#### **SECTION 5**

# POTENTIAL ENVIRONMENTAL IMPACTS WHICH HAVE BEEN IDENTIFIED AS BENEFICIAL

Certain impacts were analyzed in the Final EIR which have been identified as beneficial and, therefore, no mitigation measures are required.

The Nipomo Community Services District has determined that the following impact is beneficial.

#### A. Water

- The proposed project will result in the replenishment of groundwater supplies within the Nipomo Mesa Management Area.

Mitigations - No mitigation measures are proposed.

<u>Findings</u> – Potential impacts related to groundwater supplies within the Nipomo Mesa Management Area are considered to be beneficial.

Supportive Evidence – The importation of additional water as a result of the NCSD Waterline Intertie will augment current water supplies available to the Nipomo Community Services District as well as supplies available to other local water purveyors by diminishing groundwater pumping and via return flows. It will also provide a greater diversity of water sources to the District thereby increasing the reliability of water supply to the District through the addition of a second water source which reduces the potential need for groundwater "mining." A portion of these future water supplies (2,500 acre-feet per year) can 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 NCSD, 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 proposed project will provide a beneficial impact to groundwater supplies within the Nipomo Mesa Management Area.

#### SECTION 6

#### GROWTH-INDUCING IMPACTS OF THE PROPOSED PROJECT

The State CEQA Guidelines (Section 15126 (g)) require an EIR to discuss how a proposed project could directly or indirectly lead to economic, population or housing growth. A project may be growth-inducing if it removes obstacles or impediments to growth, taxes community service facilities or encourages other activities or sets precedents which cause significant environmental effects. The potential growth-inducing impacts of the proposed project are discussed below in terms of these criteria.

The proposed project will not directly generate any significant increases in population or housing.

Construction activities associated with the proposed project are estimated to generate a maximum total of 54 employees over a period of approximately one year for Phases I and III of project construction and approximately five months for Phase II of project construction. 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.

The proposed project involves the provision of additional water supplies thereby reducing potential constraint to future development within areas to be served by or this additional water. However, any increase in residential density or other land use entitlements beyond that allowed by the South County Area Plan and any resultant increase in population and housing will require a General Plan Amendment, zone change as well as other subsequent approvals by the County of San Luis Obispo, for example, a Specific Plan, conditional use permit or tract map. These future discretionary approvals will require preparation and certification of (CEOA) to address the potential population and housing impacts of these future

approvals.

#### Removal of an Impediment to Growth

The County of San Luis Obispo General Plan governs the development of unincorporated land within the South County Planning Area. The County General Plan (South County Area Plan) identifies the type and intensity of development allowed in each of several land use categories for Nipomo and other unincorporated. While service districts, including the Nipomo Community Services District, may provide the County with input regarding land use decisions and water availability, it does not have any authority over

land use entitlements. Development projects are sometimes approved by the County contingent upon receiving water and sewer services from a community water system such as the NCSD. It should be recognized that the Nipomo Community Services District does not have authority to approve development, however, the provision of public services such as water and sewer does increase the likelihood that an area may be developed.

The proposed project does not require any amendments to the South County Area Plan or any other Elements of the County General Plan and does not require any changes to existing zoning. The proposed project would not directly conflict with any environmental plans or policies adopted by agencies with jurisdiction over the project area. Although the proposed project would not directly result in a change in zoning or an increase in the intensity of currently-designated land uses, the proposed project represents a reduction or elimination of a potential constraint upon future development within areas served by the additional water supplies and has the potential to hasten the conversion of areas to more intense urbanized uses over those land uses currently consistent with the South County Area Plan.

The potential importation of a maximum of 6,200 acre-feet of water per year would accomplish several objectives. Approximately 2,500 acre-feet of water per year will offset current groundwater production in order to avoid further depletion of and assist in balancing of groundwater levels in the Nipomo Mesa Management Area. An additional 500 acre feet per year will be used by the Nipomo Community Services District to serve future customers on currently vacant land within the existing NCSD boundaries. An additional 3,200 acre-feet per year could be utilized to serve future development within the current Sphere of Influence areas which are located adjacent to the existing NCSD boundaries. This additional imported water could be used to serve existing and new development within the South County Planning Area that would otherwise be served by groundwater supplies from the Nipomo Mesa Management Area.

Any increase in density of change or land use to the South County Area Plan within the area to be served by the additional water supplies would, however, first require a General Plan Amendment and zone change. A General Plan Amendment would study a variety of land use and environmental issues before being approved or denied including community character and compatibility, existing land use policies, traffic and circulation impacts, the provision of public services, etc. This process involves significant public involvement and the implementation of the California Environmental Quality Act. These future discretionary approvals will require the preparation and certification of additional environmental documentation (pursuant to CEQA) to address the potential environmental impacts of these future approvals. Any future development within areas served by the additional water supplies would also require a number of additional approvals including approval of a Specific Plan, conditional use permit or tract map by the County of San Luis Obispo. It should be noted again that the proposed importation of supplemental water is intended to respond to development consistent with the South County Area Plan (Inland).

The Nipomo Community Services District is a California Community Services District organized pursuant to Government Code Sections 61000 et. seq. The NCSD's service area overlies the southern portion of the Nipomo area within the unincorporated portion of San Luis Obispo County. Pursuant to the Government Code, the NCSD provides water to its residents, similar to a municipal water district. The Nipomo Community Services District's authority does not include legislative or executive powers over zoning or land use.

#### Impact on Community -

Based upon the results of the Initial Study, the proposed project is not expected to significantly impact public services (police protection and fire protection) or utilities (natural gas/electricity, communication systems, water service, wastewater treatment and solid waste).

The importation of additional water as a result of the proposed waterline intertie project will augment current water supplies available to the Nipomo Community Services District as well as supplies available to other local water purveyors. It will also provide a greater diversity of water sources to the District thereby increasing the reliability of water supply to the District through the addition of a constant, non-fluctuating water source which reduces the potential need for groundwater "mining." A portion of these future water supplies will assist in the balancing of groundwater levels in the Nipomo Mesa Management Area by reducing dependence upon the pumping of the groundwater basin and augmenting the groundwater basin through return flows. These additional water supplies will serve new development within the current service area of NCSD as well as the District's Sphere of Influence areas. For these reasons, the proposed project will provide a beneficial impact to groundwater supplies within the Nipomo Mesa Management Area.

Precedent setting concerns are defined as the ability of a project to set an example of what can be achieved elsewhere within the project area. The proposed project involves importation of water in order to reduce the current imbalance of groundwater levels, to serve new development (pursuant to the South County Area Plan) within the current boundaries of the Nipomo Community Services District and its adjacent Sphere of Influence areas. Since the proposed project is intended to provide water supplies adequate to serve the build-out condition within the NCSD, no additional water supply facilities will be required to serve properties currently within the District boundaries in the future. As such, the proposed waterline intertie will not be setting a precedent for similar projects in the NCSD service area.

The proposed project has the potential to foster growth or changes in land uses in areas served by the additional water supplies particularly involving the conversion of agricultural lands. Any reduction or elimination of a constraint to development (such as the importation of additional water supplies) can potentially hasten the conversion of

vacant or existing agricultural lands, agricultural preserves or areas containing prime agricultural soils to developed uses. Any development in areas served by these additional water supplies beyond the uses currently allowed by the South County Area Plan will, however, require approvals from the County of San Luis Obispo.

The secondary or cumulative impacts associated with the proposed project are discussed within the Cumulative Impacts subsection within each environmental topic in Section V. Environmental Analysis of the Final EIR. These various assessments of cumulative impacts are addressed in relation to the following topic areas: land use and planning, population and housing, water, biological resources, aesthetics, cultural resources, geology, traffic, noise and air quality.

#### SECTION 7

#### FINDINGS REGARDING ALTERNATIVES

Alternatives to the proposed project described in the Final Environmental Impact Report were considered. The alternatives discussed in the Final EIR constitute a reasonable range of potential options necessary to permit a reasoned choice. The Final EIR identified the No Project Alternative and the Reduced Pipeline Capacity Alternative as "environmentally superior" to the proposal project but approves the proposed project with the Final EIR mitigation measures which will provide a substantial mitigation of the potential environmental effects. Consequently, in accordance with Section 15093 of the State CEQA Guidelines, a Statement of Overriding Considerations has been prepared (See Section 1 of these Findings) to substantiate the District's decision to reject the environmentally preferred alternatives because of the benefits afforded by the proposed project.

#### A. No Project Alternative

The No Project Alternative would retain the project area in its current condition and could eliminate the City of Santa Maria as a future source of supplemental water to the Nipomo Community Services District.

Comparison of Effects: The No Project Alternative eliminates the significant, unavoidable adverse impacts in the issue areas of land use and planning and population and housing that are associated with the proposed project (Class I Impacts). The No Project Alternative also eliminates the potentially significant but mitigable (i.e. direct) impacts associated with the proposed project identified in Sections 3 and 4 of these Findings (Class II Impacts). It is, therefore, considered an "environmentally superior" alternative. The No Project Alternative will, however, result in additional adverse impacts upon the groundwater supplies within the Nipomo Mesa Management Area.

<u>Findings</u>: After comparing the relative impacts and benefits of the proposed project and the No Project Alternative, the Nipomo Community Services District did not select this alternative. However, mitigation measures and features incorporated into the proposed project, as described in Sections 3 and 4 of these Findings, will substantially reduce the environmental effects of the proposed project.

<u>Facts</u>: The No Project Alternative fails to meet all of the proposed objectives related to the avoiding further depletion of NMMA groundwater supplies, compliance with the Groundwater Adjudication, assisting in balancing groundwater levels, augmenting NCSD water supplies, augmenting water supplies to current purveyors, provision of a diversity of water sources, responding to LAFCO requirements for NCSD annexations under the conditions of the 2004 Sphere of Influence Update and provision of supplemental water supplies to the NCSD service area and Spheres of Influence. The No Project Alternative also eliminates the other benefits associated with the proposed project as listed in

Sections 1 and 5 of these Findings. For these reasons, the No Project Alternative was rejected.

#### B. Eastern River Crossing Alternative

<u>Description</u> of Alternative: Two options were identified as potential routes for an eastern pipeline alignment beneath the Santa Maria River. Both alignments connect to the proposed 18-inch waterline along Blosser Road near its intersection with Atlantic Place. At this point, the pipeline is extended approximately 300 feet north on Blosser Road and either 4,300 feet or 5,200 feet east along Atlantic Place via open trench construction. At this point, approximately 300 linear feet of 24-inch carrier pipe will be installed with a 36-inch steel casing under the river levee using jack-and-bore construction methods. An additional 1,800 linear feet of pipeline will then be installed from the Santa Maria River levee to a horizontal directional drilling site within the riverbed. This open trench construction will either follow the existing abandoned railroad alignment or the abandoned 1917 State Highway alignment. The next 2,500 linear feet of 24-inch waterline will be installed either directly in the ground or within a 36-inch steel casing from the Santa Maria riverbed to the Nipomo Mesa using horizontal directional drilling. This methodology and underground drilling distance is approximately equal to that associated with the pipeline alignment for the proposed project. The pipeline continues as a 24-inch waterline along Hutton Road via open-trench construction approximately 3,800 linear feet to Nipomo Creek where the pipeline transverses the Creek by attachment to the existing bridge. Following this bridge crossing, the pipeline will 6,000 linear feet to the proposed water storage tank and Station No. 2 near the intersection of Joshua Street and Hutton Road.

Comparison of Effects: The Eastern River Crossing Alternative has similar significant, unavoidable adverse impacts in the issue areas of land use and planning and population and housing as the proposed project. This alternative has increased direct impacts in the areas of geology, water, biological resources, aesthetics, traffic, noise and air quality as compared to the proposed project.

Findings: After comparing the relative impacts and benefits of the proposed project and the Eastern River Crossing Alternative,

Services District did not select this Alternative. However, mitigation measures and features incorporated into the proposed project, as described in Sections 3 and 4 of these Findings, will substantially reduce the environmental effects of the proposed project.

<u>Facts</u>: The Eastern River Crossing Alternative meets all of the project objectives in a manner similar to the proposed project. However, this alternative has increased direct impacts in the areas of geology, water, biological resources, aesthetics, traffic, noise and air quality as compared to the proposed project. For these reasons, the Eastern River Crossing Alternative was rejected.

#### C. Highway 101 Bridge Alternative

Description of Alternative: The Highway 101 Bridge Alternative involves attaching the pipeline to the existing Highway 101 Bridge which spans the Santa Maria River. This alternative alignment connects to the proposed 18-inch waterline along Blosser Road near its intersection with Atlantic Place. At this point, the pipeline is extended approximately 300 feet north on Blosser Road and 5,900 linear feet east along Atlantic Place via open trench construction. At this point, the pipeline is reduced to four parallel 12-inch pipes to be attached underneath the bridge with coring between the girders and through the bridge abutments. The pipeline will be extended approximately 2,100 linear feet attached to the bridge. Following the bridge crossing, the pipeline is consolidated back to a 24-inch pipeline which is extended via open-trench construction approximately 800 linear feet to Hutton Road. The pipeline continues as a 24-inch waterline along Hutton Road via opentrench construction approximately 3,800 linear feet to Nipomo Creek where the pipeline transverses the Creek by attachment to the existing bridge. Following this bridge crossing, the pipeline will continue approximately 6,000 linear feet to the proposed water storage tank and Pump Station No. 2 near the intersection of Joshua Street and Orchard Road.

<u>Comparison of Effects:</u> The Highway 101 Bridge Alternative will have similar significant, unavoidable adverse impacts in the issue areas of land use and planning and population and housing as the proposed project. This alternative has increased direct impacts in the areas of geology, water, biological resources, aesthetics, traffic, noise and air quality as compared to the proposed project.

<u>Findings</u>: After comparing the relative impacts and benefits of the proposed project and Highway 101 Bridge Alternative, the Nipomo Community Services District did not select this Alternative. However, mitigation measures and features incorporated into the proposed project, as described in Sections 3 and 4 of these Findings, will substantially reduce the environmental effects of the proposed project.

<u>Facts</u>: The Highway 101 Bridge Alternative meets all of the project objectives in a manner similar to the proposed project. However, this alternative has impacts in the areas of geology, water, biological resources, aesthetics, traffic, noise and air quality as compared to the proposed project. For these reasons, the Highway 101 Bridge Alternative was rejected.

#### D. Surface

Extension of a waterline across the surface of the Santa Maria River channel will involve excavating an open trench. This would involve excavation of a trench approximately twelve feet deep and forty feet wide at the surface as it traverses the Santa Maria River channel. When combined with the open trench construction required to scale and traverse the Nipomo Mesa, involving a 15-foot wide trench, a total surface soil disturbance of approximately 4.55 acres will result.

<u>Comparison of Effects</u>: The Surface Crossing Alternative will have similar significant, unavoidable adverse impacts in the issue areas of land use and planning and population and housing as the proposed project. This alternative has increased direct impacts in the areas of geology, water, biological resources, traffic, noise and air quality as compared to the proposed project.

<u>Findings</u>: After comparing the relative impacts and benefits of the proposed project and the Surface Crossing Alternative, the Nipomo Community Services District did not select this Alternative. However, mitigation measures and features incorporated into the proposed project, as described in Sections 3 and 4 of these Findings, will substantially reduce the environmental effects of the proposed project.

<u>Facts</u>: The Surface Crossing Alternative meets all of the project objectives in a manner similar to the proposed project. However, this alternative has increased direct impacts in the areas of geology, water, biological resources, traffic, noise and air quality as compared to the proposed project. For these reasons, the Surface Crossing Alternative was rejected.

#### Ε.

Description of Alternative: Three pipelines cross the Santa Maria River in the vicinity of the proposed project. Conoco Phillips has two pipelines: an 8-inch pipeline immediately downstream from the Highway 101 Bridge and a 10-inch pipeline approximately one mile downstream from the highway. The third pipeline is owned by Sempra Energy and is located between the Conoco Phillips 8-inch line and the Highway 101 Bridge. These pipelines are all currently in service, however, the Nipomo Community Services District may be able to negotiate for their future use.

Comparison of Effects: The Existing Pipeline Alternative will have similar significant, unavoidable adverse impacts in the issue areas of land use and planning and population and housing as the proposed project. This alternative has increased direct impacts in the areas of geology, water and biological resources as compared to the proposed project.

<u>Findings</u>: After comparing the relative impacts and benefits of the proposed project and the Existing Pipeline Alternative, the Nipomo Community Services District did not select this alternative. However, mitigation measures and features incorporated into the proposed project, as described in Sections 3 and 4 of these Findings, will substantially reduce the environmental effects of the proposed project.

<u>Facts</u>: the project objectives in a manner similar to the proposed project. However, this alternative has increased direct impacts in the areas of geology, water and biological resources as compared to the proposed project. For these reasons, the Existing Pipeline Alternative was rejected.

#### F. New Bridge Alternative

Description of Alternative: The New Bridge Alternative involves an over-river crossing of the pipeline attached to a bridge structure. This new bridge may be a dedicated pipeline bridge that could suspend the pipe across the river or a multi-purpose bridge which could include a pedestrian/bicycle trail. Bridge construction will involve excavation and grading to construct bridge supports and the hauling of materials into the riverbed for bridge construction.

Comparison of Effects: The New Bridge Alternative will have similar significant, unavoidable adverse impacts in the issue areas of land use and planning and population and housing as the proposed project. This alternative has increased direct impacts in the areas of geology, water, biological resources, aesthetics, traffic, noise and air quality as compared to the proposed project.

<u>Findings</u>: After comparing the relative impacts and benefits of the proposed project and the New Bridge Alternative, the Nipomo Community Services District did not select this alternative. However, mitigation measures and features incorporated into the proposed project, as described in Sections 3 and 4 of these Findings, will substantially reduce the environmental effects of the proposed project.

<u>Facts</u>: The New Bridge Alternative meets all of the project objectives in a manner similar to the proposed project. However, this alternative has increased direct impacts in the areas of geology, water, biological resources, aesthetics, traffic, noise and air quality as compared to the proposed project. For these reasons, the New Bridge Alternative was rejected.

#### G. Reduced Pipeline Capacity Alternative

Description of Alternative: The Reduced Pipeline Capacity Alternative involves the provision of a waterline intertie with the capacity of 2,500 acre-feet per year rather than the 6,200 acre-feet per year capacity pipeline that is currently proposed. This reduced capacity would be utilized to avoid further depletion and assist in balancing of groundwater levels in the Nipomo Mesa Groundwater Management Area by augmenting water supplies available to the Nipomo Community Services District and provide additional water supplies to other local water purveyors who overlie the Nipomo Mesa Management Area. The additional 3,700 acre-feet per year is required to serve new development within vacant land within the Nipomo Community Services District boundaries as well as the Sphere of Influence areas adjacent to the current NCSD boundaries.

Comparison of Effects: The Reduced Pipeline Capacity Alternative reduces the significant, unavoidable adverse impacts in the issue areas of land use and planning and population and housing that are associated with the proposed project. The remaining potentially significant but mitigable (i.e. direct) environmental impacts associated with this alternative are similar to the proposed project. It is, therefore, considered an

"environmentally superior" alternative. The Reduced Pipeline Capacity Alternative will, however, result in additional significant adverse impacts upon the groundwater supplies within the Nipomo Mesa Management Area.

The Reduced Pipeline Capacity Alternative reduces or eliminates supplemental water availability to certain areas currently proposed to be served by supplemental water supplies. By reducing the amount of supplemental water available to the Nipomo Community Services District and indirectly to the entire Nipomo Mesa Management Area, this alternative reduces the ability of the District and other Mesa water providers to provide area-wide groundwater management and increases the dependence upon pumping of the groundwater basin thereby continuing degradation and potential overdraft of the groundwater basin which would result in an additional significant adverse impact upon these groundwater supplies.

<u>Findings</u>: After comparing the relative impacts and benefits of the proposed project and the Reduced Pipeline Capacity Alternative, the Nipomo Community Services District did not select this alternative. However, mitigation measures and features incorporated into the proposed project, as described in Sections 3 and 4 of these Findings, will substantially reduce the environmental effects of the proposed project.

Facts: The Reduced Pipeline Capacity Alternative meets the project objectives related to compliance with the Groundwater Adjudication, augmenting NCSD water supplies and augmenting water supplies to current purveyors in a manner similar to the proposed project. However, this alternative meets the project objectives related to slowing depletion of NMMA groundwater supplies, assisting in stabilizing groundwater levels, provision of supplemental water supplies to the NCSD current service area and Spheres of Influence and avoiding multiple river crossings to a level significantly less than the proposed project and meets the project objective related to the provision of a diversity of water sources to a level less than the proposed project. For these reasons, the Reduced Pipeline Capacity Alternative was rejected.

#### H. Alternative Project Sites

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The Nipomo Community Services District considered several project alternatives, including those analyzed within this EIR as discussed in this Section, in order to select the method for traversing the Santa Maria River with the proposed waterline intertie.

The only alternative location for the proposed project that was beyond those previously considered by the District was a pipeline crossing of the Santa Maria River in the vicinity of Suey Road approximately one-mile east (upstream) of the Highway 101 Bridge. This alternative location was not selected due to the additional pipelines necessary to bring water from this crossing location to connect to existing Nipomo Community Services District facilities. Many of the impacts associated with the proposed project, including the unavoidable, significant adverse impacts in the areas of land use and planning and population and housing, would remain with a waterline crossing at this alternative location.

#### I. Alternative Water Sources

The Nipomo Community Services District considered several alternative sources of supplemental water prior to their selection of the proposed waterline intertie project. These options include: 1) Santa Maria Groundwater; 2) State Water Project Water; 3) Desalination; 4) Brackish Agriculture Drainage; 5) Nacimiento Water Project; 6) Wastewater Recharge and 7) Recycling. Their evaluation of these alternative water sources was

1) water supply, 2) water quality, 3) reliability of supply, 4) schedule (i.e. timing), 5) institutional (legal and regulatory) constraints and 6) project costs. Provided below is a description of each alternative water source and its reason for rejection.

#### Santa Maria Groundwater

Santa Maria Groundwater as a water source involves acquiring supplemental water supplies from the City of Santa Maria through the direct pumping of groundwater from the Santa Maria Groundwater Basin at a new well site adjacent to the Santa Maria River. In addition to a new well, this option also requires water treatment, storage and transmission pipelines to deliver water to the NCSD.

The City of Santa Maria has adequate water supplies to provide supplemental water to the NCSD in the quantities currently proposed. However, it is uncertain whether this alternative water source will provide a "new" supply of water to the NCSD or whether it will intercept the existing inflow of groundwater from the Santa Maria Valley Management Area (SMVMA) to the Nipomo Mesa Management Area (NMMA).

The hydrogeologic interaction between NMMA and the SMVMA is currently not well defined. According to the 2005 Santa Barbara County Groundwater Report, these separate management areas appear to have limited interaction. However, a 2002 Department of Water Resources study notes that groundwater flow from the SMVMA to the NMMA may occur and is dependent on groundwater elevation and hydraulic gradients. That report further estimated inflow to the NMMA from the SMVMA to be between 1,200 and 5,100 AFY in 1995. There is also the likelihood that extracting groundwater at the location proposed would lower groundwater elevations, thereby reducing the hydraulic gradient between the SMVMA and the NMMA. If such a reduction in gradient were to occur, the effect would be to reduce the quantity of groundwater flowing from SMVMA to NMMA, and by extension, could also reduce the movement of groundwater from NMMA to the Northern Cities Management Area.

Water quality and reliability were not considered to be significant constraints to the implementation of this option. It is estimated that four to six years would be required to fully implement this alternative water source in comparison to the one year required for construction of Phase I of the proposed project.

The institutional constraints on this option involve the potential violation of the Stipulated Settlement and Judgment for the Sana Maria Groundwater Basin due to

lowering of groundwater elevations and/or impacts upon the hydrologic interaction between the SMVMA and the NMMA. This option is also dependent upon the willingness of the City of Santa Maria to pursue this options and a transfer of yield from the Twitchell Reservoir supply.

This alternative water source was rejected by the NCSD due to the fact that pumping groundwater from near the Santa Maria may result in no net gain to the District and that such pumping has significant institutional and legal obstacles which must be resolved in order to implement this option.

#### State Water Project

The State Water Project allocates its deliveries in any year among its customers based upon the contracted amounts purchased by these agencies which extend from Santa Maria south to Carpinteria in Santa Barbara County and from Morro Bay to Pismo Beach in San Luis Obispo County. There are several potential scenarios for purchase of State Water Project water including acquisition of unused or excess water supplies, purchase of water from other CCWA participants (similar to the proposed project's purchase from the City of Santa Maria) or direct participation in the State Water Project. Although sufficient supply may be available from one of these sources, the reliability of SWP water as a supplemental water source remains a variable. Being dependent upon Northern California hydrological conditions, the SWP is not always available to provide the full allocation of water to its customers. In such cases, deliveries are distributed to each customer based upon a portion of their purchase allocation. Based upon the California Department of Water Resources Delivery Reliability Report prepared in 2005, the longterm average SWP deliveries are estimated to be approximately 72 percent of SWP allocations. The actual amount of available excess water available for purchase is, therefore, not fully known at this time.

It is estimated that four to six years will be required to fully implement this alternative water source in comparison to the one year required for construction Phase I of the proposed project.

The institutional constraints with the purchase of State Water Project water involve the fact that any transfer of permanent entitlement from one SWP customer to another requires multiple jurisdictional approvals. These agencies include the CCWA as well as the San Luis Obispo and Santa Barbara County Boards of Supervisors and the Department of Water Resources. As such, the opinions and goals of these agencies must be addressed and satisfied in order to secure additional SWP water. It should also be recognized that there exists competing interests among current SWP participants with regard to unused or excess capacity of SWP supplies. Finally, a prior voter referendum regarding NCSD involvement in the State Water Project specified that the District would not contract with the State DWR for State Project water. Therefore, the District should require a public vote prior to pursuing any supply option involving the purchase of SWP water.

This alternative water source was rejected by the NCSD given the inability to precisely identify the source and amount of available SWP water and the extent of required agency and voter approval necessary to implement this option.

#### Desalination

Desalination as a water source involves the desalination of seawater or brackish groundwater in order to provide the NCSD with a reliable water source. Three desalination alternatives have been identified involving either the construction of an NCSD owned facility or the NCSD partnering with either the Nipomo Refinery or with the South San Luis Obispo County Sanitation District plant.

Desalination would offer an unlimited source of water supply subject to the limits imposed by regulatory agencies. The reliability of this option is also considered to be high with temporary interruptions occurring only in the event of a power outage or required maintenance and repair.

It is estimated that between 6.5 and 10.5 years would be required to fully implement this alternative water source in comparison to the one year required for construction of Phase I of the proposed project.

The institutional constraints involved with desalination involve entering into agreements with other agencies if the District decides to partner in the construction of a desalination plant, approval for construction of supply lines across ocean dunes from regulatory agencies involved in resource protection and approvals from the California Coastal Commission and State Lands Commission.

The timing for implementation of the desalination option combined with the institutional approvals required was the basis for rejection of this option at this time. However, the NCSD intends to continue to investigate this option as a future long-term water source.

#### • Brackish Agricultural Drainage

The use of Brackish Agricultural Drainage water source involves the treatment of shallow groundwater or agricultural runoff

to the NCSD distribution system. Oso Flaco Lake is owned by the California Parks Department and is the largest of four small freshwater lakes located in the Guadalupe Nipomo Dunes complex. It occupies a surface area of 82 acres and is classified by the U.S. Fish and Wildlife Service as a "palustrine emergent wetlands". It is considered a valuable wildlife habitat as well as resource for recreational and educational activities.

Oso Flaco Lake represents a limited supply source since its primary water source is agricultural runoff estimated at 968 acre-feet per year. Efforts are currently underway to improve agricultural irrigation efficiency to both reduce the quantity of water applied and the volume of agricultural runoff. Extracting either 3,000 or 6,300 acre-feet per year from

the lake or hydraulically-connected shallow aquifer would significantly lower the existing level of the lake. As such, the water supply and reliability of this water source is highly questionable.

The quality of water extracted from the lake requires a water treatment facility to respond to high coliform, nitrate, ammonia and chlorophyll concentrations as well as high Ph, low dissolved oxygen and high toxicity and pesticide levels found in lake water.

It is estimated that between 7 and 10 years would be required to fully implement this alternative water source in comparison to the one year required for construction of Phase I of the proposed project.

The institutional constraints associated with this alternative water source involve the required approval from the California Parks Department who would support the project only if it was demonstrated that it would result in an environmentally beneficial and compatible use of the parkland. Since the Oso Flaco drainage is considered a component of the Santa Maria Valley Groundwater Basin, use of this supply would require approval by all signatory parties to the litigation and subsequent management agreements. Use of water from Oso Flaco Lake would, due to its poor water quality, be subject to California Department of Health Services water quality requirements.

This alternative water source was rejected by the NCSD given the lack of supply and reliability combined with poor water quality and the institutional implement this option.

#### Nacimiento Water Project

The Nacimiento Water Project is a water transmission project that will convey untreated water from Lake Nacimiento to several San Luis Obispo communities. The initial participants include the Cities of Paso Robles and San Luis Obispo as well as the Atascadero Municipal Water Company, Templeton Community Services District and the Cayucos County Services Area 10A. The project consists of 45 miles of water transmission lines as well as storage reservoirs and pump stations. The pipeline terminates at the City of San Luis Obispo Water Treatment Plant. Use of the Nacimiento Water Project as an alternative water source would require extending a pipeline from the City of San Luis Obispo Water Treatment Plant to the NCSD water system.

Current plans for the Nacimiento Water Project indicate that approximately 2,148 acrefeet of reserve (unsubscribed) entitlement of water would be available at the San Luis Obispo Water Treatment Plant.

Water from the Nacimiento Water Project would require treatment to remove various chemicals, algae and other pollutants or develop an aquifer storage and recovery system.

Reliability of this alternative water source is considered to be good since involved participants are to be provided their total entitlements over an eleven month period with one month set aside for routine maintenance.

It is estimated that the Nacimiento Water Project will require 5 to 7 years to fully complete construction of the extension of the water transmission pipeline to San Luis Obispo in comparison to the one year required for construction of Phase I of the proposed project.

The institutional constraints associated with this alternative water source involve receiving approval from all of the project participants and the alteration of existing entitlement contracts.

This alternative water source was rejected by the NCSD due to the lack of supply water treatment

#### • Wastewater Recharge

The Nipomo Community Services District owns and operates the Southland Wastewater Treatment Facility (WTTF), located west of Highway 101 at Southland Street and South Frontage Road. The WWTF provides secondary treatment for a mixture of domestic and industrial wastewater from Nipomo. Existing facility components include four aeration ponds, two sludge-drying beds and eight infiltration basins. The WWTF has a permitted capacity of 900,000 gallons per day based on the maximum monthly demand. Use of wastewater recharge as an alternative water source involves developing a groundwater recharge program within the Nipomo Mesa Management Area (NMMA) in order to recharge of the groundwater basin with recycled water from Southland WWTF.

The proposed groundwater recharge alternative is intended to function as a groundwater management program within the NMMA. As such, no increase in supply to the District would result because Southland WWTP discharge is included in the groundwater budget that has been presented during litigation involving the Santa Maria and Nipomo aquifers (i.e., WWTP groundwater recharge is already considered as "return flows" to the NMMA). As no new supplemental water will be imported from outside the NMMA, there will be no effect on the overall water balance within the NMMA. However, there may be some benefit to specific areas of the depressed groundwater basin within the NMMA.

Average annual flow rates to the Southland WWTP are currently 0.59 MGD, equivalent to approximately 662 acre-feet per year (AFY). These flows are projected to increase to 1,460 AFY (1.3 MGD) in the year 2030.

Wastewater recharge as an alternative water source must respond to potential water quality impacts due to high salt and nitrogen levels. The 2007 Draft Groundwater Recharge Reuse Regulations prepared by the California Department of Health Services

indicate that recycled water used for groundwater recharge reuse projects must meet the definition of filtered, disinfected tertiary wastewater.

Recycled water is considered a reliable water supply. However, its reliability as it pertains to groundwater recharge is contingent on the NCSD's ability to provide and maintain recycled water quality meeting the Draft Groundwater Recharge Reuse Regulations as well as taking additional necessary measures to mitigate salt accumulation in the groundwater basin. The recharged groundwater will be extracted by existing or new NCSD wells. Therefore, the reliability of the return flows will be approximately the same as the existing groundwater supply. As such, its reliability may be hindered by drought conditions within the NMMA and any further development/expansion of the pumping depressions.

It is estimated that wastewater recharge facilities will require approximately 2 to 4 years to complete in comparison to the one year required for construction of Phase I of the proposed project.

The primary institutional constraint associated with this alternative water source is the fact that wastewater recharge is not considered a new source of supplemental water thereby conflicting with terms of the Stipulated Settlement and Judgment.

This alternative water source was rejected by the NCSD due to its not being a source of supplemental water. However, the NCSD intends to proceed with expansion of the wastewater treatment capacity and wastewater recharge independent of its consideration as an alternative water source.

#### Recycling

This alternative water source consists of developing a program involving delivery of recycled water from Southland WWTF for direct use as irrigation in-lieu of groundwater pumping. This alternative provides for disposition of effluent from Southland WWTP to locations other than the existing percolation ponds. Upgrades to the Southland WWTP and the provision of transmission lines and pumping facilities will be required to deliver effluent to irrigation locations.

Recycling of treated wastewater is intended to function as a groundwater management program within the NMMA. Very little increase in supply to the District would result because the net effect of this type of exchange is much smaller than the volume of water exchanged. Approximately ten percent of the water exchanged is retained within the groundwater aquifer. As no new supplemental water will be imported from outside the NMMA with this option, there will be no effect on the overall water balance within the NMMA. However, there may be some benefit to the specific areas of the depressed groundwater basin within the NMMA.

Recycling may have negative impacts to water quality in the local, underlying aquifer due to salt accumulation. Other water quality constraints associated with the recycling of

treated water involves the removal of chlorides, nitrogen, total dissolved solids and sodium which may impact agricultural crops.

Recycled water is considered a reliable water supply. However, its reliability is contingent on the NCSD's ability to provide and maintain levels of recycled water quality that meet the applicable water quality standards as well as taking additional necessary measures to mitigate salt accumulation in the groundwater basin.

It is estimated that recycling facilities will require approximately 2 to 4 years to complete in comparison to the one year required to complete construction of Phase I of the proposed project.

The primary institutional constraint associated with this alternative water source is the fact that recycled water will not affect the overall water balance in the NMMA thereby conflicting with the terms of the Stipulated Settlement and Judgment.

This alternative water source was rejected by the NCSD due to its not being a source of supplemental water.

#### **SECTION 8**

#### FINDINGS REGARDING MITIGATION MONITORING PROGRAM

Section 21081.6 of the Public Resources Code requires that when a public agency is making the findings required by State CEQA Guidelines Section 15091(a) (1), codified as Section 21081(a) of the Public Resources Code, the public agency shall adopt a reporting or monitoring program for the changes to the proposed project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment.

The Nipomo Community Services District hereby finds and accepts that the Mitigation Monitoring Program, which is attached as Exhibit A to these Findings, meets the requirements of Section 21081.6 of the Public Resources Code by providing for the implementation and monitoring of measures intended to mitigate potential environmental impacts.

#### SECTION 9

#### SECTION 15091 AND 15092 FINDINGS

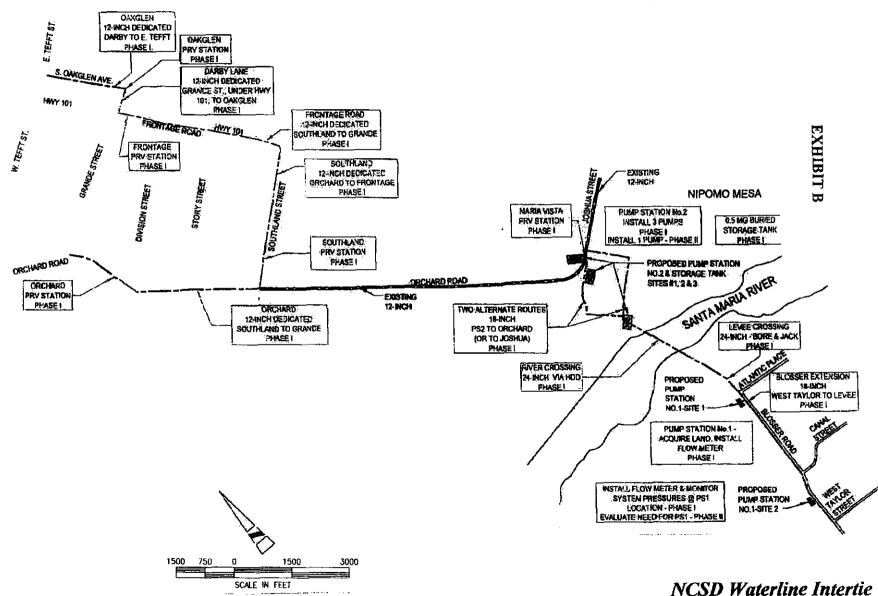
Based on the foregoing findings and the information contained in the record, the Nipomo Community Services District has made one of more of the following findings with respect to the significant effects of the proposed project:

- a. Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects as identified in the Final Environmental Impact Report.
- b. Some changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes can and should be adopted by such other agency.
- c. Specific economic, social, legal, technical or other considerations make the mitigation measures or alternatives identified in the Final Environmental Impact Report infeasible.

Based on the foregoing findings and the information contained in the record, and as conditioned by the foregoing findings:

- a. All significant effects on the environment due to the proposed project have been eliminated or substantially lessened where feasible as discussed in Sections 3 and 4 of these Findings.
- b. The benefits of the proposed project set forth in the foregoing Statement of Overriding Considerations, as noted in Section 1 of these Findings, outweigh any remaining significant effects of the project on the environment found to be unavoidable as discussed in Section 2 of these Findings.

The Nipomo Community Services District located at 148 S. Wilson Street, Nipomo, CA 93444, as Lead Agency, is the custodian of the documents and other material which constitute the record of the proceedings upon which its decision concerning EIR certification is based.



Douglas Wood & Associates, Inc.

Environmental Impact Report

# EXHIBIT C MITIGATION MONITORING PROGRAM

# MITIGATION MONITORING PROGRAM

			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

## A. LAND USE AND PLANNING

A-1: For any construction staging or storage	Avoid impacts to		
proposed on prime farmland, permanent impacts to soil resources can be avoided with the following measures	agricultural soils	construction	Services District
<ul> <li>A geotextile membrane shall be placed on top of native soils prior to the placement of any stockpile, fill, base materials or construction materials</li> </ul>			
<ul> <li>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</li> </ul>			
<ul> <li>Pipelines will be placed five to six feet below existing grade through agricultural farmland</li> </ul>			
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	Coordinate with property owners, lessee/ operators	During project construction	Nipomo Community Services District
<ul> <li>All existing irrigation systems shall be located in order to avoid damaging buried irrigation lines, wells, risers and other agricultural infrastructure</li> </ul>			

p		<del></del>	Dronovers
MITIGATION MEASURE SUMMARY	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
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.			
B. POPULATION AND HOUSING			•
No mitigation measures are proposed.		-	
C. WATER	<del></del>		
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.	Conduct public awareness program	Prior to project construction	Nipomo Community Services District
C-2: Construction shall occur during the dry season (i.e., April 15 to November 15) when there is little or no flow in the Santa Maria River in order to reduce potential contact of frac-out fluids with surface waters.	Construction to occur during dry season	During project construction	Nipomo Community Services District
C-3: The Nipomo Community Services District shall complete a preliminary geotechnical investigation along the underground horizontal directional drilling route to further define the stratigraphy and determine the appropriate depth of drilling to avoid frac-outs (i.e., the depth of finest grained sediments) and to determine appropriate methods (i.e., appropriate drilling mud mixtures for specific types of sediments). Drilling pressures shall be closely monitored so that they do not exceed those needed to penetrate the formation.	Complete a preliminary geotechnical investigation	Prior to and during project construction	Nipomo Community Services District
C-4: The Nipomo Community Services District shall prepare a Frac-out Monitoring, Response and Clean-up Plan that shall be approved by the Regional Water Quality Control Board prior to any underground horizontal directional drilling activities. The Plan shall include the following elements:  Description of the equipment and procedures for controlling fluid pressures to reduce the risk of	Prepare a Frac- Out Monitoring, Response and Clean Up Plan	Prior to project construction	Nipomo Community Services District

MITIGATION MEASURE SUMIMARY	ACTION	MILESTONE	PARIY
hydraulic fracturing.			
Description of monitoring procedures to detect	{		1
surface exposures of drilling mud in dry areas and			
in flowing waters or to groundwater.			j l
<b>-</b>			
2 complete of equipment and procession to			
respond to hydraulic fractures that break out at the ground surface or to the groundwater including			
overland access routes, containment methods and			
materials, equipment to be used and availability,			1
environmental protection measures, emergency			
response plan, and post-containment clean up and			
restoration.	ĺ		
Description of equipment, procedures and			
materials for grouting and abandoning an			ł
incomplete pilot hole that cannot be advanced			
further.	ļ	1	]
Evaluation plan and criteria for continuing			
drilling.			i I
Agency notification and post-event	ļ	1	Í
permitting.			
F			1
	Develop a	Prior to project	Nipomo Community
C-5: The Nipomo Community Services District	Stormwater	construction	Services District
shall develop a Stormwater Pollution Prevention	Pollution		1
Plan (SWPPP) that will include Best Management	Prevention Plan		
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			: I
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			i
be done within a bermed area with an impervious	1	[	Ĩ
surface to collect spilled fluids.	•		
Prepare a Spill Prevention/Spill Response Plan	İ		
for the site that includes training, equipment and			
procedures to address spills from equipment, stored			j)
fluids and other materials including disposal of			
spilled material and materials used for clean up of			
contaminated soils and materials.	ĺ		
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			ı
and mortar in contained areas.	[	(	Í
Insure that all equipment washing and major			
maintenance is prohibited at the project site except			

RESPONSIBLE MONITORING

PARTY

**MITIGATION** 

MILESTONE

SPECIFIC

**ACTION** 

MITIGATION MEASURE SUMMARY

MITIGATION MEASURE SUMMARY	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
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.			

# D. BIOLOGICAL RESOURCES

D-1: Pipeline, water storage tank and pump station 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.	nesting season or conduct pre- construction surveys	Prior to project construction	Nipomo Community Services District and California Department of Fish and Game
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 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. This shall include pre-designation of all staging areas, proposed horizontal directional drilling and jack-and-bore operations. Additionally, all construction access routes shall be established in previously disturbed	Locate equipment staging and construction areas away from sensitive habitats	During project construction	Nipomo Community Services District

			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

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.	exclusionary and silt fencing	During project construction	Nipomo Community Services District
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.	Conduct worker orientation	Prior to and during project construction	Nipomo Community Services District
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.	Shield nighttime lighting from adjacent wildlife habitat areas	During project construction	Nipomo Community Services District
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.	Implement dust control program	During project construction	Nipomo Community Services District
D-7: A qualified biologist shall conduct a preactivity survey to determine presence/absence of California horned lizard within and adjacent to the horizontal directional drilling laydown areas and jack-and-bore locations along the southern boundary of the Santa Maria River. Surveys shall only be required during the active period of California horned lizards (generally April through September). If California horned lizards are identified adjacent to and/or within work areas, hand rakes or an equivalent method shall be utilized by the biologist in order to scarify the ground surface and encourage the horned lizards (and other wildlife) to vacate the immediate area prior to construction. Alternatively, drift fences shall be used to capture horned lizards. As necessary, the qualified biologist shall physically relocate any California horned lizards to suitable habitat located	Conduct surveys to determine presence or absence of California horned lizard	Prior to project construction	Nipomo Community Services District and California Department of Fish and Game

			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

outside the construction zone(s). Procedures and protocols for relocation shall be based up on preproject consultation with the California Department of Fish and Game.	-		
D-8: A qualified biological monitor shall be on-site during all vegetation clearing and shall periodically monitor the project area during construction activities in order to inspect protective fencing, equipment staging areas and to physically relocate or remove any special-status wildlife species entering the construction zone (e.g., California horned lizard, etc.). All special-status species shall be relocated to suitable habitat located outside the construction zone by the qualified biologist. Exact procedures and protocols for relocating shall be based upon pre-project consultation with California Department of Fish and Game.	vegetation clearing and construction	During project construction	Nipomo Community Services District and California Department of Fish and Game
D-9: 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.	Conduct bird nesting surveys	Prior to project construction	Nipomo Community Services District
D-10: Site disturbance and construction activities associated with the Santa Maria River pipeline crossing, including the horizontal directional drilling operations shall not occur during the rainy season (October 15 to April 15). No construction activities shall occur during or immediately following a rain event or if water is flowing within the Santa Maria River.	Horizontal directional drilling to avoid rainy season and special-status wildlife species	During project construction	Nipomo Community Services District
D-11: A qualified biological monitor stall 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.	Conduct worker orientation	Prior to and during project construction	Nipomo Community Services District
D-12: 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.	Avoid Blosser Road drainage canal	During project construction	Nipomo Community Services District

MITIGATION MEASURE SUMMARY	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
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D-13: 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.	areas adjacent to special-status species habitats	Prior to and during project construction	Nipomo Community Services District and California Department of Fish and Game
D-14: Prior to commencing construction, NCSD shall prepare the following plans and agency permit	Prepare plans and agency permit	Prior to and during project construction	Nipomo Community Services District, Regional Water

applications and shall implement all plans prior to,

during and immediately following construction

activities.

project.

• In compliance with the San Luis Obispo County Land Use Ordinance, the District shall prepare an

applications

Regional Water Quality Control Board, California Department of Fish and Game and California Department of Toxic Substances

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MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

- 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.
- The District shall submit an application for a Streambed Alteration Agreement (SAA) to the California Department of Fish and Game. If required, the final SAA shall be received prior to project construction. All conditions in the final SAA shall be strictly adhered to during construction.
- A Frac-out Contingency Plan (FCP) shall be prepared for horizontal directional drilling operations within the Santa Maria River channel and shall include appropriate measures for containment of spills, agency notifications (including a detailed call-down list of all applicable regulatory agency representatives), clean-up protocols, and procedures for restoring the river channel to pre-disturbance conditions. The "Fracout" clean-up procedures shall emphasize minimizing and/or avoiding impacts to the main channel and alluvial scrub habitat areas of the Santa Maria River. Lastly, the FCP shall include the

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	MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

conditions by which the boring operation would be			
abandoned, if applicable, and how many repeated			
bores may be attempted.			
•	Monitor	During project	Nipomo Community
D-15: Prior to commencing project construction,		construction	Services District and
the District shall retain a biological monitor		İ	the California
experienced with horizontal directional drilling			Department of Fish
technology. The biological monitor shall be			and Game
responsible for conducting field inspections of			
horizontal directional drilling operations, reporting,			<u> </u>
and enforcement of all applicable conditions of			
approval, including any required conditions from			
the California Department of Fish and Game SAA.			
Specifically, the qualified monitor shall be on-site to			
inspect the river corridor and pipeline alignment	1	1	
during drilling activities that have the potential for a			
spill or "Frac-out" (i.e. pull back operations, etc.) to			
ensure no impacts occur to the Santa Maria River.			
In the event of a spill or "Frac-out" within the Santa	1		
Maria River corridor, all work shall be halted and	-		[
the spill shall be contained using the procedures outlined in the FCP.			
outined in the FCF.	Make spill	During project	Nipomo Community
D-16: Spill containment equipment shall be	equipment	construction	Services District
available on-site during all construction activities.	available during	Constitution	SCIVICES DISTIRC
As necessary, this shall include placement of			
individual spill response trailers at each active work	activities		
area during project operations.	[,,		
Mitigation Measures D-10 through D-14 require			
provision of (pre-designated staging and fueling			
areas and equipment access routes, exclusionary			
fencing to protect sensitive habitat areas, dust			
control measures, etc.).			
	Obtain	During project	Nipomo Community
D-17: In the event that a "Frac-out" occurs within	regulatory	construction	Services District,
the Santa Maria River channel due to horizontal	permits for Frac-		Army Corps of
directional drilling operations, the appropriate	out cleanup and		Engineers, the
permits shall be obtained by the governing	habitat		Regional Water
regulatory agency to facilitate clean-up and	restoration		Quality Control
restoration of the affected portions of river channel			Board and the
to pre-project conditions. As necessary, this shall			California
include a 404 Permit from the Army Corps of			Department of Fish
Engineers, a 401 Permit from the Regional Water			and Game
Quality Control Board and Streambed Alteration			
Agreement from the California Department of Fish and Game.		}	
and Canic.	Prepare Frac-out	During project	Nipomo Community
D-18: The restoration component of the Frac-out	Contigency Plan	construction	Services District
Contingency Plan (Mitigation Measure D-14) shall	Configure y 1 mil	COMPRESSION	OPLAINES TRIBITION
be implemented as necessary to ensure that the			
affected portions of stream channel and associated	ļ		1
sensitive habitat areas are restored to pre-project			1
conditions. The restored portions of stream channel			}

Name of the State			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	<u>ACT</u> ION	MILESTONE	PARTY

shall be monitored until all performance criteria have been met as specified by the regulatory agency permits.		Prior to project	Nipomo Community
D-19: Prior to project construction, a qualified botanist shall complete a focused botanical survey of the pipeline alignment along the southern boundary of the Santa Maria River. All Blochman's ragwort identified within 50 feet of the proposed horizontal directional drilling laydown area and pipeline alignment shall be marked with temporary flagging.	focused botanical survey for Blochman's ragwort	construction	Services District
D-20: Protective fencing shall be installed around populations of Blochman's ragwort to prevent loss of this special-status plant species. As necessary, this shall include minor modifications of the designated horizontal directional drilling laydown area to avoid Blochman's ragwort to the extent feasible.	Install protective fencing	During project construction	Nipomo Community Services District
D-21: The proposed waterline shall be aligned to avoid impacting the root systems of large eucalyptus trees located on Southland Street, Orchard Road, South Frontage Road and Darby Lane. The precise location shall be reviewed by a qualified arborist to insure avoidance of or minimize impacts to the root systems of large trees throughout pipeline alignment at these locations.	Avoid root systems of eucalyptus trees	During project construction	Nipomo Community Services District
<b>D-22:</b> Mitigation Measure D-14 includes provisions for stabilizing soils surrounding the water storage tank, pump station sites and pipeline alignments affected by project construction and monitoring. As necessary, this shall include the following:	Implement Best Management Practices and install drainage facilities	During project construction	Nipomo Community Services District
• 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 water storage tank and pump stations, including, as necessary, catchment basins, culverts with downdrains and storm flow energy dissipating devices (riprap or diffusers).			
D-23: All water storage tank and pump station facility lighting shall be shielded away from adjacent wildlife habitat areas and sky to minimize lighting/glare impacts of wildlife, to the extent	Shield lighting away from adjacent wildlife habitat areas	During project construction	Nipomo Community Services District

MITIGATION MEASURE SUMMARY	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY

feasible	while	still	providing	safe	working	l	}	ł	
condition	ns for fac	ility p	ersonnel.			•			
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# E. AESTHETICS

E-1: Prior to project construction, a Landscape Screening Plan shall be prepared for the District which provides landscaped screening consisting of trees and/or shrubs adjacent to proposed booster stations or any above ground water storage facilities. Trees or shrubs will be provided which will reach six (6) feet surrounding booster stations without sacrificing safety considerations within two years of construction of these facilities.	Landscape Screening Plan	Prior to project construction	Nipomo Community Services District
E-2: Prior to project construction, a Landscape Maintenance Plan shall be prepared which provides a program for growing and maintaining the proposed vegetative screens so that they achieve the two-year growth plan for vegetation. The plan shall also identify the long range maintenance and vegetative replacement plan to insure that said screening will be maintained for 15 years, including replacement of any trees which may die.	Prepare Landscape Maintenance Plan	Prior to project construction	Nipomo Community Services District
E-3: Prior to project construction, a color board will be provided which identifies the exterior colors and materials to be utilized on proposed water storage tanks and booster stations. The colors and materials selected will involve muted tones which match or are comparable with the colors found in the surrounding areas.	Select colors and materials with muted tones for storage tanks and pump stations	Prior to project construction	Nipomo Community Services District
E-4: Prior to project construction, 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 any adjacent roadways.	Prepare Exterior Lighting Plan	Prior to project construction	Nipomo Community Services District

			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

# F. CULTURAL RESOURCES

F-1: Cultural resource monitoring shall accompany construction trenching and excavation along the South Frontage Road near Grande Avenue (SLO-808), between Division Street and Story Street (SLO-1254) as well as along a 100 meter area on the south side of Southland Street directly south of 641 Southland. A Cultural Resource Monitoring Plan shall be developed and approved by the County of San Luis Obispo which will include project review, a pre-construction archeological workshop, Chumash involvement, networking with all involved members of the project and the production of a final monitoring report.	construction trenching and	During project construction	Nipomo Community Services District
F-2: The vacant lot located southeast of the intersection of Tefft Street and Highway 101 containing SLO-1394 shall not be utilized during any project construction activities including, but not limited to, a staging area for project construction.	Avoid archaeological site SLO-1394	During project construction	Nipomo Community Services District
F-3: An archaeological workshop shall be conducted by a qualified archaeologist at the preconstruction meeting for construction personnel to 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.	Conduct archaeological workshop for construction personnel	Prior to and during project construction	Nipomo Community Services District
F-4: 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.	Halt construction if cultural materials are unearthed	During project construction	Nipomo Community Services District

## G. GEOLOGY

G-1: The following shall be included	l in Final	Include measures	Prior to project	Nipomo Community
Grading and Drainage Plans to preven	nt erosion	to prevent	construction	Services District
induced siltation of on-site and off-site drai	nages:	erosion induced		
1		siltation on Final		

MITIGATION MEASURE SUMMARY	SPECIFIC ACTION	MITIGATION MILESTONE	RESPONSIBLE MONITORING PARTY
<ul> <li>The use of temporary berms and sedimentation traps, such as silt fencing, straw bales, and sand bags, to be installed in association with project excavations, grading and underground horizontal directional drilling activities in order to minimize erosion of soils and sedimentation into the Santa Maria River and other local drainages. Sedimentation basins and traps shall be cleaned periodically with silt removal and disposal in a location approved by the District.</li> <li>A prohibition against grading during the rainy season (November 1-April 15) unless erosion control measures found adequate by the District are implemented.</li> <li>Methods for revegetation of disturbed soils for long-term stabilization.</li> </ul>	Grading and Drainage Plans		

# H. TRAFFIC

H-1: All project construction sites accessing onto	Provide adequate	During project	Nipomo Community
or occurring adjacent to public roadways shall		construction	Services District
provide adequate signage, barriers and, if necessary,	or flagmen		
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.	:		
			<u> </u>

# I. NOISE

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.	Comply with County Noise Ordinance	During project construction	Nipomo Community Services District
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.	Utilize "critical" grade mufflers	During project construction	Nipomo Community Services District
I-3: All necessary measures to muffle, shield or enclose construction equipment shall be	Muffle, shield or enclose	During project construction	Nipomo Community Services District

			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	ACTION	MILESTONE_	PARTY

implemented in order to insure that noise levels at the property line of the nearest residence do not exceed an exterior noise level of 60 dBA. During project construction, noise monitoring shall be conducted by a qualified acoustical engineer in order to insure the acceptable noise threshold of 60 dBA at the property line of the nearest sensitive receptor.	1		
I-4: Stationary noise sources (i.e. pump stations and other project facilities) shall be located at least 300 feet from any occupied residential dwellings unless noise-reducing engine housing enclosures or other appropriate noise screens are provided in order to insure that exterior noise levels do not exceed 60 CNEL.	Locate stationary noise sources away from residences	During project construction	Nipomo Community Services District

# J. AIR QUALITY

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.	Use water trucks or sprinkler systems for dust control	During project construction	Nipomo Community Services District and County Air Pollution Control District
J-2: All dirt stock-pile areas shall be sprayed daily as needed.	Spray dirt stock- pile areas	During project construction	Nipomo Community Services District and County Air Pollution Control District
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.	Plant exposed ground areas	During project construction	Nipomo Community Services District and County Air Pollution Control District
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.	Use soil stabilizers in disturbed soil areas	During project construction	Nipomo Community Services District and County Air Pollution Control District
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.	Pave roadways, driveways, sidewalks, etc. as soon as possible	During project construction	Nipomo Community Services District and County Air Pollution Control District
J-6: Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at a construction site.	Restrict construction vehicle speed	During project construction	Nipomo Community Services District and County Air Pollution Control District

			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

J-7: All trucks hauling dirt, sand, soil or other loose materials shall be covered or maintain at least two feet of freeboard.		During project construction	Nipomo Community Services District and County Air Pollution Control District
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.	washers or gravel	During project construction	Nipomo Community Services District and County Air Pollution Control District
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.	daily	During project construction	Nipomo Community Services District and County Air Pollution Control District
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.	Water excavated or graded material	During project construction	Nipomo Community Services District and County Air Pollution Control District
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.	Include PM10 measures on any grading or building plans	During project construction	Nipomo Community Services District and County Air Pollution Control District
J-12: All construction equipment shall be properly maintained and tuned according to manufacturer's specifications.	Properly maintain and tune construction equipment	During project construction	Nipomo Community Services District and County Air Pollution Control District
J-13: All off-road and portable, diesel-powered equipment, including, but not limited to, bulldozers, grading, cranes, loaders, scrapers, backhoes, generator sets, compressors or auxiliary power units, shall be fueled exclusively with CARB motor vehicles diesel fuel. Such equipment shall be stored within a fenced enclosure during non-working hours in order to minimize potential vandalism.	Use CARB diesel fuel	During project construction	Nipomo Community Services District and County Air Pollution Control District
J-14: Where possible, diesel powered equipment shall be replaced with gasoline, electrical, CNG or LPG powered equipment.	Replace diesel equipment where possible	During project construction	Nipomo Community Services District and County Air Pollution Control District

			RESPONSIBLE
	SPECIFIC	MITIGATION	MONITORING
MITIGATION MEASURE SUMMARY	ACTION	MILESTONE	PARTY

J-15: Diesel equipment used in proposed horizontal directional drilling shall either be certified pursuant to the California Air Resources Board's Portable Equipment Registration Program or will be subject to an Authority to Construct issued by the San Luis Obispo County Air Pollution Control District (APCD). This permit will allow implementation of Best Available Control Technologies including diesel particulate filters and/or proper fuel selection.	diesel equipment	During project construction	Nipomo Community Services District and County Air Pollution Control District
J-16: Prior to any project grading, a geologic analysis will be performed in order to determine if asbestos-bearing serpentine rock is present. If naturally occurring asbestos is found at the project site, an Asbestos Health and Safety Program and an Asbestos Dust Control Plan will be submitted to the Air Pollution Control District for review and approval prior to project grading.	Prepare analysis to determine presence of asbestos-bearing soils	Prior to project construction	Nipomo Community Services District and County Air Pollution Control District
J-17: The daily water pumping operations for the proposed projects shall utilize electric-powered pumps; diesel pumps shall be provided for backup (standby) operation to be used only on an emergency basis during power outages or equipment breakdown.	Utilize electric- powered water pumps	During project operations	Nipomo Community Services District
J-18: The District shall investigate the feasibility and cost-effectiveness of the use of solar power or other alternative energy sources to power water pumps or other project facilities. This analysis shall assess the existing technologies and tradeoffs in order to determine the feasibility of alternate energy sources including solar power. This assessment will be based upon cost constraints, reliability, space requirements and other implementation factors.	Investigate feasibility of solar power	Prior to project operations	Nipomo Community Services District