

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2012-XXXX

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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

*As a bid alternative and if approved*

**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 changes and additions to the Project referenced in the Recitals:
  - a) Do not constitute substantial changes to the project which will require major revisions to the previously certified FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - b) Do not constitute substantial changes with respect to the circumstances under which the project is undertaken which will require major revisions to the previously certified FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

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- c) Do not 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 FEIR was certified as complete or shows any of the following:
1. The project will have one or more significant effects not discussed in the previous FEIR or negative declaration;
  2. Significant effects previously examined will be substantially more severe than shown in the previous FEIR;
  3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous FEIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
2. The Addendum to the FEIR has been prepared in accordance with the California Environmental Quality Act as well as the CEQA Guidelines; and
  3. On Wednesday, April 25, 2012 the District considered the proposed Addendum to the FEIR,
  4. The consideration of the Addendum to the FEIR has been appropriately noticed under the Brown Act.

**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.

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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:  
ABSENT:  
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

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