

LOS OSOS GROUNDWATER BASIN, BASIN MANAGEMENT COMMITTEE

NOTICE OF MEETING

NOTICE IS HEREBY GIVEN that the Los Osos Groundwater Basin, Basin Management Committee Board of Directors will hold a **Regular Board Meeting** at **1:30 P.M.** on **Wednesday, November 17, 2021**. Due to the continuing increase of Coronavirus (COVID-19) cases and in accordance with AB 361, which amends Government Code §54953 to allow local legislative bodies to hold virtual meetings after September 30, 2021, if certain criteria is met, the Basin Management Committee meeting for November 17, 2021 will be a virtual meeting held via Zoom webinar. There will be no physical meeting location for this BMC Meeting. Members of the public can participate via phone or by logging into the web-based meeting.

For quick access, go to <https://us04web.zoom.us/j/778762508>
(This link will help connect both your browser and telephone to the call)

If not using a computer, dial 1 (669) 900-6833 or 1 (346) 248-779 and enter **778 762 508**

All persons desiring to speak during any Public Comment can submit a comment by:

- Email at danheimel@ConfluenceES.com by 5:00 PM on the day prior to the Committee meeting.
- Teleconference by phone at 1 (669) 900-6833 and enter **778 762 508**
- Teleconference by phone at 1 (346) 248-7799 and enter **778 762 508**
- Teleconference meeting at <https://us04web.zoom.us/j/778762508>
- Mail by 5:00 PM on the day prior to the Committee meeting to:
Attn: Dan HeimeI (Basin Management Committee)
2122 9th St.
Suite 110
Los Osos, CA 93402

Additional information on how to submit Public Comment is provided on page 3 of this Agenda.

***Directors:** Agenda items are numbered for identification purposes only and may not necessarily be considered in numerical order.*

***NOTE:** The Basin Management Committee reserves the right to limit each speaker to three (3) minutes per subject or topic. In compliance with the Americans with Disabilities Act, all possible accommodations will be made for individuals with disabilities, so they may participate in the meeting. Persons who require accommodation for any audio, visual or other disability in order to participate in the meeting of the BMC are encouraged to request such accommodation 48 hours in advance of the meeting from Dan HeimeI at danheimel@ConfluenceES.com.*

BASIN MANAGEMENT COMMITTEE BOARD OF DIRECTORS AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. RESOLUTION AUTHORIZING CONTINUED REMOTE TELECONFERENCING BMC MEETINGS**
- 4. BOARD MEMBER COMMENTS**

Board members may make brief comments, provide project status updates, or communicate with other directors, staff, or the public regarding non-agenda topics.

- 5. SPECIAL PRESENTATION**

None

6. CONSENT AGENDA

The following routine items listed below are scheduled for consideration as a group. Each item is recommended for approval unless noted and may be approved in their entirety by one motion. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Consent items generally require no discussion. However, any Director may request that any item be withdrawn from the Consent Agenda and moved to the "Action Items" portion of the Agenda to permit discussion or to change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

a. Approval of Minutes from October 27, 2021 BMC Meeting

7. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA

The Basin Management Committee will consider public comments on items not appearing on the agenda and within the subject matter jurisdiction of the Basin Management Committee. The Basin Management Committee cannot enter into a detailed discussion or take any action on any items presented during public comments at this time. Such items may only be referred to the Executive Director or other staff for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on specific agenda items should do so at the time specified for those items. The presiding Chair shall limit public comments to three minutes.

8. EXECUTIVE DIRECTOR'S REPORT

9. ACTION ITEMS

a. Preliminary Calendar Year 2022 BMC Budget

Recommendation: BMC Staff recommends that the BMC: 1) receive information on potential items for BMC Calendar Year 2022 Budget and provide direction to staff.

b. LOCSD Program C Well Minor Use Permit

Recommendation: BMC Staff recommends that the BMC: 1) review the LOCSD Well Minor Use Permit/CDP Application and recommend project approval to the County; or 2) provide alternate direction to staff.

c. Executive Director Contract Transfer

Recommendation: It is recommended that the BMC: 1) consider transfer of the Executive Director contract from Water Systems Consulting, Inc. to Confluence Engineering Solutions, Inc.; or 2) provide alternate direction to staff.

10. ADJOURNMENT

Notice of Meeting
LOS OSOS GROUNDWATER BASIN, BASIN MANAGEMENT
COMMITTEE

*****CONFERENCE CALL/WEBINAR ONLY*****

Wednesday, Nov. 17, 2021 at 1:30 PM

Important Notice Regarding COVID-19

1. The meeting will only be held telephonically and via internet via the number and website link information provided on the agenda. After each item is presented, Committee Members will have the opportunity to ask questions. Participants on the phone or on the computer will then be provided an opportunity to speak for 3 minutes as public comment prior to Committee deliberations and/or actions or moving on to the next item. If a participant wants to provide public comment on an item they should select the "Raise Hand" icon on the Zoom Online Meeting platform or press *9 if on the phone. The meeting host will then unmute the participant when it is their turn to speak and allow them to provide public comment.
2. The Committee's agenda and staff reports are available at the following website:
[https://www.slocounty.ca.gov/Departments/Public-Works/Committees-Programs/Los-Osos-Basin-Management-Committee-\(BMC\).aspx](https://www.slocounty.ca.gov/Departments/Public-Works/Committees-Programs/Los-Osos-Basin-Management-Committee-(BMC).aspx)
3. If you choose not to participate in the meeting and wish to make a written comment on any matter within the Committee's subject matter jurisdiction, regardless of whether it is on the agenda for the Committee's consideration or action, please submit your comment via email or U.S. Mail by 5:00 p.m. on the day prior to the Committee meeting. Please submit your comment to Dan Heimel at danheimel@ConfluenceES.com. Your comment will be placed into the administrative record of the meeting.
4. If you choose not to participate in the meeting and wish to submit verbal comment, please call (805) 459-8498 and ask for Dan Heimel. If leaving a message, state and spell your name, mention the agenda item number you are calling about and leave your comment. The verbal comments must be received by no later than 9:00 a.m. on the morning of the noticed meeting and will be limited to 3 minutes. Every effort will be made to include your comment into the record, but some comments may not be included due to time limitations.

Mailing Address:
Attn: Dan Heimel
Basin Management Committee
2122 9th St.
Suite 110
Los Osos, CA 93402

All Americans with Disabilities Act (ADA) accommodations shall be promptly reviewed and resolved. Persons who require accommodations for any audio, visual or other disability in order to review an agenda, or to participate in the meeting of the Basin Management Committee per the ADA, are encouraged to request such accommodation 48 hours in advance of the meeting from Dan Heimel at (805) 459-8498.

TO: Los Osos Basin Management Committee

FROM: Dan Heimerl, Executive Director

DATE: November 17, 2021

SUBJECT: Item 3 – Authorizing continuation of remote teleconferencing of public meetings based on findings that COVID-19 remains a serious risk to public health and safety

Recommendations

Staff recommends that the BMC: 1) adopt a resolution authorizing the BMC to continue remote teleconferencing of public meetings based on findings that COVID-19 remains a serious risk to public health and safety; or 2) provide alternate direction to staff.

Discussion

The Brown Act (Gov. Code § 54950 et seq.) guarantees the public's right to attend and participate in the meetings of local legislative bodies. As such, the Brown Act requires that meetings of legislative bodies and local public agencies be noticed, open, and public. The Brown Act requirements for teleconferencing public meetings include:

- Each teleconference location must be open to the public;
- Members of the public must be able to address the body at each teleconference location;
- At least a quorum of the body must be within the body's territorial jurisdiction at the time of the meeting;
- All votes must be counted via rollcall

E.O. N-29-20, which was issued on March 17, 2020 in response to the COVID-19 pandemic, allowed local agencies to hold public meetings remotely by suspending many of the Brown Act limitations on teleconferencing. E.O. N-08-21, issued June 11, 2021, stated that these loosened teleconference rules were going to expire on September 30. However, due to the recent passing of AB 361 and AB 339, many remote teleconferencing options are still be available during state-proclaimed emergencies. Both of these bills modify the Brown Act's teleconferencing requirements (Gov. Code § 54953(b)).

Assembly Bill 361 was passed on September 10 and signed on September 16. The bill is an urgency statute and was operative immediately upon signing and is set to expire on December 31, 2023. AB 361 amends Government Code section 54593 and allows agencies to hold virtual meetings and allow remote participation by the public with requirements similar to those that have been in place under E.O. N-29-20, with some new requirements.

The modified teleconferencing requirements established in AB 361 (now Gov. Code § 54953(e)) may be utilized by an agency to hold public meetings, so long as:

- There is a gubernatorially declared state of emergency as defined under Section 8625 of the California Emergency Services Act (Gov. Code § 52953(e)(1), (e)(4));

- One of the following circumstances is present: (1) state or local officials have imposed or recommended measures to promote social distancing, (2) the legislative body is holding a meeting for the purpose of determining whether the emergency at hand presents imminent risks of health and safety to attendees if meetings were held in person, or (3) the legislative body has already held a meeting and determined (by majority vote) that such health and safety risks are present (Gov. Code § 54953(e)(1)); and
- A decision to meet telephonically must be renewed at least every 30 days with the legislative body finding (by majority vote) that either the emergency situation continues to impact the ability of members and the public to meet in person or state *or* local officials continue to impose social distancing measures (Gov. Code § 54953(e)(3)).

BMC Staff recommends that the BMC adopt a resolution authorizing the BMC to continue remote teleconferencing of public meetings based on findings that COVID-19 remains a serious risk to public health and safety.

RESOLUTION NO. [REDACTED]

**A RESOLUTION OF THE LOS OSOS BASIN MANAGEMENT COMMITTEE
PROCLAIMING A LOCAL EMERGENCY, RE-RATIFYING THE PROCLAMATION
OF A STATE OF EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF
CALIFORNIA ON MARCH 4, 2020 AND RE-AUTHORIZING REMOTE
TELECONFERENCE MEETINGS PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the Los Osos Basin Management Committee (“Committee”) is committed to preserving and nurturing public access and participation in meetings of the Committee; and

WHEREAS, as set forth in the Stipulated Judgment in *Los Osos Community Services District v. Golden State Water Company, et al.*, Civil Case No. GIN 040126 (San Luis Obispo County Superior Court), all meetings of the Committee are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate and watch the Committee conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Committee’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Committee previously adopted Resolution No. 2021-01 on 10/27/2021 finding that the requisite conditions exist for the District’s Board of Directors to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Committee must reconsider the circumstances of the state of emergency that exists in the District, and the Committee has done so; and

WHEREAS, COVID-19 remains a primary concern to public safety as the United States' Center for Disease Control ("CDC") announced in August that the Delta variant is more than twice as contagious as previous variants, it has a greater risk of infection even among vaccinated individuals, and that it may cause more serious illness than previous variants;¹ and

WHEREAS, San Luis Obispo County ("County") has seen an increase of cases and deaths related to COVID-19 since June with the emergence of the Delta variant² and the County's Public Health Department recently released an order requiring all vaccinated and unvaccinated individuals to wear masks in indoor public settings, citing a recent increase in hospitalizations and the high transmissibility of the Delta variant³;

WHEREAS, the Committee's Board of Directors does hereby find that the higher transmission rate and significant health risks posed by the Delta variant has caused, and will continue to cause, conditions of peril to the safety of persons within the Committee that are likely to be beyond the control of services, personnel, equipment, and facilities of the Committee, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Committee does hereby find that it shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Committee shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, pursuant to the Brown Act as amended after September 30, 2021,⁴ the Committee is including instructions for the public to virtually attend and comment on the meeting by telephone or through Zoom on each meeting agenda, which is posted on the Committee's website prior to the meeting.

NOW, THEREFORE, THE LOS OSOS BASIN MANAGEMENT COMMITTEE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The Committee hereby considers the conditions of the state of emergency in throughout the Committee's jurisdiction and proclaims that a local emergency persists, and due to the high transmission rate of the Delta variant, risk to unvaccinated and vaccinated individuals, greater risk of transmission at indoor gatherings, and

¹ CDC COVID-19 August 26 update on the Delta Variant ([CDC website](#)).

² According to the state's most recent COVID-19 data tracking statistics by county, ([COVID19.CA.GOV](#)).

³ September 1, 2021 San Luis Obispo County Health Officer Order

(<https://www.emergencyslo.org/en/resourcesGeneral/9.1.2021-Health-Order-6---Mask-Mandate.pdf>)

⁴ Gov. Code § 54953(e)

significant increase in the County’s number of COVID-19 cases since June, meeting in person would present imminent risk to the health and safety of board members and the public.

Section 3. Re-Ratification of Governor’s Proclamation of a State of Emergency. The Committee hereby re-ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Executive Director and Committee are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) thirty (30) days or (ii) such time as the Committee considers and re-ratifies this resolution to extend the time during which the Committee may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Los Osos Basin Management Committee, this 17th day of November, 2021, by the following vote:

AYES: ____

NOES: ____

ABSENT: ____

ABSTAIN: ____

BASIN MANAGEMENT COMMITTEE BOARD OF DIRECTORS

Agenda Item 6a: Minutes of the Meeting of October 27, 2021

The following is a summary of the actions taken at the Basin Management Committee Board of Directors Meeting.
The official record for the meeting is the recording that can be found at:
<https://slo-span.org/static/meetings-LOBMC.php>

Agenda Item	Discussion or Action
1. CALL TO ORDER	Chairperson Ochylski called the meeting to order at 1:00 pm.
2. ROLL CALL	Daniel Heimel, Executive Director, called roll to begin the meeting. Chairperson Marshall Ochylski, Director Charlie Cote, Director Bruce Gibson and Director Mark Zimmer were present.
3. BOARD MEMBER COMMENTS	Director Zimmer – Recycled water to Los Osos Valley Road median
4. Special Presentation	None
5. CONSENT AGENDA	
5a. Approval of Minutes of September 29, 2021 Meeting	Review of minutes from September 29, 2021 Meetings, 2021 Budget Update and Invoice Register and resolution authorizing continued remote teleconferencing BMC Meetings.
5b. Approval of 2021 Budget Update and Invoice Register	<u>Public Comment</u> Keith Weimer Lindi Doud Linde Owen
5c. Resolution authorizing continued remote teleconferencing BMC Meetings	<u>Board Direction</u> Obtain legal opinion on where to place resolution allowing remote teleconferencing of BMC Meetings on future agendas. Agendize development of transcripts for BMC Meeting Minutes on future BMC Agenda. <u>Board Action</u> Approve Consent Agenda Motion: Director Gibson Second: Director Zimmer Ayes: Director Cote, Director Gibson, Director Zimmer, Chairperson Ochylski Nays: None Abstain: None Absent: None
6. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON THE AGENDA	<u>Public Comment</u> Keith Weimer Jeff Edwards Lindi Doud Larry Raio Linde Owen Patrick McGibney

8. ACTION ITEMS

8a. Sustainable Yield_x Methodology Review and Recommendations

Recommendation: BMC Staff recommends that the BMC: 1) receive information on the updated Sustainable Yield_x calculations and approve the proposed Sustainable Yield estimate of 2,380 AFY for Calendar Year 2022 based on the findings provided; or 2) provide alternate direction to staff.

Public Comment

Jeff Edwards
Deborah Howe
Larry Raio
Linde Owen
Patrick McGibney
Keith Weimer

Board Action

Approve Staff Recommendation and adopt Sustainable Yield estimate for the Los Osos Basin of 2,380 AFY for Calendar Year 2022.

Motion: Director Zimmer

Second: Director Cote

Ayes: Director Cote, Director Gibson, Director Zimmer, and Chairperson Ochylski

Nays: None

Abstain: None

Absent: None

8b. Recycled Water Funding Program Grant Application and County Funding Request

Recommendation: BMC Staff recommends that the BMC: 1) authorize the use of Grant Pursuit Contingency funding to prepare the Water Recycling Funding Program (WRFP) Grant Application; and 2) submit a request to the County to access the \$150,000 in County funding budgeted for the development of a Transient Groundwater Model; or 3) provide alternate direction to staff.

Public Comment

Jeff Edwards
Linde Owen
Keith Weimer
Patrick McGibney

Board Action

Approve Staff Recommendation and authorize preparation of WRFP grant application and submit request to County of transient model funding.

Motion: Director Gibson

Second: Director Zimmer

Ayes: Director Cote, Director Gibson, Director Zimmer, and Chairperson Ochylski

Nays: None

Abstain: None

Absent: None

<p>8c. BMC Funding Options Consulting Services</p>	<p>Recommendation: BMC Staff recommends that the BMC: 1) review and approve the proposal for SCI Consulting Group to provide an updated funding options analysis and assessment evaluation; or 2) provide alternate direction to staff.</p> <p><u>Public Comment</u> Keith Weimer Jeff Edwards</p> <p><u>Board Direction</u> Bring back information on potential procurement policy for the BMC consideration at a future BMC Meeting.</p> <p><u>Board Action</u> Approve Staff Recommendation and authorize SCI Consulting Group to provide an updated funding options analysis and assessment evaluation. Motion: Director Cote Second: Director Gibson Ayes: Director Cote, Director Gibson, Director Zimmer, and Chairperson Ochylski Nays: None Abstain: None Absent: None</p>
<p>8d. Wellhead Survey Authorization</p>	<p>Recommendation: BMC Staff recommends that the BMC: 1) Authorize Twin Cities Survey and Cleath-Harris Geologist to complete a survey of additional wells in the Los Osos Basin to improve monitoring program data; and 2) request that the County survey the wells in their monitoring program; or 3) provide alternate direction to staff.</p> <p><u>Public Comment</u> Keith Weimer</p> <p><u>Board Action</u> Approve Staff Recommendation and authorize Twin Cities Survey and Cleath-Harris Geologist to survey additional wells in Los Osos Basin and request that the County survey the wells in their monitoring program.</p> <p>Motion: Director Cote Second: Director Ballantyne Ayes: Director Cote, Director Ballantyne, Director Zimmer, and Chairperson Ochylski Nays: None Abstain: None Absent: None</p>

<p>8e. Lower Aquifer Monitoring Evaluation</p>	<p>Recommendation: BMC Staff recommends that the BMC: 1) authorize the use of Contingency funds for Cleath-Harris Geologists to evaluate the feasibility and cost of modifying existing wells to improve monitoring of Zone E water quality; or 2) provide alternate direction to staff.</p> <p><u>Public Comment</u> Keith Weimer</p> <p><u>Board Action</u> Approve Staff Recommendation and authorize Cleath-Harris Geologist to evaluate the feasibility and costs for improving the lower aquifer monitoring program.</p> <p>Motion: Director Ballantyne Second: Director Zimmer Ayes: Director Cote, Director Ballantyne, Director Zimmer, and Chairperson Ochylski Nays: None Abstain: None Absent: None</p>
<p>7. EXECUTIVE DIRECTOR'S REPORT</p>	<p>Item deferred till November BMC Meeting</p> <p><u>Public Comment</u> Patrick McGibney Keith Weimer Linde Owen</p>
<p>9. ADJOURNMENT</p>	<p>Meeting adjourned at approximately 4:03 PM. The next regularly scheduled meeting is Wednesday, Nov. 17, 2021 at 1:30 PM.</p>

TO: Los Osos Basin Management Committee

FROM: Dan Heibel, Executive Director

DATE: November 17, 2021

SUBJECT: Item 8 – Executive Director’s Report

Recommendations

Staff recommends that the Committee receive and file the report and provide staff with any direction for future discussions. Sections of the Executive Director’s Report that have been updated or significantly changed from the previous meeting’s version are underlined.

Discussion

This report was prepared to summarize administrative matters not covered in other agenda items and to provide a general update on staff activities.

Funding and Financing Programs to Support Basin Plan Implementation

Prop 1 GWGP: The Prop 1 GWGP Round 3 solicitation was released on July 6th, 2021 with Concept Proposals due September 7th, 2021. However, as indicated in the January 2018 BMC meeting, the State Board confirmed that sea water intrusion mitigation projects under Program C are eligible for low interest loans but are not currently eligible for grants under the Proposition 1 Groundwater Grant Program (GWGP). New wells in the upper and lower aquifer are viewed as aquifer management, not aquifer clean-up as defined by the State, therefore we will need to look for future funding rounds and other opportunities. Aquifer clean-up projects (e.g. Community Nitrate Facility, Upper Aquifer Capture and Treatment) could be considered for pursuing grant funding through this program. Unfortunately, this is the 3rd and last round for this Program and they are only looking to fund implementation projects (i.e. projects that have design, CEQA and other planning components completed and are ready for construction), not planning projects.

IRWM: The Program A upper aquifer well at 8th Street was submitted by Los Osos CSD to the local IRWM process in 2019 and was subsequently selected to be a part of the application for the current funding opportunity. The application for this grant was submitted in December 2019 and the Project was included in the Department of Water Resource’s July 2020 Final Funding Award List for the full grant request (\$238,000).

Prop 1 SWGP: The concept of urban storm water recovery at 8th and El Moro was ranked in the County Stormwater Resource Plan, and a grant opportunity may be available through the Prop 1 Storm Water Grant Program (SWGP). The application period for Round 2 of SWGP funding has closed. The

Stormwater Resource Plan can be found here: <https://www.slocounty.ca.gov/Departments/Public-Works/Committees-Programs/Stormwater-Resource-Plan.aspx>

And information about the Storm Water Grant Program can be found here:

https://www.waterboards.ca.gov/water_issues/programs/grants_loans/swgp/prop1/

WRFP: The State Water Resource Control Board (SWRCB) increased the amount for Water Recycled Program Planning (WRFP) grants from \$75k to \$150k. This could provide a grant funding opportunity to advance Basin Plan initiatives, with a reduced cost to the community of Los Osos, through preparation of a Recycled Water Facilities Planning Study (RWFPS). Potential scope items for the RWFPS could include:

- Transient Groundwater Model Development
- Soil Aquifer Treatment (SAT) Assessment
- Broderson/Creek Discharge Scenario Analysis
- Stormwater and Perched Water Recovery Project – Feasibility Study
- Adaptive Management Groundwater Modeling
- RWFPS Report Development

Recent communication with the SWRCB Representatives confirmed that this funding program is still fully funded and WRFP grants are available.

Status of BMC Initiatives

Sustainable Yield: At its October 27th, 2021 Meeting, the BMC unanimously approved a Sustainable Yield estimate of 2,380 AFY for Calendar Year 2022 and these actions will be documented in the 2021 Annual Report.

Lower Aquifer Transducer Installation: In March, Cleath-Harris Geologists (CHG) initiated requests for permission to access and install transducers in several County monitoring wells, a private well, and a purveyor well. The purveyor well (LA 9) has been equipped with a transducer. The remaining access requests are still in process.

Basin Metric Evaluation: Analysis of alternative metric approaches in progress. The approaches are anticipated to be brought to the BMC before the end of 2021.

Recycled Water Beneficial Use Evaluation: This effort is currently on hold and is anticipated to be included in the Water Recycling Funding Program Planning Grant initiative.

Transient Groundwater Model: At its October 27th, 2021 Meeting, the BMC authorized the preparation of a Water Recycling Funding Program Grant Application and to request access to the \$150,000 of funding that the County budgeted for a transient groundwater model for Los Osos.

Wellhead Survey: At its October 27th, 2021 Meeting, the BMC authorized Twin Cities Survey and CHG to survey additional wells in Los Osos Basin and for BMC Staff to request that the County survey the wells in their monitoring program.

Lower Aquifer Monitoring Evaluation: At its October 27th, 2021 Meeting, the BMC authorized CHG to evaluate the feasibility and cost of modifying existing wells or construction a new monitoring well(s) to improve monitoring of Zone E water quality.

Status of Basin Plan Implementation and Funding Plans

The BMC has requested an integrated funding plan for project implementation and BMC monitoring and administration. BMC Staff and BMC Party Staff have formed a Funding and Organizational Working Group to identify and evaluate potential future funding and organization structures for the BMC and implementation of the Basin Plan. Consistent with the Basin Plan, the Working Group is identifying and evaluating funding and organizational structures that will provide a long-term mechanism for funding BMC Administration and Basin Plan Implementation costs and that allocate costs equitably amongst all who benefit from the Basin’s water resources.

The Working Group reviewed previously completed analysis on BMC funding and organization structures, documenting the different alternatives and identifying data/information gaps that may require outside technical support. At its October 27th, 2021 Meeting, the BMC approved a proposal from SCI Consulting Group to provide an updated funding options analysis and assessment evaluation. This effort has been initiated and updates will be provided to the BMC at future meetings.

JPA Formation: Staff level discussions continue to focus on the need for, and benefits of, forming a JPA, see table below, to assist with implementation of the Basin Plan.

Table 1. JPA Formation Considerations

Pros	Cons
• Common ownership of basin assets	• Complexity and community perception
• Ability to contract for services as an entity	• Potential for difficulty in formal proceedings - less nimble
• GSWC can participate as a director	• More difficult to exit/change if needed
• Could cover entire limits of basin for funding	
• If carefully done, incremental costs could be limited to insurance and up-front legal expenses	
• Ability to carry-over funds from one budget year to another	

As indicated in previous meetings, it was determined that GSWC could serve as an appointed JPA director without forming a separate Mutual Water Company entity, which would simplify the process.

Discussions with BMC Party Staff indicate that the BMC Parties would like to execute the Implementation Plan initiative to first develop a roadmap for the BMC and then evaluate the potential

formation of a JPA or other governance structure once there is a more defined plan for future BMC initiatives.

BMC Legal Counsel – Recent discussions with BMC Party Staff have identified a potential need for dedicated BMC legal counsel. To date, the BMC has relied upon legal input/advice from legal counsel representing individual BMC parties. However, this presents a challenge as individual party legal counsel must represent their respective party and can make it difficult to provide legal advice specifically for the BMC. Contracting with dedicated BMC legal counsel would help address this issue and assist the Executive Director in complying with rules and regulations established for the BMC. To reduce costs for BMC Parties, BMC Staff proposes to continue to rely upon input from BMC Party legal counsel for the majority of the legal input/advice that is needed, but to also include a contingency budget item in the Calendar Year 2022 Budget for dedicated BMC legal counsel and solicit legal firms that could be accessed under circumstances where BMC specific legal input/advice is needed.

Program B Implementation Process and Funding: The existing nitrate removal facility owned by GSWC is intended to serve existing development, so it is likely that a Program B facility intended for future development would be jointly owned by either a JPA or by one of the public agencies.

- Likely next steps for the implementation of Program B projects include:
 - Technical Studies to validate and update cost estimates
 - Siting Studies to identify project locations
 - AB 1600 analysis to evaluate funding options relative to future development in coordination with the Los Osos Community Plan
 - Environmental Review (CEQA)
 - Land Use Permitting (e.g. Coastal Development Permits, etc.)

Land Use Planning Process Update

Los Osos Retrofit-to-Build Program (Title 19 Water Offset Requirement) Update:

One consultant proposal was received in response to the Request for Proposals issued September 10, 2021. The County is waiting for final approval of State grant funding to sign a contract and will post an updated project timeline to the project website once the contract is signed: [Los Osos Water Offset Study - County of San Luis Obispo \(ca.gov\)](#). The contract will be to update the retrofit-to-build program for Los Osos to incorporate significant changes in water consumption patterns since the water offset program was adopted in 2008 and incorporate new water conservation measures to expand the capacity of the program to offset new development.

Los Osos Community Plan:

The Los Osos Community Plan is being reviewed by the California Coastal Commission and a hearing date has not yet been scheduled. In the meantime, the County is meeting with BMC staff to discuss potential policy changes. On December 15, 2020, the County Board of Supervisors adopted the Los Osos Community Plan ("LOCP") update and Final Environmental Impact Report and tentatively adopted amendments to the Growth Management Ordinance that would establish a residential growth rate for

the Los Osos urban area. The LOCP policies are still subject to change based on California Coastal Commission review. If the LOCP is certified by Coastal Commission with no changes, the Growth Management Ordinance amendments to establish a growth rate for Los Osos are effective upon certification. If the LOCP requires changes, then the growth rate would need to be established at another Board hearing. The LOCP and Growth Management Ordinance policies considered by the Board on December 15 are available at: <https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/12683>.

Background

The Board authorized preparation of this update on December 11, 2012. A series of community outreach meetings to unveil the Community Plan were conducted in the Spring of 2015. The plan was prepared to be consistent and coordinated with the draft groundwater basin management plan and the draft Habitat Conservation Plan ("HCP"). The draft Environmental Impact Report was released on September 12, 2019; comments were due December 11, 2019. A Community Meeting on the Draft Environmental Impact Report for the LOCP, HCP, and associated Environmental Documents was held on October 28, 2019. The Final Environmental Impact Report and Public Hearing Draft were released on June 8, 2020. The Planning Commission held hearings on July 9, 2020, August 13, 2020, and October 8, 2020. At the October 8, 2020 hearing, the Planning Commission recommended approval of the Plan to the Board of Supervisors.

Accessory Dwelling Unit (ADU) Ordinance:

On January 28, 2020, the Board of Supervisors considered and adopted a resolution to amend Title 22 and 23 for the replacement of the Secondary Dwelling Ordinance with a new ordinance for Accessory Dwelling Units (ADUs). The Board of Supervisors adopted amendments to Table "O" of the Coastal Framework on June 16, 2020. These amendments would allow ADUs to be established in the Community of Los Osos. The amendments to Title 23 and Table "O" of the Coastal Framework for Planning are currently under review by the California Coastal Commission. Until such amendments are approved by the California Coastal Commission, the County will review ADU applications for consistency with State ADU law, which would allow for the construction of ADUs in the Coastal Zone. On March 12, 2021, Coastal Commission found that Los Osos ADU projects approved by the County thus far raise a substantial issue and did not hold a hearing on the question. The Commission took jurisdiction over the projects and voided the County's prior approval. The next step in the process is the de novo hearing, which has not yet been scheduled. The Commission would prefer to take an action on the County's proposed ADU Ordinance before taking an action on individual projects. The Commission has requested additional information from the County about the ADU Ordinance. The County is preparing a response, which includes coordinating with the Los Osos water purveyors regarding ADUs.

Los Osos Wastewater Project Flow and Connection Update

The following table summarizes flows from the LOWRF based on the available data. Cells highlighted in yellow indicate data that was not available at the time the Executive Director's Report was developed.

LOWRF Wastewater and Recycled Water Flows

Year	Month	Influent	Broderson	Bayridge	Sea Pines	Giacomazzi	Construction Water	Ag Users	Discharge/ Recycled Water Delivery Total (AF)
2021	Jan	48.7	38.0	1.1	1.7	0.0	0.0	0.1	42.6
2021	Feb	43.0	47.3	1.7	1.0	0.0	0.0	0.0	50.5
2021	Mar	47.5	47.2	1.9	1.0	0.0	0.0	0.0	50.3
2021	Apr	45.4	33.6	1.8	0.8	0.0	0.0	0.2	36.4
2021	May	46.7	40.9	1.9	0.7	0.0	0.0	0.1	41.7
2021	Jun	<u>44.6</u>	<u>44.1</u>	1.8	0.9	0.0	0.1	0.3	47.2
2021	Jul	<u>46.1</u>	<u>34.7</u>	<u>1.8</u>	<u>2.2</u>	<u>0.0</u>	<u>0.1</u>	<u>0.1</u>	<u>38.9</u>
2021	Aug	<u>45.7</u>	<u>34.1</u>	<u>1.8</u>	<u>4.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.1</u>	<u>40.0</u>
2021	Sept	<u>43.6</u>	<u>34.8</u>	<u>1.7</u>	<u>2.2</u>	<u>0.0</u>	<u>0.1</u>	<u>0.2</u>	<u>39.0</u>
2021	Oct								
2021	Nov								
2021	Dec								
Total									

Enforcement: A list of properties that were not connected were transferred to County Code Enforcement and Notice of Violations were issued last year in Feb. 2019. That list was about 70 properties. As of 5/12/2021, the sewer service area has a 99.4% connection status with a total of 36 properties not yet connected. Of those, one is not required to connect because there is no structure (demolished), 18 have expired building permits, and the rest have an open Code Enforcement case.

The County has assigned staff in code enforcement to Los Osos. Expired permits did not receive a Code Enforcement case because those properties have their own noticing process through the Building Department which, if not corrected, could result in a Notice of Violation.

Recycled Water Connections: The County approved \$350,000 in funding from the American Rescue Plan Act of 2021 for connecting new users to the LOWRF Recycled Water System. Additional funding was approved for improvements at the LOWRF and the Broderson Leach field.

Water Conservation Update

Rebate Update: Average indoor water usage for 2019 was estimated to be 40 gpd per person and remains at that number currently.

Cannabis and Hemp Information

Hemp: According to the Ag Commissioners Office there is no hemp cultivation currently registered in Los Osos.

Cannabis: On January 28, 2021, the County Planning Commission approved a request by Wild Coast Farms for a Coastal Development Permit / Development Plan (DRC2018-00215) and adopted the Mitigated Negative Declaration (MND) prepared for the project to allow for the phased development to establish 27,500 sf of indoor cannabis cultivation area (22,000 sf canopy); 12,600 sf of ancillary and commercial indoor nursery area; a 1,472 sf metal building for indoor ancillary processing, a cloning area, a restroom, storage, and an office; Ancillary Transport; and related site improvements (e.g., composting area, trash / recycling area, parking, general storage, etc.). A parking modification is requested to allow 9 parking spaces instead of the required 81. The project will result in the disturbance of approximately 3 acres on a 73.5 acre parcel located at 2198 Los Osos Valley Road, approximately 0.5 miles northwest of the Los Osos Valley Road/Clark Valley Road intersection and directly west of the Los Osos Wastewater Facility (LOWWF). The site is in the Agriculture land use category and within the area governed by the Estero Area Plan. The project site is outside the Los Osos Urban Reserve and the Los Osos Community Services District boundary and is within the Coastal Appeal Area.

The Planning Commission approval has been appealed to the County Board of Supervisors. An appeal hearing date has not yet been scheduled.

The Planning Commission hearing item documents (staff report, findings, presentation, conditions of approval, MND, etc.) are available at:

<https://agenda.slocounty.ca.gov/iip/sanluisobispo/agendaitem/details/12865>

The permit Conditions of Approval require the applicant to submit a Water Conservation Plan for review and approval by the Department of Planning and Building prior to building permit issuance to implement a water demand offset of 3.5 acre-feet per year (AFY), to be verifiable and permanent.

The Sustainable Groundwater Management Act (SGMA)

SGMA Overview: SGMA took effect on January 1, 2015.¹ SGMA provides new authorities to local agencies with water supply, water management or land use responsibilities and requires various actions be taken in order to achieve sustainable groundwater management in high and medium priority groundwater basins. Los Osos Valley Groundwater Basin (Los Osos Basin) was subject to SGMA based on the 2014 Basin Prioritization by the California Department of Water Resources (DWR) that listed the Los Osos Basin as high priority and in critical conditions of overdraft.²

Basin Prioritization: On December 18, 2019, DWR released the SGMA 2019 Basin Prioritizations. Basins or subbasins reassess to low or very low priority basins or subbasins are not subject to SGMA regulations.

¹ On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of [AB 1739 \(Dickinson\)](#), [SB 1168 \(Pavley\)](#), and [SB 1319 \(Pavley\)](#), collectively known as SGMA

² SGMA mandates that all groundwater basins identified by DWR as high- or medium-priority by January 31, 2015, must have groundwater sustainability agencies established by June 30, 2017. The act also requires that all high- and medium-priority basins classified as being subject to critical conditions of overdraft in Bulletin 118, as of January 1, 2017, be covered by groundwater sustainability plans, or their equivalent, by January 31, 2020. Groundwater sustainability plans, or their equivalent, must be established for all other high- and medium-priority basins by January 31, 2022.

A summary of DWR's Final SGMA Prioritizations for the Los Osos Area Subbasin and Warden Creek Subbasin are listed below:

- Los Osos Area Subbasin is listed as **very low** priority for SGMA³ and in critical conditions of overdraft⁴
- SGMA does not apply to the portions of Los Osos Basin that are adjudicated provided that certain requirements are met (Water Code §10720.8).
- Warden Creek Subbasin is listed as **very low** priority for SGMA³

For more information on DWR's basin boundary modification and prioritization process, please visit: <https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization>

Additional Attachments:

1. None

³ As noted by DWR, the priority for the subbasin has been set to very low (0 total priority points) as a result of conditions being met under sub-component C of the Draft SGMA 2019 Basin Prioritizations.

⁴ Critical conditions of overdraft have been identified in 21 groundwater basins as described in Bulletin 118 (Water Code Section 12924). Bulletin 118 (updates 2003) defines a groundwater basin subject to condition of critical overdraft as: "A basin is subject to critical conditions of overdraft when continuation of present water management practices would probably result in significant adverse overdraft-related environmental, social, or economic impacts."

TO: Los Osos Basin Management Committee

FROM: Dan Heimel, Executive Director

DATE: November 17, 2021

SUBJECT: Item 9a – Preliminary Calendar Year 2022 BMC Budget

Recommendation

BMC Staff recommends that the BMC: 1) receive information on potential items for BMC Calendar Year 2022 Budget and provide direction to staff.

Discussion

As outlined in the Basin Management Committee (BMC) Rules and Regulations, the BMC is directed to adopt the annual budget for the following year at the first Basin Management Committee Meeting following December 1st of the current year.

To assist the BMC in preparation for adopting a budget for Calendar Year (CY) 2022, a preliminary CY 2022 Budget has been provided for the BMC’s review and an input. It is anticipated that the proposed CY 2022 BMC Budget will be brought back to the BMC for consideration at the December 15th, 2021 BMC Meeting.

The complete preliminary CY 2022 BMC Budget is included as Attachment 1. In addition to the Baseline Service (Budget Items 1-7), there are additional items described in the following table for consideration by the BMC for inclusion in the CY 2022 BMC Budget.

Potential CY 2022 BMC Budget Item	Anticipated Costs	Description
BMC Legal Council Contingency	\$20,000	Contingency budget for obtaining legal input from 3 rd Party (i.e. not representing any BMC parties) legal counsel to advise BMC on potential legal issues. It is anticipated that a legal counsel firm would be selected and be available to provide the BMC and BMC Staff with legal advice on an as-needed basis. To reduce costs the BMC Parties, the BMC and BMC Staff would continue to rely upon legal counsel input from BMC Party Legal Counsel for routine legal questions that may arise.
WRFP Study: Transient Groundwater Model & Recycled Water Scenario Analysis	\$165,000	WRFP Planning Study to develop a transient groundwater model and utilize it to evaluate recycled water and other sustainable yield improvement projects/opportunities. It

		anticipated that \$150,000 of the costs for the WRF Planning Study will be offset by grant and County funding contributions.
Technical Contingency	\$45,000	Technical contingency funding potential available to support additional initiatives identified in BMC Implementation Plan or as follow-up activities to currently ongoing BMC initiatives (e.g. Lower Aquifer Monitoring Well Improvements; Funding and Organization Study Polling; Los Osos Creek Stream Rating Curve; Metering of Private Wells Investigation, etc.)

Financial Consideration

The preliminary CY 2022 BMC Budget, including a 10% Contingency, is \$314,100. This amount falls within the range of previous BMC budgets, which are shown in the following table and is very close to the CY 2021 BMC Budget.

Historic BMC Budget Summary

Calendar Year	Budget	Budget w/ Contingency	Notes
2016	\$286,000	\$314,600	\$120k for Funding measure including initial feasibility report, final report and Prop 218 process
2017	\$264,000	\$290,400	\$100k for Funding measure including Prop 218 process
2018	\$268,000	\$294,800	\$115k for Cuesta by Sea (Lupine) Monitoring Well
2019	\$319,700	\$335,685	\$115k for Cuesta by Sea (Lupine) Monitoring Well
2020	\$175,500	\$193,050	Baseline Budget Only
2021	\$285,500	\$314,050	Updated Sustainable Yield Estimate, Basin Metric Review, Funding & Organization Study, Implementation Initiative Evaluation

A breakdown of the estimated costs for each of the BMC Parties for the Preliminary CY 2022 BMC Budget is provided in the following table:

Cost Breakdown - Preliminary CY 2022 BMC Budget

BMC Party (Cost Share %)	Preliminary Cost Share
LOCSD (38%)	\$119,358
GSWC (38%)	\$119,358
County of SLO/SLOCFC&WCD (20%)	\$62,820
S&T Mutual (4%)	\$12,564

Preliminary CY 2022 BMC Budget

Item	Description	Cost	Comments
1	BMC Administration and Facilitation	\$70,000	
2	Meeting expenses: Facility rent	\$1,500	
3	Meeting expenses: Audio and video services	\$6,000	
4	Technical Support/Adaptive Management Services	\$15,000	
5	2022 Groundwater Monitoring	\$42,000	
6	2021 Annual Report	\$56,000	
7	Grant Pursuit Contingency	\$5,000	Contingency budget for potential pursuit of Grant Opportunities
8	BMC Legal Counsel	\$20,000	Contingency budget for dedicated BMC Special Legal Counsel
9	WRFP Study Year 1: Transient Groundwater Model & Recycled Water Scenario Analysis	\$165,000	WRFP Study to develop a transient groundwater model and utilize to evaluate recycled water and other sustainable yield improvement projects/opportunities
10	Technical Contingency	\$55,000	Potential additional tasks: Lower Aquifer Monitoring Well Improvements; Funding and Organization Study Polling; Los Osos Creek Stream Rating Curve; Metering of Private Wells Investigation
11			
12			
	Subtotal	\$435,500	
	County Funding/Grant Contribution	-\$150,000	
	Total (After County/WRFP Reimbursement)	\$285,500	
	10% Contingency (rounded to nearest \$100)	\$28,600	
	Total	\$314,100	
	LOCSO (38%)	\$119,358	
	GSWC (38%)	\$119,358	
	County of SLO/SLOCFC&WCD (20%)	\$62,820	
	S&T Mutual (4%)	\$12,564	

TO: Los Osos Basin Management Committee

FROM: Dan Heibel, Executive Director

DATE: November 17, 2021

SUBJECT: Item 9b – LOCS D Program C Well Minor Use Report

Recommendation

BMC Staff recommends that the BMC: 1) review the LOCS D Well Minor Use Permit/CDP Application and recommend project approval to the County; or 2) provide alternate direction to staff.

Discussion

Los Osos Community Services District applied for a Minor Use Permit/Coastal Development Permit for the construction of municipal production well near the corner of Bay Oaks Drive and South Bay Blvd. This location is the former location of the Bayridge Estates Wastewater Treatment Plant and is designated as a Public Facilities land use category. The construction of this well was envisioned under the Basin Plan as the second Program C well that will help shift pumping from the western portion to the central area of the Los Osos Basin. An Initial Study and Mitigated Negative Declaration has been prepared for this well. Additional information on the well and the project is provided in the attached Minor Use Permit/Coastal Development Permit Application (Application).

The County is requesting that the BMC review the LOCS D's Application and make a recommendation regarding approval of the project. It is recommended that BMC review the Application and recommend that the County approve the project.



THIS IS A NEW PROJECT REFERRAL / SUMMARY *

DATE: 10/26/2021

TO: Building, Environmental Health, 2nd District Legislative Assistant, Public Works, Los Osos Community Advisory Council, Golden State Water, Los Osos CSD, Coastal Commission, RWQCB, A. Signewald, K. Hensley, M. Bandov

FROM: Kip Morais, Planner

PROJECT NUMBER & NAME: C-DRC2021-00031 LOCSO Well Minor Use Permit / CDP

PROJECT DESCRIPTION*: MUP/CDP for the construction and operation of a municipal well to serve the LOCSO service area and implement Program C of the Los Osos Basin Plan. The proposed pipeline alignment would include South Bay Boulevard from the well site parcel north, turn west adjacent to the southern terminus of Mountain View Drive and continuing north on Mountain View Drive to Nipomo Avenue. In lieu of constructing a pipeline, it is LOCSO's intent to negotiate a water wheeling agreement with the Golden State Water Company (GSWC) to utilize their existing water distribution system to convey water to LOCSO; however, an agreement has not been reached at this time. For a complete project description, please see Section 1.3 of the included adopted Initial Study/Mitigated Negative Declaration. The project is located on APN: 074-491-033 on the NW corner of Bay Oaks Drive & South Bay Boulevard. The property is located within the Public Facilities (PF) land use category.

APN(s): [074-491-033](#)

Please submit comments within 14 days from receipt of this referral. CACs please respond within 60 days. Thank you. In your response, please consider and/or indicate the following:

PART I: IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II: ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)
- NO (Please go on to PART III.)

PART III: INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE INDICATE (VIA E-MAIL OR PHONE).



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
TREVOR KEITH, *DIRECTOR*

Date

Name

Phone

**All information and/or material provided in the following Referral Package is valid for 90 days after this correspondence. After that time please contact the Project Manager for the most updated information.*

Land Use – Checklist & Application Package

SUPPLEMENTAL INFORMATION

The following information may be required, depending on your Land Use application type.

If you had a pre-application meeting and any of these items were indicated, they are required for a complete submittal. For applications via the Online Permit Portal, these can be uploaded with your initial application submittal, or later when your full Plan Case has been created.

- Preliminary Landscaping Plan prepared pursuant to Section 22.16/23.04.180, et seq.
- Fire Safety Plan prepared pursuant to Section 22.52/23.05.080, et seq.
- Preliminary grading/drainage plan – when required by Section 22.52/23.05.020 and .040
- Agricultural buffers – if any adjacent parcels are used for agriculture, show all proposed agricultural buffers
- Archeological Report – two (2) copies, where required
- Biological Report – two (2) copies, where required
- Botanical Report – two (2) copies, where required
- Building Site Envelopes – on site layout plan show all areas proposed for development, or areas proposed to be excluded from development
- Noise Study – two (2) copies, if the property either adjoins or will be a noise generator or a potential source of noise
- Traffic Study – two (2) copies, where required
- Geological Report – two (2) copies, where required
- Visual Analysis – for applications that propose development along significant visual corridors (such as Highways 101 and 1)
- Location, size, design and text of all existing and proposed signs
- Location and design of solid waste disposal facilities, as required by Section 22.10.150/23.04.280
- Cross-section drawings. The drawings shall include two sectional views of the project, approximately through the middle and at right angles to each other. The existing and proposed grades and the location of and distances between buildings, parking and landscaping shall also be provided
- Supplemental Development Statement stating the project’s phasing schedule (if one is proposed), and any information that is pertinent or helpful to the understanding of the proposal, such as photos, statistical data, petitions, etc.
- Water will-serve letter OR Well pump test (4-72 hour)
- Sewer will-serve letter OR Percolation tests
- County Public Works road requirements
- Road Plan and Profile / Culvert Plan and Profile / Streetscape Plan
- Completed Cost Accounting Agreement – one (1) copy
- Abandoned oil and gas wells, if applicable – Information is available from the California Division of Oil & Gas: 195 South Broadway, Suite 101, Orcutt, California 93455, (805) 937-7246
- Other _____



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

PLN-1004
04/01/2020

Land Use -- Project Information Form

APPLICATION TYPE - CHECK ALL THAT APPLY

- | | |
|--|---|
| <input type="checkbox"/> Emergency Permit | <input type="checkbox"/> Site Plan |
| <input type="checkbox"/> Tree Removal Permit | <input type="checkbox"/> Surface Mining/Reclamation Plan |
| <input type="checkbox"/> Minor Use Permit | <input type="checkbox"/> Zoning Clearance |
| <input type="checkbox"/> Conditional Use Permit/Development Plan | <input type="checkbox"/> Amendment to approved Land Use Permit |
| <input type="checkbox"/> Plot Plan | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Curb, Gutter & Sidewalk Waiver | <input checked="" type="checkbox"/> Other <u>Coastal Development Permit</u> |

TYPE OF PROJECT:

Commercial Industrial
 Residential Recreational Other: Municipal/Public Facilities

Describe any modifications/adjustments from ordinance needed and the reason for the request (if applicable):

Describe existing and future access to the proposed project site:

SURROUNDING PARCEL OWNERSHIP Do you own adjacent property? YES NO
If YES, what is the acreage of all property you own that surrounds the project site?

SURROUNDING LAND USE What are the uses of the land surrounding your property (when applicable, please specify all agricultural uses):

North: _____ South: _____

East: _____ West: _____

FOR ALL PROJECTS, ANSWER THE FOLLOWING - Square footage and percentage of the total site (approximately) that will be used:

Buildings: _____ sq. feet _____% Landscaping: _____ sq. feet _____%
 Paving: _____ sq. feet _____% Other: _____ sq. feet _____%

Total area of all paving structures: _____ sq. feet _____ acres

Total area of grading or removal of ground cover: _____ sq. feet _____ acres

Land Use – Project Information Form

Trees:

Number of trees to be removed: _____

Type(s) of tree(s):

Setbacks:

Front _____ Back _____ Left _____ Right _____

PROPOSED WATER SOURCE:

___ On-Site Well ___ Shared Well ___ Other: _____

Community System (agency / company responsible for the provision of water):

WILL-SERVE LETTER?

- Yes (If yes, please submit copy)
- No

PROPOSED SEWAGE DISPOSAL

- Individual On-Site System
- Other: N/A _____
- Community System (list the agency or company responsible provision):

WILL-SERVE LETTER?

- Yes (If yes, please submit copy)
- No

RESPONSIBLE FIRE PROTECTION AGENCY:

~~**FOR COMMERCIAL/INDUSTRIAL PROJECTS ANSWER THE FOLLOWING:**~~

~~Total outdoor use area: _____ sq. feet ___ acres~~

~~Total floor area of all structures including upper stories: _____ sq. feet~~

~~**FOR RESIDENTIAL PROJECTS, ANSWER THE FOLLOWING:**~~

~~Number of residential units: _____ Number of bedrooms per unit: _____~~

~~Total floor area of all structures including upper stories, but not garages and carports: _____ sq. feet~~

~~Total of area of the lot(s) minus building footprint and parking spaces: _____ sq. feet~~



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING

GEN-3000
04/01/2020

General Application Contact Information

Staff: Input File Number or File Label Here Please check ONLY ONE of the contacts as the 'Primary Billing Contact' to appear on invoices and receipts	PROPERTY OWNER		<input type="checkbox"/> Primary Billing Contact					
	Name:							
	Company:							
	Telephone:		Email Address:					
	Mailing address:							
	City:		State: CA	Zip Code: 93402				
APPLICANT		<input type="checkbox"/> Primary Billing Contact		AUTHORIZED AGENT		<input type="checkbox"/> Primary Billing Contact		
Name:				Name:				
Company:				Company:				
Telephone:		Email address:		Telephone:		Email address:		
Mailing address:				Mailing Address:				
City:		State:	Zip Code:		City:		State:	Zip Code:
PROPERTY INFORMATION								
Assessor's Parcel Number:			Physical address:			Total size, in acres:		
Directions to the property (include landmarks and any gate codes):								
Describe current uses on the property (include structures, improvements, and vegetation):								
PROJECT INFORMATION								
Briefly describe the proposed project (include all uses and building heights and areas, in square-feet) and attach supplemental info as necessary:								

Legal Declaration

I, the owner of record of this property, have completed this form accurately and declare that all statements here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

SIGNATURE: _____ **DATE:** _____

NOTE: Your application is public record and information regarding your application is available both in person and online via the Department of Planning & Building. All references to names, addresses, telephone numbers, email addresses and project details are part of this public record. All applications must be filed under the subject property's owner of record; however, you may use an alternate contact address and telephone number.



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING & BUILDING
Environmental Description

PLN-1003
01/01/2020

The California Environmental Quality Act (CEQA) requires all state and local agencies to consider and mitigate environmental impacts for their own actions and when permitting private projects. The Act also requires that an environmental impact report (EIR) be prepared for all actions that may significantly affect the quality of the environment. The information you provide on this form will help the Department of Planning and Building determine whether your project will significantly affect the quality of the environment.

To ensure that your environmental review is completed as quickly as possible, please remember to:

1. Answer ALL the questions as accurately and completely as possible.
2. Include any additional information or explanations where you believe it would be helpful or where required. Include additional pages if needed.
3. If you are requesting a land division or a re-zoning, be sure to include complete information about future development that may result from the proposed land division or rezoning.
4. Include references to any reports or studies you are aware of that might be relevant to the questions asked or the answers you provide.

Should a determination be made that the information is inaccurate or insufficient, you will be required to submit additional information upon request.

PHYSICAL SITE CHARACTERISTICS			
Acres with 0-10% slopes:	Acres with 10-20% slopes:	Acres with 20-30% slopes:	Acres over 30% slopes:
Are there any springs, streams, lakes, or marshes on or near the site? ___Yes ___No If yes, please describe: _____ _____		Are there any flooding problems on the site or in the surrounding area? ___Yes ___No If yes, please describe: _____ _____	
Has a drainage plan been prepared? ___Yes ___No If yes, please attach a copy.		Has there been any grading or earthwork on the site? ___Yes ___No If yes, please describe: _____ _____	
Has a grading plan been prepared? ___Yes ___No If yes, please attach a copy.		Are there any sewer ponds/waste disposal sites on or adjacent to the site? ___Yes ___No If yes, please describe: _____ _____	
Are there any railroads or highways within 300 feet of the site? ___Yes ___No If yes, please describe: _____		Can the site be seen from surrounding public roads? ___Yes ___No If yes, please describe: _____	

Environmental Description

WATER SUPPLY INFORMATION	
What type of water supply is proposed? <input type="checkbox"/> Individual Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Community Water System	What is the proposed use of the water? <input type="checkbox"/> Residential <input type="checkbox"/> Non-Residential If non-residential, please describe: _____ _____
What is the expected daily water demand associated with the project? _____	How many service connections will be required? _____
Do operable water facilities exist on the site? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please describe: _____ _____	Has there been a sustained yield test on proposed or existing wells? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please attach a copy.
Does Water Meet the Health Agency's Quality Requirements? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>testing to be completed after completion of drilling onsite treatment may be required for iron/manganese</i>	Bacteriological? <input type="checkbox"/> Yes <input type="checkbox"/> No
Chemical? <input type="checkbox"/> Yes <input type="checkbox"/> No	Physical? <input type="checkbox"/> Yes <input type="checkbox"/> No
Water analysis report submitted. <input type="checkbox"/> Yes <input type="checkbox"/> No	
Please check if any of the following have been completed on the subject property and/or submitted to County Environmental Health:	
<input type="checkbox"/> Well Driller's Letter <input type="checkbox"/> Water Quality Analysis OK Problems <input type="checkbox"/> Will-Serve Letter <input type="checkbox"/> Other: _____	<input type="checkbox"/> Pump Test Hours: _____ GPM: _____ <input type="checkbox"/> Surrounding Well Logs <input type="checkbox"/> Hydrologic Study
SEWAGE DISPOSAL INFORMATION (ON-SITE INDIVIDUAL DISPOSAL SYSTEM)	
Has an engineered percolation test been completed? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please attach a copy.	Has a piezometer test been completed? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please attach a copy.
Will subsurface drainage result in the possibility of effluent reappearing in surface water or on adjacent lands, due to steep slopes, impervious soil layers or other existing conditions? <input type="checkbox"/> Yes <input type="checkbox"/> No	Will a Waste Discharge Permit from the Regional Water Quality Control Board be required a waste discharge (typically needed in excess of 2,500 gallons per day)? <input type="checkbox"/> Yes <input type="checkbox"/> No
What is the distance from proposed leach field to any neighboring water wells? _____ feet	

Environmental Description

SEWAGE DISPOSAL INFORMATION (COMMUNITY DISPOSAL SYSTEM)	
Is this project to be connected to an existing sewer line? <input type="checkbox"/> Yes <input type="checkbox"/> No Distance to nearest sewer line: _____ Location of connection: _____	
What is the amount of proposed flow? _____ (gallons per day)	Does the existing collection treatment and disposal system have adequate additional capacity to accept the proposed flow? <input type="checkbox"/> Yes <input type="checkbox"/> No
SOLID WASTE INFORMATION	
What is the name of solid waste disposal company? _____	Where is the waste disposal storage in relation to buildings? _____
What type of solid waste will be generated by the project? <input type="checkbox"/> Domestic <input type="checkbox"/> Industrial <input type="checkbox"/> Agricultural <input type="checkbox"/> Other If other, please describe: _____	Does your project design include an area for collecting recyclable materials and/or composting materials? <input type="checkbox"/> Yes <input type="checkbox"/> No
COMMUNITY SERVICE INFORMATION	
Name of school district: _____	
Are services (grocery/other shopping) within ½ mile of the project? <input type="checkbox"/> Yes <input type="checkbox"/> No	Location of nearest... Police station: _____ Fire station: _____ Public transit stop: _____
HISTORIC AND ARCHEOLOGICAL INFORMATION	
Describe the historic use of the site: 	
Are you aware of the presence of any historic, cultural, or archaeological materials on the project site or in the vicinity? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please describe: _____	Has an archaeological surface survey been done for the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No CCIC records search performed If yes, please attach two copies.
AGRICULTURAL INFORMATION	
If your land is currently vacant or in agricultural production, are there any restrictions on the crop productivity of the land? That is, are there any reasons (i.e., poor soil, steep slopes) the land cannot support a profitable agricultural crop? 	
Is the site currently in Agricultural Preserve (Williamson Act)? <input type="checkbox"/> Yes <input type="checkbox"/> No	Is the site currently under land conservation contract? <input type="checkbox"/> Yes <input type="checkbox"/> No



COUNTY OF SAN LUIS OBISPO
 DEPARTMENT OF PLANNING & BUILDING
 Hazardous Waste and Substances Statement Disclosure

PLN-1122
 04/01/2020

PROJECT TITLE: _____ PROJECT APN(s): _____

Per Government Code section 65962.5, known as the 'Cortese List' (AB3750), I have consulted the following website resources and lists to determine if the subject property contains hazardous wastes or substances:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database (<http://www.envirostor.dtsc.ca.gov/public/>)
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from Water Board GeoTracker database (<http://geotracker.waterboards.ca.gov/>)
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit (PDF). (<http://www.calepa.ca.gov/SiteCleanup/CorteseList/CurrentList.pdf>)
- List of "active" CDO and CAO from Water Board PLEASE NOTE: This list contains many Cease and Desist Orders and Cleanup and Abatement Orders that do NOT concern the discharge of wastes that are hazardous materials. (<http://www.calepa.ca.gov/SiteCleanup/CorteseList/default.htm>)
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC (<https://calepa.ca.gov/sitecleanup/cortese/section-65962-5a>)

After consultation with each of the lists provided on the above websites, I verify that the subject parcel(s) and proposed development (and any alternative development sites, if applicable):

- Is not** included on any of lists found on the above-referenced websites.
- Is** included on one or more of the lists found on the above-referenced websites. Pursuant to Section 65962.5 of the Government Code. the following information is provided related to this site/application:

Name of Applicant: _____

Address of site (street name & number if available, City, State and ZIP Code): _____

Local agency (city/county): _____

Assessor's book, page, and parcel number: _____

Specify any list pursuant to Section 65962.5 of the Government Code: _____

Regulatory identification number: _____ Date of list: _____

Applicant Signature: <i>Brondi Cumming</i>	Applicant Name (Print):
Date of Signature:	Phone:
Email:	

Initial Study and Mitigated Negative
Declaration for the Los Osos
Community Services District Program
C Well Project,
Los Osos, San Luis Obispo County,
California

JULY 2021

PREPARED FOR

Los Osos Community Services District

PREPARED BY

SWCA Environmental Consultants

**INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION
FOR THE LOS OSOS COMMUNITY SERVICES DISTRICT
PROGRAM C WELL PROJECT,
LOS OSOS, SAN LUIS OBISPO COUNTY, CALIFORNIA**

Prepared for

Los Osos Community Services District
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Attn: Ron Munds

Prepared by

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SWCA Project No. 60804

July 2021

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1. Mitigation Monitoring and Reporting Program
2. Draft IS/MND Comment Letters and In-Text Responses
3. Cleath-Harris Geologists, Inc. Technical Memorandum. *Potential Impacts from Site E Expansion Well Operation on Water Levels at GSWC South Bay #1*. February 3, 2021.

Minor modifications have been made to this Initial Study/Mitigated Negative Declaration (IS/MND) in response to public comments about the proposed project. These modifications do not require recirculation of this IS/MND because the edits regarding construction duration and lighting constitute minor modifications and clarifications to an adequate MND and do not include significant new information that would result in a new significant environmental impact or a substantial increase in the severity of a significant environmental impact. All new text is indicated by: **underlined, bold, and italicized text**. Deleted text is indicated by: ~~strike-through~~.

1 INTRODUCTION

The Los Osos Community Services District (LOCSO) is considering the construction and operation of a new Lower Aquifer well to serve the community's water supply needs (project) as identified in Program C of the Los Osos Basin Plan (Basin Plan), located in Los Osos, San Luis Obispo County, California. Program C includes a set of infrastructure improvements that would allow water purveyors in the Basin to shift some groundwater production within the Lower Aquifer of the Los Osos Groundwater Basin (Basin) from the Western Area of the basin to the Central Area of the basin. Moving groundwater production to the Central Area induces less seawater intrusion than the same amount of production from the Western Area and was designed to achieve sustainability of the groundwater basin for the existing population (ISJ *Group* 2015). Implementation of Program C would increase the sustainable yield of the Basin by 460 acre-feet per year over 2012 baseline conditions (ISJ *Group* 2015).

As part of the Program C process, five potential well sites on four parcels were evaluated through a *Preliminary Environmental Constraints Analysis for the Program C Well Project* (SWCA Environmental Consultants [SWCA] 2020) to aid in the selection of the proposed well location. After review of the *Environmental Constraints Analysis for the Program C Well Project*, as well as other factors, the LOCSO elected to move forward with the well site located at the northwest corner of the intersection of Bay Oaks Drive and South Bay Boulevard, known as Site E. SWCA has prepared this Initial Study and Mitigated Negative Declaration (IS/MND) at the request of LOCSO to analyze potential environmental issues associated with development and operation of a new well at this location.

1.1 Project Location

The Site E well would be located in Los Osos, an unincorporated coastal community in western San Luis Obispo County, situated approximately 9 miles west of the city of San Luis Obispo and 4 miles south of the city of Morro Bay (Figure 1). The project is proposed at the northwest corner of the intersection of Bay Oaks Drive and South Bay Boulevard, on a vacant parcel that is the former Bayridge Estates wastewater treatment plant site (Assessor's Parcel Number [APN] 074-491-033; Figure 2).

The parcel is approximately 0.9 acre in size and has a County of San Luis Obispo (County) land use designation of Public Facilities with an Archaeologically Sensitive Area combining designation (overlay). The project would occupy the eastern quarter of the parcel (approximately 0.13 acre). A proposed pipeline alignment would be constructed north along South Bay Boulevard from the well site parcel to Nipomo Avenue (3,400 linear feet) using either open trench or directional boring construction methods (Figure 3). The parcel is located within the California Coastal Zone and is located outside original and appellate jurisdiction of the California Coastal Commission (CCC). However, due to the classification of the project as a "Major Public Works Project," the project would be appealable to the CCC.

1.2 Environmental Setting

The project site would occupy the eastern 100 feet (approximate) of the parcel, which contains remnant septic tank infrastructure from the Bayridge Estates wastewater treatment site. The remainder of the parcel is undeveloped and serves as a detention basin. The project site is largely bare soil with minimal occurrences of weedy plants, including veldt grass, Bermuda grass, and New Zealand spinach. Two eucalyptus trees occur in the northeast corner of the site. The floor of the detention basin on the western portion of the parcel supports wetland vegetation, and the banks of the basin support ice plant, arroyo willows, and coast live oak trees. The proposed pipeline alignment would include South Bay Boulevard from the well site parcel north adjacent to the southern terminus of Mountain View Drive and continuing north on Mountain View Drive to Nipomo Avenue. The pipeline alignment would be primarily in asphalt in the public right-of-way (ROW), though approximately 40 linear feet between South Bay Boulevard and Mountain View Drive would be located in sand.

The entire parcel is enclosed by a 6-foot-tall chain-link fence. An approximately 170-square-foot utility shed is located on the parcel, adjacent to Bay Oaks Drive which is slated for removal as part of the project.

Bay Oaks Drive and South Bay Boulevard border the project site to the east and south, with single-family residences beyond (Residential Single-Family County land use designation). East of the project site is the detention basin on the remainder of the project parcel (Public Facilities County land use designation), with single-family residences beyond (Residential Single-Family County land use designation). To the north is office buildings (Office and Professional County land use designation).



Figure 1. Project vicinity map.

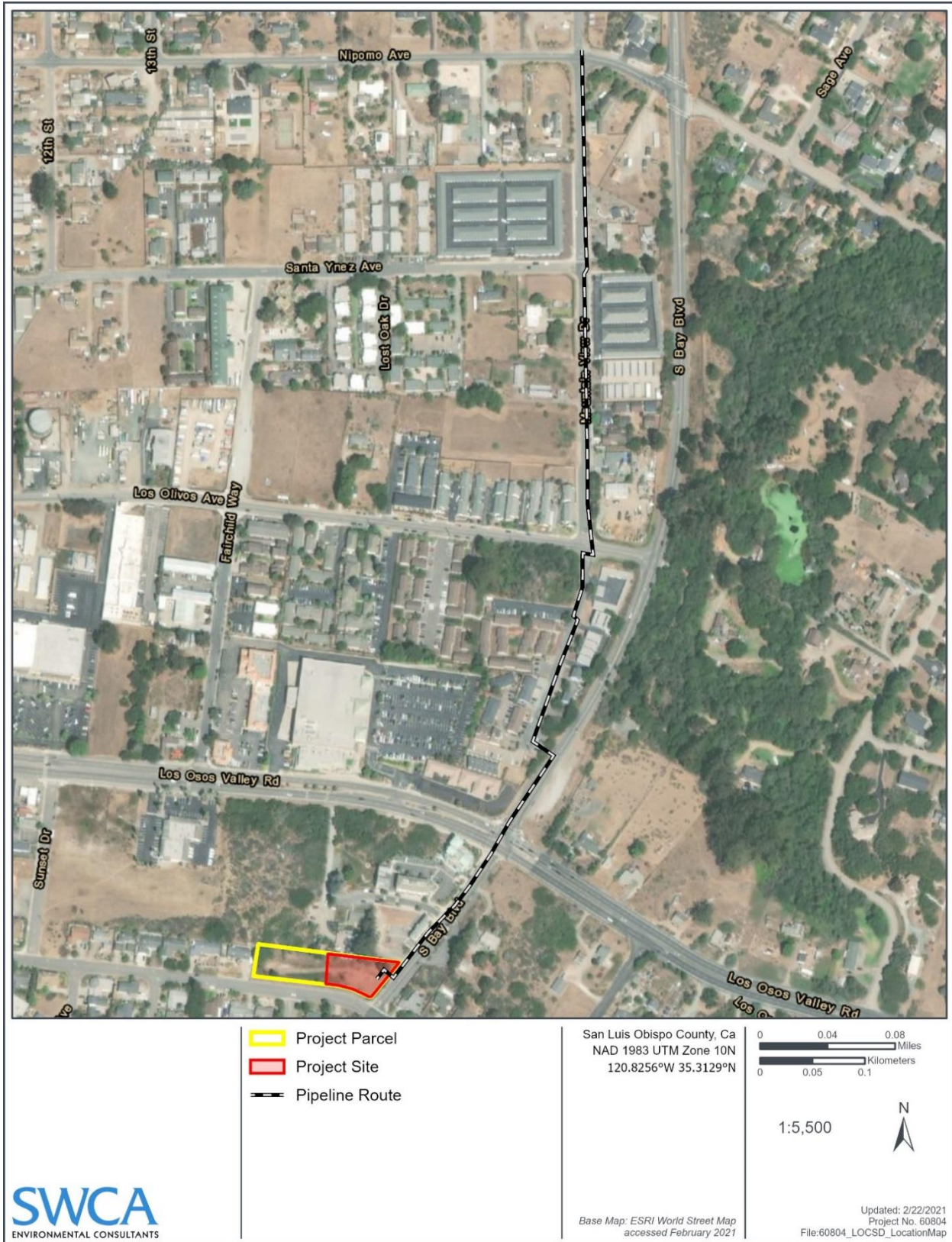


Figure 2. Project location map.

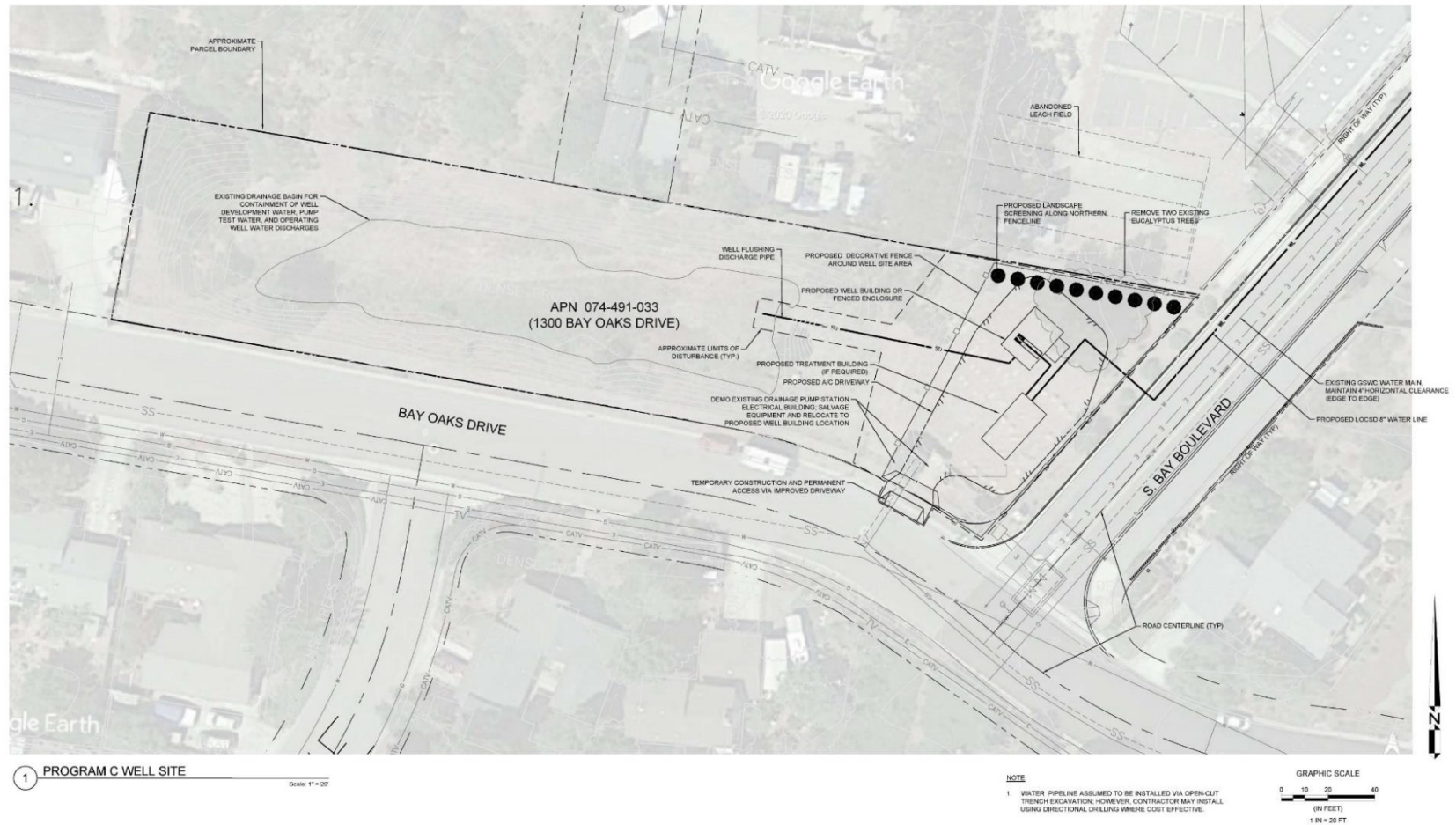


Figure 3. Project site plan.

1.3 Project Description

LOCSD, the project applicant, proposes the construction and operation of a municipal well to serve the LOCSD service area and implement Program C of the Basin Plan. The proposed well would fulfill the LOCSD's obligation under the Basin Plan to construct a new lower aquifer well, known as Expansion Well No. 2¹.

The project site would be accessed via Bay Oaks Drive, where there is an existing gate and driveway apron.

1.3.1 Construction

Construction of the well would involve use of a drilling rig, mud tank, water truck with shaker table and desanders, service rig, dump truck, pipe trailer, weir tank, and backhoe. The equipment requires a drilling area of approximately 80 × 40 feet. The construction sequence would include the following:

1. **Site preparation.** Minimal site grading (less than 5 cubic yards) is anticipated for construction activities and would include forming berms to control development water on-site. Two eucalyptus trees in the northeastern portion of the property would be removed in order to install vegetative screening and an existing drainage pump station electrical building would be demolished and the equipment would be relocated to a new well building. Temporary construction fencing, silt fencing, and tree protection fencing would be installed at the start of construction and replaced with permanent fencing at completion of construction. Crushed concrete or gravel would be applied to the driveway on-site to prevent debris from equipment leaving the site being deposited on the public street and in the stormwater system.
2. **Below-grade activities.** This phase would include drilling the borehole, installing the well casing and screen, emplacing the annular fill and seal materials, and hydraulic testing. Borehole drilling would involve using a truck-mounted rotary drilling rig. Drilling fluid (water-based with bentonite clay and additives) would be used to cool the drill head and remove the solid material (cuttings) from the borehole during drilling operations. The mud tank would be used to control drilling fluids during well drilling. Following completion of borehole drilling, 12-inch low-carbon steel and stainless-steel well casing and well screens would be installed. Sand would be placed around the well screen to prevent sediment from entering the water during pumping operations. A submersible pump would be used for pumping groundwater from the well. The annular space above the sand filter pack would be grouted. A conductor casing would also be installed and grouted in place prior to advancing the test hole to provide a sanitary seal, as required by the State Water Resources Control Board (SWRCB). ~~Borehole drilling would require 24-hour manned construction of certain phases over a 2-week period and would require nighttime lighting. All drilling and well construction would take place during the daylight hours established by CZLUO Section 23.06.042.d, unless after-hours operations are necessary to maintain hole stability, as determined by the drilling contractor. Work performed outside of the regular working hours may require nighttime lighting, but no such work is planned and would only take place on an as-needed basis.~~ Drilling cuttings and fluids will be removed from the site for disposal. A well flushing discharge pipe would be installed below ground from the well to the edge of the detention basin.

¹ The Basin Plan originally called for three expansion wells, with the LOCSD being obligated to Expansion Well No. 3. However, as a result of significantly lower water demand for the existing population, a reduction from three to two Expansion Wells for Program C was recommended in 2019 (Cleath-Harris Geologists, Inc. 2019).

3. **Aboveground facilities.** Permanent aboveground facilities would include a 400 square-foot well building, a potential 400 square-foot treatment building (if required), piping, a 6-foot-tall chain-link fencing with green privacy slats, concrete pads below the wellhead piping (400 square feet), below the treatment system (400 square feet, if required), and below the backup generator (100 square feet), a new asphalt concrete (A/C) driveway, and an emergency 60 kilowatt diesel or natural gas generator with 100 gallon integral fuel tank. The well building would include an electrical panel for well operations, a well meter, and access to the well pump. A new electrical service may be required and would include a 100 square-foot pad mount transformer. Construction of these facilities would last 4 weeks. An existing drainage basin on the western portion of the site would be utilized for containment of well development water, pump test water, and operating well water discharges. No physical improvements to the drainage basin are proposed, and a well flushing discharge pipe would be constructed from the well to the edge of the drainage basin to convey water well discharges including well development water, pump test water, and operational discharges.
4. **Pipeline construction.** The proposed pipeline alignment would include South Bay Boulevard from the well site parcel north, turn west adjacent to the southern terminus of Mountain View Drive and continuing north on Mountain View Drive to Nipomo Avenue. In lieu of constructing a pipeline, it is LOCSD's intent to negotiate a water wheeling agreement with the Golden State Water Company (GSWC) to utilize their existing water distribution system to convey water to LOCSD; however, an agreement has not been reached at this time, so the potential pipeline alignment is analyzed herein.

The pipeline alignment would be located in the existing asphalt ROW and would require approximately 3,400 linear feet of 8-inch-diameter or less polyvinyl chloride (PVC) or high density polyethylene (HDPE) pipe. A short segment between South Bay Boulevard and Mountain View Drive is located in unpaved sand. The pipeline would be constructed using either directional boring or traditional open-trench methods, which would involve excavation with a backhoe of an approximately 3-foot-wide by 4-foot-deep trench, installation of the new pipe, backfilling of the trench with the removed material, and pavement to County standards. The alignment would require partial lane closures to South Bay Boulevard and Mountain View Drive and would require a Traffic Control Plan to be submitted and reviewed by the County in conjunction with encroachment permits. Construction of the pipeline would be expected to last 2 months. Given that trenching to construct the pipeline would be the most obtrusive method, trenching is what is evaluated in this IS/MND.

In the event a water wheeling agreement with GSWC is reached, as referenced above, the project would construct a lateral connection to the existing GSWC pipelines in the South Bay Boulevard ROW adjacent to the project site. This lateral connection would require a partial lane closure of South Bay Boulevard adjacent to the project site. Construction of the lateral would be expected to last 7 days.

1.3.2 **Operation**

The well would have a minimum production objective of 100 acre-feet per year (AFY) and is anticipated to produce a maximum of 200 AFY (Cleath-Harris Geologists, Inc. 2020). Depending on the amount of water produced by the proposed well, pumping would be reduced at other LOCSD wells in the Western Area of the Basin to mitigate seawater intrusion. The exact well locations that pumping would be reduced at and the amount of reduction would vary based on variability of production.

Operational components of the proposed well would include the well pump and well meter. The well would be expected to pump up to 200 AFY, **of which 80 AFY would constitute an increase in the**

estimated basin sustainable yield, with the remaining 120 AFY production shifted from other LOCSD wells to reduce seawater intrusion (Cleath-Harris Geologists, Inc. 2020). Pumping time is a function of capacity (gallons per minute [GPM]), system demand, and the position of the well in the pumping priority settings. To meet the expected 200 AFY goal, with an expected pumping rate of 200 GPM, the well would be required to pump for an average of 15 hours per day, though periods of 24-hour pumping are expected to offset high demand and/or to rest the other wells in the system. The proposed well would be drilled up to approximately 700 feet deep, which would produce water from the lower aquifer of the Basin (Zones D and E). The well would also have the potential to pull water from Zone C in the upper aquifer; however, the production of water from Zone C is not proposed at this time and is not anticipated by the Basin Plan.

Treatment of the well-produced water may be required depending on the water quality from the drilled well. The most likely contaminant that would be treated is iron/manganese. The proposed site plan includes a maximum 400 square foot treatment building that would provide onsite treatment, if necessary.

Existing LOCSD staff would perform daily inspections of the well site and regular water quality sampling once a month. The backup emergency generator would also be tested once a month. Infrequent maintenance activities would include pump maintenance or well screen replacement. These maintenance activities would be expected to occur once a year or less and would be handled by a licensed well or pump contractor.

1.4 Required Discretionary Approvals

Per the County Local Coastal Program (LCP), Site E has a Public Facilities land use designation, of which Public Utility Facilities (including municipal wells) are a principally permitted (ministerial) use. Section 23.01.043(c)(5) of the Coastal Zone Land Use Ordinance (CZLUO) states that “[a]ny development that constitutes a Major Public Works Project or Major Energy Facility [is appealable to the California Coastal Commission].” “Major Public Works Project” or “Major Energy Facility” shall mean any proposed public works project or energy facility exceeding \$100,000 in estimated construction cost, pursuant to Section 13012, Title 14 of the California Administrative Code.” The County has determined that a Minor Use Permit is necessary to codify the appealable nature of the project.

2 ENVIRONMENTAL CHECKLIST AND ENVIRONMENTAL EVALUATION

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project could have a "Potentially Significant Impact" for environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|---|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology and Water Quality | <input checked="" type="checkbox"/> Transportation |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Wildfire |
| <input type="checkbox"/> Geology and Soils | <input type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measure based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date:

Signed:

Ron Munds, General Manager

I. Aesthetics

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
(a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

CEQA establishes that it is the policy of the state to take all action necessary to provide people of the state “with... enjoyment of aesthetic, natural, scenic and historic environmental qualities” (Public Resources Code [PRC] Section 21001(b)).

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A proposed project’s potential effect on a scenic vista is largely dependent upon the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista.

The California Scenic Highway Program was created by the State Legislature in 1963 with the intention of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors. Within the County Coastal Zone, there is one officially designated state scenic highway and several eligible state scenic highways. SR 1 is an Officially Designated State Scenic Highway and All-American Road from the city of San Luis Obispo to the northern San Luis Obispo County boundary. Portions of U.S. Route (US) 101, SR 46, SR 41, SR 166, and a southern portion of SR 1 are also classified as Eligible State Scenic Highways – Not Officially Designated.

The *County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO)* establishes regulations for visual resources that apply to all projects that are visible from the shoreline, public beaches, the Morro Bay estuary, and any of the roads specified in the applicable planning area standards for Critical Viewsheds, Scenic Corridors or Sensitive Resource Areas (SRAs) intended to protect visual resources (CZLUO 23.04.210). Structures that are not visible from these locations or agricultural structures that are 600 sf or less in area or other minor agriculturally related development are exempt from these standards. The County CZLUO also includes a section detailing standards for all outdoor night-lighting sources,

with the exception of streetlights located within public rights-of-way and all uses established in the Agriculture land use category (CZLUO 23.04.320).

The *County of San Luis Obispo General Plan Conservation and Open Space Element (COSE)* provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. COSE provides a number of goals and policies to protect the visual character and identify of the county while protecting private property rights, such as the identification and protection of community separators (rural-appearing land located between separate, identifiable communities and towns), designation of scenic corridors along public roads and highways, retaining existing access to scenic vista points, and ensuring that new development in Urban and Village areas are consistent with the local character, identity, and sense of place. Policies in the County COSE supplement CZLUO policies, except when the County COSE policies conflict with CZLUO policies, for which the County CZLUO policies would control (COSE 9.2).

The project site is located on the eastern portion of a developed parcel, which contains remnant septic tank infrastructure from the Bayridge Estates wastewater treatment site. The remainder of the parcel is undeveloped and serves as a detention basin. The project site is largely bare soil with minimal occurrences of weedy plants, including veldt grass, Bermuda grass, and New Zealand spinach. Two eucalyptus trees occur in the northeast corner of the site. The floor of the detention basin on the western portion of the parcel supports wetland vegetation, and the banks of the basin support ice plant, arroyo willows, and coast live oak trees. The proposed pipeline alignment would include South Bay Boulevard from the well site parcel north adjacent to the southern terminus of Mountain View Drive and continuing north on Mountain View Drive to Nipomo Avenue.

Environmental Evaluation

a) *Would the project have a substantial adverse effect on a scenic vista?*

A scenic vista is generally defined as a high-quality view displaying good aesthetic and compositional values that can be seen from public viewpoints. Some scenic vistas are officially or informally designated by public agencies or other organizations. A substantial adverse effect on a scenic vista would occur if the project would significantly degrade the scenic landscape as viewed from public roads or other public areas. A project's potential effect on a scenic vista is largely dependent on the degree to which it would complement or contrast with the natural setting, the degree to which it would be noticeable in the existing environment, and whether it detracts from or complements the scenic vista. Scenic vistas related to the viewing experience associated with this project are of the Irish Hills to the south and of Hollister Peak to the north. However, the viewing experience of these scenic vistas are distant and are subordinate to the surrounding built environment, such as the existing three-story office development to the north and single-family residences to the east, west, and south.

The project proposes aboveground features, including a well building, treatment building piping, 6-foot-tall chain-link fencing with green privacy slats, concrete pads, an emergency generator, and vegetation changes including the removal of two eucalyptus trees along the north property line and new vegetative screening also along the north property line. The well building would enclose an electrical panel for well operations, a well meter, and access to the well pump. The well site would be visible from Bay Oaks Drive and South Bay Boulevard and would be predominantly viewed by residents along Bay Oaks Drive. The proposed project would be limited in nature and would conceal the well within the proposed well building and slatted fencing. Construction activity at the well site and for the pipeline alignment would be seen by public traveling on South Bay Boulevard toward Nipomo Avenue, Mountain View Drive, Bay Oaks Drive, Tierra Drive, and Del Mar Drive, and along Los Osos Valley Road. The project site is

located near residential development and viewers to the well site would primarily be residents passing through. In addition, construction of the pipeline along South Bay Boulevard and Mountain View Drive toward Nipomo Avenue would be viewed by travelers along South Bay Boulevard and Mountain View Drive. Construction activity would be temporary in nature and the completed project would be consistent with existing development on-site and disturbance within the public ROW would be returned to preconstruction conditions. Permanent site development including the well building, pipeline, and associated infrastructure would be subordinate to the immediately surrounding built environment and would not block distant scenic vistas in any direction. The project is not expected to significantly degrade existing views of the area; therefore, impacts would be *less than significant*.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The nearest designated state scenic highway is State Route 1, approximately 3.9 miles north. The project site is not located within the viewshed of a designated or eligible state scenic highway and implementation of the project would not result in damage to scenic resources within the viewshed of a state scenic highway; therefore, *no impacts would occur*.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO) establishes regulations for visual resources that apply to all projects that are visible from the shoreline, public beaches, the Morro Bay estuary, or any of the roads specified in the applicable planning area standards for Critical Viewsheds, Scenic Corridors, or Sensitive Resource Areas (SRAs) intended to protect visual resources (CZLUO 23.04.210). Structures that are not visible from these locations or agricultural structures that are 600 square feet or less in area or other minor agriculturally related development are exempt from these standards.

The *County of San Luis Obispo General Plan Conservation and Open Space Element* (COSE) provides guidelines for the appropriate placement of development so that the natural landscape continues to be the dominant view in rural parts of the county and to ensure the visual character contributes to a robust sense of place in urban areas. The COSE provides a number of goals and policies to protect the visual character and identity of the county while protecting private property rights, such as identifying and protecting community separators (rural-appearing land located between separate, identifiable communities and towns), designating scenic corridors along public roads and highways, retaining existing access to scenic vista points, and ensuring that new development in Urban and Village areas are consistent with the local character, identity, and sense of place. Policies in the COSE supplement CZLUO policies, except when the policies of the COSE conflict with CZLUO policies, for which then CZLUO policies would control (COSE 9.2).

Construction activity of the well site and pipeline alignment would be seen by the public traveling on South Bay Boulevard toward Nipomo Avenue, Bay Oaks Drive, Tierra Drive, and Del Mar Drive, and from Los Osos Valley Road. The project site is located near residential development and viewers to the site would primarily be residents passing through or those traveling along South Bay Boulevard toward Nipomo Avenue. Construction activity would be temporary in nature, and the completed project would be consistent with existing development on the site and is not expected to significantly degrade existing

views of the area. Additionally, any disturbance within the public ROW would be returned to preconstruction conditions.

After construction, the site would include a well building, slatted fencing, vegetative screening along the northern property line, new vegetation, and associated infrastructure, such as piping. This development would be consistent with existing public facility infrastructure development on the site and would be subordinate in size and scale to surrounding development including nearby office development to the north and residential development to the south, east, and west. Therefore, impacts would be *less than significant*.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The CZLUO includes a section detailing standards for all outdoor night-lighting sources, with the exception of streetlights located within public ROW and all uses established in the Agriculture land use category (CZLUO 23.04.320). The project does not propose any permanent lighting features that could create a new source of light or glare from the project site. Construction activity would occur during daylight hours, ~~except for drilling, which could take place continuously for up to 24 hours a day for up to 2 weeks.~~ **All drilling and well construction would take place during the daylight hours established by CZLUO Section 23.06.042.d, unless after-hours operations are necessary to maintain hole stability, as determined by the drilling contractor. Work performed outside of the regular working hours may require nighttime lighting, but no such work is planned and would only take place on an as-needed basis.** Nighttime drilling would require temporary nighttime lighting. Temporary nighttime lighting would be used for illumination purposes, directed onto the project site, have minimal light intensity, and would be shielded away from surrounding properties in compliance with CZLUO 23.04.320. Nighttime lighting would be temporary in nature and would comply with existing policies; therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation measures are necessary.

II. Agriculture and Forestry Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>				
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

San Luis Obispo County supports a unique, diverse, and valuable agricultural industry that can be attributed to its Mediterranean climate, fertile soils, and sufficient water supply. Wine grapes are regularly the top agricultural crop in the county. Top value agricultural products in the county also include fruit and nuts, vegetables, field crops, nursery products, and animals. The *County of San Luis Obispo General Plan Agriculture Element* includes policies, goals, objectives, and other guides or requirements that apply to lands designated in the Agriculture land use category. In addition to the Agriculture Element, in accordance with Sections 2272 and 2279 of the California Food and Agriculture Code, the County Agricultural Commissioner releases an annual report on the condition, acreage, production, pest management, and value of agricultural products within the county. The most recent annual crop report can be found here: <https://www.slocounty.ca.gov/Departments/Agriculture-Weights-and-Measures/All-Forms-Documents/Information/Crop-Report/Crop-Report-Current/Crop-Report-2019.pdf>.

The California Department of Conservation (DOC) Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California’s agricultural resources. Agricultural land is rated according to soil quality and current land use. For environmental review purposes under CEQA, the FMMP categories of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Grazing Land are considered “agricultural land.” Other non-agricultural designations include Urban and Built-up Land, Other Land, and Water.

Based on the FMMP, soils at the project site are designated as Urban and Built-Up Land (DOC 2017).

The Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agriculture or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based on farming and open space uses as opposed to full market value. The site does not include land within the Agriculture land use designation and is not within lands subject to a Williamson Act contract.

According to the Soil Survey for San Luis Obispo County and the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2020), the project site consists of the project site is underlain by Baywood Fine Sand, 2 to 9 percent slopes. This sandy soil is somewhat excessively well drained, has rapid permeability, and has very low runoff. The depth to water table is more than 80 inches.

According to PRC Section 12220(g), forest land is defined as land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined as land, other than land owned by the federal government and land designated by the board as experimental forest land, that is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. The project site does not support any forest land or timberland.

Environmental Evaluation

- a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

The project site is designated Urban and Built-Up Land by the Farmland Mapping and Monitoring Program (FMMP) and does not contain any Important Farmland classifications. Therefore, the project does not have the potential to convert prime farmland to non-agricultural uses and there would be *no impact*.

- b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

The project site does not have an Agricultural land use designation, is not subject to a Williamson Act contract, and is not engaged in active agricultural activities. Therefore, the project does not have the potential to convert prime farmland to non-agricultural uses and there would be *no impact*.

- c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

The project site has a land use designation of Public Facilities and does not have a designation for forest land, timberland, or Timberland Production. Therefore, the project does not have the potential to convert land designated for forest use to non-forest designations and there would be *no impact*.

- d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

Forest land is defined by Public Resources Code (PRC) Section 12220(g) as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.” The project site does not contain more than 10% native tree coverage and is not considered forest land. Therefore, the project would not result in the loss of trees or convert forest land to non-forest use and there would be *no impact*.

- e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

The project is not located within or within close proximity to Important Farmland or forest land and the nature of the project would not have an impact on Important Farmland or forest land. The nearest

Important Farmland is located approximately 0.8 mile east, east of Los Osos Valley Creek. In addition, the project site is an infill lot and is surrounded by urban uses in all directions. Therefore, the project would not result in changes in the existing environment that could result in the conversion of Important Farmland to non-agricultural use or forest land to non-forest use and therefore there would be *no impact*.

Mitigation Measures

No mitigation measures are necessary.

III. Air Quality

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</i>				
(a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Regulatory Authorities

San Luis Obispo County is part of the South Central Coast Air Basin (SCCAB), which also includes Santa Barbara and Ventura Counties. Air quality within the SCCAB is regulated by several jurisdictions, including the U.S. Environmental Protection Agency (USEPA), California Air Resources Board (CARB), and the San Luis Obispo County Air Pollution Control District (SLOAPCD). Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. The Federal Clean Air Act (FCAA) required the USEPA to establish National Ambient Air Quality Standards (NAAQS), and also sets deadlines for their attainment. The CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA) of 1988 and establishment of California Ambient Air Quality Standards (CAAQS). The SLOAPCD is the agency primarily responsible for ensuring that NAAQS and CAAQS are not exceeded and that air quality conditions within the county are maintained.

SLOAPCD Thresholds

The SLOAPCD has developed and updated their CEQA Air Quality Handbook (most recently updated with a November 2017 Clarification Memorandum) to help local agencies evaluate project specific

impacts and determine if air quality mitigation measures are needed, or if potentially significant impacts could result.

The SLOAPCD has established thresholds for both short-term construction emissions and long-term operational emissions. Use of heavy equipment and earth moving operations during project construction can generate fugitive dust and engine combustion emissions that may have substantial temporary impacts on local air quality and climate change. Combustion emissions, such as nitrogen oxides (NO_x), reactive organic gases (ROG), greenhouse gases (GHG), and diesel particulate matter (DPM), are most significant when using large, diesel-fueled scrapers, loaders, bulldozers, haul trucks, compressors, generators, and other heavy equipment. SLOAPCD has established thresholds of significant for construction operations for each of these contaminants.

Operational impacts are focused primarily on the indirect emissions (i.e., motor vehicles) associated with residential, commercial and industrial development. General screening criteria used by the SLOAPCD to determine the type and scope of projects requiring an air quality assessment, and/or mitigation, is presented in Table 1-1, which can be found here: https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/UpdatedTable1-1_Final-Nov2017.pdf. These criteria are based on project size in an urban setting and are designed to identify those projects with the potential to exceed the APCD's significance thresholds. Table 1-1 is based on ozone precursor and GHG emissions and is not comprehensive. It should be used for general guidance only. This table is not applicable for projects that involve heavy-duty diesel activity and/or fugitive dust emissions. A more refined analysis of air quality impacts specific to a given project is necessary for projects that exceed the screening criteria below or are within 10% of exceeding the screening criteria.

Air Quality Monitoring

The county's air quality is measured by a total of 10 ambient air quality monitoring stations, and pollutant levels are measured continuously and averaged each hour, 24 hours a day. The significance of a given pollutant can be evaluated by comparing its atmospheric concentration to state and federal air quality standards. These standards represent allowable atmospheric containment concentrations at which the public health and welfare are protected and include a factor of safety. The SLOAPCD prepares an Annual Air Quality Report detailing information on air quality monitoring and pollutant trends in the county. The most recent Annual Air Quality Report can be found here: <https://storage.googleapis.com/slocleanair-org/images/cms/upload/files/2017aqrt-FINAL2.pdf>.

In San Luis Obispo County, ozone and fine particulates (particulate matter of 10 microns in diameter or smaller [PM₁₀]) are the pollutants of main concern, since exceedances of state health-based standards for these pollutants are experienced in some areas of the county. Under federal standards, the county has non-attainment status for ozone in eastern San Luis Obispo County.

County Clean Air Plan

The San Luis Obispo County 2001 Clean Air Plan (CAP) is a comprehensive planning document intended to evaluate long-term emissions and cumulative effects and provide guidance to the SLOAPCD and other local agencies on how to attain and maintain the state standards for ozone and PM₁₀. The CAP presents a detailed description of the sources and pollutants which impact the jurisdiction, future air quality impacts to be expected under current growth trends, and an appropriate control strategy for reducing ozone precursor emissions, thereby improving air quality.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the CARB. Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. Main areas within the county known to have NOA include areas along the coast from Ragged Point to Nipomo, and near the SR 41 and SR 46 junction in the eastern part of the county. According to the SLOAPCD NOA Map, the project site is not located in an area where there is potential for NOA to occur.

Sensitive Receptors

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, asthmatics, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences. The project site is located near residential units and the nearest sensitive receptor is located approximately 70 feet south.

Land Use Standards

The project is located within the North Coast planning area and is designated for rural and recreational land use. The project is located with the coastal zone and is subject to Air Quality standards described in the County's CZLUO.

Environmental Evaluation

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

In order to be considered consistent with the 2001 San Luis Obispo County Clean Air Plan (CAP), a project must be consistent with the land use planning and transportation control measures and strategies outlined in the CAP (San Luis Obispo County Air Pollution Control District [SLOAPCD] 2012). Adopted land use planning strategies include, but are not limited to, planning compact communities with higher densities, providing for mixed land use, and balancing jobs and housing. The project does not include development of retail or commercial uses that would be open to the public, therefore, land use planning strategies such as mixed-use development and planning compact communities are generally not applicable.

Operation of the proposed project would require maintenance trips by existing LOCSO employees and would not generate new employment opportunities that could facilitate population growth in the area. Further, the project does not propose new buildings, public facilities, or infrastructure that would facilitate direct or indirect population growth in the area. Outside of construction, operation of the well would require minimal trips per month for maintenance activities. Construction activities would result in temporary traffic controls that could temporarily impede sidewalk access, bicycle paths, or existing roads; however, operation of the project would not impede or restrict the existing pedestrian circulation system. Implementation of the project is not expected to result in features that would be inconsistent with the 2001 CAP; therefore, impacts would be *less than significant*.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Construction Emissions

Drilling of the approximately 700-foot-deep well would result in a drilling rig operating continuously ~~for up to 24 hours for up to 2~~ during daylight hours for several weeks, which has the potential to emit diesel particulate matter (DPM), reactive organic gases (ROG), and nitrogen oxides (NOx). The project proposes to construct a pipeline that would extend north from the well site parcel to the southern terminus of Mountain View Drive and continue north on Mountain View Drive to Nipomo Avenue. In lieu of constructing a pipeline, it is LOCSO's intent to negotiate a water wheeling agreement with GSWC to utilize their water distribution system to convey water to LOCSO. However, if an agreement cannot be reached, the construction of a pipeline for the proposed project would occur along paved roads and would be 3,400 linear feet, which would be constructed either via open trench or directional boring. The trenching for the pipeline would result in particulate matter emissions in addition to DPM, ROG, and NOx emissions from the construction equipment. The surrounding area consists of commercial office development to the north and residential units in all other directions. Residential units are considered sensitive receptors and may be affected by construction-related emissions. Construction emissions would be temporary in nature and similar to other projects within the county. However, due to the project's location near sensitive receptor locations, Mitigation Measures AQ-1 and AQ-2 have been identified to implement idling restrictions and dust control measures to reduce unnecessary emissions during construction activities.

Operation-Related Emissions

Operational features of the project consist of pumping of the new well and maintenance trips. To meet the expected 200 AFY extraction goal, with an expected pumping rate of 200 GPM, the well would be required to pump for an average of 15 hours per day, though periods of 24-hour pumping are expected to offset high demand and/or to rest the other wells in the system. The well pump would be electric, which would not result in criteria pollutant emissions. The only vehicle trips associated with operation of the project would be from periodic maintenance and inspection. Air emissions from operational features would not exceed SLOAPCD thresholds and impacts would be less than significant.

Operational components of the project are not expected to exceed SLOAPCD thresholds for criteria pollutant emissions. However, Mitigation Measures AQ-1 and AQ-2 would restrict diesel idling and require dust control measures during project construction to reduce unnecessary emissions near sensitive receptor locations. Therefore, impacts related to criteria pollutants would be *less than significant with mitigation*.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are people that have an increased sensitivity to air pollution or environmental contaminants, such as the elderly, children, people with asthma or other respiratory illnesses, and others who are at a heightened risk of negative health outcomes due to exposure to air pollution. Some land uses are considered more sensitive to changes in air quality than others, due to the population that occupies the uses and the activities involved. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residences.

Surrounding land uses of the project site include residential units to the east, west, and south and office professional buildings to the north. The nearest residential units are located approximately 70 feet south,

300 feet west, and 70 feet east of the project site. Office Professional buildings are located approximately 120 feet north. Construction activities would be limited in nature and consistent with other projects within the county; however, construction activity would be located in close proximity to residential units and associated emissions have the potential to affect the nearby sensitive receptors. Mitigation Measures AQ-1 and AQ-2 would ensure project emissions are reduced to a level that would not adversely affect nearby sensitive receptors; therefore, impacts would be *less than significant with mitigation*.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Naturally Occurring Asbestos (NOA) is identified as a toxic air contaminant by the California Air Resources Board (CARB). Serpentine and other ultramafic rocks are fairly common throughout the county and may contain NOA. If these areas are disturbed during construction, NOA-containing particles can be released into the air and have an adverse impact on local air quality and human health. The project site is not located in an area identified as containing NOA by the SLOAPCD.

The project does not propose to burn any on-site vegetative materials and would be subject to SLOAPCD restrictions on developmental burning of vegetative material; therefore, the project would not result in substantial air pollutant emissions from such activities. Construction could generate odors from heavy diesel machinery, equipment, and/or materials. The generation of odors during the construction period would be temporary, would be consistent with odors commonly associated with construction, and would dissipate within a short distance from the active work area. Therefore, impacts would be *less than significant*.

Mitigation Measures

AQ-1 During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:

1. Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.
 - a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible;
 - b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted;
 - c. Use of alternative-fueled equipment shall be used whenever possible; and
 - d. Signs that specify the no idling requirements shall be posted and enforced at the construction site.
2. California Diesel Idling Regulations. On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles:
 - a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location, except as noted in Subsection (d) of the regulation; and
 - b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle

during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.

Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website:
www.arb.ca.gov/msprog/truck-idling/2485.pdf.

AQ-2

During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:

1. Reduce the amount of disturbed area where possible.
2. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding SLOAPCD's limit of 20% opacity for no greater than 3 minutes in any 60-minute period. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour (mph) and cessation of grading activities during periods of winds over 25 mph. Reclaimed (non-potable) water is to be used in all construction and dust-control work.
3. All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.
4. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.
5. Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.
6. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical binders, jute netting, or other methods approved in advance by the SLOAPCD.
7. 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.
8. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.
9. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.
10. Install wheel washers where vehicles enter and exit unpaved roads onto streets or wash off trucks and equipment leaving the site. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.
11. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.

12. All required mitigation measures for particulate matter with diameter of 10 microns or less (PM₁₀) shall be shown on grading and building plans.
13. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the SLOAPCD's limit of 20% opacity for no greater than 3 minutes in any 60-minute period. 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 SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition.

IV. Biological Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Sensitive Resource Area and Environmentally Sensitive Habitat Area Designations

The County CZLUO SRA combining designation identifies areas of San Luis Obispo County with special environmental qualities, or areas containing unique, sensitive, or endangered vegetation or habitat resources. The County CZLUO establishes specific standards for all uses requiring a land use permit that

are located within an SRA combining designation. These standards include requirements for initial submittal of the land use permit application, application content, environmental determination, final permit requirements and processing, required findings, and minimum site design and development standards (23.07.162, 164, 166). These design and development standards include the prohibition of surface mining onsite, setback distances on ocean, lake, and streambank shoreline development, prevention of degradation of lakes, ponds, wetlands, or perennial watercourses, setback distances from geological features visible from offsite, and prevention of disturbance of specific vegetation when the SRA designation is applied because of its presence.

The County CZLUO also includes special provisions for any development proposed within or adjacent to an Environmentally Sensitive Habitat Area (ESHA). The California Coastal Act defines an ESHA as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments (CZLUO 23.07170).

Federal and State Endangered Species Acts

The Federal Endangered Species Act of 1973 (FESA) provides legislation to protect federally listed plant and animal species. If there is no federal nexus (e.g., federal funding, federal permitting, or other federal authorization), impacts to federally listed species must be mitigated via FESA Section 10 with a Habitat Conservation Plan. The California Endangered Species Act of 1984 (CESA) ensures legal protection for plants listed as rare or endangered, and wildlife species formally listed as endangered or threatened, and also maintains a list of California Species of Special Concern (SSC). SSC status is assigned to species that have limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. Under state law, the CDFW is empowered to review projects for their potential to impact special-status species and their habitats. Under CESA, CDFW reserves the right to request the replacement of lost habitat that is considered important to the continued existence to CESA-protected species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 (MBTA) protects all migratory birds, including their eggs, nests, and feathers. The MBTA was originally drafted to put an end to the commercial trade in bird feathers, popular in the latter part of the 1800s. The MBTA is enforced by the U.S. Fish and Wildlife Service (USFWS), and potential impacts to species protected under the MBTA are evaluated by the USFWS in consultation with other federal agencies.

Clean Water Act and State Porter Cologne Water Quality Control Act

Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States are typically identified by the presence of an Ordinary High Water Mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. Section 404 requires a permit for these activities under separate regulations by the U.S. Army Corps of Engineers (USACE) and USEPA unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

A Water Quality Certification is also required under Section 401 of the CWA before a Section 404 permit can be issued. Section 401 of the CWA and its provisions ensure that federally permitted activities comply with the federal CWA and state water quality laws. Section 401 is implemented through a review process that is conducted by the RWQCB and is triggered by the Section 404 permitting process. The RWQCB certifies via the Section 401 process that a proposed project complies with applicable effluent

limitations, water quality standards, and other conditions of California law. Evaluating the effects of the proposed project on both water quality and quantity falls under the jurisdiction of the RWQCB.

Conservation and Open Space Element

The intent of the goals, policies, and implementation strategies in the County COSE is to identify and protect biological resources that are a critical component of the county's environmental, social, and economic well-being. Biological resources include major ecosystems; threatened, rare, and endangered species and their habitats; native trees and vegetation; creeks and riparian areas; wetlands; fisheries; and marine resources. Individual species, habitat areas, ecosystems, and migration patterns must be considered together in order to sustain biological resources.

Los Osos Communitywide Habitat Conservation Plan and Incidental Take Permit

The County of San Luis Obispo has adopted a Communitywide Habitat Conservation Plan (HCP) for the community of Los Osos. The purpose of the HCP is to “authorize the covered activities while conserving the covered species and their habitats. Implementation of a programmatic, multi-species Habitat Conservation Plan, rather than a species-by-species or project-by-project approach, will maximize the benefits of conservation measures for covered species and eliminate potentially expensive and time-consuming efforts associated with processing individual incidental take permits for each project within the proposed Habitat Conservation Plan area.” (County of San Luis Obispo 2021b)

As part of the HCP and ITP coverage, the County is required to mitigate the effects of the covered activities on the covered species through implementation of the LOHCP conservation program—a comprehensive program designed to avoid, minimize, and mitigate the impacts of the covered activities to the maximum extent practicable.

Participation in the HCP is voluntary and projects resulting in ground disturbance have other options for compliance with the local, state, and federal permitting requirements that are addressed through this plan. Upon issuance of the ITP by USFWS, establishment of a contract between the Implementing Entity and the County, and achievement of success criteria for the initial 15 acres of required “jump start” mitigation, the Implementing Entity will have the ability to extend take coverage to proponents of eligible projects once the initial habitat management project has achieved the performance criteria established in the LOHCP Adaptive Management and Monitoring Plan (County of San Luis Obispo 2021b).

Project Setting

A reconnaissance survey was conducted by SWCA Environmental Consultants (SWCA; SWCA 2020) for the proposed well site and pipeline alignment on August 6, 2020. The following setting and impact discussion is based on the findings and recommendations of the reconnaissance survey. The project site is located on a vacant parcel surrounded by developed land uses at the corner of South Bay Boulevard and Bay Oaks Drive and is the former Bayridge Estates wastewater treatment plant site. Existing conditions at the proposed site include largely bare soil with minimal occurrences of weedy plants, including veldt grass (*Ehrharta calycina*), Bermuda grass (*Cynodon dactylon*), and New Zealand spinach (*Tetragonia tetragonioides*). Two eucalyptus (*Eucalyptus* spp.) trees occur in the northeast corner of the site, which could provide overwintering roosting habitat for monarch butterflies (*Danaus plexippus*). The western two-thirds of the parcel is a detention basin, and the floor of the detention basin supports wetland vegetation and the banks of the basin support ice plant (*Carpobrotus edulis*), arroyo willows (*Salix lasiolepis*), and coast live oak (*Quercus agrifolia*) trees.

Environmental Evaluation

- a) **Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Special-Status Plants

SWCA conducted a reconnaissance survey for the proposed well site and pipeline alignment on August 6, 2020. A background review and query of the California Natural Diversity Database (CNDDDB) for information regarding biological resources occurring or potentially occurring in the area was conducted by SWCA prior to the survey. According to the CNDDDB query, the following special-status plant species have potential to occur based on existing conditions, elevation, and soils present:

- Blochman's leafy daisy (*Erigeron blochmaniae*)
- coast woolly heads (*Nemacaulis denudata* var. *denudata*)
- coastal goosefoot (*Chenopodium littoreum*)
- Coulter's saltbush (*Atriplex coulteri*)
- Hoover's bent grass (*Agrostis hooveri*)
- Kellog's horkelia (*Horkelia cuneata* ssp. *sericea*)
- mesa horkelia (*Horkelia cuneata* ssp. *puberula*)
- Morro manzanita (*Arctostaphylos morroensis*)
- perennial goldfields (*Lasthenia californica* ssp. *macrantha*)
- popcorn lichen (*Cladonia firma*)
- sand almond (*Prunus fasciculata* var. *punctata*)
- sand mesa manzanita (*Arctostaphylos rudis*)
- southern curly-leaved monardella (*Monardella sinuata* ssp. *sinuata*)

The project site is located on a vacant parcel surrounded by developed land uses at the corner of South Bay Boulevard and Bay Oaks Drive and is the former Bayridge Estates wastewater treatment plant site. Existing conditions at the proposed well site include largely bare soil with minimal occurrences of weedy plants, including veldt grass (*Ehrharta calycina*), Bermuda grass (*Cynodon dactylon*), and New Zealand spinach (*Tetragonia tetragonioides*). Two eucalyptus (*Eucalyptus* spp.) trees occur in the northeast corner of the site. The western two-thirds of the parcel is a detention basin, and the floor of the detention basin supports wetland vegetation and the banks of the basin support ice plant (*Carpobrotus edulis*), arroyo willows (*Salix lasiolepis*), and coast live oak (*Quercus agrifolia*) trees.

The project would include the installation of a pipeline along South Bay Boulevard from the well site parcel north adjacent to the southern terminus of Mountain View Drive and continuing north on Mountain View Drive to Nipomo Avenue, within pavement. South Bay Boulevard and Mountain View Drive are adjacent to road shoulders which include landscaping, ruderal vegetation, bare areas, veldt grass grassland, and ice plant. Based on the reconnaissance field survey conducted by SWCA, the project site and pipeline alignment have been previously disturbed and due to the highly disturbed condition of the site, it is unlikely that special-status plant species could occur in the disturbed conditions. Additionally,

Morro manzanita was not present at the well site or along the proposed pipeline alignment; therefore, due to the absence of special-status plant species and the highly disturbed condition of the site and pipeline alignment, the project is not anticipated to adversely affect special status plant species and impacts would be *less than significant*.

Special-Status Wildlife

According to the CNDDDB query conducted by SWCA for all proposed well sites and pipeline alignments, the following special-status wildlife species and other nesting birds have potential to occur based on existing conditions and suitable habitat:

- coast horned lizard (*Phrynosoma coronatum*)
- Cooper's hawk (*Accipiter cooperii*)
- northern harrier (*Circus cyaneus*)
- northern California legless lizard (*Anniella pulchra pulchra*)
- Morro shoulderband snail (MSS) (*Helminthoglypta walkeriana*)
- Morro Bay blue butterfly (*Plebejus icariodes moroensis*)

The reconnaissance field survey conducted by SWCA determined that Cooper's hawk has the potential to occur within eucalyptus trees in the northeastern portion of the property and northern California legless lizard has the potential to occur in vegetation or woody debris cover on-site. The eucalyptus trees also provide overwintering roosting habitat for monarch butterflies. In addition, banks of the detention basin, the base of the eastern fence line, and portions of the pipeline alignment provide low-quality habitat for MSS.

The project site would install a pipeline within pavement along South Bay Boulevard, extending north along Mountain View Drive and terminating at Nipomo Avenue. The pipeline would transition from South Bay Boulevard to Mountain View Drive across road shoulders, which include veldt grass, ice plant, and arroyo willow thicket. MSS is known to occur in patches of ice plant and veldt grass adjacent to South Bay Boulevard. Additionally, there is low-quality habitat at the base of the eastern fence line of the well site. The pipeline alignment and the eastern fence line have the potential to be disturbed during project construction activities, which could impact MSS, if present. The project would not include any disturbance to the banks of the detention basin. Mitigation Measures BIO-1 requires that a biologist survey for MSS prior to construction, and that construction activity either avoid take or obtain coverage under through an ITP.

The project proposes to remove the two eucalyptus trees and shed to install a vegetative screen along the northern fence line, which could result in impacts to Cooper's hawk and other nesting birds in the area, and to overwintering monarch butterfly populations. Monarch butterfly has no formal federal or state listing status; however, it is recognized as a Special Animal by CDFW and is a candidate species under the ESA. Winter roost sites for the butterfly extend along the coast from northern Mendocino to Baja California, Mexico and are located in wind-protected tree groves (eucalyptus [*Eucalyptus* spp.], Monterey pine [*Pinus radiata*], Monterey cypress), with nectar and water sources nearby. Mitigation Measure BIO-2 would require a biological monitor to conduct a pre-disturbance nesting bird survey and to avoid impacts to Cooper's hawk and nesting birds. Due to the monarch butterfly's candidate listing, Mitigation Measure BIO-3 has been identified to avoid impacts to overwintering monarch butterflies during project construction.

Ground disturbance and other construction activities also have the potential to disturb California legless lizard species that may be present on-site. Implementation of Mitigation Measure BIO-4 would require a biological monitor to conduct pre-disturbance surveys and to avoid impacts to California legless lizard during construction activities.

Therefore, with implementation of Mitigation Measures BIO-1 through BIO-4, impacts to special-status wildlife would be considered *less than significant with mitigation*.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

The California Department of Fish and Wildlife (CDFW) maintains a list of Sensitive Natural Communities that are evaluated using the NatureServe Heritage Methodology to assign Global and State rankings to the communities. Natural Communities with ranks of “S1” through “S3” are considered Sensitive Natural Communities to be addressed in the environmental review processes of the California Environmental Quality Act (CEQA) and its equivalents. The Global and State ranking system does not imply that specific actions are required in review of projects that may impact the community; however, regulatory agencies may request that impacts to these communities be addressed in environmental documents.

Los Osos is in the coastal zone and is included in the County’s Local Coastal Plan (LCP) Policy Document. The LCP identifies and protects sensitive habitat areas through the designation of appropriate land uses and management techniques. Environmentally Sensitive Habitat Area (ESHA) are defined as “any area in which plant or animal life or their habitats are either rare or especially valuable because of their nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.” The LCP describes four types of ESHA: Wetlands, Coastal Streams and Riparian Vegetation, Terrestrial Habitat, and Marine Habitats. The County’s Land Use Element maps these ESHAs in the coastal zone. “In addition, any site that is not identified in the Combining Designations maps as ESHA but contains physical features meeting the definition of ESHA is considered “unmapped ESHA.” Mapped and unmapped ESHAs are subject to the same LCP standards and policies. The only exception is that unmapped ESHA does not trigger appealability to the Coastal Commission.” (County of San Luis Obispo 2020b)

The Los Osos area supports coast live oak woodlands, coastal dune scrub, arroyo willow thickets, freshwater marsh, salt marsh, and maritime chaparral communities that are listed in the Sensitive Natural Communities list. The detention basin floor at the well-site supports coastal wetland vegetation, that may be considered ESHA under the County’s LCP). Construction activity is not proposed within and would not impact the basin or ESHA within the basin. Occupied special status species habitat is also considered in the County’s LCP as “unmapped” ESHA and occurs along the eastern fence line and along portions of the pipeline alignment. Mitigation Measure BIO-5 would require the applicant to identify ESHA prior to construction and avoid direct impacts or removal to any identified ESHA (including “unmapped” ESHA). No riparian or other sensitive communities are present in the project area. Therefore, with implementation of Mitigation Measure BIO-5, impacts would be considered *less than significant with mitigation*.

c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

SWCA did not observe any wetland or non-wetland “other waters” features at the proposed well site. The detention basin adjacent to the well site and several areas adjacent to the pipeline alignment supports

coastal wetland vegetation. The project does not propose any improvements or activities to the basin that could result in impacts to wetland habitat. Mitigation Measure BIO-5 requires that the project avoid all direct impacts to coastal wetland vegetation (also considered ESHA). In addition, through the County's requirement for an Sedimentation and Erosion Control Plan, standard best management practices (BMPs) would be implemented during project construction to reduce impacts related to pollution, sedimentation, and erosion from work areas. Therefore, with implementation of Mitigation Measure BIO-5, impacts would be *less than significant with mitigation*.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The project site is not located within or adjacent to wildlife corridors or aquatic resources that could interfere with the movement of migratory fish or wildlife upon implementation of the project. The project would removal several trees along the north property line, which could have the potential to impact migratory nesting birds and migratory overwintering monarch butterflies. Mitigation Measure BIO-2 has been identified to require a pre-construction survey and avoidance during the migratory nesting bird season, and Mitigation Measure BIO-3 has been identified to avoid impacts to overwintering monarch butterflies during project construction. Therefore, with implementation of Mitigation Measures BIO-2 and BIO-3, impacts would be *less than significant with mitigation*.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project site and pipeline alignment support disturbed nonnative veldt grass grassland, ruderal plants, and few remnant native shrubs, and the ice plant along the road shoulder of South Bay Boulevard is known to support MSS. Although these disturbed areas provide potential habitat for northern California legless lizard, MSS, and nesting birds, the habitats in these areas are not rare or especially valuable. Disturbed veldt grass grassland with mixed ruderal species and sporadic native shrubs is very common in Los Osos and alone does not constitute ESHA but could be considered "unmapped" ESHA if occupied by special status species. Mitigation Measure BIO-5 would result in less than significant impacts to "unmapped" ESHA and the County's biological protection policies identified in the LCP.

The detention basin on the project site property contains wetland vegetation that would likely be considered coastal wetland ESHA. CZLUO 23.07.170(4) requires that development within or adjacent to ESHA be designed and located to avoid any significant disruption or degradation of habitat values. The project would be located outside of the potential ESHA of the detention basin and construction would not impact or alter the basin. Construction and operation of the project would result in water discharge to the basin; however, this water would be raw, untreated groundwater and discharge would not impact the basin or ESHA vegetation.

CZLUO 23.05.060 applies standards related to tree removal, including obtaining a tree removal permit and replacing removed trees with a species common to the community. The project would not conflict with this ordinance.

No other policies or ordinances are applicable to the project.

Therefore, with implementation of Mitigation Measure BIO-5 the project would be designed to avoid ESHA and impacts related to LCP consistency would be *less than significant with mitigation*.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The County has prepared a communitywide HCP for Los Osos to streamline the permitting of certain future activities by providing a program for the protection and enhancement of habitat for listed species that could be negatively impacted by such activities. The County is currently seeking a programmatic ITP from the U.S. Fish and Wildlife Service (USFWS) and is requesting a permit term of 25 years to authorize take of covered species associated with covered activities in the HCP area. Covered activities within the HCP include commercial and residential development and redevelopment of previously owned parcels; public entity and private utility facility and infrastructure projects; public entity and private utility company activities to operate, maintain, and repair existing facilities; and activities conducted to implement the HCP conservation strategy. According to the County, adoption of the HCP and issuance of the ITP(s) will facilitate a streamlined permitting process and also provide a cohesive conservation strategy managed by one entity with a single funding source.

The proposed project would be a covered activity in the HCP; however, the County has not yet finalized the HCP and received the ITP, and therefore cannot begin HCP implementation. Participation in the HCP is voluntary and projects resulting in ground disturbance have other options for compliance with the local, state, and federal permitting requirements that are addressed through this plan. Depending on timing of construction activities, the LOCSO may choose to avoid impacts to HCP-covered species (in this case MSS), or obtain coverage under the HCP, if the ITP has been issued and the implementing entity has begun to extend coverage to individual projects. Therefore, the project would not conflict with an adopted HCP and impacts would be *less than significant*.

Mitigation Measures

BIO-1 Morro Shoulderband Snail. Portions of the well site parcel and the ROW areas in the pipeline alignment support marginal habitat for MSS. If MSS are present in the disturbance areas, vegetation removal could result in take of the species. The proposed project has largely been designed to avoid take of MSS. Implementation of the following measures will further facilitate avoiding take of MSS in areas that do support marginal MSS habitat.

- A. The following design measures shall be incorporated into the project plans:
1. The well site, well site access drive, and well site infrastructure shall be sited to avoid physical disturbance of the basin banks.
 2. The new pipeline that will be located in South Bay Boulevard and Mountain View Drive shall be located in the existing roadway. If installation of any part of the new waterline will require vegetation removal, the vegetation shall be surveyed for MSS prior to its removal by a qualified biologist.
 3. The entire fenced portion of the well site shall be paved, covered with concrete, or covered with at least 6 inches of gravel, road base, or other permeable material that prohibits vegetation growth. The intent of the surface covering is to prohibit the establishment of vegetation within the well site that could attract MSS to the site.

4. MSS are attracted to straw waddle and hay bales. Straw waddle and hay bales shall not be used on-site. If best management practices require the installation of sediment control devices, silt fence may be used in place of straw waddle or hay bales.
- B. LOCSD shall retain a County-approved biologist that is permitted by the USFWS to survey for MSS. The biologist shall monitor project implementation and report to the County. The County-approved biologist shall have authority to stop construction activities that could result in take of MSS.
 - C. All project staging areas shall be confined to the existing asphalt or areas that the biologist verifies does not support MSS and are at least 15 feet away from occupied or suitable MSS habitat.
 - D. The biologist shall present an environmental awareness training for all construction staff. At a minimum, the training shall include a description of the MSS and its habitat; the provisions of the FESA, as amended; the specific measures being implemented to conserve the MSS as they relate to the project; and the project boundaries. Further, the training shall include a description of the specific measures being implemented to avoid take of MSS.
 - E. All initial ground-disturbance, vegetation removal, and/or construction activities shall be restricted to the dry season (historically considered to be between April 15 and November 1, annually) when MSS are most likely to be in aestivation and less likely to move into the construction area.
 - F. If at any time during ground-disturbing and/or construction activities rain or heavy fog/dew conditions occur and snails (any species) are observed to be active, all project activities shall be suspended until dry conditions prevail. If delaying project activities is not feasible, the biologist shall monitor all activities being conducted to determine if MSS are active onsite and/or present in the work areas. If any MSS are present or move into the work area, LOCSD shall suspend project activities that could result in take of MSS and remain on hold until the MSS has left the area on its own accord.
 - G. Prior to ground-disturbing, vegetation removal, and/or construction activities, the biologist and the contractors shall conduct the following activities:
 1. Within 48 hours of ground-disturbance, vegetation removal, and/or construction activities (inclusive of mobilization), the biologist will conduct pre-construction monitoring survey(s) of the entire work area to ensure MSS are not present. If an ITP is not obtained, take of the species is not authorized for the project; therefore, no individual MSS may be captured or moved. If live MSS are observed in the work area at any time, LOCSD shall suspend the project activities that could result in take of the individual(s) and revise the project approach to avoid the individual(s).
 2. Immediately after the monitoring surveys and environmental training that will be conducted prior to the initiation of ground disturbance, vegetation removal, and/or construction activities, the contractor, as supervised by the biologist, will install construction (i.e., exclusion) fencing around the well

site work area. The purpose of this fencing is to clearly delineate the construction area (inclusive of ingress and egress routes and staging areas) and prevent accidental trespass into adjacent habitats (the basin). The contractor will be responsible for maintaining this construction fencing in working condition for the duration of the project.

3. At the well site parcel, the biologist will conduct full-time monitoring during initial site grading and vegetation removal. The biologist must be present during all vegetation removal and initial grading activities to search for native shoulderband snails that may be exposed during vegetation removal. If MSS are identified during vegetation removal, construction or any other activities that could result in take will be suspended while USFWS is contacted regarding need for an ITP. If an ITP is determined to be necessary, work will remain on hold until such time as an ITP is issued.
 4. If there is more than a 48-hour break in work (e.g., after a weekend), the biologist shall conduct additional surveys prior to the re-commencement of work. The focus of the additional surveys will be to ensure that MSS did not enter the work area during this time. If any MSS move into the work area, any project activities that could result in take of the individual(s) will be suspended until the individual(s) have left the area on their own accord.
- H. If at any time the biologist and the LOCS D determine that a project activity cannot be conducted in such a manner that avoids take of MSS, the LOCS D shall delay all project activities until they have coordinated with USFWS regarding the need for an ITP. If an ITP is determined to be necessary, work should remain on hold until such time as an ITP is issued. The proposed project would be considered a covered activity under the County's Community-wide Habitat Conservation Plan and the LOCS D may be able to obtain incidental take coverage through the Community-wide Habitat Conservation Plan.
1. If the Community-wide Habitat Conservation Plan becomes available for use prior to the LOCS D implementing the proposed project, the LOCS D may choose to seek incidental take coverage under the Community-wide Habitat Conservation Plan prior to project implementation. If the LOCS D obtains incidental take coverage via the Community-wide Habitat Conservation Plan or an Individual Habitat Conservation Plan, the measures provided above may be superseded by the conditions put forth in the ITP.
- I. Within 30 days of project completion, the biologist shall submit a report to the ~~County~~ LOCS D that documents how each of these measures was implemented.

BIO-2

Migratory Nesting Birds. If any site preparation, ground-disturbing, or construction activities associated with any project phase are required during the migratory bird breeding season (February 1–September 15), the qualified biologist shall conduct a nesting bird survey no sooner than 10 days prior to site disturbance activities. If nesting activity is detected, the following measures shall be implemented:

- a) The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code;

- b) The qualified biologist shall establish a biological buffer zone around active nest sites. Standard CDFW guidelines recommend a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and
- c) The qualified biologist shall document all active nests and submit a letter report to the County, USFWS, and CDFW documenting project compliance with the Migratory Bird Treaty Act, the California Fish and Game Code, and applicable project mitigation measures within 14 days of survey completion.

BIO-3 Monarch Butterflies. Tree removal and/or noise-generating construction activities (including but not limited to use of large equipment, gas-powered tools, and/or pneumatic equipment) within 100 feet of eucalyptus trees shall be avoided during the fall and winter migration of the monarch butterflies (late October through February) to the extent feasible. If tree removal or site disturbance within 100-feet of eucalyptus trees are necessary during the fall and winter migration period (late October through February), a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees onsite for overwintering. If monarch butterflies are detected in the work area or within 100 feet of the work area, activities will be postponed until after the overwintering period or until the biologist determines monarch butterflies are no longer utilizing the trees.

BIO-4 Northern California Legless Lizard. A preconstruction survey shall be conducted by a County-approved qualified biologist. A separate survey shall be conducted for any phase of the project not conducted concurrently (e.g., structure demolition conducted prior to general site grading). The biologist shall use appropriate survey techniques for the special-status species identified in this document as having potential to occur on-site. For example, leaf litter and cover objects shall be searched for northern California legless lizards. If any of these species are found on-site, the biologist shall coordinate with the LOCSO, and CDFW as appropriate, on methods to avoid the species or to ensure the successful relocation of individuals to suitable habitat nearby. The wildlife protection measures to be employed will be based on the results of the survey and the particular characteristics of their use of the site, in coordination with CDFW and the construction engineer.

BIO-5 Sensitive Habitat Communities. Prior to initiation of any construction activities, the applicant shall retain a qualified biologist to conduct pre-construction surveys of the well site and all pipeline alignment. The biologist shall survey the work and staging areas and identify all coastal wetlands or other CDFW sensitive communities that would be considered ESHA, including arroyo willow thickets, coastal wetland, and coastal dune scrub, that could potentially be impacted by project construction. If these habitats are confirmed in the work areas, the biologist shall work with the contractor and avoid direct impacts or removal of these habitats.

V. Cultural Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

As defined by CEQA, a historical resource includes:

A resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR).

Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant. The architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural records of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence.

Pursuant to CEQA, a resource included in a local register of historic resources or identified as significant in an historical resource survey shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.

The County CZLUO Historic Site (H) combining designation is applied to areas of the county to recognize the importance of archeological and historic sites, structures and areas important to local, state, or national history. Specific areas are also designated as Archeologically Sensitive Areas. The County CZLUO includes standards regarding minimum parcel size, permit and processing requirements, when a preliminary site survey is required, when a mitigation plan is required, and what to do in the event of an archeological resource discovery. For example, all new structures and uses within an H combining designation require Minor Use Permit approval, and applications for such projects are required to include a description of measures proposed to protect the historic resource identified by the *County of San Luis Obispo General Plan Land Use Element (LUE) (CZLUO 23.07.100-104)*. The project site is not located within or adjacent to a site under the H Combining Designation.

California prehistory is divided into three broad temporal periods that reflect similar cultural characteristics throughout the state: Paleoindian Period (circa [ca.] 9000–6000 B.C.), Archaic Period (6000 B.C.–A.D. 500), and Emergent Period (A.D. 500–Historic Contact). The Archaic is further divided into Lower (6000–3000 B.C.), Middle (3000–1000 B.C.), and Upper (1000 B.C.–A.D. 500) Periods. These divisions are generally governed by climatic and environmental variables, such as the drying of pluvial lakes at the transition from the Paleoindian to the Lower Archaic period.

San Luis Obispo County was historically occupied by two Native American tribes, the northernmost subdivision of the Chumash, the Obispeño (after Mission San Luis Obispo de Tolosa), and the Salinan. However, the precise location of the boundary between the Chumashan-speaking Obispeño Chumash and their northern neighbors, the Hokan-speaking Playanos Salinan, is currently the subject of debate, as those boundaries may have changed over time.

The County COSE identifies and maps known cultural and historic resources within the county and establishes goals, policies, and implementation strategies to identify and protect areas, sites, and buildings having architectural, historical, Native America, or cultural significance. Based on the County COSE, project is not located in a designated Archaeological Sensitive Area or Historic Site.

SWCA conducted a cultural resources study of the project area, including a Native American Heritage Commission (NAHC) Sacred Lands File search, a records search at the Central Coast Information Center (CCIC) at the University of California, Santa Barbara, and a pedestrian survey. The following discussion is based on findings and recommendations of the cultural resources study.

Environmental Evaluation

a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?*

There are no historical resources within the project area. The proposed project will not cause a substantial adverse change in the significance of a historical resource. Therefore, *no impacts* will occur.

b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?*

SWCA conducted a cultural resources study of the project area, including a records search and a pedestrian survey. The records search indicates whether there are known cultural resources located within or near the project area. This included a query of the California Historical Resources Information System (CHRIS) for resources listed on or determined eligible for listing on the National Register of Historical Place (NRHP), the California Register of Historical Resources (CRHR), California State Historical Landmarks, California State Points of Historical Interest, and historic building surveys within or near the project area.

The project site and proposed pipeline alignment are in the vicinity of known prehistoric archaeological resources; however, the resources, as mapped by the CCIC, do not overlap with the project site or proposed pipeline. Although the project site and pipeline are within areas that have been previously subject to extensive disturbance, they are considered highly sensitive. As there is a potential to encounter buried and/or obscured archaeological resources during construction, Mitigation Measures CR-1 through CR-4 have been identified to reduce potential impacts to *less than significant*.

c) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

There are no known resources containing human remains within the project area. However, project excavations have the potential to encounter previously unidentified human remains in the form of burials or isolated bones and bone fragments. If human remains are exposed during construction, construction shall halt around the discovery of human remains, the area shall be protected, and consultation and treatment shall occur as prescribed by State law. The project's archaeologist shall be notified immediately to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has been notified and can make the necessary findings as to origin

and disposition of the remains. If the remains are determined to be Native American, the Coroner will notify the NAHC and the remains will be treated in accordance with PRC Section 5097.98. If the human remains are part of an archaeological site, Mitigation Measure CR-5 shall be followed to reduce potential impacts to *less than significant*.

Mitigation Measures

- CR-1** Prior to construction activities, the Applicant shall have a tribal representative from the yak titʷu titʷu yak tilhini Northern Chumash Tribe conduct a cultural resource awareness training for all construction personnel, including the following:
1. Review the types of archaeological artifacts that may be uncovered;
 2. Provide examples of common archaeological artifacts to examine;
 3. Review what makes an archaeological resource significant to archaeologists and local native Americans;
 4. Describe procedures for notifying involved or interested parties in case of a new discovery;
 5. Describe reporting requirements and responsibilities of construction personnel;
 6. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and
 7. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts.
- CR-2** Prior to project implementation, the Applicant shall retain a qualified archaeologist to prepare an Archaeological Monitoring Plan (AMP). The AMP shall include, but not be limited to, the following:
1. A list of personnel involved in the monitoring activities;
 2. Description of Native American involvement, including a requirement that a tribal representative from the yak titʷu titʷu yak tilhini Northern Chumash Tribe be present for all monitoring;
 3. Description of how the monitoring shall occur;
 4. Description of frequency of monitoring (e.g., full time, part time, spot checking);
 5. Description of what resources are expected to be encountered;
 6. Description of circumstances that would result in the halting of work at the project site;
 7. Description of procedures for halting work on the site and notification procedures;
 8. Description of monitoring reporting procedures; and
 9. Provide specific, detailed protocols for what to do in the event of the discovery of human remains.
- CR-3** An archaeological monitor shall be present during project-related ground-disturbing activities that have the potential to encounter previously unidentified archaeological resources, as outlined in the AMP prepared to satisfy CR-2. Archaeological monitoring may cease at any time if the qualified archaeologist, in consultation with the tribal

monitor, determines that project activities do not have the potential to encounter and/or disturb unknown resources.

CR-4 In the event that unknown archaeological resources are inadvertently encountered during the project, all ground disturbing activities shall cease, and the project’s qualified archaeologist shall be notified so that the extent and location of discovered materials may be recorded, and disposition of artifacts may be accomplished in accordance with state and federal law.

CR-5 If human remains are exposed during construction, the project’s qualified archaeologist shall be notified immediately and comply with State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has been notified and can make the necessary findings as to origin and disposition of the remains pursuant to PRC Section 5097.98. Construction shall halt around the discovery of human remains, the area shall be protected, and consultation and treatment shall occur as prescribed by law.

VI. Energy

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Local Utilities

Pacific Gas & Electric Company (PG&E) is the primary electricity provider for urban and rural communities within unincorporated San Luis Obispo County. Approximately 33% of electricity provided by PG&E is sourced from renewable resources and an additional 45% is sourced from greenhouse gas-free resources (PG&E 2017).

PG&E offers two programs through which consumers may purchase electricity from renewable sources: the Solar Choice program and the Regional Renewable Choice program. Under the Solar Choice program, a customer remains on their existing electric rate plan and pays a modest additional fee on a per kilowatt-hour (kWh) basis for clean solar power. The fee depends on the type of service, rate plan, and enrollment level. Customers may choose to have 50% or 100% of their monthly electricity usage to be generated via solar projects. The Regional Renewable Choice program enables customers to subscribe to renewable energy from a specific community-based project within PG&E's service territory. The Regional Renewable Choice program allows a customer to purchase between 25% and 100% of their annual usage from renewable sources.

Local Energy Plans and Policies

The County has adopted the County COSE, which establishes goals and policies that aim to reduce vehicle miles traveled (VMT), conserve water, increase energy efficiency and the use of renewable energy, and reduce greenhouse gas emissions. This element provided the basis and direction for the development of the County's EnergyWise Plan (EWP) that outlines in greater detail the County's strategy to reduce government and community-wide GHG emissions through a number of goals, measures, and actions including energy efficiency and development and use of renewable energy resources.

In 2011, the EWP established the goal to reduce community-wide greenhouse gas emissions to 15% below 2006 baseline levels by 2020. Two of the six community-wide goals identified to accomplish this were to "[a]ddress future energy needs through increased conservation and efficiency in all sectors" and "[i]ncrease the production of renewable energy from small-scale and commercial-scale renewable energy installations to account for 10% of local energy use by 2020." In addition, the County has published an EWP 2016 Update to summarize progress toward implementing measures established in the EWP and outlines overall trends in energy use and emissions since the baseline year of the EWP inventory (2006).

California Building Code

The California Building Code (CBC) contains standards that regulate the method of use, properties, performance, or types of materials used in the construction, alteration, improvement, repair, or rehabilitation of a building or other improvement to real property. The CBC includes mandatory green building standards for residential and nonresidential structures, the most recent version of which are referred to as the *2019 Building Energy Efficiency Standards*. These standards focus on four key areas: smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to the exterior and vice versa), residential and nonresidential ventilation requirements, and non-residential lighting requirements.

Leadership in Energy and Environmental Design

Leadership in Energy and Environmental Design (LEED) is an internationally recognized green building certification system that provides third-party verification that a building or community was designed and built using strategies aimed at improving performance metrics in energy savings, water efficiency, CO₂ emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. LEED provides a point system to score green building design and construction. The system is categorized in nine basic areas: Integrative Process, Location and Transportation, Sustainable Sites, Water Efficiency, Energy and Atmosphere, Materials and Resources, Indoor Environmental Quality, Innovation in Design, and Regional Priority. Buildings are awarded points based on the extent various sustainable strategies are achieved. The more points awarded the higher the level of certification achieved from Certified, Silver, Gold, to Platinum.

Vehicle Fuel Economy Standards

In October 2012, the U.S. Environmental Protection Agency (EPA) and the National Highway Traffic Safety Administration (NHTSA), on behalf of the Department of Transportation, issued final rules to further reduce GHG emissions and improve corporate average fuel economy (CAFE) standards for light duty vehicles for model years 2017 and beyond. NHTSA's CAFE standards have been enacted under the Energy Policy and Conservation Act since 1978. This national program requires automobile manufacturers to build a single light-duty national fleet that meets all requirements under both federal programs and the standards of California and other states. This program would increase fuel economy to the equivalent of 54.5 miles per gallon (mpg) limiting vehicle emissions to 163 grams of carbon dioxide (CO₂) per mile for the fleet of cars and light-duty trucks by the model year 2025.

In January 2017, EPA Administrator Gina McCarthy signed a Final Determination to maintain the current GHG emissions standards for the model year 2022-2025 vehicles. However, on March 15, 2017, EPA Administrator Scott Pruitt and Department of Transportation Secretary Elaine Chao announced that EPA intends to reconsider the Final Determination. On April 2, 2018, EPA Administrator Scott Pruitt officially withdrew the January 2017 Final Determination, citing information that suggests that these current standards may be too stringent due to changes in key assumptions since the January 2017 Determination. According to the EPA, these key assumptions include gasoline prices and overly optimistic consumer acceptance of advanced technology vehicles. The April 2nd notice is not EPA's final agency action, and the EPA intends to initiate rulemaking to adopt new standards. Until that rulemaking has been completed, the current standards remain in effect. (EPA 2017, EPA 2018).

As part of California's overall approach to reducing pollution from all vehicles, the California Air Resources Board (CARB) has established standards for clean gasoline and diesel fuels and fuel economies of new vehicles. CARB has also put in place innovative programs to drive the development of low-carbon, renewable, and alternative fuels such as their Low Carbon Fuel Standard (LCFS) Program pursuant to California Assembly Bill (AB) 32 and the Governor's Executive Order S-01-07.

In January 2012, CARB approved the Advanced Clean Cars Program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires a battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the state. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. By 2025, when the rules will be fully implemented, the statewide fleet of new cars and light trucks will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions than the statewide fleet in 2016 (CARB 2021).

All self-propelled off-road diesel vehicles 25 horsepower (hp) or greater used in California and most two-engine vehicles (except on-road two-engine sweepers) are subject to the CARB's Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation). This includes vehicles that are rented or leased (rental or leased fleets). The overall purpose of the Off-Road regulation is to reduce emissions of oxides of nitrogen (NO_x) and particulate matter (PM) from off-road diesel vehicles operating within California through the implementation of standards including, but not limited to, limits on idling, reporting and labeling of off-road vehicles, limitations on use of old engines, and performance requirements.

Environmental Evaluation

- a) ***Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

During construction, energy would be used in the form of fossil fuels, diesel fuel, electricity, and natural gas for construction vehicles and equipment as well as worker transportation to the site.

As part of California's overall approach to reducing pollution from all vehicles, the CARB has established standards for clean gasoline and diesel fuels and fuel economies of new vehicles. CARB has also put in place innovative programs to drive the development of low-carbon, renewable, and alternative fuels, such

as their Low Carbon Fuel Standard (LCFS) Program pursuant to California Assembly Bill (AB) 32 and the Governor's Executive Order S-01-07.

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Construction phases of the project would be compliant with applicable local and state regulations regarding diesel idling and other wasteful energy uses while using construction equipment. Therefore, construction phases are not expected to result in the inefficient or wasteful use of energy.

Operational components of the well would include the well pump and well meter. The well would be expected to pump up to 200 AFY, which would require pumping via an electric pump. Pumping time is a function of capacity (GPM), system demand, and the position of the well in the pumping priority settings. To meet the expected 200 AFY goal, with an expected pumping rate of 200 GPM, the well would be required to pump for an average of 15 hours per day, though periods of 24-hour pumping are expected to offset high demand and/or to rest the other wells in the system. The pump would be powered by an electrical connection from a new electrical panel located in the wellhouse. The treatment system, if installed, would operate during period of well pumping and would be powered by the new electrical connection and panel. Electricity demand for the project would be supplied by PG&E which is fully compliant with state regulations. PG&E sources 33% of its energy from renewable resources and 45% of its energy from GHG-free sources. By utilizing PG&E for electricity, the project's electricity demand would be primarily sourced from GHG-free energy sources.

Vehicle trips during operation of the project would include daily well inspection by the LOCSO staff. The backup emergency generator would also be tested once a month and would utilize diesel or natural gas fuel. Infrequent maintenance activities would be expected to occur once a year or less and would include pump or well screen maintenance by a licensed well or pump contractor. Operational energy use would be minimal and is not expected to result in the wasteful consumption of energy sources; therefore, impacts would be *less than significant*.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The COSE establishes goals and policies that aim to reduce vehicle miles traveled (VMT), conserve water, increase energy efficiency and the use of renewable energy, and reduce GHG emissions. This element provides the basis and direction for the development of the County’s EnergyWise Plan (EWP), which outlines in greater detail the County’s strategy to reduce government and community-wide GHG emissions through a number of goals, measures, and actions, including energy efficiency and development and use of renewable energy resources.

Project construction would be compliant with applicable local and state regulations regarding diesel idling and other wasteful energy uses while using construction equipment and would not result in wasteful energy use. Standard diesel idling standards are identified in Mitigation Measure AQ-1. Project operation would result in minimal energy use to power the well pump and supply the emergency generator. In addition, the project would be consistent with the County’s EWP goal to reduce GHG through VMT regulations. Outside of construction, the operation-related vehicle trips would occur for maintenance of the well at least once a month. The project does not propose development that would be subject to energy efficiency building standards and operations. Therefore, project construction and operation would not conflict with applicable energy efficiency regulations and impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measure AQ-1.

VII. Geology and Soils

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Alquist-Priolo Earthquake Fault Zoning Act is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The act identifies active earthquake fault zones and restricts building habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The *County of San Luis Obispo General Plan Safety Element* identifies three active faults that traverse through the county and that are currently zoned under the act: the San Andreas, the Hosgri-San Simeon, and the Los Osos. The San Andreas Fault zone is located along the eastern border of San Luis Obispo County and has a length of over 600 miles. The Hosgri-San Simeon fault system generally consists of two fault zones: the Hosgri fault zone that is mapped off of the San Luis Obispo County coast; and the San Simeon fault zone, which appears to be associated with the Hosgri, and comes onshore near the pier at San Simeon Point. Lastly, the Los Osos Fault zone has been mapped generally in an east/west orientation along the northern flank of the Irish Hills.

The County Safety Element also identifies 17 other faults that are considered potentially active or have uncertain fault activity in the County. The County Safety Element establishes policies that require new development to be located away from active and potentially active faults, that the County enforce applicable building codes relating to seismic design of structures, and that the County require design professionals to evaluate the potential for liquefaction or seismic settlement to impact structures in accordance with the Uniform Building Code.

The County CZLUO identifies a Geologic Study Area (GSA) combining designation for areas where geologic and soil conditions could present new developments and their users with potential hazards to life and property. All land use permit applications for projects located within a GSA shall include a report prepared by a certified engineering geologist and/or registered civil/soils engineer, as appropriate. This report shall then be evaluated by a geologist retained by the county who is registered in the state of California. In addition, all uses within a GSA are subject to special standards regarding grading, distance from an active fault trace within an Earthquake Fault Zone, and erosion and geologic stability (CZLUO Section 23.07.080).

Groundshaking refers to the motion that occurs in response to local and regional earthquakes. Groundshaking can endanger life and safety due to damage or collapse of structures or lifeline facilities.

The CBC currently requires structures to be designed to resist a minimum seismic force resulting from ground motion.

Liquefaction is the sudden loss of soil strength due to a rapid increase in soil pore water pressures resulting from groundshaking during an earthquake. Liquefaction potential increases with earthquake magnitude and groundshaking duration. Low-lying areas adjacent to creeks, rivers, beaches, and estuaries underlain by unconsolidated alluvial soil are most likely to be vulnerable to liquefaction. The CBC requires the assessment of liquefaction in the design of all structures. Based on the County Safety Element Maps, the project site is in an area with moderate potential for liquefaction.

Landslides and slope instability can occur as a result of wet weather, weak soils, improper grading, improper drainage, steep slopes, adverse geologic structure, earthquakes, or a combination of these factors. Despite current codes and policies that discourage development in areas of known landslide activity or high risk of landslide, there is a considerable amount of development that is being impacted by landslide activity in the County each year. The County Safety Element identifies several policies to reduce risk from landslides and slope instability. These policies include the requirement for slope stability evaluations for development in areas of moderate or high landslide risk, and restrictions on new development in areas of known landslide activity unless development plans indicate that the hazard can be reduced to a less than significant level prior to beginning development. Based on the County's Safety Element Maps, the project site is located in an area with a low potential for landslide.

The classification of expansive soils relates to the extent to which the soil shrinks as it dries out or swells when it gets wet. Extent of shrinking and swelling is influenced by the amount and kind of clay in the soil. Shrinking and swelling of soils can cause damage to building foundations, roads and other structures. A high shrink/swell potential indicates a hazard to maintenance of structures built in, on, or with material having this rating. Moderate and low ratings lessen the hazard accordingly. The project site is underlain by Baywood Fine Sand, 2 to 9 percent slopes.

The County COSE identifies a policy for the protection of paleontological resources from the effects of development by avoiding disturbance where feasible. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils. The project site is located within the South Coast Range which is comprised of predominantly marine-derived Miocene and Pliocene-age sedimentary rocks.

Environmental Evaluation

- a) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***
- a-i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

The Alquist-Priolo Earthquake Fault Zoning Act (Alquist-Priolo Act) is a California state law that was developed to regulate development near active faults and mitigate the surface fault rupture potential and other hazards. The Alquist-Priolo Act identifies active earthquake fault zones and restricts the construction of habitable structures over known active or potentially active faults. San Luis Obispo County is located in a geologically complex and seismically active region. The *County of San Luis Obispo General Plan Safety Element* identifies three active faults that traverse through the county and are currently zoned under the Alquist-Priolo Act: the San Andreas, the Hosgri-San Simeon, and the Los Osos.

According to the U.S. Geological Survey (USGS) U.S. Quaternary Fault Map, the project site is located approximately 300 feet west of the Los Osos fault zone. The project does not propose habitable structures that would put people at risk in the event of fault rupture. Additionally, the project would be required to comply with the 2019 California Building Code (CBC) and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques; therefore, impacts related to rupture of a known earthquake fault are considered *less than significant*.

a-ii) Strong seismic ground shaking?

The project is located within a seismically active region and there is always potential for seismic ground shaking. In addition, the project is located 300 feet west of the Los Osos fault zone and would be susceptible to potential seismic ground shaking. According to Section 1613 of the 2019 CBC, all structures and portions of structures are required to be designed to resist the effects of seismic loadings caused by earthquake ground motions. The project does not propose habitable structures that would put people at risk during a seismic event; however, aboveground features are proposed and would be subject to the 2019 CBC and other applicable standards to ensure the effects of a potential seismic event would be minimized through compliance with current engineering practices and techniques. Therefore, impacts related to strong seismic ground shaking are considered *less than significant*.

a-iii) Seismic-related ground failure, including liquefaction?

According to the Safety Element Maps, there is an area with moderate liquefaction risk to the north and an area with high liquefaction risk to the east; however, the project site is located in an area with low risk for liquefaction. In addition, the project would be required to comply with Section 1613 of the 2019 CBC and other applicable standards to ensure the effects of a potential seismic event, including liquefaction, would be minimized through compliance with current engineering practices and techniques; therefore, impacts related to liquefaction are considered *less than significant*.

a-iv) Landslides?

The project site is located in a developed area on predominantly flat land. According to the Safety Element Maps, the project site is located in an area with low potential for landslides to occur. The project does not propose occupiable structures that would put people at risk in the event of seismic-related ground failure. Further, the project would be required to comply with the CBC and other applicable standards to ensure compliance with current engineering practices and techniques; therefore, impacts related to landslides are considered *less than significant*.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Implementation of the project requires excavation and other ground disturbance activity that could result in erosion. The project proposes minimal grading activity (less than 5 cubic yards) for construction of drainage berms and would apply crushed concrete or gravel to the driveway on-site to prevent debris from equipment leaving the site being deposited on the public street and stormwater system. Excavation and ground disturbance within asphalt for the pipeline installation has the potential to generate erosive runoff along work areas. The project site is located within the County's Municipal Stormwater Management Area (MS4) coverage area and must adhere to the Central Coast Post Construction Requirements (PCRs). As part of the MS4 process, construction BMPs would be applied to all work areas to reduce potential erosive runoff from construction activities. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects (CZLUO 23.05.036) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Implementation of

the project would result in ground disturbance; however, compliance with existing regulations would reduce potential impacts related to erosion and loss of topsoil to *less than significant*.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

According to the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey (NRCS 2021), the project site is underlain by Baywood Fine Sand, 2 to 9 percent slopes, which supports development at a larger scale than the proposed project. This sandy soil is somewhat excessively well drained, has rapid permeability, and has very low runoff. The depth to water table is more than 80 inches. As described above, the project site is located in an area with low risk for liquefaction and landslides. According to the USGS Areas of Land Subsidence in California Map, the project site is not located within an area of recorded land subsidence. The site overlies a perched dune sand aquifer. The perched aquifer would be sealed off from the new well and water levels in the perched aquifer are maintained by natural recharge, return flows, and recycled water discharges. In addition, the project would be required to comply with the CBC and other applicable standards to ensure compliance with current engineering practices and techniques; therefore, impacts related to unstable soils are considered *less than significant*.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Typically, soils comprised of clay or clay materials have a higher shrink/swell potential than soils without clay. The project is underlain by Baywood Fine Sand, 2 to 9 percent slopes, which is comprised of sandy soils. Therefore, the shrink/swell potential for this soil unit is considered low. Additionally, the project would be required to comply with the CBC and other applicable standards to ensure compliance with current engineering practices and techniques; therefore, impacts related to expansive soils would be *less than significant*.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The project proposes the construction and operation of a municipal well and associated pipeline along South Bay Boulevard and Mountain View Drive north toward Nipomo Avenue. The project does not propose development of new septic tanks or wastewater disposal systems; therefore, *no impact* would occur.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Based on the Los Osos Community Plan Final Environmental Impact Report (EIR), the study area is underlain by old eolian deposits (County of San Luis Obispo 2020a). This formation consists of fine to coarse sand and fine gravel and is often capped with well-developed soil. Previous fossil encounters in the area have been identified in alluvial deposits; eolian sediments are typically accumulated in depositional environments that are not generally favorable for fossil preservation. Therefore, impacts to paleontological resources would be *less than significant*.

Mitigation Measures

No mitigation measures are necessary.

VIII. Greenhouse Gas Emissions

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Greenhouse gasses (GHGs) are any gases that absorb infrared radiation in the atmosphere. The primary GHGs that are emitted into the atmosphere as a result of human activities are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated gases. These are most commonly emitted through the burning of fossil fuels (oil, natural gas, and coal), agricultural practices, decay of organic waste in landfills, and a variety of other chemical reactions and industrial processes (e.g., the manufacturing of cement). Carbon dioxide (CO₂) is the most abundant GHG and is estimated to represent approximately 80–90% of the principal GHGs that are currently affecting the earth’s climate. According to the California Air Resources Board (CARB), transportation (vehicle exhaust) and electricity generation are the main sources of GHGs in the state.

In October 2008, the CARB published the *Climate Change Proposed Scoping Plan*, which is the state’s plan to achieve GHG reductions in California required by Assembly Bill (AB) 32. The Scoping Plan included CARB-recommended GHG reductions for each emissions sector of the state’s GHG inventory. The largest proposed GHG reduction recommendations were associated with improving emissions standards for light-duty vehicles, implementing the Low Carbon Fuel Standard program, implementation of energy efficiency measures in buildings and appliances, the widespread development of combined heat and power systems, and developing a renewable portfolio standard for electricity production.

Senate Bill (SB) 32 and Executive Order (EO) S-3-05 extended the state’s GHG reduction goals and require CARB to regulate sources of GHGs to meet the following goals:

- Reduce GHG emissions to 1990 levels by 2020;
- Reduce GHG emissions to 40% below 1990 levels by 2030;
- Reduce GHG emissions to 80% below 1990 levels by 2050.

The initial Scoping Plan was first approved by CARB on December 11, 2008, and is updated every 5 years. The first update of the Scoping Plan was approved by the CARB on May 22, 2014, which looked past 2020 to set mid-term goals (2030–2035) toward reaching the 2050 goals. The most recent update released by CARB is the 2017 Climate Change Scoping Plan, which was released in November 2017. The 2017 Climate Change Scoping Plan incorporates strategies for achieving the 2030 GHG-reduction target established in SB 32 and EO S-3-05.

When assessing the significance of potential impacts for CEQA compliance, an individual project's GHG emissions will generally not result in direct significant impacts because the climate change issue is global in nature. However, an individual project could be found to contribute to a potentially significant cumulative impact. Projects that have GHG emissions above the noted thresholds may be considered cumulatively considerable and require mitigation. Accordingly, in March 2012, the SLOAPCD approved thresholds for GHG impacts which were incorporated into their 2012 CEQA Air Quality Handbook. The Handbook recommended applying a 1,150 MTCO_{2e} per year Bright Line Threshold for commercial and residential projects and included a list of general land uses and estimated sizes or capacities of uses expected to exceed this threshold. According to the SLOAPCD, this threshold was based on a 'gap analysis' and was used for CEQA compliance evaluations to demonstrate consistency with the state's GHG emission reduction goals associated with AB32 and the 2008 Climate Change Scoping Plan which have a target year of 2020. However, in 2015, the California Supreme Court issued an opinion in the case of *Center for Biological Diversity vs California Department of Fish and Wildlife* ("Newhall Ranch") that determined that AB 32 based thresholds derived from a gap analysis are invalid for projects with a planning horizon beyond 2020. Since the bright-line and service population GHG thresholds in the Handbook are AB 32 based, and project horizons are now beyond 2020, the SLOAPCD no longer recommends the use of these thresholds in CEQA evaluations. Instead, the following threshold options are recommended for consideration by the lead agency:

- Consistency with a Qualified Climate Action Plan: CAPs conforming to CEQA Guidelines § 15183 and 15183.5 would be qualified and eligible for project streamlining under CEQA.

The County of San Luis Obispo EnergyWise (EWP), adopted in 2011, serves as the County's GHG reduction strategy. The GHG-reducing policy provisions contained in the EWP were prepared for the purpose of complying with the requirements of AB 32 and achieving the goals of the AB 32 Scoping Plan, which have a horizon year of 2020. Therefore, the EWP is not considered a qualified GHG reduction strategy for assessing the significance of GHG emissions generated by projects with a horizon year beyond 2020.

- No-net Increase: The 2017 Scoping Plan states that no-net increase in GHG emissions relative to baseline conditions "*is an appropriate overall objective for new development*" consistent with the Court's direction provided by the Newhall Ranch case. Although a desirable goal, the application of this threshold may not be appropriate for a small project where it can be clearly shown that it will not generate significant GHG emissions (i.e., *di minimus*: too trivial or minor to merit consideration).
- Lead Agency Adopted Defensible GHG CEQA Thresholds: Under this approach, a lead agency may establish SB 32-based local operational thresholds. As discussed above, SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030. According to the *California Greenhouse Gas Emissions for 2000 to 2017, Trends of Emissions and Other Indicators* published by the California Air Resources Board, emissions of GHG statewide in 2017 were 424 million MMTCO_{2e}, which was 7 million MTCO_{2e} below the 2020 GHG target of 431 MMTCO_{2e} established by AB 32. At the local level, an update of the County's EnergyWise Plan prepared in 2016 revealed that overall GHG emissions in San Luis Obispo County decreased by approximately seven percent between 2006 and 2013, or about one-half of the year 2020 target of reducing greenhouse gas emissions by 15% relative to the 2006 baseline². Therefore, application of the 1,150 MTCO_{2e} Bright Line Threshold in San Luis Obispo County, together with other local and State-wide efforts to reduce GHG emissions, proved to be an effective approach for

² AB32 and SB32 require GHG emissions to be reduced to 1990 levels by the year 2020. The EnergyWise Plan assumes that the County's 1990 GHG emissions were about 15% below the levels identified in the 2006 baseline inventory.

achieving the reduction targets set forth by AB32 for the year 2020. It should be noted that the 1,150 MTCO₂e per year Bright Line Threshold was based on the assumption that a project with the potential to emit less than 1,150 MTCO₂e per year would result in impacts that are less than significant and less than cumulatively considerable impact and would be consistent with state and local GHG reduction goals.

Since SB 32 requires the state to reduce GHG levels by 40 percent below 1990 levels by the year 2030, the application of an interim “bright line” SB32-based working threshold that is 40 percent below the 1,150 MMTCO₂e Bright Line threshold ($1,150 \times 0.6 = 690$ MMTCO₂e) would be expected to produce comparable GHG reductions “in the spirit of” the targets established by SB32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 MMTCO₂e per year GHG are considered *de minimus* (too trivial or minor to merit consideration), and will have a less than significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

Environmental Evaluation

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impacts related to GHG emissions occur on a global scale and are, therefore, cumulative in nature. Short-term construction-related emissions rarely result in a considerable contribution to GHG emissions. The project requires minimal grading for development of the new well site (less than 5 cubic yards) and would require excavation and other ground-disturbing activities within asphalt for installation of the pipeline. Construction vehicles and equipment have the potential to produce GHG emissions and ground-disturbing activity has the potential to produce ROG and NO_x, which are ozone precursors. Mitigation Measure AQ-1 identifies applicable state and local regulations regarding diesel idling that would reduce GHG emissions from construction equipment.

Operational components of the well would include the well pump and well meter. The well would be expected to pump up to 200 AFY, which would require pumping for an average of 15 hours per day, and would be powered by electricity from PG&E. The project also proposes a generator that would be for emergency use only. Operation of the well pump would result in a negligible amount of GHG emissions; therefore, impacts related to GHG emissions would be *less than significant*.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Since Senate Bill (SB) 32 requires the state to reduce GHG levels by 40% below 1990 levels by the year 2030, the application of an interim “bright line” SB 32-based working threshold that is 40% below the 1,150 million metric tons of carbon dioxide equivalent (MMTCO₂e) Bright Line threshold ($1,150 \times 0.6 = 690$ MMTCO₂e) would be expected to produce comparable GHG reductions “in the spirit of” the targets established by SB 32. Therefore, for the purpose of evaluating the significance of GHG emissions for a project after 2020, emissions estimated to be less than 690 MMTCO₂e per year GHG are considered *de minimus* (too trivial or minor to merit consideration) and will have a less-than-significant impact that is less than cumulatively considerable and consistent with state and local GHG reduction goals.

As noted above, proposed construction activity would result in minor GHG emissions and operational activity would result in negligible GHG emissions and are not anticipated to exceed the threshold of 690 MMTCO₂e per year. Therefore, the project would not conflict with an applicable plan, policy or regulation meant to reduce GHG emissions, and impacts would be *less than significant*.

Mitigation Measures

No mitigation measures are necessary.

IX. Hazards and Hazardous Materials

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The Hazardous Waste and Substances Site (Cortese) List is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency (CalEPA) to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese list. The California Department of Toxic Substance Control (DTSC) tracks DTSC cleanup, permitting, enforcement, and investigation efforts at hazardous waste facilities and sites with known contamination, such as federal superfund sites, state response sites, voluntary cleanup sites, and military evaluation sites. The State Water Resources Control Board (SWRCB) GeoTracker database contains records for sites that impact, or have the potential to impact, water in California, such as Leaking Underground Storage Tank (LUST) sites, Department of Defense sites, and Cleanup Program sites. The remaining data regarding facilities or sites identified as meeting the “Cortese List” requirements are

provided on the CalEPA website: <https://calepa.ca.gov/sitecleanup/corteselist/>. The project site is not located on or within 1,000 feet of a known hazardous materials site.

The California Health and Safety Code provides regulation pertaining to the abatement of fire related hazards and requires that local jurisdictions enforce the CBC, which provides standards for fire resistive building and roofing materials, and other fire-related construction methods. The County Safety Element provides a Fire Hazard Zones Map that indicates unincorporated areas in the County within moderate, high, and very high fire hazard severity zones. The County Safety Element also provides a California Department of Forestry and Fire Protection (CAL FIRE) Emergency Response Zone Map, which indicates the estimated emergency response time for unincorporated areas of the county. A number of risk reduction measures have been taken by the County to reduce the potential for wildfires, including adopting standards for fire resistive building materials and construction methods, providing defensible space around structures, providing adequate water supplies for fire suppression, and providing adequate access for fire-fighting equipment. In addition to these measures, the County has undertaken a variety of mitigation strategies, including a Countywide Community Fire Safe Council, a vegetation management program, and pre-planning major wildfire scenarios in high and very high fire severity areas that include evacuation plans and pre-plans. The project site is located within a high fire hazard area and emergency response time to the site is approximately 27 minutes according to the County Fire/CAL FIRE referral response. For more information about fire-related hazards and risk assessment, see Section XX, Wildfire.

The County also has adopted general emergency plans for multiple potential natural disasters, including the Local Hazard Mitigation Plan, County Emergency Operations Plan (EOP), Earthquake Plan, Dam and Levee Failure Plan, Hazardous Materials Response Plan, County Recovery Plan, and the Tsunami Response Plan.

Environmental Evaluation

a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The project does not propose features that would facilitate the routine transport, use, or disposal of hazardous materials. Project construction would utilize commonly used construction materials, including gasoline, paints, solvents, oils, etc. Commonly used materials would be transported, stored, and used according to regulatory requirements and existing procedures for the handling of hazardous materials, including those specified in CZLUO 23.06.120. Operation of the project would result in regular maintenance trips and would not require use of hazardous materials that could create significant hazard to the public. Compliance with existing regulations regarding handling of hazardous materials would ensure project impacts are *less than significant*.

b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

The project does not propose the handling or use of hazardous materials or volatile substances that would result in a significant risk of upset or accidental release conditions. Construction of the proposed project is anticipated to require use of limited quantities of hazardous substances, including gasoline, diesel fuel, hydraulic fluid, solvents, oils, paints, etc. Construction contractors would be required to comply with applicable federal, state, and local environmental and workplace safety laws for the handling of hazardous materials, including response and clean-up requirements for any minor spills. Operation of the project would result in maintenance trips and would not require use of hazardous materials that could create significant hazard to the public. Compliance with existing regulations regarding handling of hazardous materials would ensure project impacts are *less than significant*.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project site is located approximately 0.5 mile southeast of Stepping Stone University Preschool and Wishing Well School and approximately 1.3 miles southeast of Monarch Grove Elementary School. Therefore, the project does not have the potential to emit or handle hazardous materials within 0.25 mile of a school and *no impact* would occur.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

According to the California Environmental Agency (CalEPA) Cortese List resources, including the California Department of Substance Control (DTSC) Envirostor database and State Water Resources Control Board (SWRCB) Geotracker Database, the project site is not located within 1,000 feet of a known hazardous materials site. Therefore, development of the project does not have the potential to release known hazardous materials and *no impact* would occur.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The nearest private airstrip is located approximately 4.8 miles east-northeast at Camp San Luis (O'Sullivan Army Heliport) and the nearest public airport is approximately 11 miles east-southeast in the city of San Luis Obispo (San Luis Obispo Regional Airport). The project is not located within an Airport Land Use Plan (ALUP) or within 2 miles of a public or private airport; therefore, *no impact* would occur.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The project would be located on an existing parcel and would not alter or prohibit access to the local circulation system. The project does not propose occupiable buildings that would put inhabitants or structures at risk in an emergency event. The project would be accessed by an improved A/C driveway located off Bay Oaks Drive. Emergency access to the site and surrounding areas would be available during construction activity but may experience temporary traffic controls that would use appropriate detour signage and give proper notice. Implementation of the project would not impede emergency access to the site or put people or structures at risk of a wildfire. Therefore, the project is consistent with applicable emergency response and evacuation plans and impacts would be *less than significant*.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

According to the Safety Element Maps, the project site is located in a developed area and is designated as a low Fire Hazard Severity Zone (FHSZ). Emergency response time to the project site is approximately 5 minutes and the project does not propose inhabitable structures that would increase the demand on fire protection services. Additionally, the project does not propose features that would increase wildfire risk in the area. Therefore, impacts related to wildfire would be *less than significant*.

Mitigation Measures

No mitigation measures are necessary.

X. Hydrology and Water Quality

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
(i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The project site is located within the Los Osos Area Subbasin of the Los Osos Valley Groundwater Basin, which is a low-priority subbasin under the Sustainable Groundwater Management Act (SGMA) (Basin No. 3-08.01) but is adjudicated and considered in critical overdraft per the Department of Water Resources (DWR) Bulletin 118. The project proposes the construction and operation of a municipal well to serve the LOCSD service area and implement Program C of the Basin Plan. The proposed well would fulfill the LOCSD's obligation under the Basin Plan to construct a new lower aquifer well known as Expansion Well No. 2. According to the Technical Memorandum by Cleath-Harris Geologists, the Basin Plan originally called for three new wells; however, based on the reduced water demand from the existing population, a reduction from three wells to two wells was recommended in 2019.

The RWQCB has established the Total Maximum Daily Load (TMDL) for waterbodies within the county. A TMDL establishes the allowable amount of a particular pollutant a waterbody can assimilate on a

regular basis and still remain at levels that protect beneficial uses designated for that waterbody. A TMDL also establishes proportional responsibility for controlling the pollutant, numeric indicators of water quality, and implementation to achieve the allowable amount of pollutant loading. Section 303(d) of the CWA includes listed bodies of water that are designated as impaired. A body of water is impaired when a water quality objective or standard is not met.

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States are typically identified by the presence of an Ordinary High Water Mark (OHWM) and connectivity to traditional navigable waters or other jurisdictional features. CWA Section 404 requires a permit for these activities under separate regulations by the USACE and USEPA unless the activity is exempt from Section 404 regulation (e.g., certain farming and forestry activities).

The Central Coast RWQCB Water Quality Control Plan for the Central Coast Basin (Basin Plan; 2017) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose waste discharges can affect water quality.

The County CZLUO dictates which projects are required to prepare a drainage plan, including projects that would, for example, involve a land disturbance of more than 40,000 square feet, would result in an impervious surface of more than 20,000 square feet, or involves development on slopes steeper than 10 percent. The County CZLUO also dictates that an erosion and sedimentation control plan is required year-round for all construction and grading permit projects and any site disturbance activities of 0.5 acre or more in geologically unstable areas, on slopes of steeper than 30 percent, on highly erodible soils, or within 100 feet of any watercourse.

Per the County's Stormwater Program, the County Department of Planning and Building is responsible for ensuring that new construction sites implement BMPs during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must enroll for coverage under the SWRCB Construction General Permit. The Construction General Permit requires the preparation of a SWPPP to minimize onsite sedimentation and erosion. There are several types of projects that are exempt from preparation of a SWPPP, including routine maintenance to existing developments, emergency construction activities, agricultural discharges regulated by the SWRCB or RWQCB, and projects exempted by the SWRCB or RWQCB. Projects that disturb less than 1 acre must implement all required elements within the site's erosion and sediment control plan as required by the County Codes.

For planning purposes, the flood event most often used to delineate areas subject to flooding is the 100-year flood. The County Safety Element establishes policies to reduce flood hazards and reduce flood damage, including but not limited to prohibition of development in areas of high flood hazard potential, discouragement of single road access into remote areas that could be closed during floods, and review of plans for construction in low-lying areas. All development located in flood plains are subject to Federal Emergency Management Act (FEMA) regulations. The County LUO designates a Flood Hazard (FH) combining designation for areas of the county that could be subject to inundation by a 100-year flood or within coastal high hazard areas. Development projects within this combining designation are subject to FH permit and processing requirements. These requirements include, but are not limited to, the

preparation of a drainage plan, implementation of additional construction standards, and additional materials storage and processing requirements that could be injurious to human, animal or plant life in the event of flooding. There are no surface water features located within or adjacent to the well site or the pipeline alignment. Additionally, the project site is not located within a 100-year flood zone.

Environmental Evaluation

a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The well site is located approximately 1,360 feet (0.26 mile) southwest from Willow Creek. Pipeline alignment would occur along South Bay Boulevard and Mountain View Drive north toward Nipomo Avenue. Willow Creek runs parallel to South Bay Boulevard north of the pipeline alignment. The project proposes minimal grading activity for construction of the well site and would apply crushed concrete or gravel to the driveway on-site to prevent debris from equipment leaving the site being deposited on the public street and stormwater system. Excavation and ground disturbance within asphalt for the pipeline installation has the potential to generate erosive runoff along work areas. The project would disturb less than 1 acre of soil and would not be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) under the SWRCB Construction General Permit Order 2009-0009-DWQ. The project site is located within the MS4 coverage area and must adhere to the Central Coast PCRs. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation (CZLUO 23.05.036). The plan is required to be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Equipment used during project construction has the potential to increase pollutant runoff from the project site. BMPs and other equipment regulations would be implemented through the Erosion and Sedimentation Control Plan during project construction to ensure erosive and pollutant runoff is minimized during the construction period of the project. Implementation of the project would result in ground disturbance; however, compliance with existing regulations would reduce potential impacts related to water quality to *less than significant*.

b) *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The project site is located within the Los Osos Area Subbasin of the Los Osos Valley Groundwater Basin, which is a low-priority subbasin under SGMA (Basin No. 3-08.01). According to the County, the SGMA does not apply to the Los Osos Area subbasin because requirements have been met by the Los Osos Basin Management Committee (County of San Luis Obispo 2021a). The project proposes the construction and operation of a municipal well to serve the LOCSD service area and implement Program C of the Basin Plan. The proposed well would fulfill the LOCSD's obligation under the Basin Plan to construct a new lower aquifer well known as Expansion Well No. 2. According to the Technical Memorandum by Cleath-Harris Geologists, the Basin Plan originally called for three new wells; however, based on the reduced water demand from the existing population, a reduction from three wells to two wells was recommended in 2019. The new well would have a minimum production objective of 100 AFY and is anticipated to produce a maximum of 200 AFY. Depending on the amount of water produced by the proposed well, pumping would be reduced at other LOCSD wells in the Western Area of the Basin to mitigate seawater intrusion. The exact well locations that pumping would be reduced at and the amount of reduction would vary based on variability of production. The project site is not located in a high-priority basin under the SGMA and the installation of the new well is anticipated in the current Basin Plan for the existing population; therefore, impacts would be *less than significant*.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

c-i) Result in substantial erosion or siltation on- or off-site?

The project proposes the construction and operation of a new well and would construct associated pipeline along South Bay Boulevard north toward Nipomo Avenue. Minimal grading activity is required for the construction of the well-site and would not result in the alteration of existing drainage patterns on-site. Pipeline installation has the potential to alter existing drainage patterns but would be temporary in nature and would be returned to preconstruction conditions following installation activities. In addition, the project would disturb less than 1 acre of soil and would not require preparation and implementation of a SWPPP under SWRCB Construction General Permit Order 2009-0009-DWQ. However, preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation (CZLUO 23.05.036). The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. The project site is located within the County's MS4 coverage area and must adhere to the Central Coast PCRs. Operation of the project is not anticipated to substantially alter drainage patterns or increase impervious surface areas that could increase erosion or siltation on- or off-site and compliance with existing regulations would reduce impacts to sedimentation and erosion that could runoff from work areas; therefore, impacts would be *less than significant*.

c-ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Implementation of the proposed project would not substantially increase new impervious surface areas at the project site. Proposed aboveground structures include a pumphouse, piping, 6-foot-tall chain-link fencing with green privacy slats, concrete pads, and an emergency diesel generator. In addition, the existing access driveway would be improved to an A/C driveway. The project site is not located within a flood hazard combining designation and flooding is not anticipated on-site. Surface water runoff as a result of implementation of the proposed project would be minimal and would not result in on- or off-site flooding; therefore, impacts would be *less than significant*.

c-iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

There is an existing drainage basin located in the western portion of the project site that would be used for well discharges including well development water, pump test water, and operational discharges. Implementation of the proposed project would not substantially increase new impervious surface areas at the project site. Proposed aboveground structures include a pumphouse, piping, a 6-foot-tall chain-link fence with green privacy slats, concrete pads, and an emergency diesel generator. In addition, the existing access driveway would be improved to an A/C driveway. Preparation and approval of an Erosion and Sedimentation Control Plan is required for all construction and grading projects to minimize potential impacts related to erosion, sedimentation, and siltation (CZLUO 23.05.036). The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Compliance with existing regulations would ensure that runoff would not consist of excessive erosion or sedimentation; therefore, impacts would be *less than significant*.

c-iv) Impede or redirect flood flows?

The project site is not located within a flood hazard combining designation and flooding is not expected to occur on-site. The project does not propose features that would permanently impede or redirect flood flows on- or off-site. In addition, the project would prepare a Sedimentation and Erosion control plan to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts to ensure that in the unlikely event of a flood, flood flows would not temporarily or permanently increase erosive runoff from the site; therefore, impacts would be *less than significant*.

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The project site is not located within a flood hazard, tsunami, or seiche zone. Therefore, pollutant release in the event of a flood, tsunami, or seiche is not anticipated. In addition, the project would prepare a Sedimentation and Erosion control plan to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts to ensure that the unlikely event of a flood, tsunami, or seiche would not temporarily or permanently increase erosive runoff from the site; therefore, impacts would be *less than significant*.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The Water Quality Control Plan for the Central Coast Basin (Central Coast Basin Plan) (RWQCB 2019) describes how the quality of surface water and groundwater in the Central Coast Region should be managed to provide the highest water quality reasonably possible. The Central Coast Basin Plan outlines the beneficial uses of streams, lakes, and other water bodies for humans and other life. There are 24 categories of beneficial uses, including, but not limited to, municipal water supply, water contact recreation, non-water contact recreation, and cold freshwater habitat. Water quality objectives are then established to protect the beneficial uses of those water resources. The RWQCB implements the Central Coast Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or businesses whose discharges can affect water quality.

The project site is located within the Los Osos Valley Groundwater Basin in the Los Osos Area subbasin (Basin No. 3-08.01), which is a low-priority subbasin under the SGMA but is adjudicated and considered in critical overdraft per the DWR Bulletin 118.- According to the County, SGMA does not apply to the Los Osos Area subbasin because requirements have been met by the Los Osos Basin Management Committee. The project proposes the construction and operation of a municipal well to serve the LOCS D service area and implement Program C of the Basin Plan. The proposed well would fulfill the LOCS D's obligation under the Basin Plan to construct a new lower aquifer well known as Expansion Well No. 2. According to the Technical Memorandum by Cleath-Harris Geologists, the Basin Plan originally called for three new wells; however, based on the reduced water demand from the existing population, a reduction from three wells to two wells was recommended in 2019.

The well site is located more than 1,000 feet away from Willow Creek and minimal grading activity is not expected to result in discharge to the creek or other water resources. Installation of the pipeline would occur along South Bay Boulevard, which runs parallel to Willow Creek. Pipeline installation would occur at least 280 feet away from the creek and construction BMPs would be implemented to reduce erosive or polluted runoff from pipeline installation activities. In addition, the project would disturb less than 1 acre of soil and would not be required to prepare and implement a SWPPP under the SWRCB Construction General Permit Order 2009-0009-DWQ. However, preparation and approval of an Erosion and

Sedimentation Control Plan is required for all construction and grading projects (CZLUO 23.05.036) to minimize potential impacts related to erosion, sedimentation, and siltation. The plan would be prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. The project site is located within the County’s MS4 coverage area and must adhere to the Central Coast PCRs. The project is not anticipated to conflict or obstruct a water quality control plan or sustainable groundwater management plan; therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation measures are necessary.

XI. Land Use and Planning

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The California Coastal Commission is the ultimate permit authority in the Coastal Zone of San Luis Obispo County and dictates how the County’s Local Coastal Program (Title 23) is interpreted. The purpose of Title 23, also known as the County CZLUO, is to guide and manage the future growth in accordance with the County General Plan and Local Coastal Program; to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands; to minimize adverse effects on the public resulting from inappropriate creation, location, use or design of buildings or land uses; and to protect and enhance significant natural, historic, archeological and scenic resources within the county.

The County LUE provides policies and standards for the management of growth and development in each unincorporated community and rural areas of the county and serves as a reference point and guide for future land use planning studies throughout the county. The LUE identifies strategic growth principles to define and focus the county’s pro-active planning approach and balance environmental, economic, and social equity concerns. Each strategic growth principle correlates with a set of policies and implementation strategies that define how land will be used and resources protected. The LUE also defines each of the 14 land use designations and identifies standards for land uses based on the designation they are located within. The project area is designated as Public Facilities land use.

Environmental Evaluation

a) **Would the project physically divide an established community?**

The project does not propose project elements or components that would physically divide the site from surrounding areas and uses. The project would be consistent with the designated land use for the property

and would not permanently create, close, or impede any existing public or private roads, or create any other barriers to movement or accessibility within the community. Therefore, the proposed project would not physically divide an established community and *no impacts* would occur.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Coastal Zone Framework for Planning was established to guide and manage the future growth in the County in accordance with the *County of San Luis Obispo General Plan*; to regulate land use in a manner that will encourage and support orderly development and beneficial use of lands; to minimize adverse effects on the public resulting from inappropriate creation, location, use, or design of buildings or land uses; and to protect and enhance significant natural, historic, archaeological, and scenic resources within the county.

The project would be consistent with the property’s land use designation and the guidelines and policies for development within the applicable area plan, Coastal Zone Framework for Planning, and the COSE. The project was found to be consistent with standards and policies set forth in the *County of San Luis Obispo General Plan*, the Estero Area Plan, the SLOAPCD CAP, and other land use policies for this area. In addition, the project would be required to implement measures to mitigate potential impacts associated with air quality, biological resources, cultural resources, and noise; therefore, with mitigation, the project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating environmental effects and impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures AQ-1 through AQ-2, BIO-1 through BIO-5, CR-1 through CR-5, N-1, and TR-1.

XII. Mineral Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that the State Geologist classify land into mineral resource zones (MRZ) according to the known or inferred mineral potential of the land (PRC Sections 2710–2796).

The three MRZs used in the SMARA classification-designation process in the San Luis Obispo-Santa Barbara Production-Consumption Region are defined below (California Geological Survey [CGS] 2011a):

MRZ-1: Areas where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.

MRZ-2: Areas where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists. This zone shall be applied to known mineral deposits or where well-developed lines of reasoning, based upon economic-geologic principles and adequate data, demonstrate that the likelihood for occurrence of significant mineral deposits is high.

MRZ-3: Areas containing known or inferred aggregate resources of undetermined significance.

The County CZLUO provides regulations for development in delineated Energy and Extractive Resource Areas (EX) and Extractive Resource Areas (EX1). The EX combining designation is used to identify areas of the county where:

1. Mineral or petroleum extraction occurs or is proposed to occur;

The state geologist has designated a mineral resource area of statewide or regional significance pursuant to PRC Sections 2710 et seq. (SMARA); and,

Major public utility electric generation facilities exist or are proposed.

The purpose of this combining designation is to protect significant resource extraction and energy production areas identified by the County LUE from encroachment by incompatible land uses that could hinder resource extraction or energy production operations, or land uses that would be adversely affected by extraction or energy production.

Environmental Evaluation

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

Based on the California Geological Survey (CGS) Information Warehouse for Mineral Land Classification, the project site is located within an area that has been evaluated for mineral resources. However, the project site is not located within or adjacent to an Extractive Resource Area or Energy/Extractive Area. The project includes minimal grading activity for the well site, and work within previously disturbed roads and is not anticipated to uncover mineral resources in the area; therefore, impacts would be *less than significant*.

- b) *Would the project result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

Chapter 6 of the COSE identifies goals and policies regarding mineral resources in the county. Policies within this chapter protect mineral resources within identified extractive areas identified in the *County of San Luis Obispo General Plan Land Use Element*. The project site is not located within or adjacent to an Extractive Resource Area or Energy/Extractive Area. The project includes minimal grading activity for the well site, and work within previously disturbed roads is not anticipated to uncover mineral resources in the area; therefore, impacts would be *less than significant*.

Mitigation Measures

No mitigation measures are necessary.

XIII. Noise

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project result in:</i>				
(a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The *County of San Luis Obispo General Plan Noise Element* provides a framework within which potential noise impacts may be addressed during project review and long-range planning. Noise sensitive uses that have been identified by the County include the following:

- Residential development, except temporary dwellings
- Schools: preschool to secondary, college and university, specialized education and training
- Health care services (hospitals)
- Nursing and personal care
- Churches
- Public assembly and entertainment
- Libraries and museums

The County Noise Element provides a flow chart for determining if mitigation is required for proposed land uses and includes standard noise mitigation packages which in some situations may be used in lieu of an acoustical analysis prepared by a professional. The County Noise Element establishes a series of policies for transportation noise sources and stationary noise sources. For example, new development of noise-sensitive land uses shall not be permitted in areas exposed to levels of transportation noise that exceed 60 decibels (dB) day-night average sound level (L_{dn}) or Community Noise Equivalent Level

(CNEL). Similarly, noise created by new transportation noise sources including roadway improvement projects, shall be mitigated not to exceed levels specified in the County Noise Element.

The County CZLUO noise standards are not applicable to a range of exceptions, including noise sources associated with construction, provided such activities do not take place before 7:00 a.m. or after 9:00 p.m. on weekdays, or before 8:00 a.m. or after 5:00 p.m. on Saturday or Sunday. Noise associated with agricultural land uses as listed in Section 22.06.030 and traffic on public roadways, railroad line operations, and aircraft in flight are also exempt.

The nearest residential units are located approximately 70 feet south, 300 feet west, and 70 feet east of the project site. Office Professional buildings are located approximately 120 feet north.

Environmental Evaluation

- a) ***Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

During the construction phase of the project, noise generated from construction activities, including drilling of the new well site and construction of pipelines, may intermittently dominate the noise environment in the immediate area. Surrounding land uses of the project site include residential units to the east, west, and south and commercial retail buildings to the north. The nearest residential units are located approximately 70 feet south and east, and 300 feet west of the project site. Commercial retail buildings are located approximately 120 feet east. Construction activities would be limited in nature and consistent with other projects within the county; however, construction activity would be located in close proximity to residential units and associated emissions have the potential to affect the nearby sensitive receptors. Table 1 details the typical noise levels for construction equipment likely to be used in implementation the project.

Table 1. Typical Noise Levels for Construction Equipment

Equipment	Typical Noise Level (dBA)* 50 Feet from Source
Backhoes, excavators	80–85
Concrete pumps, mixers	82–85
Cranes (moveable)	81
Pick-up truck	55
Dump truck	76
Equipment/tool van	55
Dozer	82
Compactors	82
Water truck	76
Grader	85
Drill rigs	70–85
Pneumatic tools	85
Rock transport	76

Equipment	Typical Noise Level (dBA)* 50 Feet from Source
Roller	80
Hole auger	84
Line truck and trailer	55

*dBA = A-weighted decibels

Source: U.S. Environmental Protection Agency (USEPA) 1971.

CZLUO 23.06.042.d states that noise related to construction activity should take place between 7:00 a.m. and 9:00 p.m. (Monday–Friday) and between 8:00 a.m. and 5:00 p.m. (Saturday–Sunday). Noise associated with construction activities taking place during these hours are exempt from the County’s noise standards. Certain phases of the drilling and well construction would take place over an approximate 2-week period can may require periods of round-the-clock operations to maintain hole stability, though this is not planned and would only take place on an as-needed basis. Due to the close proximity of nearby residential and commercial uses and typical noise levels of demolition and construction activities, Mitigation Measure N-1 has been identified to reduce the potential temporary construction noise impacts to surrounding residential and commercial uses; therefore, impacts would be *less than significant with mitigation*.

The project would require minimal long-term operational activities and maintenance and would not generate substantial long-term noise or vibration. Noise associated with maintenance work on public utilities is exempt from the County’s noise standards. Minimal noise would be associated with the well pump as the pump would be a submersible pump (set 300 feet underground) and sound is typically attenuated by the well casing, sand and grout seal, and water within the casing. This noise would be dampened by the wellhouse and would attenuate before reaching nearby property lines and is not expected to exceed County noise regulations of 50 decibels (dB) daytime or 45 dB nighttime; therefore, operational noise impacts would be *less than significant*.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The project does not propose pile driving or other high-impact activities that would generate substantial groundborne noise or groundborne vibration during construction. Use of heavy equipment would generate groundborne noise and vibration, but these activities would be limited in duration and consistent with other standard construction activities and would very likely not be substantial enough to be detected by occupants of surrounding land uses. Therefore, potential impacts would be *less than significant*.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The nearest private airstrip is located approximately 4.8 miles northeast at Camp San Luis (O’Sullivan Army Heliport) and the nearest public airport is approximately 11 miles southeast in the city of San Luis Obispo (San Luis Obispo Regional Airport). The project site is not within the vicinity of an airport or airstrip and would not expose workers to excessive noise levels generated by airports or airstrips. Therefore, *no impact* would occur.

Mitigation Measures

- N-1** For the entire duration of the construction phase of the project, the following BMPs shall be adhered to:
1. Stationary construction equipment that generates noise that exceeds 50 dB daytime or 45 dB nighttime outside of between 7:00 a.m. and 9:00 p.m. (Monday–Friday) and 8:00 a.m. and 5:00 p.m. (Saturday–Sunday) at the project boundaries shall be shielded with the most modern noise control devices (i.e., mufflers, lagging, and/or motor enclosures).
 2. Impact tools (e.g., jack hammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools.
 3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used.
 4. All construction equipment shall have the manufacturers’ recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational.
 5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.).

XIV. Population and Housing

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The *County of San Luis Obispo General Plan Housing Element* recognizes the difficulty for residents to find suitable and affordable housing within San Luis Obispo County. The County Housing Element includes an analysis of vacant and underutilized land located in urban areas that are suitable for residential development and considers zoning provisions and development standards to encourage development of these parcels. These parcels are categorized into potential sites for very low and low income households, moderate income households, and above moderate income households.

In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which

provide limited financing to projects relating to affordable housing throughout the county. The County’s Inclusionary Housing Ordinance requires provision of new affordable housing in conjunction with both residential and nonresidential development and subdivisions.

Environmental Evaluation

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The project does not propose the expansion or development of roads, housing, or commercial businesses that would facilitate population growth in the area. The project proposes a new well site with associated pipeline infrastructure; however, the new well site is anticipated in the current Basin Plan based on the existing population of the area and would replace pumping in other areas of the basin (i.e., not resulting a net increase of water available that would in turn induce unplanned population growth). In addition, maintenance trips during project operation would be conducted by existing LOCSO employees and implementation of the project would not facilitate a substantial number of new employment opportunities. Installation of the new well would not facilitate population growth directly or indirectly; therefore, impacts would be *less than significant*.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project does not propose removal of residential structures and would not displace housing at the project site or in surrounding areas. Therefore, *no impact* would occur.

Mitigation Measures

No mitigation measures are necessary.

XV. Public Services

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Fire protection services to San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE) under contract to provide full-service fire protection. CAL FIRE is responsible for the administration of the fire stations that serve the unincorporated areas of the county not within fire protection or other special districts and provides equipment and training for volunteer stations throughout the county. The nearest fire station to the project site is County Fire/CAL FIRE Station 15 (South Bay Station), located at 2315 Bayview Heights Drive, approximately 1,750 vehicle feet west of the project site. Emergency response time for the project is approximately 0-5 minutes.

The County of San Luis Obispo Sheriff's Patrol Division is responsible for the first line law enforcement in the unincorporated areas of San Luis Obispo County. Deputies respond to calls for service, conduct proactive law enforcement activities, and perform initial investigations of crime. Patrol personnel are deployed from three stations throughout the county: the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest police station to the project site is a County Sheriff Station (Coast Station), located at 2099 10th Street, approximately 0.7 vehicle miles northwest of the project site.

San Luis Obispo County has a total of 10 school districts that currently enroll approximately 34,000 students in over 75 schools. The nearest public school to the project site is Monarch Grove Elementary School, located at 348 Los Osos Valley Road, approximately 1.4 vehicle miles northwest of the project site.

Public facilities fees, Quimby fees, and developer conditions are several ways the County currently funds public parks and recreational facilities. Public facility fees are collected upon construction of new residential units and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the *County of San Luis Obispo General Plan Parks and Recreation Element*.

A public facility fee program (i.e., development impact fee program) has been adopted to address impacts related to public facilities (County) and schools (California Government Code Section 65995 et seq.). These fees are assessed annually by the County based on the type of proposed development and proportional impact and are collected at the time of building permit issuance. Public Facility Fees are used as needed to finance the construction of and/or improvements to public facilities required to the serve new development, including fire protection, law enforcement, schools, parks, and roads.

Environmental Evaluation

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

Fire protection?

Fire protection services to San Luis Obispo County are provided by the California Department of Forestry and Fire Protection (CAL FIRE) under contract to provide full-service fire protection. CAL FIRE is responsible for the administration of the fire stations that serve the unincorporated areas of the county not within fire protection or other special districts and provides equipment and training for volunteer stations

throughout the county. The nearest fire station to the project site is County Fire/CAL FIRE Station 15 (South Bay Station), located at 2315 Bayview Heights Drive, approximately 1,750 vehicle feet west of the project site. The project site is located in a Local Responsibility Area (LRA) and is within a designated low FHSZ. The proposed new well would not create additional employment opportunities and would not induce population growth that would require additional fire protection services or facilities. Therefore, impacts would be *less than significant*.

Police protection?

The Sheriff's Patrol Division is responsible for the first line law enforcement in the unincorporated areas of San Luis Obispo County. Deputies respond to calls for service, conduct proactive law enforcement activities, and perform initial investigations of crime. Patrol personnel are deployed from three stations throughout the county: the Coast Station in Los Osos, the North Station in Templeton, and the South Station in Oceano. The nearest police station to the project site is a County Sheriff Station (Coast Station), located at 2099 10th Street, approximately 0.7 vehicle miles northwest of the project site. The proposed new well would not create additional employment opportunities and would not induce population growth that would require additional police protection services or facilities. Therefore, impacts would be *less than significant*.

Schools?

San Luis Obispo County has a total of 10 school districts that currently enroll approximately 34,000 students in over 75 schools. The nearest public school to the project site is Monarch Grove Elementary School, located at 348 Los Osos Valley Road, approximately 1.4 vehicle miles northwest of the project site. The proposed new well would not create additional employment opportunities and would not induce population growth that would require additional school facilities. Therefore, *no impact* would occur.

Parks?

The nearest public park to the project site is the South Bay Community Park, located at 2060 Palisades Avenue, approximately 1.4 vehicle miles northwest of the project site. The proposed new well would not create additional employment opportunities and would not induce population growth that would require additional park facilities. Therefore, *no impact* would occur.

Other public facilities?

As discussed above, the proposed project would not facilitate population growth to the area that would result in an increased demand on public services. Therefore, *no impact* would occur.

Mitigation Measures

No mitigation measures are necessary.

XVI. Recreation

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The County Parks and Recreation Element establishes goals, policies, and implementation measures for management, renovation, and expansion of existing, and development of new, parks and recreation facilities in order to meet existing and projected needs and to assure an equitable distribution of parks throughout the county. Within the County's unincorporated areas, there are currently 23 parks, three golf courses, four trails/staging areas, and eight Special Areas that include natural areas, coastal access, and historic facilities currently operated and maintained by the County.

Public Facilities Fees, Quimby Fees, and developer conditions are several of ways the County currently funds public parks and recreational facilities. Public Facility Fees are collected upon construction of a new residential unit and currently provide funding for new community-serving recreation facilities. Quimby Fees are collected when new residential lots are created and can be used to expand, acquire, rehabilitate, or develop community-serving parks. Finally, a discretionary permit issued by the County may condition a project to provide land, amenities, or facilities consistent with the Parks Recreation Element.

The *County of San Luis Obispo Bikeways Plan* identifies and prioritizes bikeway facilities throughout the unincorporated area of the county, including bikeways, parking, connections with public transportation, educational programs, and funding. The plan, which is updated every 5 years and was last updated in 2016, identifies goals, policies, and procedures geared towards realizing significant bicycle use as a key component of the transportation options for San Luis Obispo County residents. The plan also includes descriptions of bikeway design and improvement standards, an inventory of the current bicycle circulation network, and a list of current and future bikeway projects within the county.

Environmental Evaluation

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?***

The project proposes the installation of a new well and associated pipeline and would not result in the development of new homes or businesses that would facilitate population growth in the area. Based on the project description, the project would not result in a substantial growth within the area and would not substantially increase demand on any proximate existing neighborhoods, regional parks, or other recreational facilities; therefore, *no impacts* would occur.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The project does not include the construction of new recreational facilities and would not result in a substantial increase in demand or use of parks and recreational facilities. Implementation of the project would not require the construction or expansion of recreational facilities; therefore, *no impacts* would occur.

Mitigation Measures

No mitigation measures are necessary.

XVII. Transportation

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

The *County of San Luis Obispo Land Use and Circulation Element (LUCE)* establishes goals, objectives, and policies to be implemented throughout the County CZLUO area.

The County Department of Public Works maintains updated traffic count data for all County-maintained roadways. In addition, Traffic Circulation Studies have been conducted within several community areas within the county using traffic models to reasonably simulate current traffic flow patterns and forecast future travel demands and traffic flow patterns. These community Traffic Circulation Studies include South County Circulation Study, Los Osos Circulation Study, Templeton Circulation Study, San Miguel Circulation Study, Avila Circulation Study, and North Coast Circulation Study. Caltrans maintains annual traffic data on state highways and interchanges within the county.

In 2013 SB 743 was signed with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions” and required the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. As a result, in December 2018, the California Natural Resources Agency certified and adopted the State CEQA Guidelines Update package. This package included the guidelines section

implementing SB 743 and identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis effective July 1, 2020.

The San Luis Obispo Council of Governments (SLOCOG) holds several key roles in transportation planning within the county. As the Regional Transportation Planning Agency (RTPA), SLOCOG is responsible for conducting a comprehensive, coordinated transportation program, preparation of a Regional Transportation Plan (RTP), programming of state funds for transportation projects, and the administration and allocation of transportation development act funds required by state statutes. As the Metropolitan Planning Organization (MPO), SLOCOG is also responsible for all transportation planning and programming activities required under federal law. This includes development of long-range transportation plans and funding program, and the section and approval of transportation projects using federal funds.

The 2019 RTP, which was adopted in June 2019, is a long-term blueprint of San Luis Obispo County's transportation system. The plan identifies and analyzes transportation needs of the metropolitan region and creates a framework for project priorities. As the MPO for the region, SLOCOG represents and works with the County and Cities within the county in facilitating the development of the RTP.

The County Department of Public Works establishes bicycle paths and lanes in coordination with the RTP, which outlines how the region can establish an extensive bikeway network. County bikeway facilities are funded by state grants, local general funds, and developer contributions. The RTP also establishes goals and recommendations to develop, promote, and invest in the public transit systems, rail systems, air services, harbor improvements, and commodity movements within the county in order to meet the needs of transit-dependent individuals and encourage the increasing use of alternative modes by all travelers that choose public transportation. Local transit systems are presently in operation in the cities of Morro Bay and San Luis Obispo and in South County, offering service to Grover Beach, Arroyo Grande, Pismo Beach, and Oceano. Dial-a-ride Systems provide intra-community transit in Morro Bay, Atascadero, and Los Osos. Inter-urban systems operate between the city of San Luis Obispo and South County, Los Osos, and the North Coast.

The County LUCE establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. The project is located at the corner of Bay Oaks Drive and South Bay Boulevard.

Environmental Evaluation

a) *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The County's Coastal Zone Framework establishes goals and strategies to meet pedestrian circulation needs by providing usable and attractive sidewalks, pathways, and trails to establish maximum access and connectivity between land use designations. Implementation of the project would not result in permanent alteration of pedestrian circulation facilities and access. Project construction would require temporary traffic controls and work within the public ROW but would not result in the permanent obstruction of sidewalks, bicycle paths, transit stops, or roadways. Operation of the project would require LOCSO employee maintenance trips, which would not significantly increase vehicle trips to and from the project site. The project does not propose occupiable buildings or facilities that would further facilitate vehicle trips to the site; therefore, impacts related to conflict with applicable plans, ordinances, or policies related to the circulation system would be *less than significant*.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

The County has not yet identified an appropriate model or method to estimate VMT for proposed land use development projects. State CEQA Guidelines Section 15064.3(b) states that if existing models or methods are not available to estimate the VMT for the particular project being considered, a lead agency may analyze the project's VMT qualitatively. The Technical Advisory on the Evaluation of Transportation identifies an average daily trip threshold of significance of 110 trips per day. Projects that are expected to produce less than 110 trips per day can assume less-than-significant impacts on VMT as a result of implementation of the proposed project (California Governor's Office of Planning and Research [OPR] 2018). Project construction would require construction equipment and vehicle trips to the site and is not expected to result in more than 110 trips per day. Operation of the project would result in regular maintenance trips by LOCSD employees and would not exceed 110 trips per day. The project would not generate vehicle trips above the established threshold; therefore, impacts would be *less than significant*.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The project does not propose new roads and roads disturbed during construction activities would be returned to preconstruction conditions. The project proposes aboveground structures within an existing parcel and would not block or impede sidewalks, bicycle lanes, or roadways. No unique road design elements are proposed for the project; therefore, no impact would occur.

d) Would the project result in inadequate emergency access?

The project site would be accessed via an improved A/C driveway off Bay Oaks Drive. Proposed development would not result in long-term inadequate emergency access to the site. The construction of the pipeline for the proposed project would occur along South Bay Boulevard within paved roads and would extend 3,400 linear feet toward Nipomo Avenue. Pipeline installation would result in a partial lane closure and temporary traffic controls during work along South Bay Boulevard and Mountain View Drive. A Traffic Control Plan (TCP) would be required and would be submitted to and reviewed by the County in conjunction with encroachment permits, as described in Mitigation Measure TR-1. Construction of the well would occur within the proposed parcel and would not require traffic controls. Any construction-related detours would include proper signage and notification and would be short-term and limited in nature and duration. Implementation of the project is not expected to permanently restrict emergency access to the site or surrounding areas; therefore, potential impacts would be *less than significant with mitigation*.

Mitigation Measures

TR-1 Traffic Control Plan. Prior to issuance of encroachment permits for pipeline construction, the applicant shall submit a Traffic Control Plan to the Department of Public Works for review and approval. The Traffic Control Plan shall ensure emergency access is maintained to all areas of the community during any road closures.

XVIII. Tribal Cultural Resources

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
(i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Setting

Approved in 2014, AB 52 added tribal cultural resources to the categories of cultural resources that must be evaluated under CEQA. Tribal cultural resources are defined as either of the following:

1. Sites, features, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying these criteria for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Recognizing that tribes may have expertise with regard to their tribal history and practices, AB 52 also requires lead agencies to provide notice to tribes that are traditionally and culturally affiliated with the geographic area of a proposed project if they have requested notice of projects proposed within that area. If the tribe requests consultation within 30 days upon receipt of the notice, the lead agency must consult with the tribe. Consultation may include discussing the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, alternatives, and mitigation measures recommended by the tribe.

Environmental Evaluation

- a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**
- a-i) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**
- a-ii) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

The project vicinity is considered highly sensitive for the presence of known and unknown archaeological resources and there are two previously documented prehistoric archaeological resources within 100 feet of the project site and the associated pipeline alignment. The well would be drilled 700 feet deep and has the potential to damage any tribal archaeological resources within its boundaries. In addition, pipeline installation would occur along South Bay Boulevard and Mountain View Drive north toward Nipomo Avenue. Installation of the pipeline would require excavation and ground-disturbing activity within previously developed asphalt roads; however, due to the archaeologically sensitive nature of the area, ground-disturbing activity has the potential to uncover known or unknown archaeological resources of tribal significance.

The LOCSO has provided notice of the opportunity to consult with appropriate tribes per the requirements of AB 52. A comment was received from yak titʷu titʷu yak tithini Northern Chumash Tribe Chair Mona Olivas Tucker, requesting archaeological or cultural studies for the project, including a 0.5-mile radius. No further consultation was requested. Tribal consultation with the yak titʷu titʷu yak tithini Northern Chumash Tribe included a request that a representative of the tribe conduct the worker awareness training and be present during any monitoring activities. Mitigation Measures CR-1 through CR-5 identify the appropriate protocol in the event archaeological resources are discovered on-site, including incorporation of the tribal consultation requests. Implementation of the identified mitigation measures would reduce project impacts related to tribal archaeological resources and impacts would be *less than significant with mitigation*.

Mitigation Measures

Implement Mitigation Measures CR-1 through CR-5.

XIX. Utilities and Service Systems

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
(a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

Per the County's Stormwater Program, the County Department of Public Works is responsible for ensuring that new construction implements best management practices during construction, and that site plans incorporate appropriate post-construction stormwater runoff controls. Construction sites that disturb 1 acre or more must also enroll for coverage under the State Water Resources Control Board's Construction General Permit.

PG&E is the primary electricity provider to development within the unincorporated county.

There are three landfills in San Luis Obispo County: Cold Canyon Landfill, located near the city of San Luis Obispo; Chicago Grade Landfill, located near the community of Templeton; and Paso Robles Landfill, located east of the city of Paso Robles. The project would be served by Mission Country Disposal.

Environmental Evaluation

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?***

The project proposes the development of a municipal new well site and installation of associated pipeline in the public ROW from that extends from South Bay Boulevard north along Mountain View Drive to

Nipomo Avenue. Construction of the well site would require drilling 700 feet deep to reach the lower groundwater basin and construction of associated aboveground structures, including the well building with pumps and controls, an emergency diesel generator, piping, and 6-foot-tall chain-link fencing with green privacy slats. Installation of the pipeline requires ground disturbance within asphalt along South Bay Boulevard. Development of the new well site and pipeline would be conducted in close proximity to residential units and has the potential to generate emissions and excessive noise during construction activities. In addition, the project site is located within an archaeologically sensitive area and has the potential to disturb known and unknown archaeological resources during excavation activities. Additional impacts to sensitive species could occur in the road shoulders adjacent to South Bay Boulevard. Implementation of Mitigation Measures AQ-1 through AQ-2, BIO-1 through BIO-5, CR-1 through CR-5, N-1, and TR-1 would ensure construction activities would not result in significant environmental effects; therefore, impacts would be *less than significant with mitigation*.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The project site is located within the Los Osos Area Subbasin of the Los Osos Valley Groundwater Basin, which is a low-priority subbasin under the SGMA (Basin No. 3-08.01). The SGMA does not apply to the Los Osos Area subbasin because requirements have been met by the Los Osos Basin Management Committee. The project proposes the construction and operation of a municipal well to serve the LOCSO service area and implement Program C of the Basin Plan. The proposed well would fulfill the LOCSO's obligation under the Basin Plan to construct a new lower aquifer well known as Expansion Well No. 2. According to the Technical Memorandum by Cleath-Harris Geologists, the Basin Plan originally called for three new wells; however, based on the reduced water demand from the existing population, a reduction from three wells to two wells was recommended in 2019. The project site is not located in a high-priority basin under the SGMA and the installation of the new well is anticipated in the current Basin Plan for the existing population; therefore, impacts would be *less than significant*.

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The project does not propose features that would increase demands on existing wastewater collection, treatment, or disposal facilities. The project does not include new connections to wastewater treatment facilities; therefore, there would be *no impact*.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

The project is located in the community of Los Osos and would be served by Mission Country Disposal and Cold Canyon Landfill. Project construction has the potential to generate solid waste from excavated materials and minimal grading activity. Any drill cuttings that are not placed on the site would be disposed of at the landfill. In addition, operation of the project would result in negligible solid waste. Cold Canyon Landfill and other local landfills have adequate permit capacity to serve the project and the project does not propose to generate solid waste in excess of state or local standards or otherwise impair the attainment of solid waste reduction goals; therefore, impacts would be *less than significant*.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The project would not result in a substantial increase in waste generation during project construction or operation. Construction waste disposal would comply with federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, potential impacts would be *less than significant*.

Mitigation Measures

Implement Mitigation Measures AQ-1 through AQ-2, BIO-1 through BIO-5, CR-1 through CR-5, N-1, and TR-1.

XX. Wildfire

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
(a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting

In central California, the fire season usually extends from roughly May through October, however, recent events may indicate that wildfire behavior, frequency, and duration of the fire season are changing in California. Fire Hazard Severity Zones (FHSZ) are defined by CAL FIRE based on the presence of fire-prone vegetation, climate, topography, assets at risk (e.g., high population centers), and a fire protection agency’s ability to provide service to the area (CAL FIRE 2007). FHSZs throughout the county have been designated as “Very High,” “High,” or “Moderate.” In San Luis Obispo County, most of the area that has been designated as a “Very High Fire Hazard Severity Zone” is located in the Santa Lucia Mountains, which extends from Monterey County to the north, to Santa Barbara County to the south. The Moderate Hazard designation does not mean the area cannot experience a damaging fire, rather that the probability is reduced, generally because the number of days a year that the area has “fire weather” is less. The project is located within the developed community of Los Osos, and according to the Safety Element Maps, the project is located in a low fire hazard zone.

The County EOP addresses several overall policy and coordination functions related to emergency management. The EOP includes the following components:

- Identifies the departments and agencies designated to perform response and recovery activities and specifies tasks they must accomplish;
- Outlines the integration of assistance that is available to local jurisdictions during disaster situations that generate emergency response and recovery needs beyond what the local jurisdiction can satisfy;
- Specifies the direction, control, and communications procedures and systems that will be relied upon to alert, notify, recall, and dispatch emergency response personnel; alert the public; protect residents and property; and request aid/support from other jurisdictions and/or the federal government;
- Identifies key continuity of government operations; and
- Describes the overall logistical support process for planned operations.

Topography influences wildland fire to such an extent that slope conditions can often become a critical wildland fire factor. Conditions such as speed and direction of dominant wind patterns, the length and steepness of slopes, direction of exposure, and/or overall ruggedness of terrain influence the potential intensity and behavior of wildland fires and/or the rates at which they may spread (Barros et al. 2013).

The County Safety Element establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger. Implementation strategies for this policy included identifying high risk areas, the development and implementation of mitigation efforts to reduce the threat of fire, requiring fire resistant material to be used for building construction in fire hazard areas, and encouraging applicants for subdivisions in fire hazard areas to cluster development to allow for a wildfire protection zone.

The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials.

Environmental Evaluation

- a) *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?***

The *County of San Luis Obispo General Plan Safety Element* establishes goals, policies, and programs to reduce the threat to life, structures, and the environment caused by fire. Policy S-13 identifies that new development should be carefully located, with special attention given to fuel management in higher fire risk areas, and that new development in fire hazard areas should be configured to minimize the potential for added danger. The California Fire Code provides minimum standards for many aspects of fire prevention and suppression activities. These standards include provisions for emergency vehicle access, water supply, fire protection systems, and the use of fire-resistant building materials. The County has prepared an Emergency Operations Plan (EOP) to outline the emergency measures that are essential for protecting the public health and safety. These measures include, but are not limited to, public alert and

notifications, emergency public information, and protective actions. The EOP also addresses policy and coordination related to emergency management.

The project is located within the developed community of Los Osos, and according to the Safety Element Maps, the project is located in a low FHSZ. The project does not propose occupiable structures that would put people at risk of fire or increase demand on fire protection services. The project does not propose long-term features such as restricted emergency access or design concepts that would be inconsistent with existing fire regulations. The project would be accessed via an improved A/C driveway located off Bay Oaks Drive. Emergency access to the site and surrounding areas would be available during construction activity but may experience temporary traffic controls that would use appropriate detour signage and give proper notice. Implementation of the project would not impede emergency access to the site or put people or structures at risk of a wildland fire. Therefore, the project is consistent with applicable emergency response and evacuation plans and impacts would be *less than significant*.

b) Due to slope, prevailing winds, and other factors, if located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Topography influences wildland fire and factors, such as wind speed and direction and length and steepness of slopes, have the potential to exacerbate fire risks. The project site is located in a developed area with relatively flat topography. The average wind speed in Los Osos is between 7.6 mph and 10.2 mph year-round. The topography of the project site and surrounding area is not anticipated to exacerbate wildfire hazard in the area; therefore, impacts would be *less than significant*.

c) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The project proposes the installation of a new well site and associated pipeline in the public ROW that extends from South Bay Boulevard north to Mountain View Drive and eventually Nipomo Avenue. Additionally, the project would develop aboveground features, including a well building, piping, 6-foot-tall chain-link fencing with green privacy slats, concrete pads, and an emergency diesel generator. In addition, the access driveway would be improved to an A/C driveway. The project does not propose utility breaks during project construction that could exacerbate fire risk in the area. Development would be in compliance with applicable CBC, California Fire Code, and PRC standards and regulations. The project does not propose any utility features that would increase fire risk to the area; therefore, impacts would be *less than significant*.

d) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

As previously discussed, the project site is not anticipated to experience wildfire hazard. The project site and surrounding area is located on predominantly flat topography and according to the Safety Element Maps, is at low risk for landslides. The project does not include any occupiable buildings or other design elements that would put people or structures at significant risk. Additionally, the project design would be compliant with the CBC; therefore, the potential impacts are *less than significant*.

Mitigation Measures

No mitigation measures are necessary.

XXI. Mandatory Findings of Significance

Environmental Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Environmental Evaluation

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?***

As discussed in each resource section above, upon implementation of identified mitigation measures, the proposed project would not result in significant impacts to biological or cultural resources and would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Therefore, impacts would be less than significant with mitigation incorporated.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

Aesthetic and Visual Resources

The analysis conducted in Section I, Aesthetics, describes the existing visual setting of the project area and concludes that project impacts would be less than significant due to the consistency with surrounding developed areas. Based on the less-than-significant determination, the impacts to aesthetic and visual resources of this project, when considered with the potential impacts of other reasonably foreseeable development in the area, would be less than cumulatively considerable.

Agriculture and Forestry Resources

Section II, Agriculture and Forestry Resources, identifies that the project is not located on or adjacent to designated Prime Farmland. The proposed project does not propose to construct on Prime Farmland and impacts are considered less than cumulatively considerable.

Air Quality

The analysis provided in Section III, Air Quality, concludes that the project’s potential construction-related and operational emissions will fall below SLOAPCD thresholds of significance for both project-related and cumulative impacts. Mitigation Measures AQ-1 and AQ-2 have been identified to reduce emissions impacts in close proximity to sensitive receptors. Therefore, when considered with the potential impacts of other reasonably foreseeable development projects in the unincorporated county, the contribution of the subject project to potential impacts to air quality are considered less than cumulatively considerable.

Biological Resources

The analysis provided in Section IV, Biological Resources, concludes that the project would have a less-than-significant impact upon implementation of the identified mitigation measures for special-status wildlife species and their habitats. With implementation of Mitigation Measures BIO-1 through BIO-5 potential impacts to biological resources would be less than significant.

All surrounding proposed development projects would undergo evaluation for potential to impact biological resources. Proposed projects that are determined to have the potential to impact sensitive species and/or their habitats, sensitive natural communities, federal or state wetlands, migratory corridors, native trees, or conflict with state or local policies or HCPs would be required to implement mitigation measures to reduce these impacts.

Based on the mitigation measures identified to reduce potential project impacts and discretionary review of surrounding projects, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with biological resources would be less than cumulatively considerable.

Cultural Resources

The analysis provided in Section V, Cultural Resources, concludes that the project is located within an archaeologically sensitive area but would have a less-than-significant impact upon implementation of the

identified mitigation measures for known and unknown resources in the area. With implementation of Mitigation Measures CR-1 through CR-2, potential impacts to cultural resources would be less than significant.

All surrounding proposed development projects would undergo evaluation for potential to impact cultural resources. Proposed projects that have the potential to adversely affect cultural resources in the area would be required to implement mitigation measures to reduce these impacts.

Based on the mitigation measures identified to reduce potential project impacts and discretionary review of surrounding projects, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with cultural resources would be less than cumulatively considerable.

Greenhouse Gas Emissions

Impacts related to GHG emissions occur on a global scale and are, therefore, cumulative in nature. The project would result in minimal GHG emissions and would result in less than significant impacts. Because GHG emissions are cumulative in nature, project impacts would be less than cumulatively considerable.

Hydrology and Water Quality

As discussed in Section X, Hydrology and Water Quality, the project's water use is planned for in the Basin Plan. Additionally, compliance with existing regulations would adequately reduce potential impacts associated with hydrology and water quality to be less than significant.

Noise

As discussed in Section XIII, Noise, implementation of Mitigation Measure N-1 would reduce the noise impacts generated by the project to surrounding properties.

All surrounding proposed development projects would undergo evaluation for potential noise impacts generated by the project. Proposed projects that have the potential to adversely affect ambient noise levels in the area would be required to implement mitigation measures to reduce these impacts.

Based on the mitigation measures identified to reduce potential project impacts and discretionary review of surrounding projects, when considered with the potential impacts of other reasonably foreseeable development in the area, project impacts associated with noise would be less than cumulatively considerable.

Population and Housing

As discussed in Section XIV, Population and Housing, the project does not propose features that would directly or indirectly increase population to the area. Therefore, when considered with other reasonably foreseeable future development, project impacts associated with population and housing would be less than cumulatively considerable.

Public Services

As discussed in Section XV, Public Services, the project does not propose features that would directly or indirectly increase population to the area that would increase demand on public facilities. Therefore, when considered with other reasonably foreseeable future development, project impacts associated with public services would be less than cumulatively considerable.

Transportation

As discussed in Section XVII, Transportation, the project would generate a minimal amount of vehicle trips during construction and operation and would not result in over 110 trips per day. Therefore, when considered with other reasonably foreseeable future development, project impacts associated transportation would be less than cumulatively considerable.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Environmental impacts that may have an adverse effect on human beings, either directly or indirectly, are analyzed in each environmental resource section above. In addition, implementation of Mitigation Measures AQ-1 through AQ-2, BIO-1 through BIO-5, CR-1 through CR-2, N-1, and TR-1 identified in the resource sections above would reduce potential adverse effects on human beings to less than significant; therefore, impacts would be less than significant with mitigation.

Mitigation Measures

Implement Mitigation Measures AQ-1 through AQ-2, BIO-1 through BIO-5, CR-1 through CR-5, N-1, and TR-1.

3 REFERENCES

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ATTACHMENT 1

Mitigation Monitoring and Reporting Program

**LOS OSOS COMMUNITY SERVICES DISTRICT PROGRAM C WELL PROJECT
MITIGATION MONITORING REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
<i>Air Quality</i>					
AQ-1	<p>During all construction activities and use of diesel vehicles, the applicant shall implement the following idling control techniques:</p> <ol style="list-style-type: none"> 1. <u>Idling Restrictions Near Sensitive Receptors for Both On- and Off-Road Equipment.</u> <ol style="list-style-type: none"> a. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors if feasible; b. Diesel idling within 1,000 feet of sensitive receptors shall not be permitted; c. Use of alternative-fueled equipment shall be used whenever possible; and d. Signs that specify the no idling requirements shall be posted and enforced at the construction site. 2. <u>California Diesel Idling Regulations.</u> On-road diesel vehicles shall comply with Section 2485 of Title 13 of the California Code of Regulations. This regulation limits idling from diesel-fueled commercial motor vehicles with gross vehicular weight ratings of more than 10,000 pounds and licensed for operation on highways. It applies to California- and non-California based vehicles. In general, the regulation specifies that drivers of said vehicles: <ol style="list-style-type: none"> a. Shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any 	<p>Incorporation of specifications on grading and construction plans and during construction activities</p>	<p>Prior to and during construction</p>	<p>Designated monitor to ensure compliance</p>	<p>LOCSD, Air Pollution Control District</p>

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	<p>location, except as noted in Subsection (d) of the regulation; and</p> <p>b. Shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5 minutes at any location when within 1,000 feet of a restricted area, except as noted in Subsection (d) of the regulation.</p> <p>Signs must be posted in the designated queuing areas and job sites to remind drivers of the 5-minute idling limit. The specific requirements and exceptions in the regulation can be reviewed at the following website: www.arb.ca.gov/msprog/truck-idling/2485.pdf.</p>				
AQ-2	<p>During all construction and ground-disturbing activities, the applicant shall implement the following particulate matter control measures and detail each measure on the project grading and building plans:</p> <p>Reduce the amount of disturbed area where possible.</p> <p>1. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding SLOAPCD's limit of 20% opaLOCS D for no greater than 3 minutes in any 60-minute period. Increased watering frequency shall be required whenever wind speeds exceed 15 miles per hour (mph) and cessation of grading activities during periods of winds over 25 mph. Reclaimed (non-potable) water is to be used in all construction and dust-control work.</p>	Incorporation of specifications on grading and construction plans	Prior to and during construction	Designated monitor to ensure compliance	LOCS D, Air Pollution Control District

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
2.	All dirt stockpile areas (if any) shall be sprayed daily and covered with tarps or other dust barriers as needed.				
3.	Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible, following completion of any soil-disturbing activities.				
4.	Exposed grounds that are planned to be reworked at dates greater than 1 month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established.				
5.	All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical binders, jute netting, or other methods approved in advance by the SLOAPCD.				
6.	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.				
7.	Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site.				
8.	All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least 2 feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114.				
9.	Install wheel washers where vehicles enter and exit unpaved roads onto streets or wash off trucks				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	<p>and equipment leaving the site. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads.</p> <p>10. Water sweepers shall be used with reclaimed water where feasible. Roads shall be pre-wetted prior to sweeping when feasible.</p> <p>11. All required mitigation measures for particulate matter with diameter of 10 microns or less (PM₁₀) shall be shown on grading and building plans.</p> <p>12. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below the SLOAPCD's limit of 20% opaLOCS D for no greater than 3 minutes in any 60-minute period. 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 SLOAPCD Compliance Division prior to the start of any grading, earthwork, or demolition.</p>				
Biological Resources					
BIO-1	<p>Morro Shoulderband Snail. Portions of the well site parcel and the ROW areas in the pipeline alignment support marginal habitat for MSS. If MSS are present in the disturbance areas, vegetation removal could result in take of the species. The proposed project has largely been designed to avoid take of MSS. Implementation of the following measures will further facilitate avoiding take of MSS in areas that do support marginal MSS habitat.</p> <p>A. The following design measures shall be</p>	<p>Incorporation of specifications on grading and construction plans; Retention of a qualified biologist; Surveys before and during construction</p>	<p>Prior to and during construction</p>	<p>Presence to be monitored per plan, and reports to be submitted pursuant to resource permit requirements and within 30 days of completion of construction</p>	<p>LOCS D and USFWS if necessary</p>

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	incorporated into the project plans:				
	<ol style="list-style-type: none"> <li data-bbox="464 358 961 480">1. The well site, well site access drive, and well site infrastructure shall be sited to avoid physical disturbance of the basin banks. <li data-bbox="464 521 961 773">2. The new pipeline that will be located in South Bay Boulevard and Mountain View Drive shall be located in the existing roadway. If installation of any part of the new waterline will require vegetation removal, the vegetation shall be surveyed for MSS prior to its removal by a qualified biologist. <li data-bbox="464 813 961 1097">3. The entire fenced portion of the well site shall be paved, covered with concrete, or covered with at least 6 inches of gravel, road base, or other permeable material that prohibits vegetation growth. The intent of the surface covering is to prohibit the establishment of vegetation within the well site that could attract MSS to the site. <li data-bbox="464 1138 961 1352">4. MSS are attracted to straw waddle and hay bales. Straw waddle and hay bales shall not be used on-site. If best management practices require the installation of sediment control devices, silt fence may be used in place of straw waddle or hay bales. 				
	B. LOCSD shall retain a County-approved biologist				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	<p>that is permitted by the USFWS to survey for MSS. The biologist shall monitor project implementation and report to the County. The County-approved biologist shall have authority to stop construction activities that could result in take of MSS.</p>				
	<p>C. All project staging areas shall be confined to the existing asphalt or areas that the biologist verifies does not support MSS and are at least 15 feet away from occupied or suitable MSS habitat.</p>				
	<p>D. The biologist shall present an environmental awareness training for all construction staff. At a minimum, the training shall include a description of the MSS and its habitat; the provisions of the FESA, as amended; the specific measures being implemented to conserve the MSS as they relate to the project; and the project boundaries. Further, the training shall include a description of the specific measures being implemented to avoid take of MSS.</p>				
	<p>E. All initial ground-disturbance, vegetation removal, and/or construction activities shall be restricted to the dry season (historically considered to be between April 15 and November 1, annually) when MSS are most likely to be in aestivation and less likely to move into the construction area.</p>				
	<p>F. If at any time during ground-disturbing and/or construction activities rain or heavy fog/dew conditions occur and snails (any species) are observed to be active, all project activities shall be suspended until dry conditions prevail. If delaying project activities is not feasible, the biologist shall monitor all activities being conducted to</p>				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
G.	<p>determine if MSS are active onsite and/or present in the work areas. If any MSS are present or move into the work area, LOCSD shall suspend project activities that could result in take of MSS and remain on hold until the MSS has left the area on its own accord</p> <p>Prior to ground-disturbing, vegetation removal, and/or construction activities, the biologist and the contractors shall conduct the following activities:</p> <ol style="list-style-type: none"> 1. Within 48 hours of ground-disturbance, vegetation removal, and/or construction activities (inclusive of mobilization), the biologist will conduct pre-construction monitoring survey(s) of the entire work area to ensure MSS are not present. If an ITP is not obtained, take of the species is not authorized for the project; therefore, no individual MSS may be captured or moved. If live MSS are observed in the work area at any time, LOCSD shall suspend the project activities that could result in take of the individual(s) and revise the project approach to avoid the individual(s). 2. Immediately after the monitoring surveys and environmental training that will be conducted prior to the initiation of ground disturbance, vegetation removal, and/or construction activities, the contractor, as supervised by the biologist, will install construction (i.e., exclusion) fencing around the well site work area. The purpose of this fencing is to clearly 				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	<p>delineate the construction area (inclusive of ingress and egress routes and staging areas) and prevent accidental trespass into adjacent habitats (the basin). The contractor will be responsible for maintaining this construction fencing in working condition for the duration of the project.</p> <p>3. At the well site parcel, the biologist will conduct full-time monitoring during initial site grading and vegetation removal. The biologist must be present during all vegetation removal and initial grading activities to search for native shoulderband snails that may be exposed during vegetation removal. If MSS are identified during vegetation removal, construction or any other activities that could result in take will be suspended while USFWS is contacted regarding need for an ITP. If an ITP is determined to be necessary, work will remain on hold until such time as an ITP is issued.</p> <p>4. If there is more than a 48-hour break in work (e.g., after a weekend), the biologist shall conduct additional surveys prior to the re-commencement of work. The focus of the additional surveys will be to ensure that MSS did not enter the work area during this time. If any MSS move into the work area, any project activities that could result in take of the individual(s) will be suspended until the individual(s) have left the area on their own accord.</p>				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
H.	<p>If at any time the biologist and the LOCS D determine that a project activity cannot be conducted in such a manner that avoids take of MSS, the LOCS D shall delay all project activities until they have coordinated with USFWS regarding the need for an ITP. If an ITP is determined to be necessary, work should remain on hold until such time as an ITP is issued. The proposed project would be considered a covered activity under the County’s Community-wide Habitat Conservation Plan and the LOCS D may be able to obtain incidental take coverage through the Community-wide Habitat Conservation Plan.</p>				
	<ol style="list-style-type: none"> 1. If the Community-wide Habitat Conservation Plan becomes available for use prior to the LOCS D implementing the proposed project, the LOCS D may choose to seek incidental take coverage under the Community-wide Habitat Conservation Plan prior to project implementation. If the LOCS D obtains incidental take coverage via the Community-wide Habitat Conservation Plan or an Individual Habitat Conservation Plan, the measures provided above may be superseded by the conditions put forth in the ITP. 				
I.	<p>Within 30 days of project completion, the biologist shall submit a report to the County that documents how each of these measures was implemented.</p>				

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
BIO-2	<p>Migratory Nesting Birds. If any site preparation, ground-disturbing, or construction activities associated with any project phase are required during the migratory bird breeding season (February 1–September 15), the qualified biologist shall conduct a nesting bird survey no sooner than 10 days prior to site disturbance activities. If nesting activity is detected, the following measures shall be implemented:</p> <ul style="list-style-type: none"> a) The project shall be modified or delayed as necessary to avoid direct take of identified nests, eggs, and/or young protected under the Migratory Bird Treaty Act and/or California Fish and Game Code; b) The qualified biologist shall establish a biological buffer zone around active nest sites. Standard CDFW guidelines recommend a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. Construction activities within the established buffer zone will be prohibited until the young have fledged the nest and achieved independence; and c) The qualified biologist shall document all active nests and submit a letter report to the County, USFWS, and CDFW documenting project compliance with the Migratory Bird Treaty Act, the California Fish and Game Code, and applicable project mitigation measures within 14 days of survey completion. 	Retention of a qualified biologist; Surveys before and during construction	Prior to construction	Document compliance in periodic and final surveying report	LOCSD and CDFW and USFWS if applicable

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
BIO-3	<p>Monarch Butterflies. Tree removal and/or noise-generating construction activities (including but not limited to use of large equipment, gas-powered tools, and/or pneumatic equipment) within 100 feet of eucalyptus trees shall be avoided during the fall and winter migration of the monarch butterflies (late October through February) to the extent feasible. If tree removal or site disturbance within 100-feet of eucalyptus trees are necessary during the fall and winter migration period (late October through February), a qualified biologist shall conduct a preconstruction survey for monarch butterflies that could utilize trees onsite for overwintering. If monarch butterflies are detected in the work area or within 100 feet of the work area, activities will be postponed until after the overwintering period or until the biologist determines monarch butterflies are no longer utilizing the trees.</p>	Retention of a qualified biologist; Surveys before tree removal	Prior to tree removal	Document compliance and final survey report	LOCSD
BIO-4	<p>Northern California Legless Lizard. A preconstruction survey shall be conducted by a County-approved qualified biologist. A separate survey shall be conducted for any phase of the project not conducted concurrently (e.g., structure demolition conducted prior to general site grading). The biologist shall use appropriate survey techniques for the special-status species identified in this document as having potential to occur on-site. For example, leaf litter and cover objects shall be searched for northern California legless lizards. If any of these species are found on-site, the biologist shall coordinate with the LOCSD, and CDFW as appropriate, on methods to avoid the species or to ensure the successful relocation of individuals to suitable habitat nearby. The wildlife protection measures to be employed will be based on the results</p>	Retention of a qualified biologist; Surveys before construction	Prior to and during construction	Document compliance in and final survey report	LOCSD and CDFW, if applicable

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	of the survey and the particular characteristics of their use of the site, in coordination with CDFW and the construction engineer.				
BIO-5	<p>Sensitive Habitat Communities. Prior to initiation of any construction activities, the applicant shall retain a qualified biologist to conduct pre-construction surveys of the well site and all pipeline alignment. The biologist shall survey the work and staging areas and identify all coastal wetlands or other CDFW sensitive communities that would be considered ESHA, including arroyo willow thickets, coastal wetland, and coastal dune scrub, that could potentially be impacted by project construction. If these habitats are confirmed in the work areas, the biologist shall work with the contractor and avoid direct impacts or removal of these habitats.</p>	Retention of a qualified biologist; Surveys before construction	Prior to construction	Document compliance with plan in periodic and final construction monitoring reports	LOCSD
Cultural Resources					
CR-1	<p>Prior to construction activities, the Applicant shall have a tribal representative from the yak tit'yu tit'yu yak ti'hini Northern Chumash Tribe conduct a cultural resource awareness training for all construction personnel, including the following:</p> <ol style="list-style-type: none"> 1. Review the types of archaeological artifacts that may be uncovered; 2. Provide examples of common archaeological artifacts to examine; 3. Review what makes an archaeological resource significant to archaeologists and local native Americans; 4. Describe procedures for notifying involved or interested parties in case of a new discovery; 	Retention of a member of the yak tit'yu tit'yu yak ti'hini Northern Chumash Tribe	Prior to construction	Document compliance	LOCSD

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
<ol style="list-style-type: none"> 5. Describe reporting requirements and responsibilities of construction personnel; 6. Review procedures that shall be used to record, evaluate, and mitigate new discoveries; and 7. Describe procedures that would be followed in the case of discovery of disturbed as well as intact human burials and burial-associated artifacts. 	<p>Prior to project implementation, the Applicant shall retain a qualified archaeologist to prepare an Archaeological Monitoring Plan (AMP). The AMP shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1. A list of personnel involved in the monitoring activities; 2. Description of Native American involvement, including a requirement that a tribal representative from the yak tit^yu tit^yu yak ti^hini Northern Chumash Tribe be present for all monitoring; 3. Description of how the monitoring shall occur; 4. Description of frequency of monitoring (e.g., full time, part time, spot checking); 5. Description of what resources are expected to be encountered; 6. Description of circumstances that would result in the halting of work at the project site; 7. Description of procedures for halting work on the site and notification procedures; 8. Description of monitoring reporting procedures; 	Retention of a qualified archaeologist; Preparation of a monitoring plan	Prior to construction	Document compliance	LOCSD

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
	<p>and</p> <p>9. Provide specific, detailed protocols for what to do in the event of the discovery of human remains.</p>				
CR-3	<p>An archaeological monitor shall be present during project-related ground-disturbing activities that have the potential to encounter previously unidentified archaeological resources, as outlined in the AMP prepared to satisfy CR-2. Archaeological monitoring may cease at any time if the qualified archaeologist, in consultation with the tribal monitor, determines that project activities do not have the potential to encounter and/or disturb unknown resources.</p>	<p>Prepare final monitoring report</p>	<p>Following completion of monitoring activities</p>	<p>Document compliance in construction monitoring report, submit to LOCSO and CCIC</p>	LOCSO
CR-4	<p>In the event that unknown archaeological resources are inadvertently encountered during the project, all ground disturbing activities shall cease, and the project's qualified archaeologist shall be notified so that the extent and location of discovered materials may be recorded, and disposition of artifacts may be accomplished in accordance with state and federal law.</p>	<p>Stop of construction; Compliance with the monitoring plan and state and federal laws</p>	<p>During construction</p>	<p>Document compliance in construction monitoring report, submit to LOCSO and CCIC</p>	LOCSO
CR-5	<p>If human remains are exposed during construction, the project's qualified archaeologist shall be notified immediately and comply with State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has been notified and can make the necessary findings as to origin and disposition of the remains pursuant to PRC Section 5097.98. Construction shall halt around the discovery of human remains, the area shall be protected, and consultation and treatment shall occur as prescribed by law.</p>	<p>Stop of construction; Compliance with the monitoring plan and state and federal laws</p>	<p>During construction</p>	<p>Document compliance in construction monitoring report, submit to LOCSO and CCIC</p>	LOCSO, County Coroner

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
<i>Noise</i>					
NS-1	<p>For the entire duration of the construction phase of the project, the following BMPs shall be adhered to:</p> <ol style="list-style-type: none"> 1. Stationary construction equipment that generates noise that exceeds 50 dB daytime or 45 dB nighttime outside of between 7:00 a.m. and 9:00 p.m. (Monday–Friday) and 8:00 a.m. and 5:00 p.m. (Saturday–Sunday) at the project boundaries shall be shielded with the most modern noise control devices (i.e., mufflers, lagging, and/or motor enclosures). 2. Impact tools (e.g., jack hammers, pavement breakers, rock drills, etc.) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools. 3. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used. 4. All construction equipment shall have the manufacturers’ recommended noise abatement methods installed, such as mufflers, engine enclosures, and engine vibration insulators, intact and operational. 5. All construction equipment shall undergo inspection at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers, shrouding, etc.). 	Prepare Noise Control Plan	Prior to and during construction	Document compliance in construction monitoring report	LOCSD

Mitigation Measure	Requirements of Measure	Administrative Action	Timing	Monitoring and Reporting	Party Responsible for Verification
<i>Transportation</i>					
TR-1	<p>Traffic Control Plan. Prior to issuance of encroachment permits for pipeline construction, the applicant shall submit a Traffic Control Plan to the Department of Public Works for review and approval. The Traffic Control Plan shall ensure emergency access is maintained to all areas of the community during any road closures.</p>	<p>Prepare Traffic Control Plan in conjunction with encroachment permit application</p>	<p>Prior to construction</p>	<p>Designate monitor to ensure compliance with plan</p>	<p>LOCSD, County Department of Public Works</p>

ATTACHMENT 2

Draft IS/MND Comment Letters and In-Text Responses

6/18/2021

No response necessary

Los Osos Community Services District
Attn: Brandi Cummings
1422 Monterey Street B200
San Luis Obispo, CA 93401

LOS OSOS COMMUNITY SERVICES DISTRICT, MITIGATED NEGATIVE DECLARATION (MND), FOR THE PROGRAM C WELL PROJECT (PROJECT); SCH # 2021050417

Dear Ms. Cummings:

Thank you for the opportunity to review the MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board) is responsible for issuing water supply permits administered under the Safe Drinking Water Act and compliance with the California Code of Regulations title 17, division 4, chapter 16 also known as the Waterworks Standards. The above referenced Project is subject to well site approval and will require an amended water supply permit. A project requires a permit if it includes water system consolidation or changes to a water supply source, storage, or treatment. The State Water Board is a responsible agency pursuant to the California Environmental Quality Act (CEQA).

The proposed Project includes the construction and operation of a new municipal water supply well in the former Bayridge Estates wastewater treatment plant site and a transmission pipeline connecting the well with the existing distribution system to serve the community's water supply needs.

The Project site is listed on the State Water Board's Geo Tracker website as Facility ID 208926, Baywood Park H2O Div-ISDS. The Geo Tracker database contains records for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater.

Section 64560 of the Waterworks Standards details the process water systems must follow for new well siting, construction, and permit application:

(a) To receive a new or amended domestic water supply permit for a proposed well, the water system shall provide the following information to the State Board in the technical report as part of its permit application:

(1) A source water assessment as defined in Section 63000.84 for the proposed site;

(2) Documentation demonstrating that a well site control zone with a 50-foot radius around the site can be established for protecting the source from vandalism, tampering, or other threats at the site by water system ownership, easement, zoning, lease, or an alternative approach approved by the State Board based on its potential effectiveness in providing protection of the source from contamination;

(3) Design plans and specifications for the well; and

(4) Documentation required for compliance with the California Environmental Quality Act (CEQA).

E. JOAQUIN ESQUIVEL, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

When the CEQA review process has ended, please forward the following items with your permit application to the Santa Barbara District Office:

- Copy of the draft and final MND with any comment letters received and the lead agency responses as appropriate;
- Copy of the Resolution or Board Minutes adopting the MND;
- Copy of the stamped Notice of Determination (NOD) filed at the San Luis Obispo County Clerk's Office or Governor's Office of Planning and Research, State Clearinghouse.

Please contact Jeff Densmore at the Santa Barbara District Office, at (805) 566-1326 or Jeff.Densmore@waterboards.ca.gov if you have any questions regarding permitting requirements.

Sincerely,

Wendy Pierce
Senior Environmental Scientist

cc: Office of Planning and Research, State
Clearinghouse

June 18, 2021

Los Osos Community Services District
2122 9th Street
Los Osos, CA 93402
Attn: Ron Munds

RE: Draft Initial Study and Mitigated Negative Declaration for the Los Osos Community Services District Program C Well Project, Los Osos, San Luis Obispo, County, California

Dear Mr. Munds,

By way of introduction, my name is Jeff Edwards and I am a forty-five year resident of Los Osos. Professionally, I am involved in land use and development particularly in Los Osos and have been for many years. The proposed project represents a significant step toward Basin Plan Program implementation and management of the Los Osos Groundwater Basin. For the record, I support the project, however I wish to make several comments and seek clarification on other matters.

On page 1 of the proposed Mitigated Negative Declaration (MND) for the Los Osos Community Services District Program C Well Project, paragraph 1, Introduction it states, "Implementation of Program C would increase the sustainable yield of the basin by 460 acre-feet per year over 2012 baseline conditions (ISJ 2015)." This citation is unclear to me. In reviewing the Interlocutory Stipulated Judgment I don't see any reference to Program C.

The reference is in regard to the 2015 Los Osos Basin Plan, which was authored by the ISJ Group. Note that "Group" has been added to the in-text citation.

For clarification, in Figure 56 and Table 43 of the Basin Plan, the "current condition baseline" sustainable yield is 2,540 acre-feet-per-year (AFY) and included program U (urban water reinvestment program, which includes the LOWWP). Program A was considered implemented in conjunction with any other program (i.e. U+AC, U+AB, U+ABC, etc.). Therefore, when the Basin Plan concluded on page 241 that "Overall, Program C would increase sustainable yield of the Basin by 460 AFY over baseline conditions." It was comparing Table 43 Program U (2,540 AFY) with Program U+AC (3,000 AFY).

In a March 3, 2017 Technical Memorandum from Spencer Harris addressed to the Basin Management Committee (BMC) he states, "The contribution of Program C to basin sustainable yield...is 350 AFY."

The tech memo separates Program C from other programs, so the comparison would be Basin Plan Table 43 Program U+A (2,650 AFY) with Program U+AC (3,000 AFY) for a difference of 350 AFY.

The Tech Memo goes on, "Close to one-third, or 110 AFY of the sustainable yield contribution from Program C was developed in 2016,..." This No. 1 Program C lower aquifer well is referred to as the Golden State Water Company's (GSWC) Los Olivos Well No. 5.

Given the question of the applicable sustainable or safe yield of the Los Osos Groundwater Basin is a timely topic; this question needs to be resolved. The question being, what is the expected contribution to sustainable yield from the completion of all three lower basin Program C wells outlined in the Basin Plan?

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As described above, the contribution of the three Program C wells outlined in the LOBP is 350 AFY when comparing Program U+A with program U+AC. To date none of the Program C wells, however, have been able to match the exact locations used for LOBP planning.

The two Program C wells with locations, including the original at Los Olivos (110 AFY yield contribution) and the proposed second expansion well at Site E (80 AFY yield contribution), combine for 190 AFY of increased sustainable yield as described in the Los Osos Basin Plan Program C Expansion Well No. 2 Sites Alternatives Update (CHG TM dated February 19, 2020).

On page 7 of the proposed MND, paragraph 1.3.2 Operation, it states, “the well would have a minimum production objective of 100 acre feet per year (AFY) and is anticipated to produce a maximum of 200 AFY (Cleath-Harris Geologists Inc., 2020).” This production objective appears to be wildly out of sync with the estimated increase in sustainable yield as provided in Table 2 of the Cleath-Harris Geologists (CHG) February 19, 2020 Program C update Tech Memo. Specifically, the increase over baseline for Site E (the proposed site) is 80 AFY. The Tech Memo further indicates, “Site E, . . . is 70 percent efficient at 100 AFY production, but declines to 40 percent efficiency at 200 AFY.” As I understand the hydrogeology, Site E is cut off from the Creek Compartment which substantially reduces the yield as compared to other sites in closer proximity to the Los Osos Creek. The Draft MND makes numerous references to overly ambitious yield estimates for Site E. It is likely the proposed project, when completed, would have to pump 24/7 to realize anything close to projected yield estimates.

Production at the Site E expansion well will be greater than the projected increase in basin sustainable yield because most of the production represents a shift from other westerly wells to the new expansion well. The new well would be expected to pump up to 200 AFY, of which 80 AFY would constitute an increase in estimated basin yield, with the remaining 120 AFY production shifted from other wells to reduce seawater intrusion. At an anticipated 200 gallons per minute, the well would pump an average 15 hours per day to produce 200 AFY, which is within the range of operational use at community supply wells.

In the Environmental Checklist On page 50, X. Hydrology and Water Quality, it states, “The project proposes the construction and operation of a municipal well to serve the LOCSO service area and implement Program C of the Basin Plan. The proposed well would fulfill the LOCSO’s obligation under the Basin Plan to construct a new lower aquifer well known as Expansion Well No. 2. According to the Technical Memorandum by Cleath-Harris Geologists, the Basin Plan originally called for three new wells; however, based on the reduced water demand from the existing population, a reduction from three wells to two wells was recommended in 2019.” The question of a need for the third Program C lower aquifer well remains outstanding. While the proposed project may “fulfill the LOCSO’s obligation under the Basin Plan”, it may not fully fulfill the GSWC’s responsibilities for water resource development. In fact, the pending question related to the sustainable yield of the basin and its resolution will likely result in the conclusion that the No. 3 Program C lower aquifer well is necessary. The document inappropriately reasserts this conclusory statement about the need for a third Program C well.

The MND does not seek to re-evaluate the programs identified as necessary to achieve a sustainable yield of the basin. The portion of the MND quoted above by the commenter was written to address the threshold of whether the proposed project would substantially decrease water supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin. According to the Technical Memorandum by Cleath-Harris Geologists, as of 2019 only two new wells are recommended to implement the goals of Program C. The proposed well is intended to offset pumping at other wells located in the Western Area of the Basin to mitigate seawater intrusion, which, in conjunction with other Basin Plan programs, will help achieve a more sustainable basin. The project site is not located in a high-priority basin under the SGMA, and the installation of the new well is anticipated in the current Basin Plan for the existing population;

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therefore, impacts would be less than significant. Additionally, any projects resulting from obligations of GSWC under the Basin Plan would undergo separate environmental review, with GSWC as the CEQA Lead Agency.

On page 62, XIV. Population and Housing, the document asserts, “The project proposes a new well site with associated pipeline infrastructure; however, the new well site is anticipated in the current Basin Plan based on the existing population of the area and would replace pumping in other areas of the basin (i.e., not resulting a net increase of water available that would in turn induce unplanned population growth).” The fact is, the Los Osos Community Plan (LOCP) approved by the San Luis Obispo County Board of Supervisors on December 15, 2020 and pending review by the California Coastal Commission specifically references completion of the proposed project as a “trigger” to set a residential growth rate under Title 26 of the County Codes at 1.3%. The County refers to the completion of this project and the LOCSO 8th Street upper aquifer well as “Phase 1”. The 8th Street upper aquifer well will be completed late 2021 or early 2022. While the subject project should be permitted in 2022 and constructed in 2023. Under the LOCP this would complete Phase 1 for water resource projects. The document should include a discussion regarding the inter-relationship between the proposed project and resulting population growth.

The LOCSO does not establish population growth limits within its service area. As noted above, the County establishes residential growth rates for unincorporated communities, including Los Osos, within Title 26 of the County Code. The County currently has had a 0% annual growth rate for the areas of the community served by the community sewer and recently adopted an amendment to Title 26 that establishes a 0% annual growth rate for all of Los Osos. Upon successful adoption of the Los Osos Community Plan by the California Coastal Commission, implementation of the Community Habitat Conservation Plan, including issuance of an Incidental Take Permit by the US Fish and Wildlife Service, and implementation of all Phase 1 Basin Plan programs, the County may implement a 1.3% annual growth rate, based on Basin Plan program implementation and Basin Management Committee annual monitoring.

From a CEQA standpoint, there is no interrelationship between this project and the LOCP as population growth has been addressed in the County’s certified FEIR for the LOCP. According to the certified FEIR, the “...groundwater basin improvements will remove an existing obstacle to growth, but will not induce growth beyond what is planned under the LOCP (Page 4.10-9).” The LOCP also includes policies under Chapter 7 related to population growth and water availability, including Policy D.3, which identifies that upon successful completion and implementation of Programs M, E, U, A, P, and C, up to an additional 680 residential units utilizing groundwater from the Basin may be constructed within the community.

This well project does evaluate the population impacts of growth related to implementation of the Basin Plan programs, as the objective of this well is to offset pumping in the Western Area of the Basin to reduce seawater intrusion. The well would not increase population growth beyond that projected and planned for in the LOCP (and evaluated in the FEIR for the LOCP), therefore, Population and Housing impacts associated with the proposed Program C well project would be less than significant.

I appreciate the opportunity to comment on the proposed MND and will look forward to responses to my comments and participation in the land use permit process that will ensure in the near term.

Please let me know if you have any questions.

Sincerely,

Jeff Edwards

Jeff Edwards



June 18, 2021

VIA ELECTRONIC MAIL

SWCA Environmental Consultants
Attn: Brandi Cummings, contract planner
Email: brandi.cummings@swca.com

RE: Comment on Draft Initial Study and Mitigated Negative Declaration for the Los Osos Community Services District Program C Well Project

Dear Ms. Cummings:

I am the General Manager of the Coastal District of the Golden State Water Company (“Golden State Water”), a water utility regulated by the California Public Utilities Commission. Golden State Water, together with the Los Osos Community Services District (“District”), the County of San Luis Obispo (“County”) and S&T Mutual Water Company, is a member of the Los Osos Basin Management Committee (“BMC”) which is charged with sustainable management of the Los Osos Groundwater Basin (“Basin”). For the last several years, the BMC has been working to implement the projects and programs outlined in the “Updated Basin Plan for the Los Osos Groundwater Basin” (“Basin Plan”), all of which were developed to increase the Basin’s long-term health and sustainability. Construction of a Program C Well (“Project”) is identified in the Basin Plan as a recommended infrastructure improvement, specifically targeted to increase the Basin’s sustainable yield and to combat seawater intrusion into the Basin.

As a member of the BMC, as well as a purveyor providing water to customers within the Los Osos community, Golden State appreciates and fully supports the District’s construction of the Project. However, because many of the well sites being considered by the District in its Draft Initial Study and Mitigated Negative Declaration (“MND”) are within Golden State Water’s service area—and thus in close proximity to wells owned and operated by Golden State Water—we would like to provide the following comments on potential impacts on the operation of Golden State Water’s existing wells.

Discussion

According to the MND, the Project’s proposed well (“Proposed Program C Well”) would have a depth of 700 feet below ground surface (fbgs) and would be pumped for an average of 15 hours per day, with occasional periods of 24 hour pumping to offset high demand and/or to rest the other wells in the District’s system. As discussed in the MND, District staff recommends Site E as the preferred location for the Proposed Program C Well. As noted above, Site E is within Golden State Water’s service area and is in close proximity to Golden State Water’s existing South Bay 1 Well (“South Bay Well”) of similar depth (715 fbgs).

According to the Cleath-Harris Geologists Technical Memorandum (“CHG Memo”), incorporated by reference in the MND, construction of the Proposed Program C Well at Site E may result in other “purveyor wells” needing to eliminate up to 120 acre feet per year (“AFY”) of pumping to mitigate seawater intrusion in the Basin.¹ (CHG Memo, p. 3.) Although the MND identifies that there will be effects on “other purveyors”, however, it fails to analyze these effects and their potential environmental ramifications. Golden State Water respectfully requests that these potential impacts (operational, financial and environmental) to “other purveyors” be analyzed and considered as part of the MND.

The MND also concludes that the Project would have less than a significant impact on the management of the Basin. (MND, p. 53.) For the reasons above, however, the operation of Proposed Program C Well could potentially reduce water levels in existing wells—such as Golden State Water’s South Bay Well—located in close proximity to Site E. Accordingly, we request that the MND be augmented to provide analysis of the impacts that the operation of the Proposed Program C Well would have on Basin management, particularly in increasing the Basin’s sustainable yield and mitigating seawater intrusion.

Mitigation

As discussed above, the MND states that seawater intrusion could be mitigated by reducing pumping at other purveyor wells. These mitigation measures should be explained in detail. (Pub. Res. Code § 21080(c)(2) (A negative declaration that leaves formulation of mitigation measures to a future time violates the rule that members of the public and other agencies must be given an opportunity to review mitigation measures before a negative declaration is approved.) Additionally, should the Proposed Program C Well impact overall yield of Golden State Water’s South Bay Well, Golden State Water respectfully requests that the MND consider mitigation options to offset any reduction in yield to operation and management of its wells.

Conclusion

As stated above, Golden State Water is generally supportive of the Project and the District’s efforts to sustainably manage the Los Osos Basin by shifting production from the Western area of the Basin to the Central Area of the Basin. However, we respectfully request that the District address the concerns of Golden State Water by providing additional analysis of the Project’s potential impact to Golden State Water’s nearby South Bay Well and identify potential mitigation should the Project impact operation and management of the South Bay Well.

Thank you for considering the above comments.

[The MND notes that pumping would be reduced at other LOCSD wells in the Western Area of the Basin. Also see the Technical Memorandum by Cleath-Harris Geologists dated February 3, 2021 regarding potential impacts from Site E Well Operation at GSWC South Bay #1.](#)

¹ The CHC Memo calculates a 30 AFY reduction in pumping based on the minimum production objective of 100 AFY. (CHG Memo, p.3.) However, the Proposed Program C Well is anticipated to produce a maximum of 200 AFY. (MND, p. 53.) Assuming a direct correlation between the production of the Proposed Program C Well and impacts to nearby wells, this suggests that “other purveyors,” including Golden State Water, may be forced to reduce pumping by approximately 120 AFY based on the maximum production rate of 200 AFY.

GSWC Negative Declaration Comment Letter
June 18, 2021
Page 3

Sincerely,

Mark Zimmer
Golden State Water Company
General Manager, Coastal District

cc: Paul Rowley, GSWC
Toby Moore, GSWC

RESPONSES IN BLUE

June 19, 2021

Los Osos Community Services District
2122 9th Street
Los Osos, CA 93402
Attn: Ron Munds

RE: Draft Initial Study and Mitigated Negative Declaration for the Los Osos Community Services District Program C Well Project, Los Osos, San Luis Obispo, County, California

Dear Mr. Munds,

My office represents Leon Van Beurden who is the owner of the property most proximate to the proposed project. As provided in the project description, the well is to be sited at the northwest corner of the intersection of Bay Oaks Drive and South Bay Blvd. The Van Beurden property lies immediately north of and adjacent to the District's proposed project.

The concerns include; both **short-term** construction impacts and **long-term** operational and maintenance activities. Most important are the sights and sounds of the facility. It is understood that once the well construction is completed; it is likely to be operated up to twenty-four hours per day for seven days per week. An overarching concern is that the facility becomes a corporate yard for storage or other unsightly clutter.

With regard to **short-term** impacts during construction, it is unclear from the document how long the construction period will last including installation of transmission pipelines. Of particular interest is how construction vehicle traffic will be managed. Also, will there be adequate room on site to stage all of the equipment and vehicles necessary? Using South Bay Blvd. between Los Osos Valley Road and Bay Oaks Drive would be unacceptable. Additionally, it is understood that the well construction, once commenced will continue day and night until complete. What mitigations have been established to ameliorate impacts from light and noise?

As noted in the Project Description (Section 1.3.2), construction of the project is expected to last approximately 4 months, which includes approximately 1 week for site preparation, 2 weeks for well drilling, 4 weeks for construction of above ground facilities, and 2 months for pipeline construction (assuming a water wheeling agreement with GSWC is not reached, if an agreement is reached, approximately 1 week for construction of a lateral instead of the pipeline construction).

All drilling and well construction will take place during the daylight hours established by CZLUO 23.06.042.d, unless after-hours operations are required to maintain hole stability, as determined by the drilling contractor. Work performed outside of the regular working hours may require nighttime lighting, but no such work is planned and would only take place on an as-needed basis. (Note that the MND has been updated to reflect this revision to construction hours.)

Construction staging would be located onsite or within the paved public right-of-way. Mitigation Measure BIO-1 and BIO-5 requires that construction staging areas be located on the existing asphalt areas unless and until the project biologist confirms the absence of Morro shoulderband snail, coastal wetlands, or other sensitive communities. Additionally, as required by Mitigation Measure AQ-1, staging must be located greater than 1,000 feet from sensitive receptors, if feasible.

In section 1.3.1 Construction, 2. Below Grade Activities – it states, “Borehole drilling would require

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24-hour manned construction of certain phases over a 2-week period and would require nighttime lighting.” It is unclear how the night-lighting from project construction will be shielded. Likewise, there are significant questions about noise mitigation and its efficacy, it appears N-1 mitigation is inadequate, particularly as it relates to activity between the hours of 9:00pm-7:00am weekdays and 5:00pm-8:00am weekends, or overnight hours.

See above, the MND has been revised to reflect this change. The drilling of the well is no longer proposed to be round-the-clock.

With regard to **long-term** impacts, it is important to address concerns over long-term impacts because the proposed facility will likely be in operation for many years, if not decades. From a visual perspective, the fencing and landscaping details are important.

From the project description, it appears the site perimeter will be chain-link fencing with slats to achieve screening. This type of fencing often deteriorates quickly and becomes unsightly. The District is encouraged to evaluate fencing options and select the system that is most attractive and will hold up over time. A masonry block wall around the site perimeter would be most attractive and attenuate sound which would be greatly appreciated by the entire neighborhood. Barbed wire in any context would be unacceptable. Likewise, it is unclear from the document exactly how the landscaping will be achieved. A detailed landscaping plan would be helpful and should be presented as part of the land use permit application.

The parcel is currently enclosed by a chain-linked fence, which serves as the baseline setting for purposes of CEQA. Temporary construction fencing would be used during construction of the project to delineate project work areas and to protect biological resources. This fencing would be removed at the completion of construction. As currently proposed and analyzed in the MND, the LOCSD would install 6-foot tall chain-linked fencing around the well facility (i.e. the eastern portion of the site) and would include green privacy slats to screen the well equipment. No barbed wire is proposed. Outside of construction noise, which would be mitigated by Mitigation Measure N-1, the project would not generate noise beyond the property line in exceedance of the County’s noise standards, and therefore a noise attenuating wall is not required.

It is understood from the project description, there will be no lighting at the project site post construction. Please confirm this fact.

During construction, any work performed outside of the regular working hours may require nighttime lighting, but no such work is planned and would only take place on an as-needed basis to maintain hole stability. The project does not include any permanent lighting features at this time.

With regard to ongoing operations and maintenance, it is requested that outside of an emergency situation, worker activities be confined from 7:00am to 6:00pm year round.

Routine maintenance activities would occur during normal district hours, though emergencies may necessitate work at the site after hours.

Lastly, it is understood the proposed well is to be drilled to a depth of approximately 700 feet and will draw from Zones D and E of the lower aquifer in the groundwater basin. Prior discussions have included the prospect of also drawing water from upper strata, i.e. Zone C. The proposed project does not include any extractions from Zone C. If and when the District wishes to utilize Zone C from this location, Mr. Van Beurden would require a detailed analysis of potential land subsidence including impacts and the identification of possible mitigation measures. It may be that extractions from Zone C are not viable at this location for any number of reasons. Any such interest would also require an amended or new land use permit. This concern will be raised during the land use permit review and approval by San Luis Obispo County. I request the LOCSD Board of Directors acknowledge accessing

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Zone C would not be a unilateral decision available to them.

As proposed, the well would pull water from the Zones D and E of the lower aquifer. While the well would have the potential to pull from Zone C of the upper aquifer, this is not proposed or anticipated by the Basin Plan at this time.

While Mr. Van Beurden supports the proposed project as a new facility to serve the community, he remains concerned regarding specifics of the project outcome as it relates to his property. We look forward to participating in the land use permit process and will likely have additional comments to be considered.

Sincerely,

Jeff Edwards

Jeff Edwards

Cc: Leon Van Beurden

ATTACHMENT 3

Cleath-Harris Geologists, Inc. Technical Memorandum.
*Potential Impacts from Site E Expansion Well Operation on
Water Levels at GSWC South Bay #1.* February 3, 2021.



Technical Memorandum

Date: February 3, 2021

From: Spencer Harris, HG 633

To: Ron Munds, General Manager
Los Osos Community Services District

SUBJECT: Potential impacts from Site E Expansion Well operation on water levels at GSWC South Bay #1.

Dear Mr. Munds:

As requested, Cleath-Harris Geologists (CHG) has evaluated the potential impacts to water levels at Golden State Water Company's (GSWC) South Bay #1 well (LA20) from the anticipated operation of a new Los Osos Community Services District (LOCSD) Program C Expansion Well at Site E (Bay Oaks Drive). This memorandum summarizes the water level impacts evaluation.

Background

Los Osos Basin Plan (LOBP) Program C includes a set of infrastructure improvements that would allow the water purveyors to shift some groundwater production within the Lower Aquifer from the Western Area to the Central Area. Program C originally consisted of three Expansion Wells located on the eastern side of the Central Area and associated pipelines¹. As a result of significantly lower water demand for the existing population, only two Expansion Wells for Program C are currently recommended².

The first Expansion Well (LA39) was constructed by GSWC in 2016. Recently, LOCSD completed a Preliminary Environmental Constraints Analysis that identified Site E as the preferred site for the second Expansion Well³. Site E is located at the former Bayridge Estates septic tanks site on Bay Oaks Drive at South Bay Boulevard (Figure 1). The new Expansion Well would tap the Lower Aquifer through a maximum depth of 700 feet.

GSWC South Bay #1 is a mixed aquifer (Upper and Lower Aquifer) public supply well located approximately 1,100 feet northeast of Site E and the proposed new Expansion Well (Figure 1). The well was constructed in 2001 to a depth of 715 feet.

¹ISJ, Los Osos Basin Plan Update, January 2015.

²CHG, Los Osos Basin Plan Metric Trends Review and Infrastructure Program C Evaluation, February 28, 2019.

³SWCA, Preliminary Environmental Constraints Analysis for the Los Osos Community Services District Program C Well Project, Los Osos San Luis Obispo County, California, October 2020.



Potential Water Level Impacts

The potential impacts to water levels at GSWC South Bay #1 from operating a new Expansion Well at Site E have been evaluated using three different methodologies. The first approach was to apply the results of analytical modeling developed for alternative Expansion Well Site C impacts analysis. A second approach utilized the Basin Model, and the third approach reviewed historical observations of well interference in Lower Aquifer wells.

Extrapolation of Site C Impacts Analysis

Prior evaluation of potential well interference from a new Expansion Well on nearby wells was performed for alternative Site C using analytical methods based on pumping test data⁴ (Figure 1). The Expansion Well at Site C was assumed to be a Lower Aquifer well producing 200 acre-feet per year (AFY), which is the same assumption that would apply for Site E. The results of the Site C analysis indicated a mixed aquifer well at a distance of 1,100 feet from the Expansion well would experience between 4 and 5 feet of water level interference, including conservative assumptions of no percolation of precipitation or recharge from the overlying perched aquifer, which is present at both Site C and Site E.

Basin Model Analysis

Sustainable yield scenarios from the Basin Model were used to evaluate potential water level drawdown at GSWC South Bay #1 attributable to pumping at Site E. The scenarios compared were the 2017 current infrastructure scenario (2,760 AFY yield) and the Site E Expansion Well scenario (2,840 AFY yield)⁵. Both scenarios have the same production for GSWC South Bay #1, with no production at Site E for the 2017 infrastructure scenario, and 200 AFY production at Site E for the new Expansion Well scenario. There are 120 AFY of reductions at other purveyor wells in the Site E scenario (pumping shifted to Site E Expansion Well), resulting in a net increase in Basin production of 80 AFY over the 2017 infrastructure scenario. Water level declines at GSWC South Bay #1 following activation of the Expansion Well at Site E range from 0.9 feet in the Upper Aquifer to 3.3 feet in Lower Aquifer Zone E. The average decline in water level at GSWC South Bay #1 was projected to be 2 feet.

Interference Observations

Interference between Lower Aquifer wells has been observed historically. In 1986, a pumping test at the LOCSO Palisades Avenue well (LA15) conducted by the U.S. Geological Survey

⁴CHG, Draft Well Survey and Groundwater Impacts Evaluation related to Site C Expansion Well, Los Osos Groundwater Basin, August 2018.

⁵CHG, Los Osos Basin Plan Program C Expansion Sites Alternatives Update, February 2020.



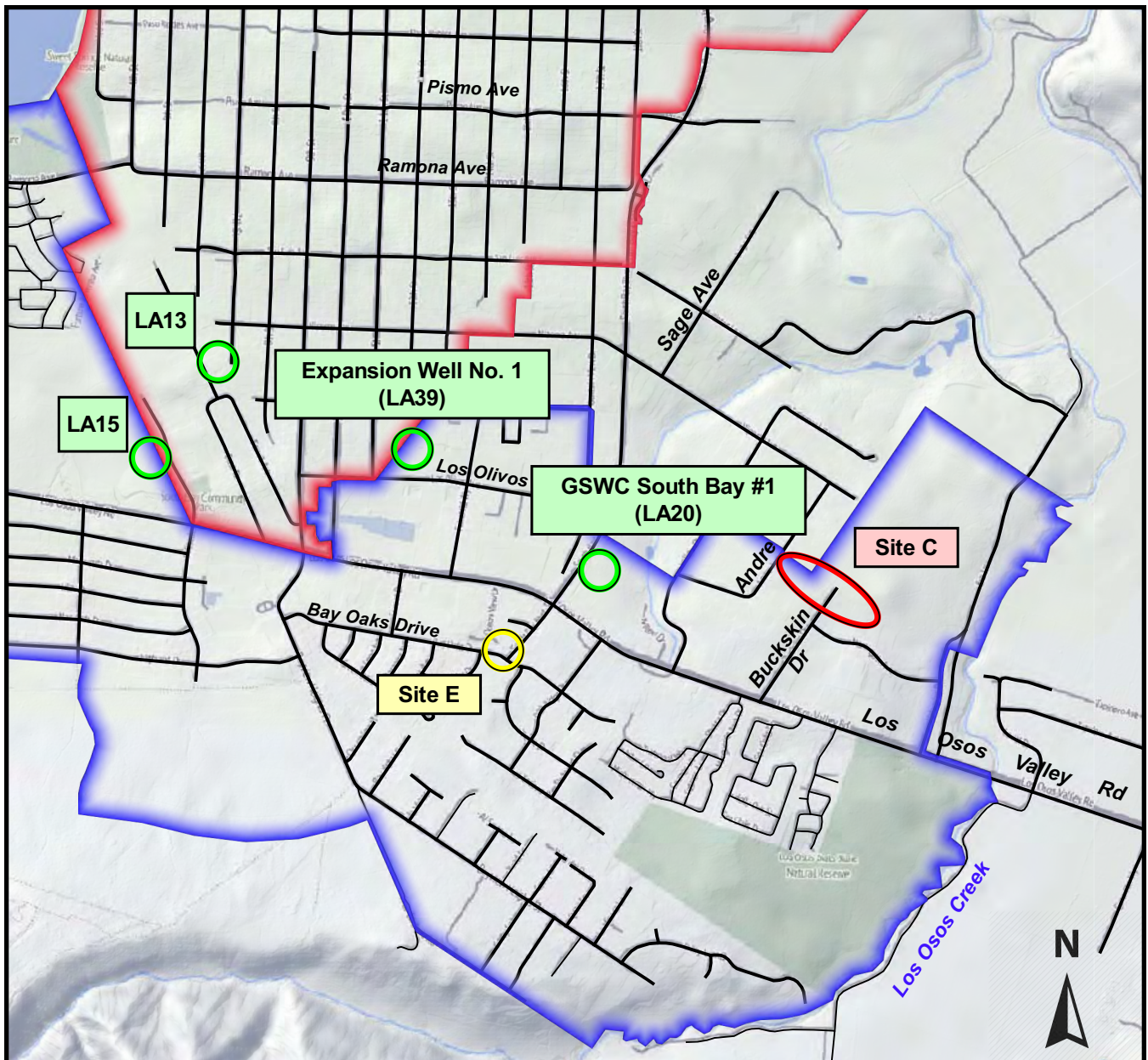
produced less than 2 feet drawdown at LOCSD Farrell #2 (LA13) after 12 hours at a pumping rate of 540 gallons per minute. These wells are approximately 1,020 feet apart (Figure 1). A water level pressure transducer was installed in LA13 in May 2016, and seasonal water level fluctuations since then have averaged approximately 5 feet, with apparent interference from other basin wells contributing less than a foot of drawdown⁶.

Water level declines of several feet attributable to another pumping well were observed at the first Expansion Well (LA39) following construction in 2016. The timing of the interference did not correlate with pumping events at any nearby purveyor wells, however, and the source of interference was not identified.

Conclusion

The range of water level decline anticipated at GSWC South Bay #1 due to operation of a new Expansion Well at Site E is estimated at 2-5 feet, based on extrapolation of the Site C impacts analysis, Basin Model results, and historical observations. This level of impact would generally not be a concern for the operation of a deep well.

⁶CHG, 2019 Annual Monitoring Report, Appendix I, June 2019



Base Image: Stamen-Terrain

0 750 1,500 2,250 3,000 ft



Scale: 1 inch ≈ 1,500 feet

Explanation

- Existing Well
- Proposed Expansion Well Site
- Alternative Expansion Well Site

Water Systems

- Golden State Water Company - Los Osos
- Los Osos CSD

Figure 1
Well Locations
Los Osos Groundwater Basin
Site E Interference TM

Cleath-Harris Geologists



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

RECEIPT NUMBER:
40-08092021-107

STATE CLEARINGHOUSE NUMBER (If applicable)
2021050417

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY LOS OSOS COMMUNITY SERVICES DISTRICT	LEAD AGENCY EMAIL rmunds@losososcsd.org	DATE 08/09/2021
COUNTY/STATE AGENCY OF FILING SAN LUIS OBISPO		DOCUMENT NUMBER

PROJECT TITLE
LOS OSOS COMMUNITY SERVICES DISTRICT PROGRAM C WELL

PROJECT APPLICANT NAME RON MUNDS, GENERAL MANAGER	PROJECT APPLICANT EMAIL rmunds@losososcsd.org	PHONE NUMBER (805) 528-9370
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PROJECT APPLICANT ADDRESS 2122 9TH STREET	CITY LOS OSOS	STATE CA	ZIP CODE 93402
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

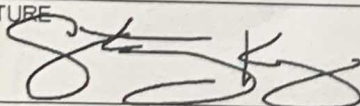
CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,445.25 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,480.25 \$ 2,480.25
- Certified Regulatory Program (CRP) document - payment due directly to CDFW \$1,171.25 \$ _____
- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)
- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County documentary handling fee \$ _____ \$ 50.00
- Other \$ _____

PAYMENT METHOD:

- Cash Credit Check Other

TOTAL RECEIVED \$ \$2,530.25

SIGNATURE 	AGENCY OF FILING PRINTED NAME AND TITLE Stacey King, Deputy County Clerk-Recorder
--	--

Filed in County Clerk's Office
 Helen Nolan
 San Luis Obispo - County Clerk-Recorder
40-08092021-107

08/09/2021
 FISH
 Pages: 2
 Fee: \$ 2530.25

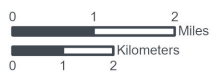
By sking, Deputy





★ Project Location

San Luis Obispo County, Ca
 NAD 1983 UTM Zone 10N
 120.7719°W 35.3089°N



1:150,000





- Project Parcel
- Project Site

San Luis Obispo County, Ca
 NAD 1983 UTM Zone 10N
 120.8255°W 35.3128°N

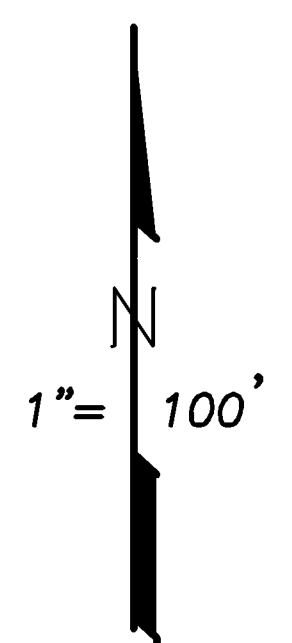


1:5,500

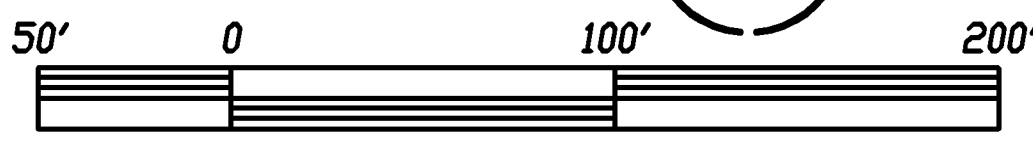








REVISIONS	
I.S.	DATE
04-372	02-27-04
07-166	09-14-06



JAW 02-27-04 THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY.



Property Addresses

Recorded Ownership Documents

Parcel History

APN Is (Child Parcel)

APN Was (Parent Parcel)

TO: Los Osos Basin Management Committee

FROM: Executive Director

DATE: November 17, 2021

SUBJECT: Item 9c – Executive Director Contract Transfer

Recommendation

It is recommended that the BMC: 1) consider the transfer of the Executive Director contract from Water Systems Consulting, Inc. to Confluence Engineering Solutions, Inc.; or 2) provide alternate direction to staff.

Discussion

Daniel Heimel, current BMC Executive Director, is no longer employed by Water Systems Consulting, Inc. (WSC) and has formed a new company called Confluence Engineering Solutions, Inc. (ConfluenceES). WSC has expressed a willingness to transfer the Executive Director contract to ConfluenceES. Mr. Heimel is requesting that the contract for Executive Director services be transferred from WSC to ConfluenceES to allow him to continue serving in the role of Executive Director for the BMC. A scope of work from ConfluenceES is provided as an attachment.

BMC Party staff discussed the situation at their last meeting and support the transfer of the contract to Mr. Heimel based on his past performance and experience in managing the BMC affairs.

Financial Consideration

If approved, Daniel Heimel and ConfluenceES would provide the services of the Executive Director within the remaining budget for Executive Director services in the Calendar Year 2021 budget at a rate of \$200 per hour, which represents a reduced hourly rate for Executive Director services. A budget estimate for Calendar Year 2022 Executive Director services will be provided as part of the Calendar Year 2022 budget.

Scope of Work

Confluence Engineering Solutions, Inc. (ConfluenceES) is pleased to provide the following scope of work for providing Executive Director professional services for the Los Osos Basin Management Committee (BMC).

Task 1 BMC Administration

1.1 BMC Administration

- Perform BMC administrative tasks necessary for facilitate BMC activities, including but not limited to:
 - Coordinate with BMC Board Members, Stipulating Parties, and the public
 - Coordinate with San Luis Obispo County staff so that documents and agenda packages are published to the BMC website in a timely and accurate manner
- Prepare and provide monthly invoices and progress reports describing activities of the Executive Director

1.2 Financial Oversight

- Oversee financial operation of the BMC, including recommending an annual budget and processing invoices.
- Coordinate with the law office of Brownstein Hyatt Farber Schreck (BHFS) which performs the accounting function for the BMC, including the payment of approved invoices.

1.3 BMC Party Staff Meetings

- Conduct monthly BMC Party Staff Meetings with representatives of each of the parties to facilitate BMC activities.

1.4 BMC Representation

- Represent the BMC as directed to other entities, including DWR, RWQCB, and other agencies, as needed.

Task 2 BMC MEETINGS

2.1 Meeting Coordination

- In consultation with the BMC Chair, coordinate up to 10 public BMC meetings.
- Coordinate with Audio/Video Consultant to ensure that the BMC meeting venue and audio/visual services properly performed.

2.2 Agenda Preparation

- In consultation with the BMC Chair, prepared agenda packets for up to 10 public BMC meetings.

2.3 Meeting Attendance

- Function as staff (including clerk) during BMC public meetings, including providing appropriate technical input on questions from both Directors and the public.

- Oversee the BMC's compliance with the Brown Act, with input from legal counsel provided by the BMC parties.

2.4 Meeting Minutes

- Prepare action minutes for all public meetings.

Task 3 PROGRAM MANAGEMENT

3.1 Annual Report Management

- Provide program management for the BMC on the Annual Report, including management of scope, schedule and budget, collection and incorporation of BMC and other comments, and publishing of approved work products.
- Participate in coordination meetings with the Annual Report consultant to provide work direction, receive project updates, and review consultant interim work products and deliverables.
- File required information to DWR's website by the April 1st deadline.

3.2 BMC Project Management

- Provide program management for the BMC on other projects, including management of scope, schedule and budget, collection and incorporation of BMC and other comments, and publishing of approved work products.
- Participate in coordination meetings with BMC consultants to provide work direction, receive project updates, and review consultant interim work products and deliverables.

Fee Estimate

ConfluenceES proposes to provide the services described above within the remaining budget for Executive Director services in the Calendar Year 2021 budget at a rate of \$200 per hour. A budget estimate for Calendar Year 2022 Executive Director services will be provided as part of the Calendar Year 2022 budget.