



December 6, 2023

TO: Utilities Advisory Committee (UAC)
FROM: Ron Munds, General Manager
SUBJECT: **Agenda Item 4 – 12/06/2023 UAC Meeting**
Water Resiliency Intertie Project Initial Study/Mitigate
Negative Declaration Update

President
Charles L. Cesena

Vice President
Marshall E. Ochylski

Directors
Matthew Fourcroy
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STAFF RECOMMENDATION

Staff recommends that the UAC adopt the following motion:

Motion: I recommend to the Board that the Board approve and certify the Initial Study/Mitigated Negative Declaration as presented.

DISCUSSION

Background

As discussed at the October UAC meeting, in September 2022, the Board approved moving forward with the environmental work on the preferred pipeline alignment. After a competitive solicitation process, the District contracted with SWCA Environmental Consultants to perform the work. In July 2023, SWCA completed the Preliminary Environmental Constraint Analysis which did not identify any constraints that would make the project infeasible to construct. SWCA was then directed to complete the Initial Study and Mitigated Negative Declaration (IS/MND) which is before the committee.

The IS/MND provides a detailed description, required discretionary approvals and evaluation of the potential environmental impacts associated with the construction of the proposed project. The environmental checklist and environmental evaluation include the following factors that potentially could be affected:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Hydrology and Water Quality
- Land Use and Planning Noise Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Most identified impacts are associated with the actual construction of the project. Details for each of these along with mitigation measures can be found in Section 2 of the document.

The overarching environmental determination is, 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 and mitigation measures in the project have

been made by or agreed to by the District. The mitigation measures can be found at the end of each factor (list of factors are above).

Public Comment Period

The required thirty-day (30) public comment period ran from September 27th to October 27th. The District received comments from three individuals, three public agencies and one tribal organization. A majority of the comments were not directly related to the environmental impact of the proposed project. Those comments have been acknowledged and included in the final document. Many of those questions/comments will need to be address and answered during the design phase of the project.

Based on comments received, revisions to the project description have been made to more accurately reflect the operation of the pipeline and actual descriptions of the components in the ground. Responses to the comments related directly to the IS/MND are included as an appendix to the document.

Next Steps

The final document to be presented to the Board for certification at their December 7th meeting. Staff is requesting that the UAC recommend to the Board that they certify the IS/MND.

If the IS/MND is certified by the Board, staff will request direction from the Board to continue the project which will include looking for funding alternatives, developing a request for proposal (RFP) for design services, working with the County and the City of Morro Bay on pipeline related permits and working on securing water agreement(s) for the delivery of water to Los Osos.

Attachments

Public comments received and responses

Revised project Description

Section 1 and the Environmental Checklist and Environmental Evaluation

(The complete IS/MND can be found on the District's website at www.losososcsd.org)

Brandi Cummings

From: Paul Donnelly <captnpablo@gmail.com>
Sent: Saturday, September 30, 2023 10:05 AM
To: Brandi Cummings
Subject: LOCS Resiliency Intertie Project - Negative Declaration (ND)
Attachments: 1991 Measure G_State Water_a.pdf

Dear Ms. Cummings,

I would like to provide comments on the subject ND and in particular, the project and location descriptions.

On page 1 under §1.1 Project Location it starts out by saying, ***"The intertie (to the Chorro Valley Pipeline) would be constructed to the north of the southbound lane of Highway 1."*** The plans for the existing pipeline are titled, "Chorro Valley Water Transmission Pipeline" and the pipeline is owned and maintained by the San Luis Obispo County Flood Control and Water Conservation District. It was designated as a "transmission" line. The county has an easement on a private ranch property for it and it lies north of the northbound lanes of State Route 1 and adjacent to the Whale Rock pipeline easement. The intertie pipe will have to cross the Whale Rock pipe somehow. Additional easements will need to be obtained as well. Has the county been contacted about this proposal and given notice of this ND? Has the ranch landowner been contacted? Has Caltrans been contacted?

It goes on to say, ***"The entire project would be located within the public right-of-way (ROW) and within the unincorporated San Luis Obispo county, under the jurisdiction of the County of San Luis Obispo (County), except for the portion of the project beginning approximately 600 feet north of the Cerro Cabrillo Trailhead/Quarry Trailhead parking lot/turnout to approximately 1,200 feet south of the South Bay Boulevard and Quintana Road intersection, which would be located in Morro Bay city under the jurisdiction of the City of Morro Bay (City)."*** The city limits of Morro Bay are approximately 1,550 feet north of the quarry trailhead parking lot.

On the second page 1 (should be page 3), the Figure 2 map calls out the CVP as 18". It is only 10" in diameter and the pipe was not designed for a turnout at this location. The pipe is 10-gauge steel, cement mortar lined and tape wrapped. It has an induced current for cathodic protection. The proposed intertie pipe is larger than the pipe it wants to tie into. How is that possible? The Central Coast Water Authority (CCWA) in Buellton, CA. operates the flow meter to the Chorro Valley Water Transmission Pipeline at the turnout to the State Water Coastal Branch Aqueduct. Who will operate the turnout valve on the CVP at the intertie location and how? How will this tie-in affect the hydraulic grade line which is integral for deliveries of State Water to the city's 1½ million gallon water tank off Kings Avenue on Black Hill? Who is doing the design of the project?

On the second page 2 (should be page 4), in the 1st paragraph under §1.3 Project Description It says, **"...and south along South Bay Boulevard to the LOCSD water distribution system tie-in location near the LOCSD's basin located at the intersection of Santa Ysabel Avenue and South Bay Boulevard."** Does it flow directly into the town's water pipes or does it discharge into the groundwater basin? §1.3.2 on page 3 suggests the latter. If it is discharged into the groundwater basin, that would be considered unreasonable use or unreasonable method of use of water pursuant to §100 of the California Water Code since the water comes treated and ready to drink.

Also on the second page 2 in the 2nd paragraph it says, **"The purpose of the intertie to the CVP is to provide an alternative source of potable for the LOCSD. During wet years and based on supply, the LOCSD could receive unused allocations of State Water Project water through the CVP to offset pumping in the Los Osos Groundwater Basin or for an emergency water reserve. It is anticipated that state water could provide up to 200 acre-feet per year (AFY) of water supply"** Alternative source of potable? Meaning water? What unused allocations? Where does the 200 AFY come from and how was that determined? The CVP was only designed to take the subscribed amount for Morro Bay who paid for the last 9 miles of pipe beyond the California Men's Colony. Does the city get reimbursed? Attached is Measure G where in December of 1991, the City of Morro Bay enacted an ordinance passed by the voters to participate in the State Water Project. That vote is binding. In the early nineties, Los Osos chose not to participate in the State Water Project so the ship sailed without them. How can they get onboard today? The Coastal Branch Aqueduct upstream of the CVP turnout was not sized for this additional flow so the extra capacity simply doesn't exist.

On page 3 (should be page 5) it says in the 2nd paragraph under Pipeline construction, **"Construction of the pipeline at the Los Osos Creek and Chorro Creek/unnamed drainage crossings would either include crossing the creeks on the existing bridge structures or boring under the creek by horizontal directional drilling methods."** If the pipe is installed hanging under the Chorro Creek bridge, it could be swept away from flooding like was occurring just this last winter. Please consider that possibility as it would be catastrophic. A hanging 12" water pipe could not withstand the forces of the creek when flowing at flood stage. The footnote at the bottom of the page speaks to the replacement of the South Bay Boulevard bridge over Los Osos Creek. It is extremely important that whatever suspends the proposed pipe under the new bridge does not make contact with any of the reinforcing steel within the new bridge superstructure if that is what is proposed. At the end of the Pipeline construction section it says, **"The alignment would require partial lane closures to South Bay Boulevard and Quintana Road and would require a Traffic Control Plan..."** A Traffic Control Plan is inadequate, in my opinion, as was demonstrated by the recent construction of the Water Reclamation Facility (WRF) in Morro Bay. The impact caused by lane closures and delays was significant and unmitigated. For South Bay Boulevard it is extremely concerning since there is no other way around this except for going through San Luis Obispo. That would be out of the way by roughly 24 miles.

On page 4 (should be page 6) it says under §1.4 Required Discretionary Approvals that a coastal development permit (CDP) is required by both the city and the county. The same was the situation for the City of Morro Bay's WRF project and they ended up consolidating the permitting by having the California Coastal Commission District Office in Santa Cruz prepare the permit for the project. Big mistake and I would recommend that the city not abdicate its jurisdiction in the permitting. This is so public participation is not substantially impaired by that review consolidation (Coastal Act §30601.3 (a)(2)). The reference made in this section did not include that last part regarding public participation. The Morro Bay Planning Commission should be allowed to hear the item and allow the local public to speak whereas a Coastal Commission hearing may not be offered nearby so a state hearing and review would NOT undergo the same as standard permits. The state issued conditional CDP for Morro Bay's WRF Project required several special conditions that were completely ignored. The enforcement division from the Santa Cruz office neglected to enforce the conditions and several of those have never been satisfied.

Sincerely,
Paul F. Donnelly
Morro Bay, CA.

ORDINANCE NO. 411

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MORRO BAY
AUTHORIZING AND DIRECTING PARTICIPATION IN
THE COASTAL BRANCH OF THE CALIFORNIA AQUEDUCT PROJECT
AND CONSTRUCTION OF LOCAL FACILITIES

MEASURE "G", SPECIAL MUNICIPAL ELECTION
17 DECEMBER 1991

THE PEOPLE OF THE CITY OF MORRO BAY DO HEREBY ORDAIN AS
FOLLOWS:

WHEREAS a significant water shortage exists in San Luis Obispo County as well as in the City of Morro Bay (the "City"); and

WHEREAS the City does not now provide a permanent, reliable water supply to all its residents; and

WHEREAS a LEVEL 5 water shortage emergency has been declared to exist in the City; and

WHEREAS the City relies exclusively on local water supplies to meet its current water demand, which supplies originate entirely within close proximity to the City and which supplies are all subject to the same climatic conditions; and

WHEREAS participation in the Coastal Branch Project will provide for a long term solution to the existing drought emergency and to the ongoing water shortage within the City; and

WHEREAS the City has a duty to provide a permanent, reliable water supply to its residents.

NOW, THEREFORE, THE FOLLOWING ORDINANCE IS ENACTED INTO LAW:

Section 1. The City shall immediately give notice to the San Luis Obispo County Board of Supervisors (the "Board") that it intends and desires to participate in the construction of the Coastal Branch Project (the "Project") together with all facilities and appurtenances necessary to deliver water from said Coastal Branch into the City's water system.

Section 2. The City shall immediately give notice to the board that the City desires a minimum of One Thousand Three Hundred Thirteen (1313) Acre-Feet per year to be delivered to the City upon completion of the project.

Section 3. The City shall issue revenue bonds or sell certificates of participation or through a combination of the above provide funds to finance the City's pro rata share of the Project costs and any and all appurtenances necessary to deliver water from said Coastal Branch into the City's water system including any and all expenses incidental thereto, or connected therewith, including the cost of rights of way acquisition, the cost of con-

structing and/or acquiring all buildings, equipment and related personal and real property required to complete the total works, and the engineering, environmental review, inspection, legal and fiscal agent's fees, costs incurred in connection with the issuance and sale of such bonds or certificates of participation, and reserve fund and interest estimated to accrue during the construction period and for a period not to exceed twelve (12) months after completion of construction.

Section 4. This Ordinance shall be submitted to a vote of the people of the City pursuant to Elections Code section 4010.

Section 5. All actions taken pursuant to this Ordinance shall be in compliance with all local, state and federal environmental protection laws. Nothing in the ordinance shall be construed to require compliance with any such laws prior to the election provided for herein.

Section 6. This Ordinance shall be liberally construed and applied in order to fully promote its underlying purposes. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are severable.

Section 7. To the extent that the provisions of this Ordinance conflict with any prior ordinance or measure previously enacted by the City or the voters of the City, the provisions of this Ordinance shall control. To the extent that the provisions of this Ordinance conflict with any other ordinance or measure adopted at the same election, the ordinance or measure receiving the highest number of affirmative votes shall control.

CERTIFICATION

I, Ardith Davis, City Clerk of the City of Morro Bay, do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by a majority vote of the electors voting in the special municipal election held in the City of Morro Bay on the 17th day of December, 1991.

DATED: December 26, 1991


ARDITH DAVIS, City Clerk
City of Morro Bay, CA



OFFICIAL BALLOT

SPECIAL MUNICIPAL ELECTION
CITY OF MORRO BAY

SAN LUIS
OBISPO COUNTY

DECEMBER 17, 1991

This ballot stub shall be torn off by precinct board member and handed to the voter.

MEASURE SUBMITTED TO VOTE OF VOTERS

CITY

CITY OF MORRO BAY

G Shall an Ordinance be enacted mandating participation by the City of Morro Bay in the Coastal Branch of the California Aqueduct Project (State Water Project) and authorizing construction of related necessary local facilities?

YES	+
NO	+

Sample Ballot

Sample Ballot

**FULL TEXT OF MEASURE G
STATE WATER BALLOT MANDATORY MEASURE
City of Morro Bay**

TEXT OF INITIATIVE

AN ORDINANCE OF THE PEOPLE OF THE CITY OF MORRO BAY AUTHORIZING AND DIRECTING PARTICIPATION IN THE COASTAL BRANCH OF THE CALIFORNIA AQUEDUCT PROJECT AND CONSTRUCTION OF LOCAL FACILITIES.

THE PEOPLE OF THE CITY OF MORRO BAY DO HEREBY ORDAIN
AS FOLLOWS:

WHEREAS a significant water shortage exists in San Luis Obispo County as well as in the City of Morro Bay (the "City"); and

WHEREAS the City does not now provide a permanent, reliable water supply to all its residents; and

WHEREAS a LEVEL 5 water shortage emergency has been declared to exist in the City; and

WHEREAS the City relies exclusively on local water supplies to meet its current water demand, which supplies originate entirely within close proximity to the City and which supplies are all subject to the same climatic conditions; and

WHEREAS participation in the Coastal Branch Project will provide for a long term solution to the existing drought emergency and to the ongoing water shortage within the City; and

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NOW, THEREFOR, THE FOLLOWING ORDINANCE IS ENACTED INTO LAW:

Section 1. The City shall immediately give notice to the San Luis Obispo County Board of Supervisors (the "Board") that it intends and desires to participate in the construction of the Coastal Branch Project (the "Project") together with all facilities and appurtenances necessary to deliver water from said Coastal Branch into the City's water system.

Section 2. The City shall immediately give notice to the Board that the City desires a minimum of One Thousand Three Hundred Thirteen (1313) Acre-Feet per year to be delivered to the City upon completion of the project.

Section 3. The City shall issue revenue bonds or sell certificates of participation or through a combination of the above provide funds to finance the City's pro rata share of the Project costs and any and all appurtenances necessary to deliver water from said Coastal Branch into the City's water system including any and all expenses incidental thereto, or connected therewith, including the cost of rights of way acquisition, the cost of constructing and/or acquiring all buildings, equipment and related personal and real property required to complete the total works, and the engineering, environmental review, inspection, legal and fiscal agent's fees, costs incurred in connection with the issuance and sale of such bonds or certificates of participation, and reserve fund and interest estimated to accrue during the construction period and for a period not to exceed twelve (12) months after completion of construction.

Section 4. This Ordinance shall be submitted to a vote of the people of the City pursuant to Elections Code section 4010.

Section 5. All actions taken pursuant to this Ordinance shall be in compliance with all local, state and federal environmental protection laws. Nothing in the ordinance shall be construed to require compliance with any such laws prior to the election provided for herein.

Section 6. This Ordinance shall be liberally construed and applied in order to fully promote its underlying purposes. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity shall not affect other provisions of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of the Ordinance are severable.

Section 7. To the extent that the provisions of this Ordinance conflict with any prior ordinance or measure previously enacted by the City or the voters of the City, the provisions of this Ordinance shall control. To the extent that the provisions of this Ordinance conflict with any other ordinance or measure adopted at the same election, the ordinance or measure receiving the highest number of affirmative votes shall control.

**IMPARTIAL ANALYSIS BY CITY ATTORNEY
CITY OF MORRO BAY MEASURE G**

This measure requires the City of Morro Bay to give notice to the County of San Luis Obispo that the City intends to participate in the Coastal Branch of the State water project and to request a minimum of thirteen hundred thirteen (1313) acre feet of water per year for the City of Morro Bay.

The measure also requires the City of Morro Bay obtain the funds to pay for Morro Bay's share of the project through the issuance of revenue bonds or certificates of participation or a combination of both such financing methods. Project costs include cost of rights of way acquisition, the cost of constructing and/or acquiring all buildings, equipment and real or personal property, the cost of engineering, environmental review, inspection, legal and fiscal agent's fees, the cost incurred in connection with the issuance and sale of bonds or certificates of participation, and other financing costs to complete the entire project and build all facilities necessary to bring water from the Coastal Branch of the State Water Project to the City of Morro Bay.

DATED: JULY 30, 1991

s/ Judy Skousen
City Attorney

The above statement is an Impartial Analysis of this measure. If you desire a copy of the measure, please call the Elections Official's Office, 772-6200, and a copy will be mailed at no cost to you.

ARGUMENT IN FAVOR OF MEASURE G

We have known for years that **OUR LOCAL WATER SUPPLIES ARE NOT SUFFICIENT** for our existing population. This was proven during the recent drought.

The City relies exclusively on local wells to meet its current water demand. **These sources have proven to be undependable.**

The City **DOES NOT** provide a permanent, reliable water supply to all its residents and property owners. We are, today, living under an officially declared water emergency.

Our quality of life suffers because we don't have enough water. **To protect our public health, safety and welfare we must get more water soon.**

The City **HAS A DUTY** to provide a **PERMANENT AND RELIABLE** water supply to its residents and property owners.

Acquisition of adequate supplemental water, at the earliest opportunity, is essential to avoid severe adverse economic and environmental consequences.

State Water **WILL PROVIDE A LONG TERM SOLUTION** to our water shortage problems.

The estimated cost of State Water is **1/3 to 1/2** the cost of water from any local source which has been investigated. The estimated cost of State Water is **20%-35%** the cost of desalinated ocean water.

Local property owners have been paying a portion of their property taxes for years to retain the right to have State Water.

STATE WATER IS A DEPENDABLE WATER SOURCE. The project has delivered over **97%** of its contractual commitments since its inception.

STATE WATER WILL BE DELIVERED TO US AS HIGH QUALITY, PURIFIED, DRINKING WATER. Don't be fooled by those claiming otherwise.

The State Water pipeline **WILL** be constructed through this county to supply Santa Barbara. It would be stupid and irresponsible for us not to participate. **If we lose the opportunity now it will be gone forever.**

VOTE YES on MEASURE G ! !

s/ Frank St. Denis
Art Gallery Owner
s/ Edgar Smith
Teacher, Retired
s/ Dale C. Mitchell
Attorney

s/ Sylvia W. Cook
s/ John Lemons
Civil and Structural Engineer

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE G

The argument for State controlled water makes **unsupportable, misleading** claims for **reliability, low cost and high quality.**

RELIABILITY: During recent drought years water deliveries have been below contractors' needs. 1991 has been catastrophic for farmers who were cut to **zero**; and only 20 percent of municipal and industrial demands were met. **The Kern County Water Agency must pay 37.8 million dollars for zero water this year!** The State's report shows contracts to deliver 4,217,000 acre feet annually. However, in its 1990 annual report, project **safe** annual yield is only 2,400,000 acre feet. That's for **wet** years. According to Southern California's Metropolitan Water District: "even if the weather were wet, reliable supplies are shrinking while populations are growing". Looking at reliability, a prudent investor would go for a Nacimiento project - **not State Water.**

COST: Proponents claim State Water is "one-third to one-half the cost of water from local sources . . ." Lake Nacimiento, entirely within our county, is a local source! And the State certified **Environmental Impact Report** for its project, estimates cost would be \$708 an acre-foot. The same EIR estimates \$458 per acre-foot for Nacimiento. Our groundwater cost? \$200 per acre-foot.

QUALITY: State Water is contaminated by agricultural runoff, municipal and industrial effluents, asbestos and heavy metals. Filtration costs are high. Nacimiento water is **purer** to begin with.

Why **lock into** a State controlled project which is **unreliable** and **costs too much?** We have been paying (through county taxes) for rights to **both** State and Nacimiento water.

Be prudent — Vote NO on Measure G!

s/ Ann H. Freeman
Microbiologist, Retired
s/ Jane H. Bailey
Civic Leader
s/ Colby C. Crotzer
Teacher

s/ Vernon E. Richardson
Lt. Col. USAF (Ret.)
Former Planning Commissioner
s/ Harold Wieman
Author

ARGUMENT AGAINST MEASURE G

To commit the taxpayers of Morro Bay to importing State Water and to fix the method of financing **at this time** is simply **not prudent!**

Mandatory Measure G would require the City to contract for 1313 acre feet from the Coastal Branch project and requires that the City "shall issue revenue bonds or sell certificates of participation" to finance the enormous costs involved. Unfortunately, Measure G **limits** our financing options.

It also locks us into a project **now** that has **not been fully evaluated.** The Environmental Impact Report and engineering studies are yet to be finished. Cost estimates, according to engineering sources, "are rough" and depend on many unknowns such as how many communities may subscribe. San Luis Obispo, Arroyo Grande and Grover City - already have said **NO!** Morro Bay is likely to **stand alone!** Costs could be prohibitive!

EIR estimates show State Water to be costlier than Nacimiento water. We will begin paying for State Water when the contract is signed, not when construction begins. The annual fixed costs (85% of total) must be paid even though full entitlement is not received.

State Water deliveries have been drastically curtailed this year! Non-agricultural users receive only 20% of amounts contracted. Farmers have been cut off completely. It is widely recognized by water officials that **the State Water Project is water short.** Even in non-drought years deliveries have been cut.

Can we successfully compete with Southern California and other powerful users? More appropriate local options within our control are Lake Nacimiento, reclamation, conservation and, when needed, desalination.

Obviously there are many problems with State Water to be solved and it is unlikely that Morro Bay can successfully compete with politically powerful Southern California users.

Don't close out our options. **Don't buy a pig in a poke.**
Vote NO on G.

s/ Ann H. Freeman
Microbiologist, Retired
s/ Jane H. Bailey
Civic Leader
s/ Colby C. Crotzer
Teacher

s/ Vernon E. Richardson
Lt. Col. USAF (Ret.)
Former Planning Commissioner
s/ Harold Wieman
Author

REBUTTAL TO ARGUMENT AGAINST MEASURE G

- * Opponents of Measure G are **not telling you the whole TRUTH.**
- * Opponents say that committing to State Water at this time is not prudent. Not so -- it is the most **sensible** thing we can do.
- * They oppose the financing methods required by Measure G. Measure G will assure that the cost of water will be paid by the water users -- the more you use the more you pay. **What could be fairer?**
- * They say that the Environmental Impact Report has not been finished. It has already been certified. **Why won't they tell you the TRUTH?**
- * They say State Water costs could be prohibitive even though the County Engineer told the Council that under "the worst case scenario" our costs might increase by approximately \$100/AcreFoot. It would still be the cheapest supplemental water available to us -- by a wide margin. **Have you been told this?**
- * The opponents state that Lake Nacimiento, reclamation and desalination are more appropriate "local" options.
- * Lake Nacimiento is only a dream. It is not funded nor has any design or environmental work been authorized. City estimates show cost as twice that of State Water. **Why won't opponents tell you this?**
- * City estimates indicate cost of reclamation will be four times that of State Water. It cannot be used for direct recharge of wells. **Why won't opponents tell you this?**
- * City estimates desalination to cost at least triple State Water cost. **Why won't opponents tell you this?**

WE CAN SOLVE OUR WATER PROBLEMS
VOTE YES ON MEASURE G

s/ Frank St. Denis
Art Gallery Owner
s/ Edgar Smith
Teacher, Retired
s/ Dale C. Mitchell
Attorney

s/ Sylvia W. Cook
s/ John Lemons
Civil and Structural Engineer

From: [Paul Donnelly](#)
To: [Brandi Cummings](#)
Subject: Re: LOCSD Resiliency Intertie Project - Negative Declaration (ND)
Date: Thursday, October 5, 2023 12:51:49 PM
Attachments: [image001.png](#)
[image001.png](#)

Thank you very much Brandi for your response.

I do have more questions but in particular, the third paragraph in §1.3.2 Operation says, "***Depending on the amount of water received by the intertie, pumping would be reduced at other LOCSD wells in the Los Osos Groundwater Basin to mitigate seawater intrusion.***" How is it possible that this intertie proposal will mitigate sea water intrusion? Where is that intrusion occurring and which wells are drawing that into the basin? There is no apparent nexus. Has there been modeling of the groundwater to see if this concept will achieve this? It doesn't seem as though the discharge into the storm water basin at the southwest corner of South Bay Boulevard and Santa Ysabel would help that as it is so far away. It is my recollection that the storm water basin was dug there to mitigate improved runoff from the road. Will this project jeopardize the basin capacity that was intended for storm water runoff?

Thanks again,
Paul

From: [Paul Donnelly](#)
To: [Brandi Cummings](#)
Subject: Re: LOCSD Resiliency Intertie Project - Negative Declaration (ND)
Date: Friday, October 27, 2023 9:58:26 AM

Dear Brandi,

I have a couple of more comments to make regarding the draft MND;

Just this last Tuesday (10/24/2023), the Morro Bay city council agenda'd this item for discussion and during public comment, the LOCSD General Manager got up and spoke. According to what he said, and as I understand it, the deliveries of State Water will go directly into the district's water pipes via the intertie. If that is the case, the intertie pipe will need to be disinfected first with high concentrations of sodium hypochlorite. What source of water will be provided for this procedure and for pressure testing the new pipe? It will take several hours to perform the disinfection process so to where will that water be disposed since it will be considered wastewater?

Also, the State Water is treated with chloramines at the Polonio Pass water treatment plant to curtail formation of undesirable by-products such as trihalomethane since the delta water has organic carbons present. If the district simply treats its drinking water with regular chlorine, the blending with State Water may be compromised. Mixing chlorinated and chloraminated water is not recommended. If that is the case, the district may want to alter disinfection of its own water supply before taking State Water into its system. How will the district accomplish this?

Sincerely,
Paul

From: [Terry Simons](#)
To: [Brandi Cummings](#)
Cc: [Lisa Simpson](#)
Subject: LOCSD MND Comment period
Date: Friday, October 20, 2023 3:09:51 PM
Attachments: [Chorro Valley Pipeline MW analysis.pdf](#)
[Chorro Valley Pipeline FlowVolicities.pdf](#)

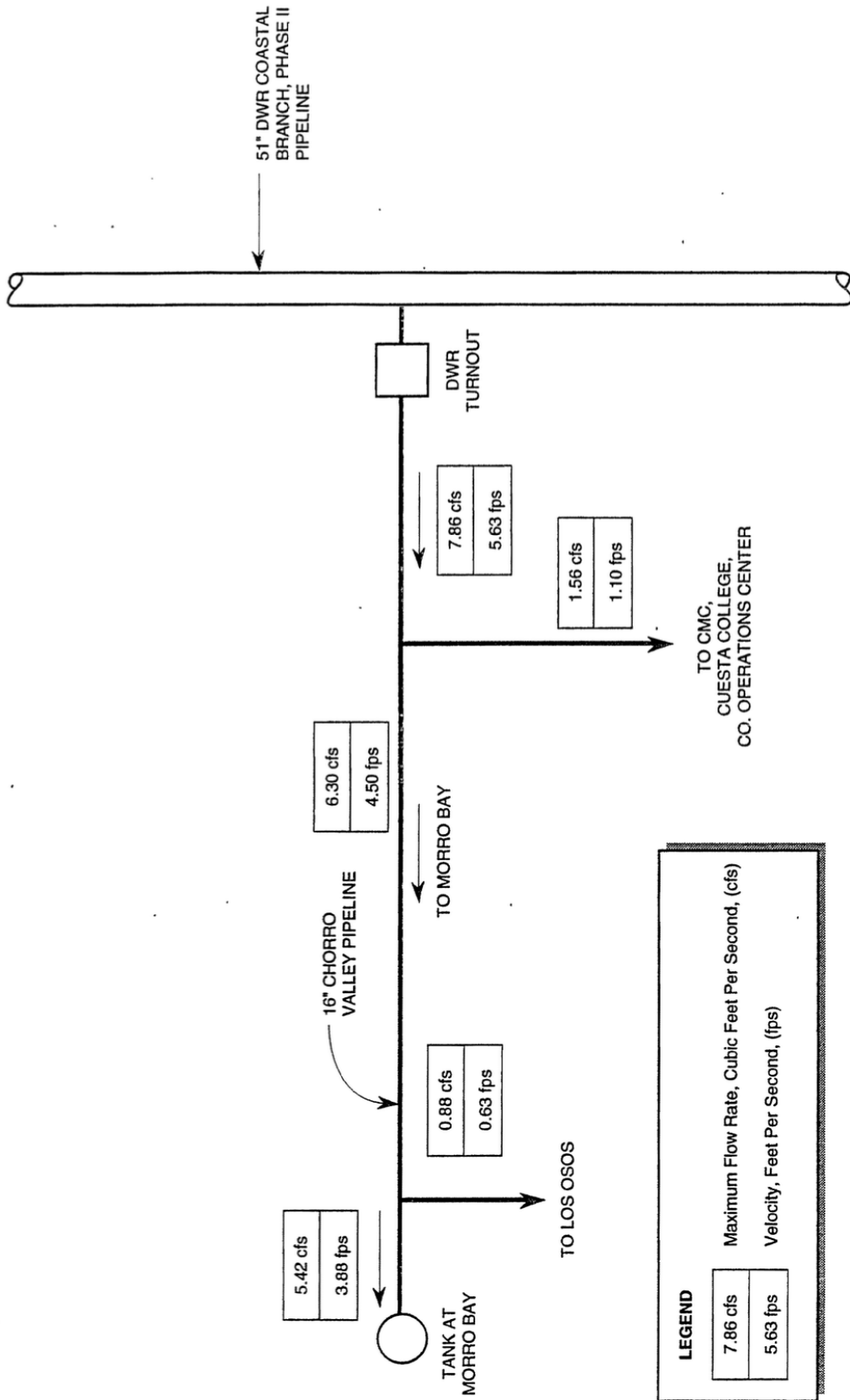
Ms. Cummings,

I have been reviewing the MND that your firm prepared for LOCSD as to their proposed Inter-tie with the Chorro Valley pipeline to deliver State Water to Los Osos. I spoke with your admin staffer. Lisa regarding the comment period and confirmed that the last day for Public Comment is next Friday (not today).

I am interested if you can provide me the underlying engineering documents that your firm used as the "PROJECT" for review. It is not clear from my read of your MND how the project was defined for your purpose.

It has come to my attention that the Chorro Valley pipeline may not have the capacity in the final reach from CMC to Morro Bay to deliver sufficient State water as identified (200AF/yr) without reducing the ability of Morro Bay to receive its contracted State water. Please see attached PDFs. It appears that Los Osos was originally interested in State Water but declined to participate so the final reach of the line was reduced from a 16"Ø to a 10"Ø. Because the plan in the MND seems to call for a 12"Ø line to Los Osos at the proposed turnout I am confused as to what the size of the anticipated pipe is vs. what is actually there.

Please let me know if you have any engineering documents used fro your evaluation,
Thanks,
ts 805-440-1219



**FLOW RATES AND VELOCITIES
STATE WATER PROJECT AND NACIMIENTO WATER**

FIGURE 2



M E M O R A N D U M



MONTGOMERY WATSON

TO: Paul Donnelly	OR: Linda Tripp
CONTACT:	
PHONE:	PHONE:
FAX:	FAX:

FILE
CHORRO
PIPELINE

To: Paul Hilliard/Rick Meeks Date: September 30, 1997
 From: Linda Tripp Reference: 812.0120/3.1.2
 Subject: Chorro Valley Pipeline-Capacity

This memorandum has been prepared in response to your questions yesterday regarding the capacity of the Chorro Valley Pipeline. Attached is a memorandum to Paul Donnelly dated February 13, 1995 that addressed the City of Morro Bay's questions regarding this issue.

As stated in this memorandum, the pipeline capacity is controlled by two factors, the flow velocity and the pipeline pressure. Although the pipeline can tolerate greater velocities, the pipeline, valves, and appurtenances were not designed to tolerate the higher pressures that are associated with the larger flows, and limit the capacity. The memorandum also recommends modifications to the design to increase the capacity, however, during the design, the City of Morro Bay elected to not make the modifications to the pipeline and appurtenance design.

The design capacity of the pipeline is summarized as follows:

User	Base Entitlement	Flow (inc. 11% for outages, See *)
California Men's Colony	400 AF/yr	274 gpm
Cuesta College	200 AF/yr	138 gpm
SLO County Operations Center	425 AF/yr	292 gpm
City of Morro Bay	1313 AF/yr	903 gpm
City of Los Osos	600 AF/yr	413 gpm
Total Design Capacity (note #3)	2938 AF/yr	2020 gpm
Design Capacity at CMC TO	1025 AF/yr	720 gpm
Design Capacity to Los Osos TO	1913 AF/yr	1316 gpm
Design Capacity to Morro Bay	1313 AF/yr	903 gpm

* The pipeline capacity was based on an annual flow, and assumed that the Polonio Pass WTP is shut down for 1 month a year based on CCWA Operations predictions.

If you have any questions, or need any additional information, please call me at (510)274-2353.

From: [Terry Simons](#)
To: [Brandi Cummings](#)
Subject: Re: LOCSO MND Comment period
Date: Thursday, October 26, 2023 11:30:25 AM

Brandi,

Thanks for getting back to me:

- I am looking for whatever engineering plans you may have used for determining your CEQA Status;
- Specifically, data on the Chorro Valley Pipeling that would indicate that there is capacity to deliver;
- The 1997 drawings I have from the COSLO are not correct as they show a 16"Ø Pipe from the CMC turnout to MB;
- It is my understanding that the final "as built" line was reduced to a 10"Ø because LO dropped out.

During a recent presentation at the MB City Council meeting this past Thursday:

- The Public works director indicated that there is already a turnout located:
- At South Bay BLVD that may have been intended to serve Los Osos;
- Do you have any information on this turn out?

The cost and potential environmental issues associated with a new Turnout as shown on your plan:

- May be significantly reduced if it is possible to. use this SBB existing turnout;
- It also seems that the proposal to install a 12"Ø pipe to LO from MB may be excessive;
- Can you provide any engineering evaluation of the needed capacity to deliver the planned 200AF/yr?

Thanks,
ts 805-440-1219

From: info@salinatribe.com
To: [Brandi Cummings](#)
Subject: LOCSO Resiliency Intertie Project
Date: Monday, October 23, 2023 11:30:10 PM

Greetings Brandi, we have reviewed the proposed LOCSO Resiliency Intertie Project and we are requesting that all ground disturbing activities be monitored by a cultural resource specialist from our tribe. Please keep us informed as the project moves forward.

Xayatspanikan,
Patti Dunton, Tribal Administrator

From: [Greg Kwolek](#)
To: [Brandi Cummings](#)
Cc: [Council](#); [Ron Munds](#)
Subject: City of Morro Bay Public Comment on Draft IS/MND for Los Osos Community Services District Resiliency Intertie Project
Date: Wednesday, October 25, 2023 7:07:15 AM

Good morning Brandi,

On behalf of the City Council of the City of Morro Bay, I submit the following four public comments to the Draft IS/MND for the Los Osos Community Services District Resiliency Intertie Project:

1. The City requests engagement from LOCSD on all environmental mitigation measures that address environmental impacts within the boundaries of the City of Morro Bay.
2. Before the Intertie Project is seriously considered, it must be demonstrated that the Chorro Valley Pipeline has capacity to supply LOCSD with the requested 200 acre feet per year.
3. Before the Intertie Project is seriously considered, it must be demonstrated that LOCSD can and will compensate the City for any infrastructure costs already paid by the City to build the Chorro Valley Pipeline and any other infrastructure costs supporting connection to the State Water Project already paid by the City and/or other State Water subcontractors, proportionate to LOCSD's planned capacity utilization of the Chorro Valley pipeline.
4. The City requests LOCSD collaborate with the City on potentially mutually beneficial ventures related to the proposed pipeline alignment, including a parallel recycled water pipeline, a water pipeline that allows for sale of Morro Bay water to LOCSD, and/or a conjunctive use agreement.

Please confirm receipt of these comments.

Thank you,

Greg Kwolek, Public Works Director
City of Morro Bay

Brandi Cummings

From: betty winholtz <winholtz@sbcglobal.net>
Sent: Wednesday, October 25, 2023 11:07 PM
To: Brandi Cummings
Subject: comments about the proposed project's Mitigated Negative Declaration Los Osos Community Services District Resiliency Intertie Project

Dear Ms. Cummings:

Please consider these my comments concerning the LOCSD Resiliency Intertie Project--

1. The environmental impact is downplayed by using a Mitigated Negative Declaration (MND) rather than an EIR. An EIR is the appropriate environmental evaluation tool because this project goes through and is adjacent to several ESH areas.
2. Another reason why this project should have an EIR is the lack of considering alternatives, both for water sources (LOVR farmers) and routes (across State Park property).
3. Horizontal drilling was used at Willow Camp Creek during the City of Morro Bay's pipeline placement on the bike trail behind the power plant. This method was destructive to the wetland. I cannot see how such drilling will work differently at Chorro and Los Osos Creeks.
4. Knowledge of what is under S. Bay Blvd should be known for this MND to be valuable. We know that fiber optics were laid earlier this year. What else is under there?
5. The tie-in to the City's state water pipeline has been mentioned as an issue both in terms of size and pressure. Where is the evidence of resolution?
6. Money for the state water pipeline has been mentioned also as an issue. Where is the evidence of resolution?

Sincerely,
Betty Winholtz



State Water Resources Control Board

October 26, 2023

Los Osos Community Services District
Attn: Ms. Brandi Cummings
2122 9th Street
Los Osos, California 93420

LOS OSOS COMMUNITY SERVICES DISTRICT (DISTRICT), MITIGATED NEGATIVE DECLARATION (MND), FOR THE LOS OSOS COMMUNITY SERVICES DISTRICT RESILIENCY INTERTIE PROJECT (PROJECT); STATE CLEARINGHOUSE #2023090611

Dear Ms. Brandi 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, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of the State Water Board, DDW's Santa Barbara District. DDW Santa Barbara District issues domestic water supply permit amendments to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 CCR chapter 16 et. seq.). A public water system requires a water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Waterworks Standards. The District will need to apply for a water supply permit amendment for this Project.

The State Water Board, DDW, as a responsible agency under California Environmental Quality Act (CEQA), has the following comments on the District's Initial Study (IS)/MND:

- Under Section 1.4 "Required Discretionary Approvals" please include "The State Water Resources Control Board will approve a water supply permit amendment to add a new source to the Los Osos Community Services District public water system" (PDF page 12).
- The IS/MND indicates, in wet years state water could provide up to 200-acre feet per year that will enhance the reliability and resiliency of the District's water supply, especially in drought conditions (PDF page 10). Please discuss in the IS/MND how and where the District plans to store the extra water.

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

- The ISMND states on PDF page 81 that if a booster pump station is needed, it would be installed within the 100-year flood zone. A metering vault and check valve would also be located on the same spot. Please discuss in the IS/MND if there a risk to public water service if these components are inundated and cannot function.
- The IS/MND indicate that Chorro Creek and Los Osos Creek are Waters of the United States (WOTUS) and Waters of the State (WOTS) [PDF pages 31, 34]. One unnamed drainage south of Chorro Creek and one adjacent to the intertie location is also within the Project area (PDF page 48). Under Section X. Hydrology and Water Quality (a) waste discharge requirements and/or Section IV Biological Resources (c) jurisdictional wetlands, please discuss:
 - Temporary and permanent dredge and fill impacts to WOTUS and WOTS listed above for the Project.
 - If each unnamed drainage is a WOTUS and/or WOTS.
 - If the Project will obtain coverage under the State Water Board General Order for the U.S. Army Corps of Engineer National Permits (Order No. 2020-0039-EXEC) or a Central Coast Regional Water Quality Control Board (Central Coast Water Board) individual permit for dredge and fill and possible frack-out discharge. (Please note a drilling plan and frack out response plan is subject to review by the State Water Board or Central Coast Regional Water Board.)
 - Further information regarding if the Project may qualify under the General Order and requirements of the order may be found here: https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2020/generalorder.pdf For more information on the general permit please contact Jean Bandura at (916) 322-7781 Jean.Bandura@waterboards.ca.gov For more information on an individual permit please contact Kathleen Hicks of the Central Coast Regional Water Board at Kathleen.Hicks@waterboards.ca.gov or (805) 549-3458.
- Mitigation Measure HYD-1 Hydraulic Fracture is proposed to mitigate impacts to horizontal drilling in the event drilling fluid is accidentally released to ground or surface water (PDF page 82). The Mitigation Measure indicates the District shall develop a plan that includes the location of all water withdrawal and injection wells (PDF page 82). However, it appears like “water withdrawal and injection wells” would only apply to oil frack out plans and not horizontal directional drilling.
 - Please clarify the process that will be implemented with horizontal directional drilling and if water withdrawal and injection wells will be involved. Please update the mitigation measure as needed.
- Installation of a new well and associated well infrastructure is mentioned on PDF page 89 and PDF page 102; however, this is not included in the project description, Section 1.3. If this is part of the Project, update Section 1.3 of the Project Description and environmental impacts analyzed in the document.

When the CEQA review process is completed, please forward the following items with your permit application to the State Water Board, DDW Santa Barbara District Office at DWPDIST06@waterboards.ca.gov:

- Copy of the draft and final MND and Mitigation Monitoring and Reporting Plan;

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

Please contact Lori Schmitz of the State Water Board at (916) 449-5285 or Lori.Schmitz@waterboards.ca.gov, if you have any questions regarding this comment letter.

Sincerely,

Lori Schmitz

Lori Schmitz
Environmental Scientist
Division of Financial Assistance
Special Project Review Unit
1001 I Street, 16th floor
Sacramento, CA 95814

Cc:

Office of Planning and Research, State Clearinghouse

Jason Cunningham
District Engineer
State Water Board, DDW, Santa Barbara District

Jean Bandura
Senior Environmental Scientist
State Water Board, Division of Water Quality, Water Quality Certification and Enforcement Unit II

Kathleen Hicks
Environmental Scientist
Central Coast Water Board, Cannabis & National Pollutant Discharge Elimination System Unit



October 27, 2023

EMAIL ONLY

Mr. Ron Munds
General Manager
Los Osos CSD

Subject: Comments on Los Osos CSD Resiliency Intertie Project Draft Initial Study/Mitigated Negative Declaration

Dear Mr. Munds:

Thank you for this opportunity to comment on the above-referenced project. The Department of Public Works (Public Works) offers the following general comments as owners of the Chorro Valley Pipeline:

1. The draft IS/MND states: "State Water Project could provide up to 200 AFY of water supply" (p. 2). The Chorro Valley Pipeline (CVP) is owned and operated by the San Luis Obispo County Flood Control and Water Conservation District (District). The District has previously estimated there is approximately 600 AFY of available capacity in the CVP owned by the District that could be used to deliver the State Water supply down to a connection point near South Bay Boulevard.
2. Draft IS/MND suggests that "LOCSD staff would perform annual inspections and start-up/closure activities (opening and closing of the valves) of the intertie" (p. 4). Operation of CVP turnout (opening and closing of valves) would be the responsibility of District staff.
3. Discretionary Approvals (p. 4):
 - a. It should be noted that the District would need to provide approval to LOCSD to connect to the CVP. The CVP is a public water system (CA4010030) owned and operated by the District and permitted by the Division of Drinking Water. The Water Supply Permit would need to be amended to deliver water to a future turnout connection required to serve LOCSD. Additional system upgrades may be needed to protect the integrity of the CVP and to ensure that deliveries to LOCSD will not harm other existing State Water Subcontractors or adversely impact the District's CVP operations. Any change in the source of water or any addition to the distribution system must be submitted to the Division of Drinking Water.

Prior to approval to connect to the CVP, the District would require LOCSD to have some dedicated system storage (a tank or other storage reservoir which could potentially be an existing tank) that provides backflow prevention to isolate the LOCSD system from the CVP, as well as some buffer storage to address short-duration supply interruptions or low-flow conditions within the CVP. This comment is submitted considering that LOCSD will be integrating this supply into their operations and will also need to coordinate operations with the District. The requirement to have dedicated storage is typical for all systems that receive SWP water deliveries via District facilities and allows for operational flexibility since District staff are not local and require response time. The details of what will be required and where it could be located (ideally upstream of the LOCSD distribution system) can be worked out with District staff in the future.

- b. For the supply and delivery of State Water Project water, LOCSD would need a "Water Supply Agreement" with the District. The agreement would identify the terms for supplying and delivering water to LOCSD, in some form similar to existing water supply agreements between the District and the existing State Water Subcontractors.
- c. Assuming LOCSD and the District establish the "Water Supply Agreement" – then to connect to the CVP, LOCSD would also need a separate "Water Treatment and Local Facilities Agreement." This second agreement would define the cost share, benefits, and obligations associated with the treatment of the water via the Central Coast Water Authority (CCWA) and the water delivery via the District's CVP system.

Construction of the proposed pipeline would also require coordination with Public Works for encroachment into the County of San Luis Obispo's (County) maintained roadway system. The County is currently designing and permitting a project to replace the South Bay Boulevard bridge; it is recommended that LOCSD coordinate with Public Works for the timing/installation of LOCSD facilities on this bridge.

Please include the following measures into the IS/MND:

At the time of application for construction permits, the applicant shall submit to the Department of Public Works an Encroachment Permit application, plans, and fees, to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The Encroachment Permit application and plans are to include, as applicable:

- a. Approved Mitigated Negative Declaration (MND) with any mitigation measures and/or reporting requirements.
- b. Plan and profile of utility, including attachment details to South Bay Boulevard bridge.
- c. Traffic control plan for construction in accordance with the California Manual on Uniform Traffic Control Devices (CA-MUTCD).

Prior to commencing permitted activities, all work in the public right-of-way must be constructed or reconstructed to the satisfaction of the Public Works Inspector and in accordance with County Public Improvement Standards; the project conditions of approval, including any related land use permit conditions; and the approved improvement plans.

Please feel free to contact me at (805) 781-5458 if you have any questions or would like to discuss your proposed project further with the Public Works team.

Sincerely,



KATE BALLANTYNE
Deputy Director

File: CF 940.20.05

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From: [Zimmer, Mark A](#)
To: [Ron Munds](#)
Cc: [Moore, Toby](#)
Subject: RE: LOCSD Draft IS/MND
Date: Monday, October 30, 2023 10:47:47 AM

Ron,

Thank you for providing the opportunity to review the Resiliency Intertie Project and Mitigated Negative Declaration study. GSWC has no comments on the filing and supports the piping project to bring additional potable water to the Los Osos Community Service District water distribution system. In addition, GSWC would appreciate further discussions with the District regarding the operation and water delivery aspect of the project to maximize its benefit to the groundwater basin and provide water supply resiliency for the Los Osos community. Please let me know how I can assist to help facilitate the progress of this project.

Best Regards,
Mark Zimmer
General Manager - Coastal District
Golden State Water Company

Response to Comments on Draft Initial Study/Mitigated Negative Declaration

The following represents the comments that were received during the 30-day public review period of the Initial Study/Mitigated Negative Declaration (IS/MND). Under Public Resources Code § 21091(d)(1) and State California Environmental Quality Act (CEQA) Guidelines § 15074(b), formal responses to comments received on the draft IS/MND are not required; therefore, responses to comments are provided as a courtesy, and for information purposes; comments that do not pertain to environmental issues may not be responded to at the discretion of the Los Osos Community Services District (LOCSD).

Date: 9/30/23, 10/05/23, 10/27/23

Comments by: Paul Donnelly

RESPONSE: *The comments do not identify any deficiency in the IS/MND and no changes in the environmental analysis are necessary. The following information is provided as a courtesy and is informational only.*

The Project Description and IS/MND have been updated to describe the existing County of San Luis Obispo (County) and Whale Rock easements and Whale Rock transmission main that exist in the immediate area of the proposed turnout, who the landowner is in this area, and the need for any easements. These revisions do not constitute significant new information and do not require recirculation of the IS/MND pursuant to State CEQA Guidelines Section 15088.5.

The County has been notified of this proposed project and provided comments on the IS/MND. The landowner and Caltrans were notified of the IS/MND through the public review process; no comments were received.

Working with the County, hydraulic calculations and detailed design will address the questions raised regarding the existing Chorro Valley Pipeline (CVP), hydraulic gradeline, ability to deliver 200 acre-feet-per-year (AFY) of water to LOCSD, and intertie transmission main size/diameter. It is noted that the LOCSD has been working closely with the County, and the County has indicated that up to 600 AFY of State Water Project water is available and capable of being delivered at the proposed intertie location (see October 29, 2023 IS/MND comment letter from the County).

The intertie will be designed to discharge directly into the LOCSD water distribution system. However, due to the planned intermittent operation of this pipeline, when the pipeline is started up, stale water must be purged from the intertie pipeline before introduction into the water system. Thus, it is expected that purge water will discharge to the stormwater basin such that it will percolate into the underlying aquifer. Once sufficient water has been purged from the intertie pipeline, water will then be introduced directly into the LOCSD water system.

The IS/MND and Project Description identify two possible means of crossing both creeks, and the ultimate chosen method will be based on environmental risks/impacts identified in this IS/MND, coordination with the County, and coordination with the contractor. The LOCSD understands that the County is planning to replace the Los Osos Creek Bridge in the coming years, and that a flood-protected corridor on the bridge would be reserved for use by the LOCSD. Such manner of crossing would prove to have the least environmental impact over a creek undercrossing. However, the timing of the bridge replacement will also need to be considered.

The intertie project would provide potable water to the LOCSO that would otherwise need to be pumped from the various LOCSO water wells and the underlying groundwater aquifers. Reducing the amount of groundwater pumping in the region will help curtail advancement of saltwater intrusion which has already been documented to be occurring. For additional information, please contact the LOCSO for a list of published technical reports/documents that support this fact.

END COMMENT AND RESPONSE, PAUL DONNELLY

Date: 10/20/23 AND 10/26/23

Comment by: Terry Simons

RESPONSE: *The comments do not identify any deficiency in the IS/MND and no changes in the environmental analysis are necessary. The following information is provided as a courtesy and is informational only.*

Working with the County, hydraulic calculations and detailed design will address the questions raised regarding the existing CVP, hydraulic gradeline, ability to deliver 200 AFY of water to LOCSO, and intertie transmission main size/diameter.

END COMMENT AND RESPONSE, TERRY SIMONS

Date: 10/23/23

Comments by: Patti Dunton, Tribal Administrator, Salinan Tribe of Monterey and San Luis Obispo Counties

RESPONSE: *Mitigation Measure CR-2 requires the preparation of an archaeological monitoring plan (AMP) which will identify the involvement of the Native American tribes and the frequency and duration of monitoring. Mitigation Measure CR-3 requires implementation of monitoring during ground-disturbing activities that have the potential to encounter previously unidentified archaeological resources, as outlined in the AMP prepared to satisfy CR-2. The comments do not identify any deficiency in the IS/MND and no changes in the environmental analysis are necessary.*

END COMMENT AND RESPONSE, PATTI DUNTON

Date: 10/25/23

Comments by: Greg Kwolek, Public Works Director, City of Morro Bay

RESPONSE: *The LOCSO will obtain all necessary encroachment permits to perform work or mitigation activities with the right-of-way within the City of Morro Bay city limits. The County has indicated that there is 600 AFY of available capacity in CVP that could be delivered at the turn-out location indicated in the Project Description. Based on other comments related to available hydraulic capacity in the CVP, in conjunction with the County, hydraulic calculations and detailed design will address the questions raised regarding physical capacity/ability to deliver 200 AFY water for this intertie project. The comments do not identify any deficiency in the IS/MND and no changes in the environmental analysis are necessary.*

END COMMENT AND RESPONSE, GREG KWOLEK

Date: 10/25/23

Comment by: Betty Winholtz

RESPONSE: *The presence of environmentally sensitive habitat area (ESHA) is not a trigger for an environmental impact report (EIR) unless a significant unavoidable impact would occur as a result of the project. Most of the pipeline alignment right-of-way (ROW) areas support ESHA under both the County's and City's local coastal plans (LCPs) while areas of the pipeline alignment ROW that are disturbed with nonnative veldt grass grassland, ruderal plants, and bare soil may do not constitute ESHA. The IS/MND identified that ground disturbing activities located off the existing paved roadway and erosion resulting from construction activities could result in impacts to ESHA. Mitigation Measure BIO-3 would require the LOCSD to identify ESHA and other sensitive habitat communities prior to construction and avoid direct impacts. Mitigation Measure BIO-3 also requires implementation of a restoration plan to remedy any impacts that occur to riparian habitat or sensitive natural communities. With implementation of Mitigation Measure BIO-3, impacts would be less than significant with mitigation and therefore an EIR is not required. Additionally, an alternatives analysis is not a requirement of an IS/MND. The comments do not identify any deficiency in the IS/MND and no changes in the environmental analysis are necessary.*

Comments/questions regarding tie-in to the Chorro Valley pipeline, pipeline alignment along South Bay Boulevard and monetary issues raised will be addressed during the design phase of the project.

END COMMENT AND RESPONSE, BETTY WINHOLTZ

Date: 10/26/23

Comment by: Lori Schmitz, State Water Resources Control Board

RESPONSE: *The IS/MND has been clarified to note that the State Water Resources Control Board will need to approve a water supply permit amendment in order to add a new source (State Water Project water) to the Los Osos Community Services District public water system, that backflow prevention would be included in the booster pump station to safeguard against the potential to introduce water back into the CVP, and to correct erroneous reference to a new well. Additionally, Mitigation Measure HYD-1 has been revised to remove reference to "water withdrawal and injection wells" and to clarify that the frac-out plan will be subject to review by the State Water Board or Central Coast Regional Water Quality Control Board. These revisions do not constitute significant new information and do not require recirculation of the IS/MND pursuant to State CEQA Guidelines Section 15088.5.*

The 200 AFY of potable water would be directly introduced into the LOCSD water distribution system, thus allowing the LOCSD to pump 200 AFY less of groundwater. No new storage facilities would be required because the introduced water would be offset by the reduced pumping. Reducing groundwater pumping in the community will help alleviate saltwater intrusion into the underlying aquifer which is already occurring.

Due to the proposed methods of using horizontal directional drilling, dredge and fill activities to Waters of the United States and Waters of the State are not proposed or anticipated and the project would not need to obtain coverage under the State Water Board General Order for the U.S. Army Corps of Engineer National Permits (Order No. 2020-0039-EXEC) or a Central Coast Regional Water Quality Control Board

(Central Coast Water Board) individual permit for dredge and fill. The LOCSD will obtain a Section 1602 Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife for activities affecting Waters of the State.

END COMMENT AND RESPONSE, LORI SCHMITZ

Date: 10/29/23

Comment by: Kate Ballantyne, Deputy Director, County of San Luis Obispo Public Works Department

RESPONSE: *The County has indicated that there is 600 AFY of available capacity in the CVP that could be delivered at the turn-out location indicated in the Project Description. Based on other comments related to available hydraulic capacity in the CVP, in conjunction with the County, hydraulic calculations and detailed design will address the questions raised regarding physical capacity/ability to deliver 200 AFY water for this intertie project.*

Similar to the comment raised by State Water Resources Control Board, this project will require a Division of Drinking Water (DDW) Water Supply Permit revision (to the County's permit), and this would be addressed during the design phase of the Project.

The LOCSD will work out details of backflow prevention with the County during design.

The LOCSD has ample water storage within its water system to ensure no disruption of public water supply, even if delivery from the intertie is interrupted or suspended. Furthermore, all of the LOCSD's water supply wells would remain operational during such time water may be delivered through the intertie pipeline, and these wells will remain ready to pump groundwater should the intertie pipeline need to be taken out of service for any reason.

END COMMENT AND RESPONSE, KATE BALLENTYNE

Date: 10/30/23

Comment by: Mark Zimmer, GSWC

RESPONSE: *The comments do not identify any deficiency in the IS/MND and no changes in the environmental analysis are necessary. The comment is noted and no response is required.*

END COMMENT AND RESPONSE, MARK ZIMMER

Draft Initial Study and Mitigated
Negative Declaration for the Los
Osos Community Services District
Resiliency Intertie Project,
Los Osos, San Luis Obispo County,
California

AUGUST-NOVEMBER 2023

PREPARED FOR

Los Osos Community Services District

PREPARED BY

SWCA Environmental Consultants

**DRAFT INITIAL STUDY AND MITIGATED NEGATIVE
DECLARATION FOR THE LOS OSOS COMMUNITY SERVICES
DISTRICT RESILIENCY INTERTIE PROJECT,
LOS OSOS, SAN LUIS OBISPO COUNTY, CALIFORNIA**

Prepared for

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

Prepared by

SWCA Environmental Consultants
1422 Monterey Street, Suite C200
San Luis Obispo, CA 93401
(805) 543-7095
www.swca.com

SWCA Project No. 80090

August-~~November~~ 2023

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1 INTRODUCTION

The Los Osos Community Services District (LOCSO) is considering the Water Supply Resiliency Intertie (project) to allow delivery of potable water to the LOCSO's water distribution system, which would reduce the amount of local groundwater pumping from the Los Osos Groundwater Basin and provide further protection against seawater intrusion.

The intertie location and pipeline alignment were evaluated through a *Preliminary Environmental Constraints Analysis* (SWCA Environmental Consultants [SWCA] 2023) to analyze potential environmental constraints associated with construction and operation of the proposed pipeline and tie-in. SWCA has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) at the request of LOCSO.

Minor modifications have been made to this IS/MND in response to public comments about the proposed project. These modifications do not require recirculation of this IS/MND because the edits 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~~.

1.1 Project Location

The project alignment consists of an approximately 2.5-mile segment of South Bay Boulevard, Quintana Road, and Highway 1 (Figure 1). The intertie (to the Chorro Valley Pipeline) would be constructed to the north of the ~~southbound~~ **northbound** lane of Highway 1 and the proposed pipeline alignment would begin at this location, cross under Highway 1 and extend south toward Quintana Road, west along Quintana Road toward South Bay Boulevard, south along South Bay Boulevard, and would terminate at the LOCSO's basin at the intersection of Santa Ysabel Avenue and South Bay Boulevard (Figure 2). The entire project would be located within the public right-of-way (ROW) and within the unincorporated San Luis Obispo county, under the jurisdiction of the County of San Luis Obispo (County), except for the portion of the project beginning approximately 600 feet north of the Cerro Cabrillo Trailhead/Quarry Trailhead parking lot/turnout to approximately 1,200 feet south of the South Bay Boulevard and Quintana Road intersection, which would be located in Morro Bay city under the jurisdiction of the City of Morro Bay (City). The entire project alignment and intertie location is located within the California Coastal Zone and portions of the alignment are located within original and appellate jurisdiction of the California Coastal Commission (CCC). Additionally, the project would be classified as a "Major Public Works Project" and would be appealable to the CCC based on the type of development being proposed.

1.2 Environmental Setting

The proposed intertie would be located adjacent to Highway 1 in a location that primarily consists of gently to moderately rolling hills, annual grassland and freshwater emergent wetland habitat. The pipeline alignment is primarily characterized by flat, paved roadways that are surrounded by primarily by bare soils, annual grassland, weedy plants, coastal dune scrub, manzanita, and willow thickets. The potential booster pump station location is in a disturbed area surrounded by riparian and freshwater marsh habitat, composed primarily of arroyo willow thickets, on the east side of South Bay Boulevard and ruderal and coastal scrub habitat on the west side of South Bay Boulevard.



Figure 1. Project location map.

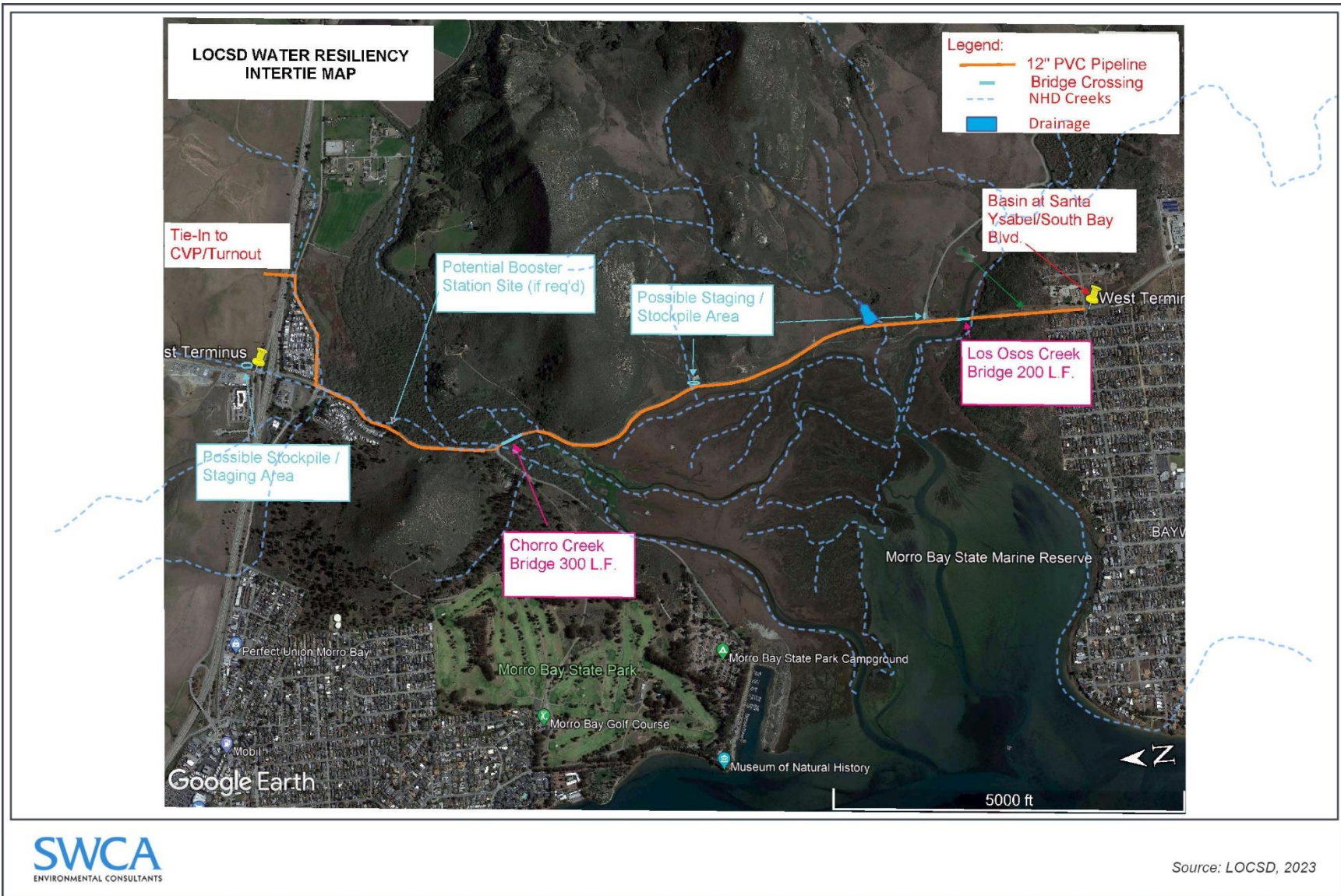


Figure 2. Project site plan.

1.3 Project Description

The project would involve the construction of an intertie to the Chorro Valley Pipeline (CVP)¹, which would be located approximately 0.25 mile east of the intersection of South Bay Boulevard and Highway 1, and installation of an approximately 2.5-mile pipeline that would extend from the proposed intertie south under Highway 1, southwest along Quintana Road, and south along South Bay Boulevard to the LOCSO water distribution system tie-in location near the LOCSO's basin located at the intersection of Santa Ysabel Avenue and South Bay Boulevard. The pipeline alignment would be primarily under South Bay Boulevard and Quintana Road, entirely within the public ROW. The portion of the alignment through Quintana Road may be constrained due to various existing pipelines and utilities, including pipelines for the City's Water Reclamation Facility. For this reason, the pipeline may need to be placed elsewhere within the ROW, such as under the roadway shoulder. Installation of the pipeline would require three crossings along South Bay Boulevard, at Chorro Creek/unnamed drainage and Los Osos Creek.

The purpose of the intertie to the CVP is to provide an alternative source of potable **water** for the LOCSO. During wet years and based on supply, the LOCSO could receive unused allocations of State Water Project water through the CVP to offset pumping in the Los Osos Groundwater Basin or for an emergency water reserve. It is anticipated that state water could provide up to 200 acre-feet per year (AFY) of water supply. The intertie is anticipated to enhance the reliability and resiliency of the LOCSO's water supply and guarantee a dependable and robust supply, especially in the face of climate change and persistent drought conditions. The proposed intertie would consist of a vault with piping, meter, **backflow prevention**, valves, and may also consist of a booster pump station that would facilitate a controlled and metered flow of potable water to the LOCSO. The booster pump station, if constructed, would be located south of the Blue Heron Terrace Mobile Home Park, on the east side of South Bay Boulevard, at the dirt parking area/pullout for the Chorro Flats Sediment Capture and Wetlands Restoration Project. The metering vault would include a check valve to safeguard against the potential to introduce water back into the CVP.

Construction of the pipeline and intertie is anticipated to being sometime in 2025 and be operational by 2026. Potential staging and material stockpile areas have been identified at the north side of the Turri Road northbound right turn lane, where there is an existing dirt parking/turnout area; at the Cerro Cabrillo Trailhead/Quarry Trail parking and/or pullout area; and/or at the terminus of South Bay Boulevard at Teresa Road.

The LOCSO has discussed this project in detail with the County of San Luis Obispo Flood Control and Water Conservation District (County FCWCD), and although LOCSO has indicated that it will request 200 AFY, the County FCWCD has informed the LOCSO that up to 600 AFY of potable water from the CVP can be made available at the proposed intertie location near South Bay Boulevard and Highway 1. The County FCWCD and LOCSO would both be required to update their respective California Division of Drinking Water (DDW) permits for operating public water systems. Since this project would be used primarily to reduce local groundwater pumping, the LOCSO's network of water supply wells and storage reservoirs would remain fully functional during receipt of State Water Project water, and thus temporary and extended interruptions to delivery of water into the intertie pipeline would not disrupt the LOCSO's ability to supply domestic water and fire protection to its customers.

¹ **The Chorro Valley Pipeline is owned and operated by the San Luis Obispo County Flood Control and Water Conservation District.**

1.3.1 Construction

Construction of the intertie and pipeline would likely involve the use of a backhoe, water truck with shaker table and desanders, dump truck, drilling rig, boring machine, and pipe trailer, though actual equipment would be selected by the project contractor. The construction sequence would include the following:

1. **Site preparation.** Minimal grading is anticipated for construction activities at the intertie and potential booster pump station locations. Temporary construction fencing, silt fencing, and tree protection fencing would be installed at the start of construction at these locations and removed at completion of construction.
2. **Aboveground facilities.** Permanent aboveground facilities would include a concrete vault (buried with vault lid several inches above ground surface), approximately 40 square feet in area and approximately 8 feet deep, that would include piping, meter, backflow prevention, and valves. No electrical service to the intertie vault is anticipated. If a booster station is needed, the booster pump station would include a small electrical/utility building to house the electrical equipment, pumps, valves, backflow prevention, and other miscellaneous equipment. New electrical service would be required for the potential booster pump station and would likely include a 100 square-foot pad mount transformer. Construction of these facilities would last approximately 3 to 4 months. An existing LOCSD drainage basin located at the intersection of Santa Ysabel Avenue and South Bay Boulevard would be utilized for intertie pipeline discharges. No physical improvements to the drainage basin are proposed, and a discharge pipe (with air gap separation between discharge pipe and high-water level in the basin) would be constructed from the pipeline to the edge of the drainage basin to convey water discharges.
3. **Pipeline construction.** The CVP is an 18" diameter steel pipeline, but reduces in diameter to 10" diameter west of the California Mens Colony as it extends westerly to Morro Bay. The proposed pipeline alignment would begin at the intertie location, cross under Highway 1 and extend south toward Quintana Road, west along Quintana Road toward South Bay Boulevard, south along South Bay Boulevard, and would terminate at the LOCSD's basin at the intersection of Santa Ysabel Avenue and South Bay Boulevard.²

The pipeline alignment would be located in the existing asphalt ROW and would require approximately 13,000 LF of 10-to-12-inch-diameter polyvinyl chloride (PVC) C900 Class 235 pipe. This range of pipeline diameters was chosen primarily to minimize friction headloss in the pipeline. The pipeline would be constructed using 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 and City standards depending on location. Construction of the pipeline at the Los Osos Creek and Chorro Creek/unnamed drainage crossings would either include crossing the creeks on the existing bridge structures or boring under the creek by horizontal directional drilling methods¹³. Horizontal directional drilling or jack and bore (casing) would also be used to install the pipeline under Highway 1 between the intertie location and Quintana Road. At the bridge

² It is noted that the existing 30" diameter Whalerock raw water pipeline is immediately adjacent to the CVP, and thus careful consideration will be required to properly locate the turn-out and avoid the existing infrastructure. Private property easements, and existing utility easements acquired by the County FCWCD and City of San Luis Obispo (for Whalerock Pipeline) will all need to be considered during the design development phase of the Project.

¹³ The existing Los Osos Creek bridge is scheduled to be replaced by the County. Construction is anticipated to commence in 2025 and the replacement bridge would be located slightly east of the existing alignment. It is anticipated that the new bridge would support the proposed pipeline for this project with a flood-protected pipeline corridor; however, given the uncertainty of completion of the replacement bridge, horizontal directional drilling along the west side of the existing bridge is also considered in this analysis.

crossings and in the vault the pipeline would be ductile iron, and at the horizontal directional drilling crossing the pipeline would likely be pressure class 200 high-density polyethylene pipe. The alignment would require partial lane closures to South Bay Boulevard and Quintana Road and would require a Traffic Control Plan to be submitted and reviewed by the County and City in conjunction with encroachment permits. Construction of the pipeline would be expected to last 4 to 5 months.

1.3.2 Operation

It is assumed that the intertie could operate at a uniform rate 24 hours per day, 48 weeks out of the year, accounting for an assumed 4-week period each fall when State Water Project pipeline is shut down for maintenance.

When the intertie is not used for periods at a time, stagnant water in the pipeline would need to be purged prior to subsequent use. Although potable water would be introduced into the intertie pipeline, it will be prudent to purge this stagnant water prior to each startup/use to ensure highly treated water is delivered to the LOCSD water system at all times. A single pipe volume would contain approximately 75,000 gallons that would need to be purged and discharged each time the intertie use is initiated after sitting. The LOCSD proposes to use its existing basin at South Bay Boulevard and Santa Ysabel Avenue to receive purge water from the pipeline flushing; this ~~discharged-purge~~ water would be recharged to the underlying groundwater basin. The conveyance pipeline would include valves and controls to purge water to the basin prior to entry into the LOCSD water system, which is located at the Santa Ysabel basin.

Depending on the amount of water received by the intertie, pumping would be reduced at other LOCSD wells in the Los Osos Groundwater 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.

Existing LOCSD staff would perform annual inspections ~~and start up and closure activities (opening and closing of the valves)~~ of the intertie and daily inspections of the potential booster pump station when the intertie is in operation. Infrequent maintenance activities would be expected to occur once a year or less. The County FCWCD would perform start up and closure activities (opening and closing of the valves).

1.4 Required Discretionary Approvals

Per the County's Local Coastal Program (LCP), "Pipelines and Transmission Lines" and "Public Utility Facilities" uses require Development Plan approval by the County on property without a Public Facilities land use designation. This is due to the fact that Table O of the County's LCP identifies "Pipelines and Transmission Lines" and "Public Utility Facilities" as a "special use" (S-13) in all land use categories except for areas designated Public Facilities, where it is a "principally permitted use." Section 23.01.023(c)(4) of the *County of San Luis Obispo Coastal Zone Land Use Ordinance (CZLUO)* states that any uses that are not principally permitted (P) uses are appealable to the CCC. The pipeline would be on unincorporated property in the county with Open Space and Agriculture land use designations. Additionally, Section 23.01.043(c)(5) of the CZLUO states that "[a]ny development that constitutes a Major Public Works Project or Major Energy Facility [is appealable to the CCC]. "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 project would require a Coastal Development Permit for work located within the unincorporated county.

Per the City's LCP, all projects within the City that are within the Coastal Zone are required to obtain a Coastal Development Permit. While there are several exceptions to this requirement, pipelines and

booster pump stations are not included in the list of exceptions. The project would require a Coastal Development Permit for work located within city limits.

The pipeline alignment that runs through Los Osos Creek falls under the jurisdiction of the CCC Original Permit. According to Coastal Act Section 30601.3, if the local government, applicant, and CCC all agree, a consolidated coastal development permit application can be processed. This process simplifies the review process by having only the CCC review and approve the permit, instead of having separate permits from multiple jurisdictions. The Coastal Act regulates the entire project, while the LCP provides guidance for review. This approach eliminates the need for preparing and processing multiple permit applications and avoiding a potential appeal process associated with the local government's permit action. If conflicts arise with LCP policies, they can be addressed pursuant to Coastal Act policies instead of processing an LCP amendment. The consolidated development permits undergo the same CCC review, noticing, and hearing procedures as standard permits.

Encroachment permits would be required from the County for work within the South Bay Boulevard and Quintana Road alignments, from the City for work within a portion of the South Bay Boulevard alignment, and from Caltrans for work under Highway 1.

The State Water Resources Control Board would need to approve a water supply permit amendment to add a new source to the Los Osos Community Services District public water system.

The County FCWCD would need to provide approval for the LOCSD to connect to the CVP and would be required to enter into an agreement with the County FCWCD for supplying and delivering water.

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 checked="" 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 checked="" 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 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