Nipomo Community Services District Supplemental Water Project

Addendum #2 to the Nipomo Community Services District Waterline Intertie
Final Environmental Impact Report
SCH No. 200507114

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May 2019 [Revised]

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SECTION 1
INTRODUCTION AND SUMMARY OF CONCLUSIONS

1.1 INTRODUCTION

The Nipomo Community Services District (NCSD), serving as the lead agency under the California Environmental Quality Act of 1970 (CEQA), certified a Final Environmental Impact Report (2009 EIR) for the NCSD Waterline Intertie (approved project) on April 22, 2009 (Douglas Woods and Associates, Inc, 2009). The project proposed to construct a pipeline from the City of Santa Maria water distribution system to the existing NCSD water distribution system. The Final EIR was based on preliminary engineering designs and in 2012, Douglas Wood & Associates, Inc. prepared an Addendum (2012 Addendum) to the Final EIR to address project changes that were not previously analyzed, including temporary construction yards, reconfiguration of the Via Concha well site, the upsizing of the Phase I waterline extension, and elimination of the Phase III parallel waterline/replacement waterline.

This document is a 2nd Addendum to the 2009 EIR to address modifications to the pipeline route previously analyzed. The revised project proposes (proposed project) to revise the original pipeline route to use an existing casing under U.S. Highway 101 (U.S. 101) and to connect with an existing pipeline servicing the nearby Dana Adobe Cultural Center project.

The purpose of this review is to evaluate potential environmental impacts associated with proposed changes in the previously approved project, specifically, the new pipeline locations. Additional CEQA review beyond this Addendum, in the form of a Supplemental EIR, would only be necessary if the proposed changes to the project created new significant impacts or a substantial increase in the severity of significant impacts identified in the 2009 Final EIR used to approve the project.

According to State CEQA Guidelines Section 15162:

> *(a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
>
> > *(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
> >
> > *(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
> >
> > *(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable*

diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164 provides the following guidance for preparation of an EIR addendum:

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

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

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

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

This Addendum has been prepared consistent with State CEQA Guidelines Sections 15162 and 15164 to document that the proposed project modifications would not result in new significant impacts or a substantial increase in the severity of a previously identified significant impact; therefore, preparation of a supplemental or subsequent EIR is not required.

1.2 SUMMARY OF CONCLUSIONS

This 2nd Addendum to the 2009 EIR demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the 2009 EIR remain substantively unchanged by the project modifications described herein, and supports the finding that the proposed project does not raise any new issues and does not exceed the levels of impact significance identified in the 2009 EIR. Accordingly, preparation of a subsequent EIR is not necessary pursuant to State CEQA Guidelines Sections 15162 and 15164. This decision is based on substantial evidence, as set forth in the following discussion of the proposed project modifications and the environmental impacts of those modifications.

This Addendum need not be circulated for public review (State CEQA Guidelines Section 15164(c)); however, an addendum is required to be considered by the decision-making body along with the previously certified 2009 Final EIR prior to making a decision on the project (State CEQA Guidelines Section 15164(d)).

SECTION 2
PROJECT MODIFICATIONS

2.1 PROJECT LOCATION

The Nipomo Community Services District (NCSD) encompasses approximately seven square miles southeast of the City of Arroyo Grande within the southern portion of San Luis Obispo County. The Santa Maria River is located approximately 0.5 mile south of the district boundary. The City of Santa Maria is located directly south of the river in Santa Barbara County.

Segments of the approved project have already been constructed, including the installation of a pipeline at the intersection of West Taylor Street and Blosser Road, approximately 1 mile south of the Santa Maria River in the City of Santa Maria. The installed pipeline continues north along Blosser Road where it crosses under the Santa Maria River levee and connects to an existing pipeline at Orchard Road near Joshua Street in the Nipomo Mesa. The approved project included a pipeline that would connect to an existing NCSD water distribution system on Orchard Road and run northeast on Southland Street to South Frontage Road, and then run northwest along South Frontage Road to Story Street.

Under the proposed project, the pipeline would follow the approved pipeline route described above to the intersection of South Frontage Road and Story Street. The pipeline would then utilize an existing casing that extends under U.S. 101 at South Frontage Road and Story Street. The pipeline would follow a new route along Bermuda Place from the existing casing just east of U.S. 101 to South Oakglen Avenue. As part of a separate project for the Dana Adobe Cultural Center project, a pipeline has been placed along Oakglen Avenue from Bermuda Place to Amado Street. The proposed project would utilize this existing pipeline along South Oakglen Avenue between Bermuda Place and Amado Street; no disturbance along this segment is proposed. The proposed pipeline route would then continue along Amado Street to Darby Lane, where the pipeline would then follow the previously analyzed route along South Oakglen Avenue from Darby Lane to West Tefft Street. The two new pipeline route segments are shown in Figures 1 through 3, below.

2.2 SUMMARY OF ORIGINAL APPROVED PROJECT DESCRIPTION

The basic objective of the NCSD Supplemental Water Project (SWP) is to construct a waterline connection from the City of Santa Maria water distribution system across the Santa Maria River to the existing water distribution system within the NCSD service boundary. At completion, the SWP will have a water delivery capacity of 6,200 acre feet per year (AFY). Of this total, approximately 2,500 AFY is intended to offset current groundwater production in order to comply with the requirements of the stipulation and judgement entered in the Santa Maria Groundwater Litigation and to avoid further depletion and assist in balancing of groundwater levels of the Nipomo Mesa Management Area (NMMA). An additional 500 AFY of supplemental water is anticipated to be used by the NCSD to serve future customers on currently vacant land within the existing NCSD service boundary. The remaining 3,200 AFY, if implemented,[1] would be utilized to serve future development within the Sphere of Influence areas adjacent to the existing NCSD service boundary.

[1] Implementation, if ever, of this portion of the project evaluated in the 2009 EIR (Phase III) would require additional funding, design work, and authorization from the NCSD Board of Directors.

The approved project proposed three phases of development. Phase I identified development of project facilities adequate to provide an additional supplemental water supply totaling approximately 2,000 AFY. Phase II identified development of additional facilities in order to provide an increase of 500-1,000 AFY to a total of 2,500-3,000 AFY. Phase III identified the development of the remaining project facilities which would provide a total of 6,200 AFY, which represents the maximum system capacity of the proposed pipeline and infrastructure.

Phase I was initiated in 2013, and a pipeline was installed under the Santa Maria River and connected the City of Santa Maria water distribution system to the NCSD water distribution system. In 2015, the Joshua Road pump station was completed and the first supplemental water deliveries from the City of Santa Maria to the Nipomo Mesa began.

The 2012 Addendum to the 2009 EIR analyzed impacts and mitigation measures associated with additional project facilities that were not analyzed in the 2009 EIR. The additional facilities included temporary laydown areas and construction yards, reconfiguration of a well site, and upsizing of a waterline extension adjacent to Blosser Road.

2.3 PROPOSED PROJECT

The proposed project would modify the original pipeline route that was analyzed in the 2009 EIR. The NCSD proposes to construct 12,000 linear feet of 12-inch diameter waterline using an open cut method to trench along a new route not previously analyzed in the 2009 EIR or 2012 Addendum (refer to Figures 1-3).

Under the proposed project, the pipeline would utilize an existing 26-inch casing under Highway 101 at Story Street and then follow a new segment installed along the south side of Bermuda Place to Oakglen Avenue. The pipeline would connect to an existing segment of the NCSD waterline (between Bermuda Place and Amado Street along Oakglen Avenue) that was recently constructed as part of a separate project for the Dana Adobe Cultural Center Project. The proposed pipeline would then extend along another new segment along Oakglen Avenue between Amado Street and Darby Lane. The pipeline would then follow the previously analyzed route to the remaining portions of the NCSD service boundary. All of the proposed improvements would be completed as part of Phase II of the project to provide a capacity of 2,500-3,000 AFY by 2025.

2.4 MODIFICATIONS TO MITIGATION MEASURES

The following modifications to mitigation measures identified in the 2009 EIR are proposed for the following reasons:

- To clarify the intent and applicability of the mitigation measure relative to the proposed Project and identified impact.

- To update language that may be outdated due to changes in regulations or agency-adopted mitigation measures and standards.

All modifications to previously adopted mitigation measures are shown in ~~strikethrough~~ for deleted text, and <u>new text is underlined.</u>

Figure 1: Project Location Map

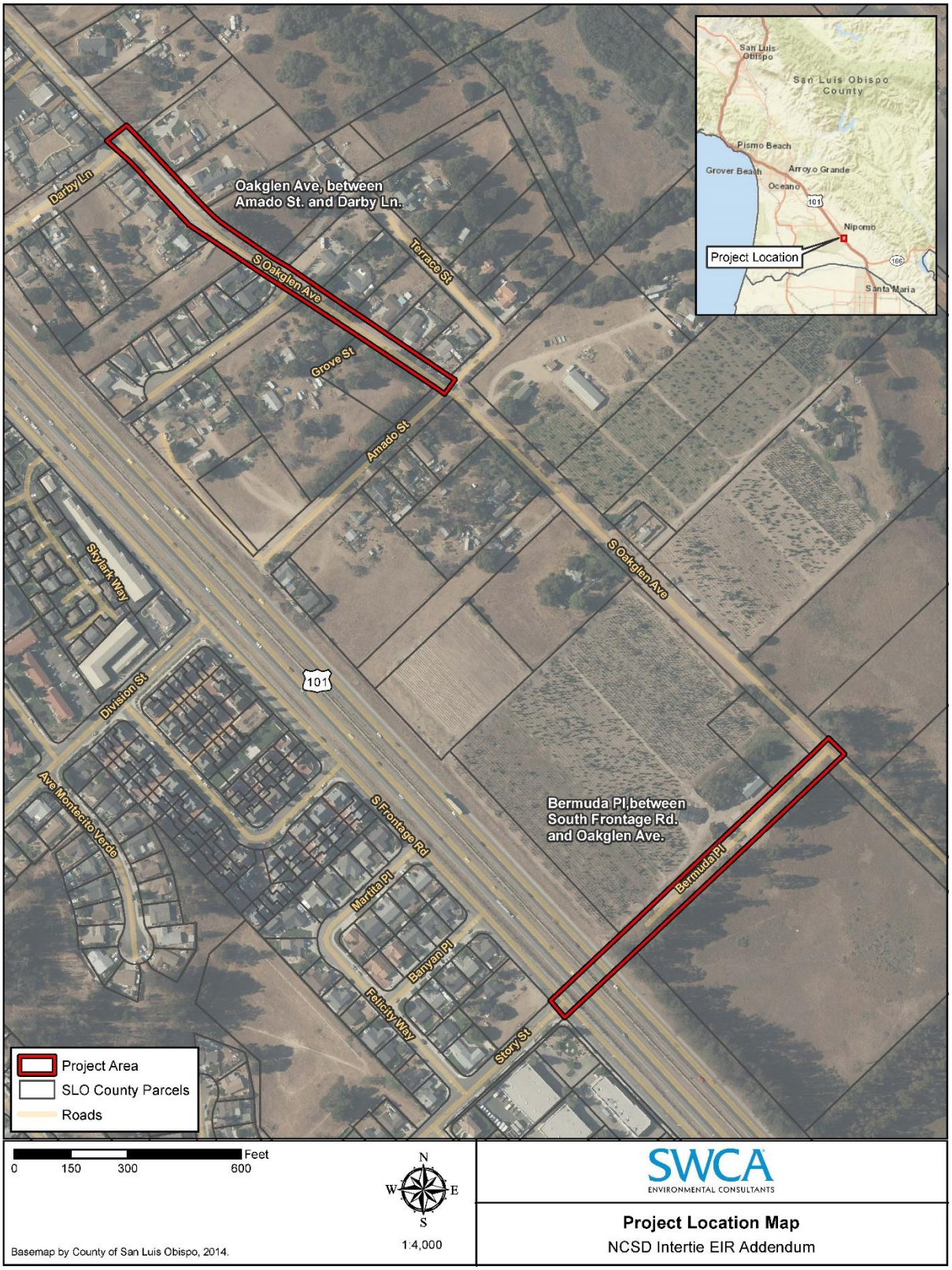


Figure 2: Project Location Map: Oakglen Avenue

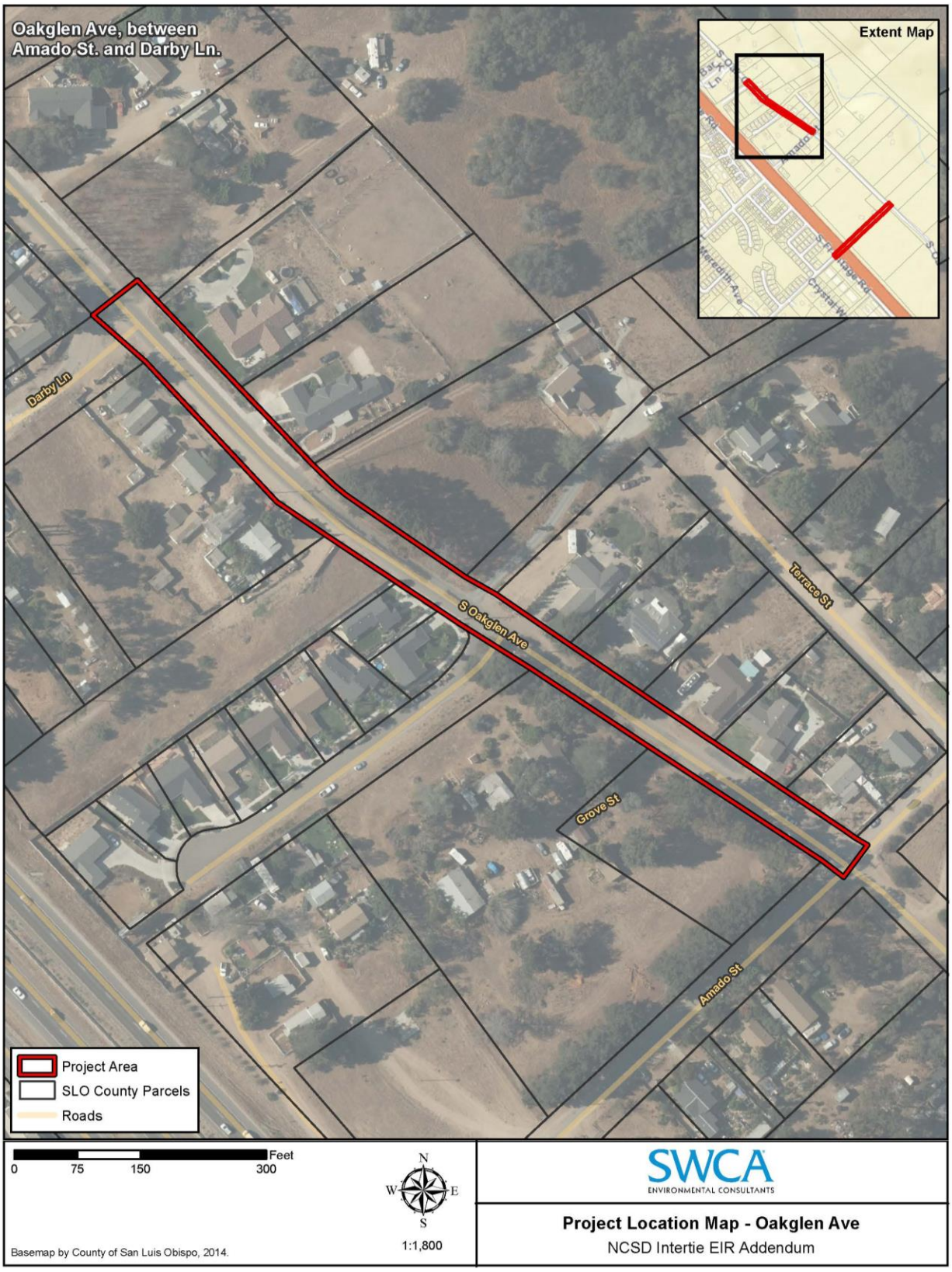
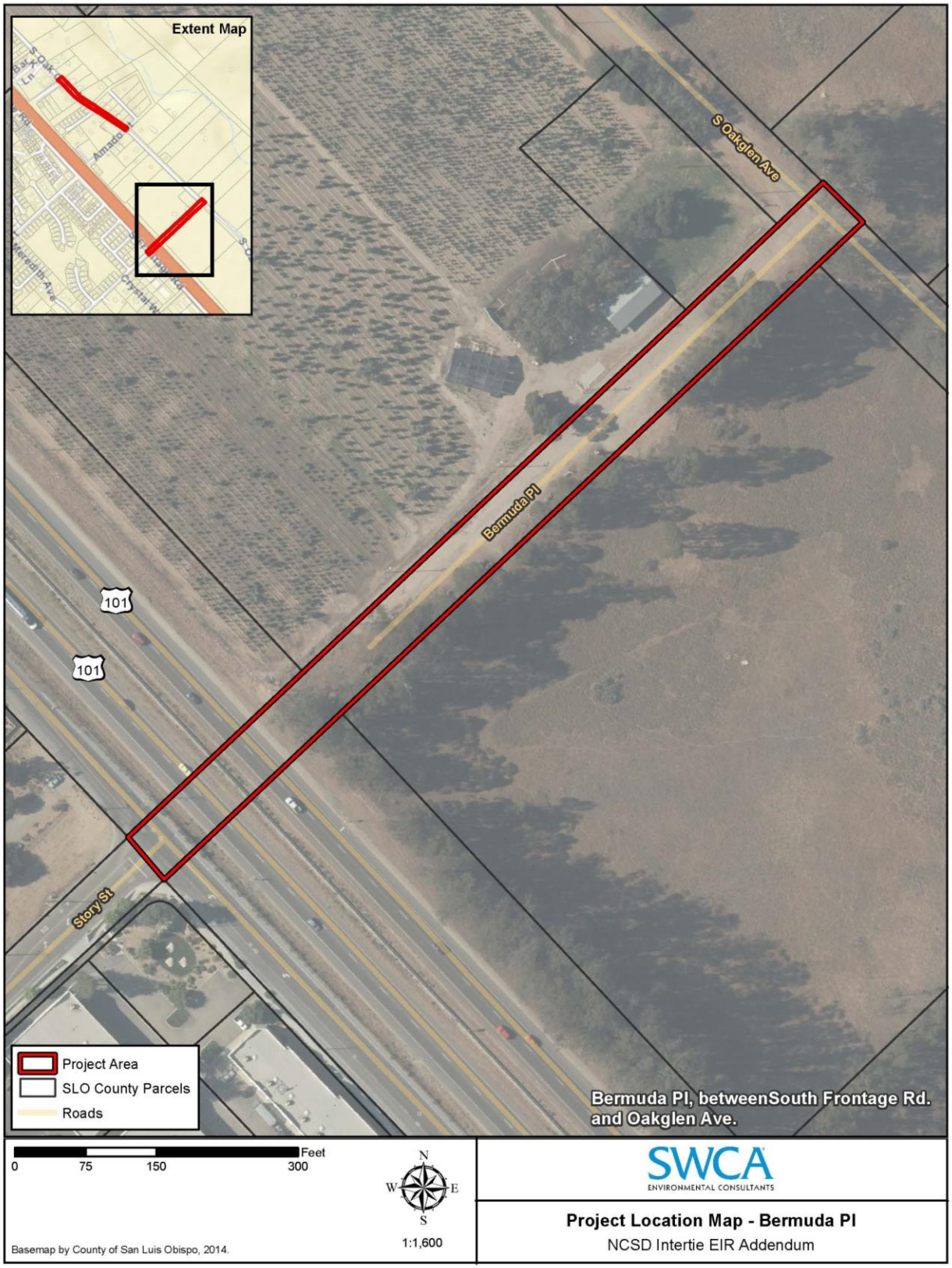


Figure 3: Project Location Map: Bermuda Place



SECTION 3
IMPACT ANALYSIS

The 2009 EIR evaluated the following environmental issues: aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, land use planning, noise, population and housing, and transportation and traffic. These issues, and all other issues areas required to be evaluated under CEQA, have been re-evaluated in this 2nd Addendum for the proposed changes to the waterline alignment. This evaluation determines whether the project would result in any new significant impacts or substantially more severe impacts than those identified in the 2009 EIR.

3.1 AESTHETICS

Section V.E Aesthetic of the 2009 EIR analyzed potential aesthetic and visual resource impacts associated with the installation of a waterline and associated facilities for the SWP. This project proposes to reroute 12,000 linear feet of waterline to utilize an existing casing under Highway 101 and to connect to an existing NCSD pipeline previously constructed as part of a separate project. Improvements would be subterranean and occur within the County of San Luis Obispo's right-of-way in areas that are primarily characterized as suburban. Modifications to the project are focused on an alternative alignment and no additional project facilities or above ground infrastructure are being proposed. As previously analyzed in the 2009 EIR, project construction may result in short-term alterations of views from adjacent areas; however, due to the temporary nature of the construction activities, impacts were determined to be less than significant. The proposed project would not create new or more severe impacts to visual resources than what has already been previously analyzed, and no additional mitigation is required.

Conclusion: Implementation of the proposed project would not result in new or more severe impacts to visual resources than previously disclosed in the 2009 EIR. No new mitigation is necessary.

3.2 AGRICULTURE AND FORESTRY RESOURCES

Agriculture resources were discussed under *Section V.A Land Use* in the 2009 EIR and identified potential impacts associated with construction staging on prime farmland. While the proposed project would occur within the mostly paved County right-of-way, the 2016 Farmland Mapping and Monitoring Program for San Luis Obispo County identifies the parcels surrounding the proposed project route to be Farmland of Local Importance and Farmland of Statewide Importance. The project site is within the existing right-of-way and does not support agricultural uses, is not subject to a Williamson Act contract, and does not contain timberland or forestry resources. Improvements would occur within the mostly paved right-of-way; however, staging of construction equipment and materials could occur on neighboring parcels that have been identified as Farmland of Statewide or Local Importance. Implementation of Mitigation Measure A-1 in the 2009 EIR would ensure all potential impacts are minimized to less than significant. The proposed project would not create new or more severe impacts to agricultural resources than what has already been previously analyzed, and no additional mitigation is required.

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

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

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

Conclusion: The proposed project would not directly occur within an area with agricultural or forestry resources; however, neighboring parcels with agricultural resources could be impacted by construction staging. Implementation of Mitigation Measure A-1 as previously identified within the 2009 EIR would reduce any potential impacts to less than significant. No new or more-severe impacts to agriculture and forestry resources would result from the proposed project, and no additional mitigation is necessary.

3.3 AIR QUALITY

Section V.J Air Quality of the 2009 EIR concluded that the project would result in short-term construction related impacts and long-term operational-related impacts. Long-term operational impacts were associated with the operation of facilities, which are not proposed as part of the revised waterline alignment. Installation of the underground pipelines would result in the generation of air pollutants during project construction activities. The project proposes to install 12,000 linear feet of pipeline, which is a similar distance to what was previously analyzed. Mitigation Measures J-1 through J-16 of the 2009 EIR apply, as modified below, and would reduce construction related impacts affecting air quality under the proposed project, resulting in impacts similar to those that were previously analyzed. No new or more-severe impacts would occur, and no new mitigation is required.

Impact J-1: The proposed project will result in the generation of air pollutants during project construction activities.

Mitigation Measure 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 construction;

Mitigation Measure J-2: All dirt stock-pile areas shall be sprayed daily as needed;

Mitigation Measure 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;

Mitigation Measure J-4: All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;

Mitigation Measure J-5: All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible, and building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

Mitigation Measure J-6: Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;

Mitigation Measure J-7: All trucks hauling dirt, sand, soil, or other loose materials shall be covered or maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;

Mitigation Measure 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;

Mitigation Measure 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;

Mitigation Measure J-10: All materials 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;

Mitigation Measure 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, if 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;

Mitigation Measure J-12: All construction equipment shall be properly maintained and tuned according to manufacturer's specifications;

Mitigation Measure 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;

Mitigation Measure J-14: Where possible, diesel powered equipment shall be replaced with gasoline, electrical, CNG or LPG powered equipment.

Mitigation Measure J-15: If diesel equipment is required, ~~used in proposed horizontal directional drilling~~ it 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;

Mitigation Measure 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 grading.

Conclusion: Implementation of the proposed project would result in similar impacts discussed in the 2009 EIR and would be required to implement modified Mitigation Measures J-1 through J-16. No new significant impacts or an increase in severity of impacts to air quality would occur and no new mitigation is required.

3.4 BIOLOGICAL RESOURCES

A comprehensive analysis of biological resources is discussed in *Section V.D Biological Resources* of the 2009 EIR. All impacts to biological resources identified within the EIR were mitigated to a level of insignificance. A review, conducted on July 20, 2018, of the California Department of Fish Wildlife's (CDFW) California Natural Diversity Database (CNDDB) shows that there are no known occurrences of any special status species within at least 1 mile of the proposed project area. On June 19, 2018, a biological survey was conducted to determine whether new species or habitats present in the proposed project area have the potential to be impacted by the modified pipeline route. The majority of the proposed project would occur within the asphalt right-of-way. Ruderal vegetation and a variety of tree species line the margin of the right-of-way, providing marginal habitat for birds and other wildlife species.

Surveys were conducted for special-status species, including Pismo clarkia (*Clarkia speciose ssp. Immaculata*), a rare annual herb known to occur within the project vicinity. Pismo clarkia was confirmed absent during the survey and referenced against another location where it was still flowering. No other special-status species were present within the project area.

The survey identified a row of mature blue gum eucalyptus trees (*Eucalyptus globulus*) along the southern edge of Bermuda Place. While eucalyptus trees are not native to the area and were likely planted as a wind break or visual barrier, they do provide a substantial amount of foraging and roosting habitat for various bird species. Eucalyptus are also important as an overwintering habitat for the Monarch butterfly (*Danaus plexippus*), a species of special concern and a federal candidate species under the Federal Endangered Species Act. CNDDB identifies the region approximately 1.25 miles west of the project area as being within the range of the overwintering population for Monarch butterfly. While it is unlikely that the Monarch butterfly would overwinter within the project alignment based on the distance to known overwintering populations and the low density of trees, portions of the project area could be used for temporary roosting. Mitigation Measure D-21 of the 2009 EIR, as modified below, will apply to the proposed project and will avoid impacts to eucalyptus trees that may provide temporary roosting to Monarch butterflies.

Several large coast live oaks (*Quercus agrifolia*) adjacent to the right-of-way were also identified during the survey, and similarly, provide foraging and roosting habitat to birds. The project does not propose to remove any trees; however, placement of the pipeline within the drip line of the trees could result in impacts to their root system. Mitigation Measure D-21 of the 2009 EIR has been modified to include the coast live oaks, preventing potential impacts to all trees and their root systems by requiring the precise location of the pipeline placement to be reviewed by an arborist prior to installation. Additionally, Mitigation Measures D-1 and D-9 would require pre-construction nesting surveys to further prevent potentially significant impacts to biological resources. No new or more severe impacts to biological resources would result from the proposed project, and no additional mitigation other than what has already been identified in the EIR, and modified in this addendum, would be required.

Impact D-2: Construction activities within the proposed pipeline alignments, storage tank and pump station locations could adversely affect nesting activities of protected migratory birds and raptors.

Mitigation Measure 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.

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~~ Wildlife 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.*

Mitigation Measure 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.

Impact D-7: The proposed project may result in long-term impacts to the large eucalyptus trees and oak trees located along the proposed pipeline alignment located on Southland Street, Orchard Road, South Frontage Road, ~~and~~ Darby Lane, Bermuda Place, and Oakglen Avenue. These trees may represent potential habitat for Monarch butterflies or nesting raptors.

Mitigation Measure D-21: The proposed waterline shall be aligned to avoid impacting the root systems of large eucalyptus trees and oak trees located on Southland Street, Orchard Road,

South Frontage Road, Darby Lane, Bermuda Place, and Oakglen Avenue. 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.

Conclusion: The proposed pipeline route would be located in an area that is generally not considered biologically sensitive. However, several eucalyptus and oak trees along the right-of-way have the potential to be roosting or foraging habitat for birds and other wildlife species including Monarch butterfly. The proposed project would be subject to all applicable mitigation measures previously identified in the EIR, as modified above, and would not result in any new or more-severe impacts than previously analyzed. No additional mitigation would be required.

3.5 CULTURAL RESOURCES

Section V.F Cultural Resources of the 2009 EIR analyzed potential cultural resources impacts associated with the original pipeline route and associated pumping stations for the SWP. Because the proposed project would be located in an area near previously identified prehistoric archaeological sites, SWCA Environmental Consultants conducted a cultural resources study of the project area (SWCA 2018). The study confirmed that, while there are no known archaeological resources within the project footprint, this area of Nipomo is considered moderate to highly sensitive for the presence of unidentified resources. Therefore, Mitigation Measures F-1, F-3, and F-4 from the 2009 EIR have been retained and modified to include appropriate measures for an inadvertent discovery of any unknown cultural resources during construction of the proposed project.

Impact F-1. Project construction may disturb or materially alter areas containing prehistoric cultural resources which may be related to an identified prehistoric site.

Impact F-2. Project grading and construction may result in the discovery of currently unknown cultural resources.

Mitigation Measure 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, and along Bermuda Place between U.S. 101 and Oakglen Avenue, and along South Oakglen Avenue between Amado Street and Darby Lane. 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.

Mitigation Measure F-3: An archaeological workshop shall be conducted by a qualified archaeologist at the pre-construction 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.

Mitigation Measure 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.

Conclusion: The proposed pipeline realignment would be located in an area considered moderately to highly sensitive for the presence of unidentified cultural resources. The cultural resources study concluded that while there are no known archaeological resources within the project area, the proposed project would be subject to Mitigation Measures F-1, F-3, and F-4 of the 2009 EIR, as modified above, to avoid impacts to unknown cultural resources. No new or more-severe impacts related to cultural resources would result under the proposed project, and no additional mitigation is necessary.

3.6 GEOLOGY /SOILS

Geologic conditions at the project site were analyzed in *Section V.G Geology* of the 2009 EIR and identified various geologic hazards including seismically induced ground-shaking, landslides, soil erosion and loss of topsoil, and unstable geologic units or soils within the project vicinity. All impacts were considered to be less than significant without mitigation except for impacts associated with substantial soil erosion and loss of topsoil into the Santa Maria River and other local drainages.

The proposed alignment is located near the area previously analyzed and no new or substantially different construction techniques or activities than what has been previously discussed are being proposed. Proposed facilities would be subterranean and no above ground facilities or infrastructure would be constructed. The project would be located over 2.25 miles from the Santa Maria River; however, Nipomo Creek is located approximately 700 feet east of the project site. Mitigation Measure G-1 as identified in the EIR would apply and will prevent impacts to drainages and streams from erosion of temporarily exposed soils. As a result, no new or more severe significant impacts would occur above those evaluated in the 2009 EIR and no additional mitigation is necessary.

Impact G-3: The proposed project could result in substantial soil erosion or the loss of topsoil into the Santa Maria River or other local drainages.

Mitigation Measure G-1: The following shall be included in Final Grading and Drainage Plans to prevent erosion induced siltation of on-site and off-site drainages:

- *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.*

- *A prohibition against grading during the rainy season (November 1 through April 15) unless erosion control measures found adequate by the District are implemented.*

- *Methods for revegetation of disturbed soils for long-term stabilization.*

Conclusion: The proposed project would be located in the same vicinity as the originally approved project and is subject to the same geologic conditions and hazards as identified in the 2009 EIR. The proposed project would not construct above ground facilities or infrastructure and

would not introduce new construction techniques. The project would be subject to Mitigation Measure G-1 in the 2009 EIR to prevent impacts to drainages and streams, including Nipomo Creek, from soil erosion. Therefore, the proposed project would not result in any new or more-severe impacts to Geology and Soils and no additional mitigation would be required.

3.7 GREENHOUSE GAS EMISSIONS

Greenhouse Gas Emissions were discussed in *Section V.J Air Quality* in the 2009 EIR but did not identify project specific impacts or mitigation measures. The proposed project would not construct new facilities that would generate long-term daily emissions from operation. However, short-term construction related emissions are anticipated from vehicle trips and construction equipment. The project proposes to install 12,000 linear feet of pipeline, which is a similar distance to what was previously analyzed in the 2009 EIR. Therefore, short-term construction related emissions would be similar to those of the originally approved project and no new or more severe impacts would occur. No additional mitigation would be necessary.

Conclusion: There are no operational emissions associated with the proposed project, and short-term construction related GHG emissions would be similar to those of the originally approved project. No new or more-severe impacts would occur, and no additional mitigation is necessary.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Hazards and Hazardous Materials were not analyzed in the 2009 EIR because impacts were determined to be insignificant. The proposed project would modify the original pipeline route and would not introduce new or substantially different construction techniques or activities than what was previously discussed in the 2009 EIR. As such, the changes in the proposed project would not result in any new or increased hazards, such as storage of hazardous materials, transport or disposal of hazardous materials, emissions of hazardous substances, interference with airport activities (project is not within airport zones), impairment of an adopted emergency response plan or emergency evacuation plan, or exposure of people or structures to a significant risk of loss, injury or death involving wildland fires. Impacts would remain insignificant under the proposed project and no additional mitigation is required.

Conclusion: No new or more-severe impacts related to hazards or hazardous materials would result under the proposed project, and no additional mitigation is necessary.

3.9 HYDROLOGY / WATER QUALITY

A comprehensive analysis of the project's impacts to hydrology and water quality are discussed in *Section V.C Water* of the 2009 EIR. Issues resulting in potentially significant impacts include water quality incompatibility between district treatments, degradation of surface water quality, and groundwater depletion. The proposed project would not construct any above ground structures or infrastructure and is a modification to the pipeline route using the same open-cut trench method analyzed in the 2009 EIR. The project site is located approximately 700 feet west of the nearest stream, Nipomo Creek, and approximately 625 feet from the 100-year flood zone. During construction, stockpiles of excavated soil and the open trench may be periodically exposed to the elements and require best management practices (BMPs) to prevent top soil loss or erosion. The project would be subject to the same permits and approvals required for the originally approved project including a National Pollution Discharge Elimination System (NPDES) permit, Section 401 Water Quality Certification, and a General Permit for Stormwater Discharges. The project does not propose to increase or alter the previously allocated water

supply and would not further contribute to groundwater depletion. The project would be located approximately 9 miles inland from the coast and would not be located in a damn or tsunami inundation zone. No new or more severe impacts related to hydrology and water quality would result under the proposed project and no additional mitigation is necessary.

Conclusion: The proposed project would not increase or exacerbate impacts to hydrology or water quality beyond what was previously analyzed and would be subject to the same permits as discussed in the 2009 EIR**.** No new or more severe impacts related to hydrology and water quality would result under the proposed project, and no additional mitigation is necessary.

3.10 LAND USE / PLANNING

Land Use and Planning is discussed in *Section V.A Land Use and Planning* in the 2009 EIR and identified short-term construction and long-term operational impacts to nearby land uses, as well as induced changes in land use by increased water supply. The project would modify the pipeline route and would not increase or alter the water supply that has been previously evaluated. The are no new or different facilities being proposed as part of the revised project (previously analyzed components are merely changing location) and therefore no new or more severe long-term operational impacts would occur. The project may represent a short-term conflict with nearby existing uses during construction activities. Nearby land uses that may potentially be temporarily impacted include Holloway's Christmas Tree Farm, the Dana Adobe Cultural Center, and neighboring businesses and residences along the proposed pipeline route. Mitigation Measure A-2 as identified in the 2009 EIR has been modified and would require road closures and detours, which would be coordinated with property owners in advance of construction. Temporary impacts related to construction staging on prime soils is discussed in *Section 3.2 Agriculture and Forestry Resources*. The proposed project would not conflict with any adopted plans or policies. No permanent impacts to adjacent land uses would occur as a result of the proposed project. Therefore, no new or more-severe impacts to land use and planning would occur, and no additional mitigation is necessary.

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

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

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

Conclusion: The proposed project would result in short-term impacts to neighboring land uses during construction, requiring coordination with property owners as discussed in Mitigation Measure A-2 in the 2009 EIR and as modified above. No new or more-severe impacts to land use and planning would occur as a result from the proposed project, and no additional mitigation is necessary.

3.11 MINERAL RESOURCES

Mineral Resources were not analyzed but were discussed in *Section V.G Geology* of the 2009 EIR. The mineral resources identified in the project area primarily consist of construction-grade aggregate, including sand, gravel and crushed stone. According to the County of San Luis Obispo General Plan, the Nipomo Mesa area, including the area where the proposed pipeline would be rerouted, is designated as a Mineral Resource Zone (MRZ-3), an area of undetermined mineral resource significance. The alternative route would follow an established, mostly paved right-of-way. As such, this area has a low probability of containing valuable mineral resources and is not in a location suitable for mineral extraction. Therefore, no new or more severe impacts to mineral resources would occur, and no additional mitigation is necessary.

Conclusion: Due to the location of the project and low probability of mineral resources being present, the proposed project would not result in any new or more severe impacts to mineral resources, and no new mitigation is necessary.

3.12 NOISE

Noise is discussed in *Section V.I Noise* of the 2009 EIR, which identified both short-term impacts from construction and long-term impacts from operation and maintenance of the pump stations and related equipment. The proposed project does not propose pump stations, equipment, or any other above ground stationary facilities that could produce noise during operation. All permanent improvements would occur underground. As such, the project would still generate construction-related noise during the pipeline installation that could impact surrounding areas, specifically the segment of the pipeline being installed through the residential neighborhood along Oakglen Avenue. As discussed in Mitigation Measure I-1 through I-3 in the 2009 EIR, which incorporates County of San Luis Obispo Noise Ordinance Section 22.06.042(d), noise-generating construction activities would be limited to the hours of 7:00 a.m. until 9:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on Saturdays and Sundays. Additionally, construction equipment utilizing combustion engines will be required to be equipped with “critical” grade noise mufflers. Applicable mitigation measures require the proposed project to comply with all County noise standards as specified in the noise ordinance and in the mitigation requirements detailed in the 2009 EIR. The proposed project would not generate any new noise sources or carry-out additional noise-generating activities that have not already been discussed and analyzed in the 2009 EIR. No new or more-severe impacts would occur, and no additional mitigation is being required.

Impact I-1. The proposed project will generate construction noise which may impact surrounding areas containing noise sensitive areas.

Mitigation Measure 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.

Mitigation Measure 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.

Mitigation Measure I-3: All necessary measures to muffle, shield or enclose construction equipment shall be implemented in order to ensure 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.

Conclusion: The proposed pipeline route would not construct new facilities that could potentially be considered a long-term noise generating source; however, as discussed in the 2009 EIR, similar short-term construction related noise impacts could occur as a result. As required by applicable mitigation measures, the proposed project would be subject to the County of San Luis Obispo Noise Ordinance, in addition to Mitigation Measures I-1 through I-3 identified in the 2009 EIR. No new or more-severe impacts would occur, and no additional mitigation would be required.

3.13 POPULATION / HOUSING

Population and Housing are discussed in *Chapter V.B Population and Housing* in the 2009 EIR and determined that the project may result in a demand for new housing and may indirectly induce growth. The EIR concluded that while the project will not directly generate any population or housing, the provision of additional water supplies could alleviate constraints on future development. No feasible mitigation was proposed, and the impact was considered significant and unavoidable, resulting in a Class 1 impact requiring the adoption of a Statement of Overriding Considerations. The proposed project is a modification to the pipeline route and does not propose additional capacity or supply than what has already been allocated. The proposed project would not further induce growth in the area or increase the demand for housing, and would not result in any new or more severe impacts than previously analyzed. No additional mitigation would be required.

Conclusion: The proposed project would not further induce growth nor require additional housing; therefore, no new or more-severe impacts would occur, and no additional mitigation would be required.

3.14 PUBLIC SERVICES

Public Services were not analyzed in the EIR and potential impacts were determined to be insignificant. The proposed project would not generate a new use that would create an additional demand for police or fire protection services. The proposed project would be a modified route to a previously approved water pipeline and nearby schools, parks, and other public facilities would not directly be impacted as result of the project. Therefore, the proposed project would not increase the demand or adversely impact public services, and no new or more severe impacts would occur. No new mitigation is required.

Conclusion: No new or more-severe impacts to public services would result from the proposed project, and no new mitigation would be required.

3.15 RECREATION

Like Public Services, Recreation was not analyzed in the EIR and potential impacts were determined to be insignificant. The proposed project would not generate a new use or demand that would adversely impact recreational facilities. No new or more-severe impacts would occur as result of the proposed project, and no new mitigation is required.

Conclusion: No new or more-severe impacts to recreational facilities would result from the proposed project, and no new mitigation would be required.

3.16 TRANSPORTATION / TRAFFIC

Traffic is discussed in *Section V.H Traffic* of the 2009 EIR, which determined that the project would generate additional traffic that could result in traffic congestion and unacceptable levels of service during project construction. Similar to the previously approved project, the proposed project would generate a minor amount of traffic during construction activities from worker trips, haul trucks, and construction equipment. Additionally, construction activities may also result in short-term traffic diversions onto other local roadways and temporary blockage of access to adjacent properties. Construction activities would be focused at South Frontage Road and Story Street, Bermuda Place, and along portions of Oakglen Avenue, none of which are identified as major transportation routes or corridors. Impacts to traffic would be localized and no impacts to Highway 101 would occur during the pipeline installation in the existing casing under the highway. The EIR identified Mitigation Measure H-1, requiring adequate signing, barriers, and flagmen to ensure safe traffic diversions. The project does not propose any other activities or project features that would further impact transportation and traffic other than what was previously identified in the EIR, and the same mitigation measure would apply. No new or more-severe impacts would occur, and no additional mitigation would be required.

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

Impact H-2. Project construction activities may result in the diversion of traffic creating an unacceptable level of service, insufficient parking, blocking or impeding access to adjacent properties or result in hazards to pedestrians or bicyclists.

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

Conclusion: The proposed project would result in similar impacts to transportation and traffic as the previously approved project and would be required to implement Mitigation Measure H-1 described in the EIR. No new or more-severe impacts would occur, and no additional mitigation is necessary.

3.17 UTILITIES / SERVICE SYSTEMS

Utilities were not analyzed in the 2009 EIR and potential impacts were determined to be insignificant. The previously approved project and proposed modification would be a community level utility and service facility upgrade, which would further augment current water supplies available to the NCSD and other local purveyors. Any temporary interruptions to service would be offset by the beneficial impact to overall groundwater supplies and long-term reliability of the utility system. While the proposed project is a modification to the pipeline route, it would not adversely affect or alter the function, capacity, or delivery the overall water system. No new or more-severe impacts to utilities or service systems would occur, and no new mitigation is required.

Conclusion: The proposed project would not result in any new or more-severe impacts to utilities and service systems, and no new mitigation is required.

3.18 TRIBAL CULTURAL RESOURCES

The 2009 EIR was prepared and certified prior to the enactment of Assembly Bill 52 and its requirements and its related to the analysis of Tribal Cultural Resources, and Assembly Bill 52 does not apply to an EIR addendum. However, based on the project's proximity to known archaeological sites, SWCA prepared a cultural resources study that included a cultural resources records search, a Native American Sacred Lands File search, and an archaeological survey of the proposed project area (SWCA 2018). As described in Section 3.5, Cultural Resources, above, the proposed project site does not contain any known archaeological resources. However, due to the moderate to high sensitivity for unidentified resources to be present in the project area, Mitigation Measures F-1, F-3, and F-4 from the 2009 EIR were included to avoid disturbing unknown cultural resources. Therefore, no impacts would occur, and no additional mitigation or further analysis is necessary.

Conclusion: The proposed project would be subject to modified Mitigation Measures F-1, F-3, and F-4 of the 2009 EIR discussed in Section 3.5, Cultural Resources. The proposed project would not result in any new or more-severe impacts to tribal cultural resources, and no new mitigation is required.

SECTION 4
CONCLUSION

The proposed revisions to the Nipomo Community Services District Supplemental Water Project would primarily consist of rerouting 12,000 linear feet of water pipeline to utilize an existing casing under U.S. Highway 101 and a segment of an existing pipeline previously constructed as part of a separate project. An evaluation of all impact areas presented in Section 3 of this 2nd Addendum indicate that the proposed modifications would not result in significant new information related to new significant impacts or a substantial increase in the severity of previously identified significant impacts above those identified in the 2009 EIR.

Approval of the proposed project would not have any significant, adverse, and unavoidable impacts, either long term or short term, nor will it cause substantial adverse effects on human beings, either directly or indirectly, provided the original mitigation measures and project conditions, as modified, are implemented. The Mitigation Monitoring and Reporting Plan, as modified, remains valid and in force as approved with the original project.

In summary, the analysis concludes that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent EIR or negative declaration have occurred, and, thus, an Addendum to the 2009 EIR is appropriate to satisfy CEQA requirements for the revised project. The evidence in the file supports the finding that no circumstances or conditions requiring the preparation of a subsequent EIR or negative declaration are present in this case.

SECTION 5
REFERENCES

California Natural Diversity Data Base (CNDDB). 2018. RareFind Species List for Nipomo Geological Survey 7.5-Minute Quadrangles. Available at: https://www.dfg.ca.gov/biogeodata/cnddb/rarefind.asp. Accessed in June 2018.

Douglas Wood & Associates, Inc. 2009. *Nipomo Community Services District Waterline Intertie Final Environmental Impact Report, SCH No. 2005071114.* Prepared for Nipomo Community Services District. March 2009.

Douglas Wood & Associates, Inc. 2012. *Nipomo Community Services District Supplemental Water Project Addendum Environmental Impact Report.* Prepared for Nipomo Community Services District. April 2012.

Michael K. Nunley & Associates (MKN). 2016. Supplemental Water Project – Hydraulic Analysis and Recommendations for Future Phases. August 2016.

SWCA Environmental Consultants (SWCA). 2018. Phase I Archaeological Survey for Nipomo Community Services District's Supplemental Water Project 2nd EIR Addendum and Interconnections Projects, San Luis Obispo County, California. December 2018.