CSDA. More than 30 special districts were represented at the initial meeting and 17 have already signed on as members of the new chapter.

## ADDING VALUE TO MEMBERSHIP

CSDA is always looking for ways to enhance membership. In the past year, we've developed several new programs designed to save our members time and money.

## EXPENSE MANAGEMENT WITH THE CSDA DISTRICT PURCHASING CARD

In coordination with Bank of the West, CSDA launched a special purchasing card program available only to our members. The CSDA District Purchasing Card Program is a MasterCard branded card that can be used for vendor payments, travel expenses, online purchases, utility bills and much more. This unique program allows CSDA members to aggregate their spending with that of CSDA and other districts, increasing the potential for cash rebates even for districts with relatively small annual spends. Other benefits of the program include improved cash flow, reduced procurement costs and enhanced monitoring capabilities.



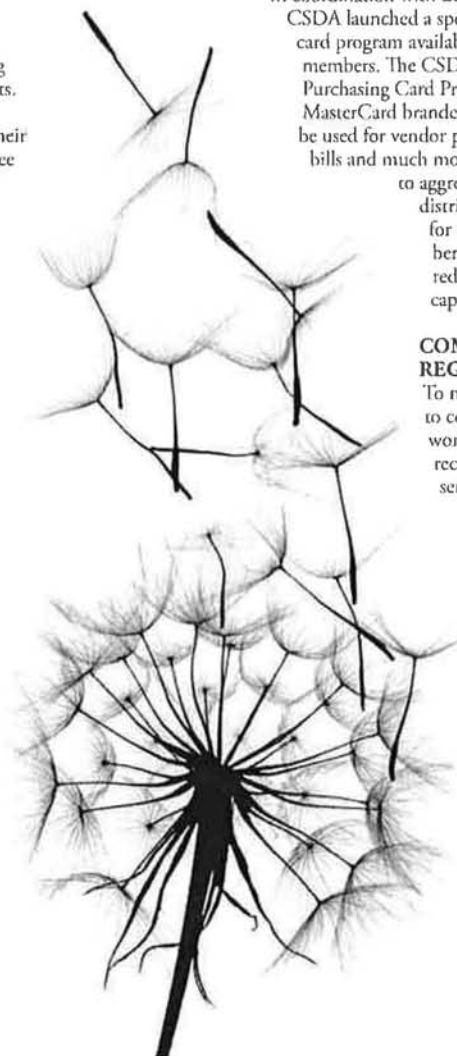
## COMPLYING WITH EMPLOYEE POSTING REGULATIONS

To make it easier and more affordable for special districts to comply to state and federal regulations that affect workplace and HR decisions, CSDA members now receive a 10% discount on the many products and services available through CalChamber.

## ANNOUNCING MORE ONLINE MEMBER RESOURCES

In 2011 CSDA launched several new resources available through the Members Only section of our website:

- **CSDA Exchange** is an online marketplace for members to advertise surplus equipment, technology, supplies and other items for sale or donation.
- **RFP/RFQ Clearinghouse** provides a venue for members to post requests for proposals.
- **Sample Document Library** is a repository for hundreds of documents relevant to special district governance and operations. The documents are organized by categories such as Contracts & MOUs, Sample Policies, Forms, Job Descriptions and more.



**At the close of 2011, CSDA was 1,000 members strong.** Sixty-five new members joined the association last year, in the largest growth spurt of the past five years. More and more districts are realizing the value of participating in the only association that addresses the needs and concerns facing all types of special districts.

# GROWTH IN MEMBER SERVICES

Our California Special Districts Alliance partners, the CSDA Finance Corporation and Special District Risk Management Authority, focus on one goal – providing our members with the best in advocacy, education, risk management and financing solutions. Representatives of the California Special Districts Alliance traveled across the state, building relationships and engaging members at the conferences of other associations. They supported chapter development efforts with educational programs and technical assistance.



**CSDA FINANCE CORPORATION**

Even in uncertain economic times, CSDA members moved ahead with mission-critical capital improvement projects, thanks to the CSDA Finance Corporation. The Finance Corporation completed more than \$32 million in financings for special districts in 2011. Projects and purchases included several land acquisitions, an energy retrofit, well-drilling and water storage projects, and the construction of a community center. CSDA Finance Corporation also served as counterparty for several financings.

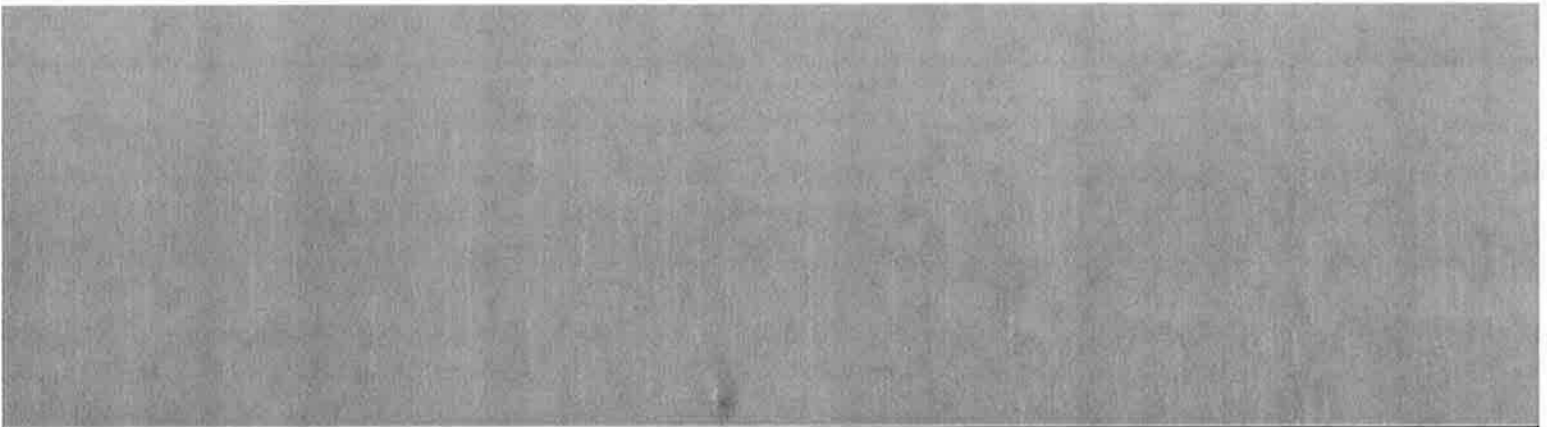


**SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY**

SDRMA has provided quality Property/Liability, Workers' Compensation and Health Benefits coverages along with risk management services, responsive claims management and loss prevention programs for over 25 years.

Listed below are several highlights resulting from SDRMA Board action in 2011:

- Thirty-five new members joined SDRMA during the year.
- Approved a new multi-program discount policy for members that belong to both our Property/Liability and Workers' Compensation Programs. Members in both programs receive a five percent discount off their annual contributions for each program.
- Approved a Longevity Distribution of over \$301,000 for Property/Liability Program members and over \$328,000 for Workers' Compensation Program members.
- Approved a new Company Nurse telephone triage program for Workers' Compensation members for on the job accidents.
- Approved a new Loss Prevention reimbursement policy, which can be used by members to receive reimbursement for safety and loss prevention efforts up to \$1,000 per program year.

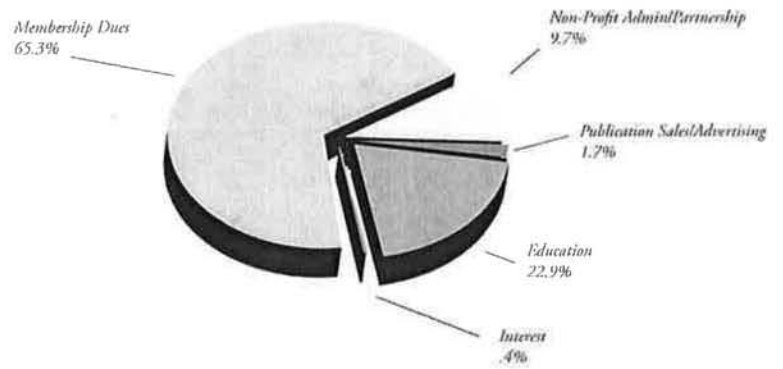


17

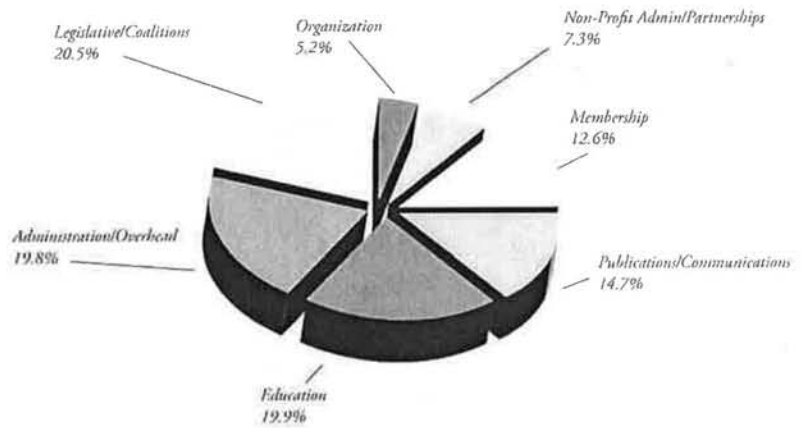
# 2011 Financials

JANUARY - DECEMBER 2011 AUDITED

INCOME	
Membership Dues	1,726,301
Education	605,947
Non-Profit Admin/Partnerships	257,152
Publications	45,070
Interest	10,165
<b>Total Revenue</b>	<b>2,644,635</b>



EXPENSES	
Administration/Overhead	476,115
Membership	301,839
Non-Profit Admin/Partnerships	174,685
Legislative/Coalitions	491,799
Publications/Communications	349,636
Education	478,912
Organization	125,164
<b>Total Expenses</b>	<b>2,398,150</b>



CSDA's Board of Directors developed a policy directing the establishment of various reserve funds in order to ensure the long term **financial stability of the association** for the benefit of its members

CSDA Reserve Funding	TARGET FOR MINIMUM YEARLY FUNDING	12/31/2011 FUND BALANCES	LONG TERM TARGET
BUILDING PURCHASE FUND	\$5,000	\$40,000	\$200,000
CAPITAL REPLACEMENT FUND	\$5,000	\$50,000	\$50,000
CAPITAL TECHNOLOGY FUND	\$5,000	\$50,000	\$50,000
SPECIAL TASK FORCE FUND	\$10,000	\$84,000	\$200,000
OPERATING RESERVES FUND	\$25,000	\$578,932	\$1,233,111 (1/2 yearly budget)
<b>TOTALS</b>	<b>\$50,000</b>	<b>\$807,932</b>	<b>\$1,233,111</b>

CSDA's Board of Directors developed a policy directing the establishment of various Reserve Funds in order to ensure the long term financial stability of the association for the benefit of its members. This chart has been produced to let our membership know how we have progressed in our efforts through 2011.

## 2011 Board and Staff

### OFFICERS

Dewey Ausmus, President  
 North County Cemetery District  
 Stanley Caldwell, Vice President  
 Mt. View Sanitary District  
 Pete Kampa, Secretary  
 Tuolumne Utilities District  
 Ginger Root, Treasurer  
 Country Club Sanitary District  
 Jo MacKenzie, Past President  
 Vista Irrigation District

### MEMBERS OF THE BOARD

Jim Acosta, Saticoy Sanitary District  
 Mark Bryant, Garberville Sanitary District  
 Jack Curtis, Ventura River County Water District  
 Jim Kohnen, Ph.D., Alameda County Mosquito Abatement District  
 Adrienne Mathews, Kern County Water Agency  
 Noelle Mattock, El Dorado Hills Community Services District  
 William Nelson, Orange County Cemetery District  
 Steve Perez, Rosamond Community Services District  
 Timothy Ruiz, P.E., East Niles Community Services District  
 Phil Schoefer, Western Shasta Resource Conservation District  
 Norman Shopay, McKinleyville Community Services District  
 Sherry Sterrett, Pleasant Hill Recreation and Park District  
 Kathy Tiegs, Cucamonga Valley Water District

### CSDA STAFF

Neil McCormick, Executive Director  
 Megan Hemming, Professional Development Director  
 Cathrine Lamairo, Member Services Director  
 Kyle Packham, Advocacy & Public Affairs Director  
 Scott Keyport, Administrative Director  
 Todd Winslow, Publications Director  
 Emily Cha, Receptionist  
 Nicole Dunn, Editor  
 Sharon Foster, Professional Development Assistant  
 Ralph Heim, Legislative Representative  
 Iris Herrera, Legislative Representative  
 Jess Lima, Legislative Intern  
 Charlotte Lowe, Executive Assistant  
 Bill Luikart, Finance Manager  
 James MacDonald, Legislative Analyst  
 Garrison Traud, Member Services Intern  
 James Wilfong, Senior Designer  
 Travis Wills, Member Services Coordinator



California Special Districts Association  
1112 I Street, Suite 200  
Sacramento, CA 95814

PRSR STD  
U.S. Postage  
PAID  
Permit No. 2472  
Sacramento, CA

