



## 12.4 ERRATA TO THE DRAFT SUBSEQUENT EIR

Text changes are intended to clarify or correct information in the Draft EIR, as initiated by the Lead Agency or due to environmental points raised in the comment letters. Should a response to a comment require revisions to the Draft EIR, these are presented in a box, with added text indicated by underlining and deleted text indicated by ~~strike through~~, as shown in the following example.

~~Deleted DEIR text~~    Added text

Revisions to the Draft EIR text are presented below according to EIR section, page, and, where appropriate, paragraph.

### SECTION 1.0, EXECUTIVE SUMMARY

All revisions to the Draft EIR presented below will be revised also in the Executive Summary in the Final EIR.

### SECTION 2.0, INTRODUCTION AND PURPOSE

DSEIR Page 2-1 is revised in the FSEIR as follows:

The key Project facilities are: Extraction Well; Advanced Water Treatment Plant (AWTP); Recharge Injection Well (RIW-1); Evaporation Pond and Evaporators; Lagoon Surface Discharge; Monitoring Wells; and Pipelines (five interconnecting). In addition, implementation of Project modifications (including mitigation measures (Project modifications)) would modify some of the Project operations, including the following: evaporation pond decommissioning and repurposing; mechanical spray evaporator removal; offsite RO concentrate disposal; surface water treatment; and modified surface discharge. For more detailed information regarding the facility and operations; refer to Section 3.0, Project Description.



DSEIR Page 2-12 is revised in the FSEIR as follows:

**North Coast Area Plan.** The NCAP was adopted by the SLO County Board of Supervisors on September 22, 1980 (Resolution 80-350) and subsequently revised on August 24, 2008. ~~The NCAP constitutes the County's General Plan Land Use and Circulation Elements for the NC Planning Area. The NCAP is one part of the Land Use and Circulation Elements for the North Coast Planning Area (other parts include the Coastal Framework for Planning, Coastal Plan Policies, and Official Maps). Any development in the North Coast Planning Area must comply with each of these documents, as well as the other SLO County General Plan Elements.~~ The NCAP describes County land use policies for the NC Planning Area, including regulations, which are also adopted as part of the Land Use Ordinances and Local Coastal Program. The NCAP allocates land use throughout the planning area by land use categories, which determine the varieties of land use that may be established on a parcel of land, as well as defining their allowable density and intensity. The NCAP is referenced for baseline data and RNC standards throughout this EIR.

## **SECTION 3.0, PROJECT DESCRIPTION**

DSEIR Page 3-16 is revised in the FSEIR as follows:

Despite this history and related need to promptly address the area's water shortage emergency, and despite the CEQA exemption under which the Project was constructed and operates, as a good environmental steward, the CCSD has prepared this SEIR. The CCSD believes that transitioning from an emergency facility to a sustainable water facility offers numerous benefits to the Cambria community. The CCSD also intends to adopt further mitigation measures, including those concerning evaporation pond operations, decommissioning, RO concentrate disposal, and surface discharge, which will be identified through this environmental analysis. By the issuance of an R-CDP, the CCSD intends to use the SWF to its fullest benefit, which would include operating the SWF to avoid a future Stage 3 Water Shortage Emergency Condition by providing long-term drought protection and seasonally augmenting Cambria's potable water supply, as well as providing a more water efficient means to control the late dry-season hydraulic gradient between the CCSD's San Simeon Creek aquifer's potable well field and percolation pond areas.



## **MITIGATION MEASURES AND PROJECT MODIFICATIONS**

Through the environmental analysis contained in this SEIR, and as a result of further input from regulatory agencies and the local community, various mitigation measures have been identified to avoid/reduce environmental impacts resulting from SWF operations. These mitigation measures, which generally involve the evaporation pond decommissioning, RO concentrate disposal, and surface discharge. Various additional Project modifications have been identified, which generally involve evaporation pond repurposing and surface water treatment. These Project modifications are described in detail in Section 3.5.2, Project Characteristics – Mitigation Measures and Project Modifications, below.

DSEIR Page 3-24 is revised in the FSEIR as follows:

### **LAND USE DESIGNATIONS**

The Project site is located in the North Coast (NC) Planning Area, within the Rural North Coast (RNC) community. The NC Planning Area is addressed in the NCAP, which constitutes the County's General Plan Land Use and Circulation Elements for the NC Planning Area. The NC Planning Area is entirely within California's Coastal Zone. The NCAP is one part of the Land Use and Circulation Elements for the North Coast Planning Area (other parts include the Coastal Framework for Planning, Coastal Plan Policies, and Official Maps). Any development in the NC Planning Area must comply with each of these documents, as well as the other SLO County General Plan Elements. The Coastal Zone North Coast Planning Area Rural Land Use Category Map<sup>1</sup> separates the NC Planning Area into land use categories, which define regulations for land uses, density, and intensity of use. As shown on the Land Use Category Map, the Project site is designated Agriculture. The Coastal Zone North Coast Planning Area Rural Combining Designation Map<sup>2</sup> assigns Combining Designations to NC areas containing hazards, sensitive resource areas, environmentally sensitive habitat areas, historic and archaeologically sensitive areas, and public facilities. As shown on the Combining Designation Map, portions of the Project site are assigned the following Combining Designations:

<sup>1</sup> County of San Luis Obispo Website, [http://www.slocounty.ca.gov/planning/zoning/Map\\_Image\\_Download\\_Center/Land\\_Use\\_Maps.htm](http://www.slocounty.ca.gov/planning/zoning/Map_Image_Download_Center/Land_Use_Maps.htm), Accessed May 4, 2015.

<sup>2</sup> Ibid.



DSEIR Page 3-25 is revised in the FSEIR as follows:

Through the environmental analysis contained in this SEIR, various mitigation measures have been identified to avoid/reduce environmental impacts resulting from SWF operations. These operational mitigation measures, which generally involve evaporation pond ~~repurposing decommissioning~~, mechanical spray evaporator removal, offsite RO concentrate disposal, ~~surface water treatment~~, and modified surface discharge to San Simeon Creek, are described in detail in the Mitigation Measures and Project Modifications Section below.

As discussed in Section 3.6, Project Phasing and Construction Activities, Project construction began in May 2014 and was substantially completed by November 2014. Production of advanced treated water began on January 20, 2015. The SWF has operated intermittently, since January 2015. As previously noted, various operational mitigation measures have been identified to avoid/reduce environmental impacts resulting from SWF operations. Compliance with these operational mitigation measures would necessitate modifications to the SWF, including the evaporation pond, mechanical spray evaporators, and surface discharge to San Simeon Creek. Therefore, for purposes of this Project description and the analysis contained in this SEIR, the "Sustainable Water Facility" involves the built and operational Project components, whereas the "Mitigation Measures and Project modifications" involve proposed Project components, including modifications to Project components required for compliance with evaporation pond and lagoon surface discharge operations-related mitigation measures, and modifications to Project components involving evaporation pond repurposing and surface water treatment.

DSEIR Page 3-28 is revised in the FSEIR as follows:

The source water for the Project, which is pumped from existing Well 9P7, is comprised of a blend of native basin groundwater, deep aquifer brackish ~~ground~~water, and percolated secondary effluent from the CCSD's WWTP. The deep aquifer brackish groundwater is comprised of diluted seawater (that occurs from the subterranean dispersion of salts from a deeper saltwater wedge into an overlying freshwater interface zone)and creek underflow,~~and percolated treated wastewater effluent~~. The degree to which this groundwater source is impaired depends on the ultimate contribution of secondary effluent in the extracted water and the level of treatment



achieved for this water through soil aquifer treatment and aquifer travel time. The potentially impaired groundwater is extracted from the San Simeon Creek Groundwater Basin, treated, and then reinjected further upstream at the existing CCSD potable well field, thus providing additional potable water supply to the Cambria community. With the system in operation, the water elevation at the potable well field is maintained higher than the secondary effluent mound, and higher than that of seawater. This serves to prevent seawater from moving inland to the potable well field.

DSEIR Page 3-33 is revised in the FSEIR as follows:

The AWTP's feed water flow rate is 629 gpm during the six months. Assuming all process associated losses and an approximate 100 gpm flow of filtrate product water (as deemed necessary by the Project's Adaptive Management Plan (AMP) (see Mitigation Measure BIO-7) to recharge San Simeon Creek Lagoon, the AWTP's daily average product water flow rate is 452 gpm, producing water during six dry season months. Thus, 452 gpm of advanced treated water is pumped to RIW-1, located a minimum of two months travel time from existing potable production Wells SS-1 and SS-2. A total of 400 gpm maximum extraction from existing Wells SS-1 and SS-2 (or a combination of both) can occur during Project operations. The Project's net potable water production is approximately 300 gpm, or approximately 250 acre-feet over an assumed six-month dry season. The CCSD may also adjust the project's operational period according to need based on the amount and timing of seasonal rainfall, and the groundwater levels within the lower San Simeon aquifer.

DSEIR Page 3-34 is revised in the FSEIR as follows:

The Project includes a design element that provides non-chlorinated MF effluent, which can be mixed and augmented with de-chlorinated and oxygenated product water immediately upstream of the upper San Simeon Creek lagoon (hereinafter referred to as the Project's "lagoon water" supply design feature). The lagoon water is discharged from the AWTP to the San Simeon Creek Lagoon area to maintain surface water levels, while also benefiting existing fresh water conditions. A discharge flow of up to 100 gpm is provided (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7), with the water quality identical to the source water quality for the



AWTP, as presented previously in Table 3-2 above. A summary of water quality for the lagoon discharge is included in Table 3-4 above.

DSEIR Page 3-51 is revised in the FSEIR as follows:

As discussed above, various operational mitigation measures have been identified to avoid/reduce environmental impacts resulting from SWF operations. Specifically, these include Mitigation Measures AES-2 and BIO-3; refer to Section 5.1, Aesthetics, and Section 5.3, Biological Resources. The operational mitigation measures, which generally involve evaporation pond ~~repurposing~~decommissioning, mechanical spray evaporator removal, offsite RO concentrate disposal, ~~surface water treatment~~, and modified surface discharge, are illustrated on Exhibit 3-12, Mitigation Measures and Project Modifications, and described below. The Project modifications, which generally involve evaporation pond repurposing and surface water treatment, are also illustrated on Exhibit 3-12, and described below. The following description of the Project modifications is based upon the *Cambria Sustainable Water Facility – Descriptions for Phased Mitigation Measure on Converting Evaporation Pond to Water Storage and Associated Modifications<sup>3</sup>* (CDM TM) (CDM Smith, June 30, 2016), in consultation with the CCSD.

Currently, the AWTP RO concentrate is contained in the evaporation pond, where evaporation is aided with five mechanical spray evaporators. The RO concentrate disposal pipeline connects the AWTP to the evaporation pond. The ~~mitigation measures~~ (Project modifications involve decommissioning the evaporation pond and discharging the AWTP RO concentrate to four (4) Baker tanks for storage prior to offsite disposal (instead of discharging to the evaporation pond)). The five mechanical spray evaporators along with their enclosures would be removed. The Project modifications also involve evaporation pond ~~would be~~ repurposing as a potable water supply storage basin, and ~~the~~ RO concentrate disposal pipeline ~~would be~~ repurposing as a potable water pipeline. A surface water transfer pump station would be installed to pump water from the basin to the surface water treatment plant (SWTP). Controls would be installed to maintain/monitor basin water levels. Five interconnecting new pipelines would be constructed, including the filtrate water pipeline extension to San Simeon Creek.

<sup>3</sup> The CDM TM is available for review on the CCSD's website at [www.cambriacs.org/cm/Home.html](http://www.cambriacs.org/cm/Home.html).



DSEIR Page 3-53 is revised in the FSEIR as follows:

### **3.5.2.1 EVAPORATION POND DECOMMISSIONING AND REPURPOSING (EVAPORATION POND REPURPOSING POTABLE WATER SUPPLY STORAGE BASIN)**

#### **EVAPORATION POND DECOMMISSIONING**

The evaporation pond has approximately 3.0 acres of surface area and 21.4 AF (or 6.96 MG) of usable storage capacity. In compliance with Mitigation Measure AES-2, the evaporation pond would be ~~repurposed/ modified to serve as a raw potable water supply storage basin (i.e., prior to surface water treatment)~~decommissioned, as follows:

- The RO concentrate would be allowed to naturally evaporate over several seasons to minimize the Project's potential environmental impacts (i.e., traffic and mobile source emissions), associated with emptying the evaporation pond. Once dry, the residual solids would be vacuumed via Vactor (a registered name) or similar truck for hauling and pumped out of the evaporation pond and the residual slurry would be hauled away for disposal disposed of at an appropriate Class II waste disposal facility. The evaporation pond liner would be cleaned using high pressure hoses to sluice the RO concentrate residuals to the pond's lowest spot. The rinse water would similarly be hauled away for offsite disposal.
- The submersible evaporator pumps along with pontoons would be removed. This would include removal of the pump extraction cable, which is strung above the evaporation pond.
- The mechanical spray evaporators, appurtenances (electrical wiring and control panels), and sound enclosures would be removed.

#### **EVAPORATION POND REPURPOSING**

After the evaporation pond is decommissioned, it would be repurposed and modified to serve as a raw potable water supply storage basin. The raw potable water supply storage basin would store water prior to surface water treatment.



DSEIR Page 3-63 is revised in the FSEIR as follows:

### **3.5.2.3 MODIFIED SWF OPERATIONS**

It is anticipated that the SWF would run for 24 hours per day seven days per week (24/7), during the driest time of the year (approximately six months). When the Project operates 24/7 during the driest time of year, the estimated RO concentrate volume would be approximately 57,600 gpd. However, it is unlikely that the Project would require 24/7 operation for extended periods throughout the year. Average operation would likely be 9 hours per day four days per week 12 months weeks per year. Under this scenario, the estimated RO concentrate volume would be approximately 21,600 gpd.

DSEIR Page 3-64 is revised in the FSEIR as follows:

It is anticipated that the SWF would run for 24 hours per day seven days per week (24/7), during the driest time of the year (approximately six months). Under this scenario, ten truck trips per day (limited to operating within the SWF site between the hours of 7:00 AM and 7:00 PM) would be needed to haul the RO concentrate to Kettleman Hills, assuming a 6,000 gallon truck would be used. However, it is unlikely that the Project would require 24/7 operation for extended periods throughout the year. Average operations would likely be nine hours per day four days per week 12 months weeks per year. Under this scenario, four truck trips per day would be needed to haul the RO concentrate to Kettleman Hills.

DSEIR Page 3-68 is revised in the FSEIR as follows:

As discussed above, as part of its decommissioning, the evaporation pond would be emptied of the RO concentrate would be allowed to naturally evaporate over several seasons to minimize the Project's potential environmental impacts, associated with emptying the evaporation pond. The RO concentrate and the residual slurry would be vacuumed and transported for disposal at an appropriate Class II waste disposal facility. For purposes of conducting a conservative analysis of the Project's potential environmental impacts (i.e., traffic and mobile source emissions, etc.) associated with



emptying the evaporation pond, this SEIR assumes the following: the evaporation pond would be full (6.96 mg); 6,000 gallon capacity trucks would be used; 1,160 truck trips would be required over 80 days; the residual RO concentrate would be transported to a disposal site, such as the Kettleman Hills Hazardous Waste Facility (Kettleman Hills), which is located approximately 85 miles from the Project site. This SEIR assumes this is a one-time event and the number of truck trips required to empty the evaporation pond would vary depending on the volume of RO concentrate present when pond decommissioning begins. Construction phasing is structured such that either the evaporation pond would be empty or the proposed Baker tanks would be online when pond decommissioning begins. The evaporation pond liner would be cleaned using high pressure hoses to sluice the RO concentrate to the pond's lowest spot. The dirty water would similarly be transported for offsite disposal. ~~For purposes of conducting a conservative analysis of the Project's potential environmental impacts (i.e., mobile emissions, transportation, etc.), associated with emptying the evaporation pond, this SEIR assumes the following: the evaporation pond would be full (6.96 mg); 6,000 gallon capacity trucks would be used; 1,160 truck trips would be required over 80 days; the residual RO concentrate would be transported to a disposal site, such as the Kettleman Hills Hazardous Waste Facility (Kettleman Hills), which is located approximately 85 miles from the Project site.~~

DSEIR Page 3-70 is revised in the FSEIR as follows:

Other public agencies whose approval may be required include the following:

- San Luis Obispo County Air Pollution Control District (Rule 202 Permits);
- Central Coast Regional Water Quality Control Board (CCRWQCB);
- Surface Water Discharges and Title 27 Evaporation Pond Compliance;
- CCRWQCB, Division of Drinking Water;
- Title 22 –Indirect Potable Reuse of Recycled Water compliance;
- California Department of Fish and Wildlife;
- California Department of Parks and Recreation;
- California Coastal Commission; and
- U.S. Fish and Wildlife Service;
- U.S. Army Corps of Engineers; and
- National Marine Fisheries Service.



## SECTION 5.0, ENVIRONMENTAL ANALYSIS

DSEIR Page 5-3 is revised in the FSEIR as follows:

CEQA Guidelines Section 15126.4, *Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects*, specifies that “an EIR shall describe feasible measures which could minimize significant adverse impacts.” It further notes that “if a mitigation measure would cause one or more significant effects in addition to those that would be caused by the project as proposed, the effects of the mitigation measure shall be discussed but in less detail than the significant effects of the project as proposed.” Various mitigation measures have been identified to avoid/reduce environmental impacts resulting from SWF operations. These mitigation measures, which generally involve evaporation pond repurposing/decommissioning, mechanical spray evaporator removal, offsite RO concentrate disposal, surface water treatment, and modified surface discharge to San Simeon Creek. Additionally, various Project modifications have been identified, which generally involve evaporation pond repurposing and surface water treatment. These mitigation measures and modifications are described in detail in Section 3.5.2, Project Characteristics – Mitigation Measures and Project Modifications. Therefore, in compliance with CEQA Guidelines Section 15126.4 requirements, the environmental effects of the mitigation measure are also discussed in this SEIR.

For purposes of analysis contained in this SEIR, the “Sustainable Water Facility” “SWF” involves the built and operational Project components, whereas the “Mitigation Measures and Project modifications” involve proposed Project components, including modifications to Project components required for compliance with evaporation pond and lagoon surface discharge operations-related mitigation measures, and modifications to Project components involving evaporation pond repurposing and surface water treatment.



## SECTION 5.1, AESTHETICS

DSEIR Page 5.1-14 is revised in the FSEIR as follows:

As discussed in detail in Section 5.0, Environmental Analysis, for purposes of the following impact analyses, "Sustainable Water Facility" (SWF) involves the built and operational Project components, whereas "Mitigation Measures and Project modifications" involve proposed Project modifications including those required for compliance with various SWF mitigation measures.

DSEIR Page 5.1-16 is revised in the FSEIR as follows:

AES-1 Prior to commencement of construction activities for ~~the~~ Mitigation Measures (~~Project modifications~~)AES-2 and BIO-3, the CCSD shall confirm that the plans and specifications stipulate that, Project construction shall implement standard practices to minimize potential adverse impacts to the site's visual character, including the following:

- Construction staging areas shall be located as far as practicable from sensitive receptors; and
- Construction areas shall receive appropriate routine maintenance to minimize unnecessary debris piles.

DSEIR Page 5.1-18 is revised in the FSEIR as follows:

In order to ensure that significant impacts regarding the degradation of character/quality do not result, Mitigation Measure AES-2, which requires removal of the mechanical spray evaporators and their enclosures, is recommended. Because removal of the mechanical equipment would make operating the SWF infeasible, ~~the proposed Project modifications described within~~ Mitigation Measure AES-2 also includes offsite RO concentrate disposal and ~~repurposing the evaporation pond decommissioning to a potable water supply storage basin~~. With implementation of Mitigation Measure AES-2, impacts concerning the degradation of character/quality, as



a result of the evaporators/enclosures, would be avoided, as these features would no longer be present/visible. The SWF is further subject to compliance with CZLUO standards, which influence the site's visual character and enhance visual compatibility, as discussed below.

DSEIR Page 5.1-20 is revised in the FSEIR as follows:

#### **MITIGATION MEASURES AND PROJECT MODIFICATIONS**

Implementation of Mitigation Measure AES-2 would result in Project modifications, which require the construction of additional on-site facilities; see Section 3.5.2, *Project Characteristics – Mitigation Measures (Project Modifications)*. These Project modifications, which generally involve evaporation pond repurposing/decommissioning, mechanical spray evaporator/enclosure removal, offsite RO concentrate disposal (or natural evaporation), surface water treatment, and modified surface discharge. Proposed Project modifications also involve construction of additional on-site facilities, which generally involve evaporation pond repurposing and a surface water treatment plant (SWTP). These Project modifications are discussed in Section 3.5.2, *Project Characteristics – Mitigation Measures and Project Modifications*, and illustrated on Exhibit 3-12, *Mitigation Measures and Project Modifications*. Visible features associated with the Project modifications would include the decommissioned then repurposed evaporation pond (to potable water supply storage basin), a SWTP (sited adjacent and immediately east of the AWTP), and Baker tanks (each tank would be approximately 8 feet by 46.5 feet, and approximately 13 feet in height). The mechanical spray evaporators/enclosures would no longer be visible, since they would be removed. Additionally, the articulating concrete block (ACB) lining (or similar erosion prevention measure) that would be installed at the San Simeon Creek channel bank could also be visible. ACB would allow for the continued growth of riparian vegetation, further protecting the channel from any potential erosion.



DSEIR Page 5.1-22 is revised in the FSEIR as follows:

- AES-2 Within one year of completion of the SEIR process and completion of all necessary regulatory agency permits, the CCSD shall remove the five mechanical spray evaporators along with their enclosures. ~~The and decommission the evaporation pond shall be repurposed as a potable water supply storage basin.~~ The AWTP RO concentrate shall be discharged to four (4) Baker tanks for storage prior to offsite disposal, instead of the evaporation pond.
- AES-3 Within one year of completion of the SEIR process and completion of all necessary regulatory agency permits, the CCSD shall color treat the Advanced Water Treatment Plant (AWTP), where reasonable, such that the facilities blend into the surrounding area. Color treatments shall be recommended by a licensed Landscape Architect and by the County. Prior to installation of the Surface Water Treatment Plant (SWTP), it shall be color treated, where reasonable, consistent with the AWTP.

DSEIR Page 5.1-24 is revised in the FSEIR as follows:

#### **MITIGATION MEASURES AND PROJECT MODIFICATIONS**

Implementation of Mitigation Measure AES-2 would result in Project modifications that ~~require the construction of additional on-site facilities in order to involve evaporation pond decommissioning and accommodate removal of the evaporators/enclosures. Project modifications also involve construction of additional on-site facilities that involve evaporation pond repurposing and a SWTP.~~ Visible features associated with the Project modifications would include the potable water supply storage basin, ~~at~~ the SWTP (sited near the AWTP), and Baker tanks. The mechanical spray evaporators/enclosures would no longer be visible, since they would be removed. Additionally, the ACB lining that would be installed at the San Simeon Creek channel bank could also be visible.



## SECTION 5.2, AIR QUALITY

DSEIR Page 5.2-13 is revised in the FSEIR, as follows:

As discussed in detail in Section 5.0, Environmental Analysis, for purposes of the following impact analyses, “Sustainable Water Facility” (SWF) involves the built and operational Project components, whereas “Mitigation Measures (and Project modifications)” involve proposed Project modifications including those required for compliance various SWF mitigation measures.

DSEIR Page 5.2-17 is revised in the FSEIR, as follows:

### **Mitigation Measures and (Project Modifications)**

The proposed mitigation measures (Project modifications) would require construction-related activities to decommission the evaporation pond and spray evaporator system, dispose of residual RO concentrate from the evaporation pond, repurpose the evaporation pond, and construct the SWTP and conveyance pipelines. Specifically, construction activities ~~for the Project modifications~~ would include trenching, minor grading (nominal), pipeline installation, and decommissioning the evaporation pond. Construction activities ~~for the mitigation measures~~ (Project modifications) would require minimal earthmoving activities and SWTP equipment installation, and the evaporation pond would be decommissioned/~~emptied~~, and repurposed as a potable water supply storage basin. As such, the primary sources of construction air emissions would result from trenching approximately 5,700 LF for new conveyance pipelines, and 2,350 mobile trucks trips from decommissioning and emptying the evaporation pond (2,320 round trips from evaporation pond RO concentrate (residual) disposal and 30 trips from decommissioning the spray evaporators). Stationary or mobile powered construction equipment would include hauling trucks (evaporation pond RO concentrate disposal), excavators, and backhoes.

The analysis of daily construction emissions has been prepared utilizing CalEEMod. Refer to Appendix D for the CalEEMod modeling outputs and results. Table 5.2-5, Mitigation Measures (and Project Modifications) Construction Air Emissions, provides estimates of the construction-related emissions that would occur during construction of the proposed Project mitigation measures-modifications.



## Total Daily Construction Emissions

In accordance with the SLOAPCD Guidelines, CalEEMod was utilized to model construction emissions for ROG, NO<sub>x</sub>, and PM<sub>10</sub>. Table 5.2-5 indicates that construction-related emissions from the ~~m̄itigation m̄easures~~ (Project modifications) would not exceed the SLOAPCD Tier 1 or Tier 2 thresholds. It is noted that although the construction-related emissions from the Project modifications would not exceed SLOAPCD thresholds, construction activities would still be required to comply with SLOAPCD Rules 202, 401, and 402 (see Mitigation Measure AQ-1). Therefore, construction-related air quality impacts associated with the ~~m̄itigation m̄easures~~ (Project modifications) would be less than significant for all criteria pollutants.

**Table 5.2-5  
~~Mitigation Measures (Project Modifications)~~ Construction Air Emissions**

DSEIR Page 5.2-21 is revised in the FSEIR, as follows:

Table 5.2-7, Total Operational Air Emissions with Mitigation Measures (Project Modifications), provides estimates of the operational emissions from the proposed ~~m̄itigation m̄easures~~ (Project modifications), which include SWTP energy consumption emissions and RO concentrate disposal hauling/mobile (truck trip) emissions. Table 5.2-7 also shows the total operational air emissions generated by the Project, which includes the AWTP energy consumption (see Table 5.2-6) emissions plus the SWTP energy consumption and RO concentrate disposal hauling/mobile (truck trip) emissions. It is noted, the evaporator system energy consumption operational emissions would not occur, since the evaporators would be decommissioned, as part of the Project modifications. As presented in Table 5.2-7, the Project's total operational emissions (SWF plus the ~~m̄itigation m̄easures~~ (Project modifications)) would not exceed SLOAPCD thresholds. Therefore, the combined total Project operations would result in less than significant impacts concerning operational air emissions. Should any backup generators be utilized for the Project modifications, they would be subject to compliance with SLOAPCD Rule 431, which addresses stationary internal combustion engines.



DSEIR Page 5.2-23 is revised in the FSEIR, as follows:

#### **MITIGATION MEASURES AND (PROJECT MODIFICATIONS)**

Construction activities associated with the ~~mitigation measures~~ (Project modifications) would generate airborne odors from the operation of construction vehicles (i.e., diesel exhaust). However, as discussed above, construction-related odors are typically from localized sources and do not emanate far from the source. Thus, construction activities associated with the Project modifications would not create objectionable odors affecting a substantial number of people.

Given the nature and scope of the proposed ~~mitigation measures~~ (Project modifications), the proposed pipelines, Baker tanks, pumps, etc., would not generate any odors. The RO concentrate discharge from the AWTP would be contained within four Baker tanks, and would be hauled offsite daily for disposal. As such, SWF operations ~~at the SWF~~ would not generate any odorous emissions affecting a substantial number of people.

DSEIR Page 5.2-26 is revised in the FSEIR, as follows:

#### **MITIGATION MEASURES AND (PROJECT MODIFICATIONS)**

The Project modifications would result in construction-related emissions from stationary and mobile equipment, typical of infrastructure projects. As discussed in Impact Statement 5.2-2 above, construction-related emissions from the ~~mitigation measures~~ (Project modifications) would be below applicable SLOAPCD thresholds. The Project modifications would not involve amendments to the County's General Plan or conflict with the CAP assumptions regarding growth and long-term air quality. Additionally, the Project's total operational emissions (SWF plus the ~~mitigation measures~~ (Project modifications)) would not exceed SLOAPCD thresholds. Therefore, due to the Project's nature and scope, the Project would not conflict with or obstruct implementation of the CAP and a less than significant impact will occur in this regard.

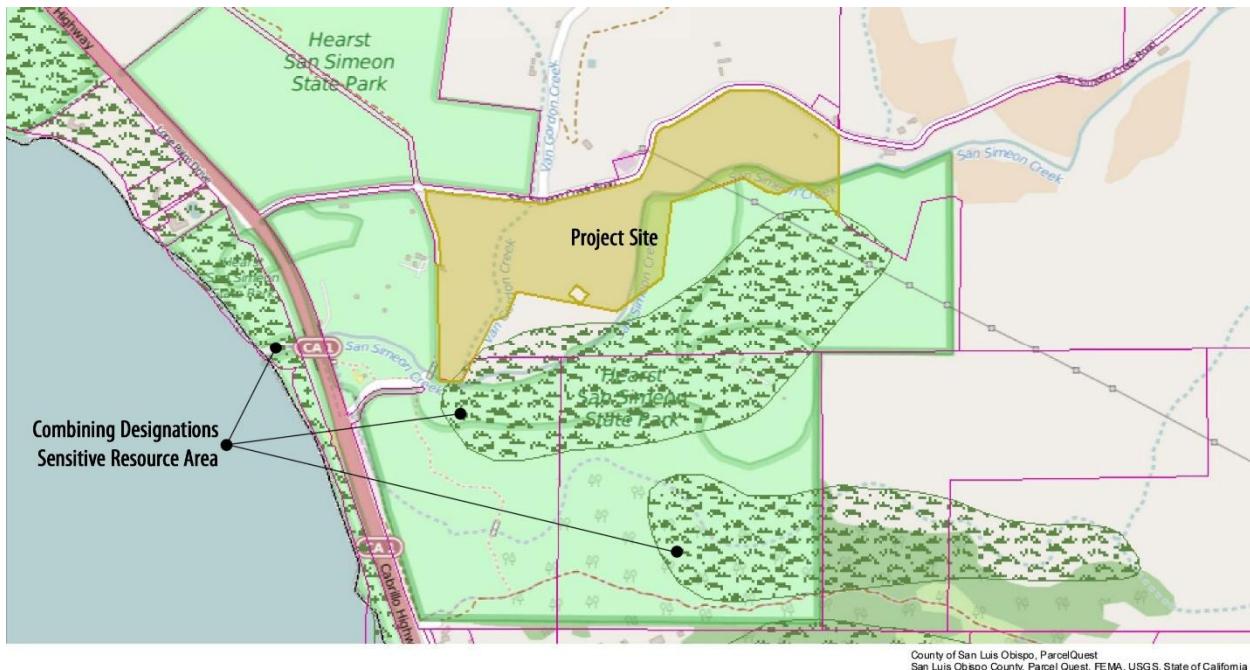


DSEIR Page 5.2-26 is revised in the FSEIR, as follows:

**Impact Analysis:** For purposes of cultural resource and air quality analysis, cumulative impacts are considered for related projects proposed throughout the North Coast Planning Area, and according to the WMP; see Section 4.0, Basis of Cumulative Analysis. Cumulative projects would have the potential to affect air quality.

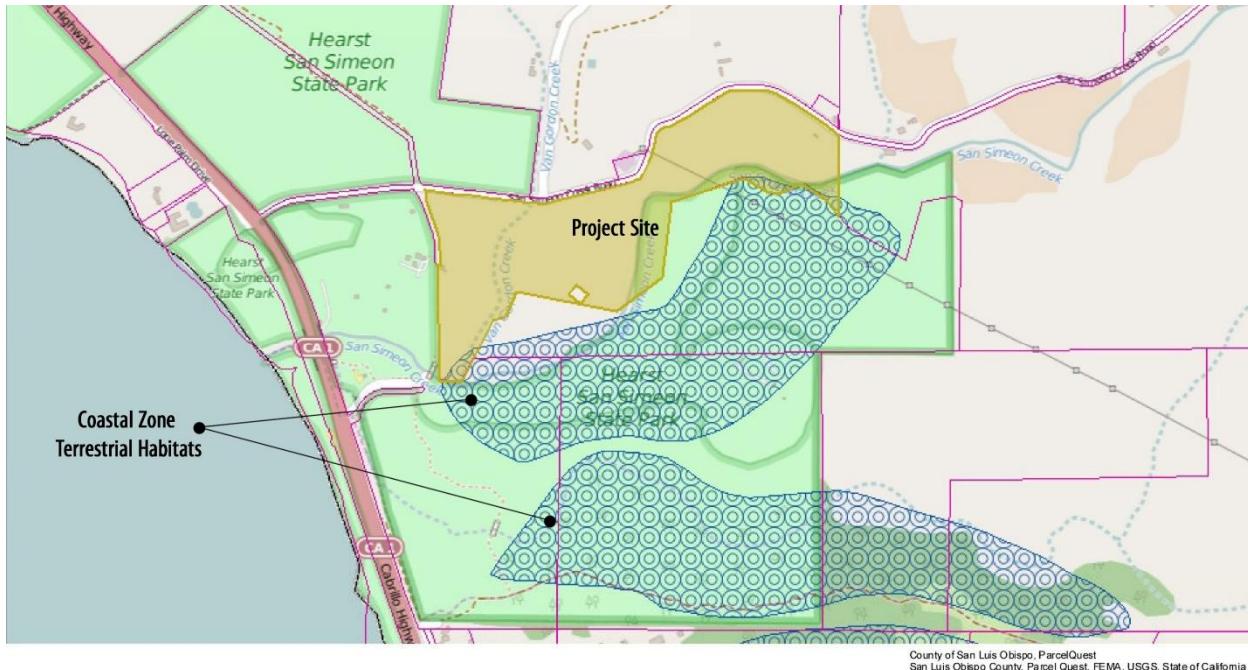
## SECTION 5.3, BIOLOGICAL RESOURCES

Page 5.3-37, Permit View Combining Designation – SRA Map, has been revised to include labels, as follows:

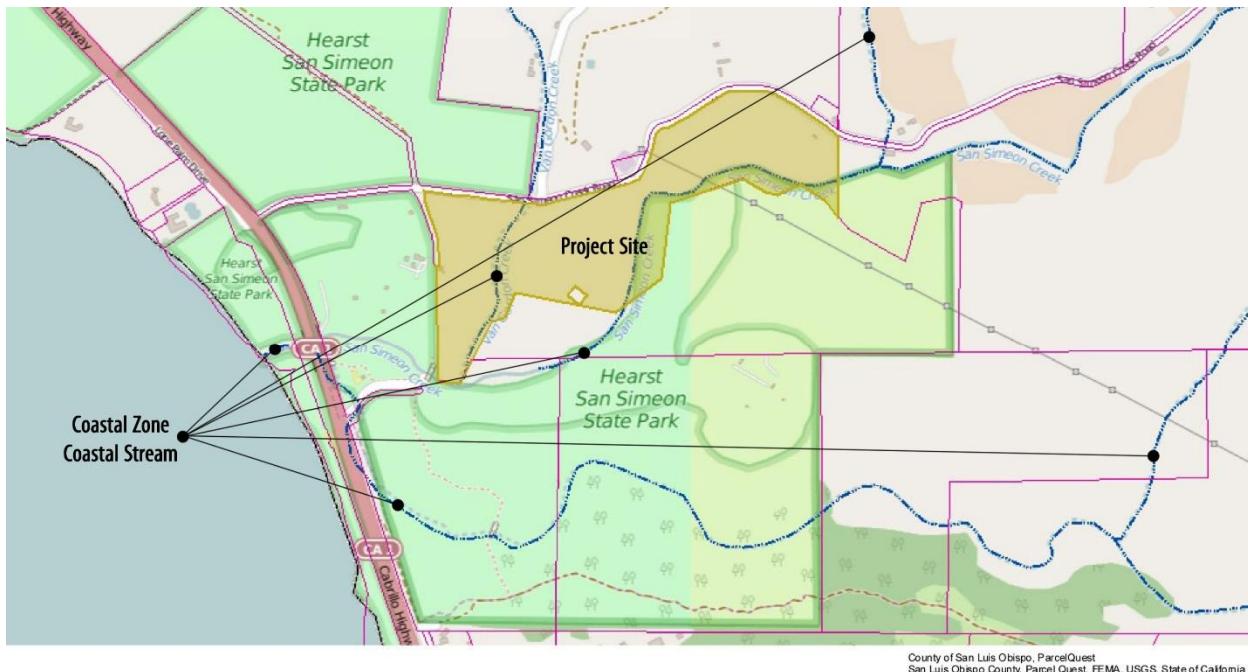




Page 5.3-37, Permit View Coastal Zone – Terrestrial Habitat Map, has been revised to include labels, as follows:

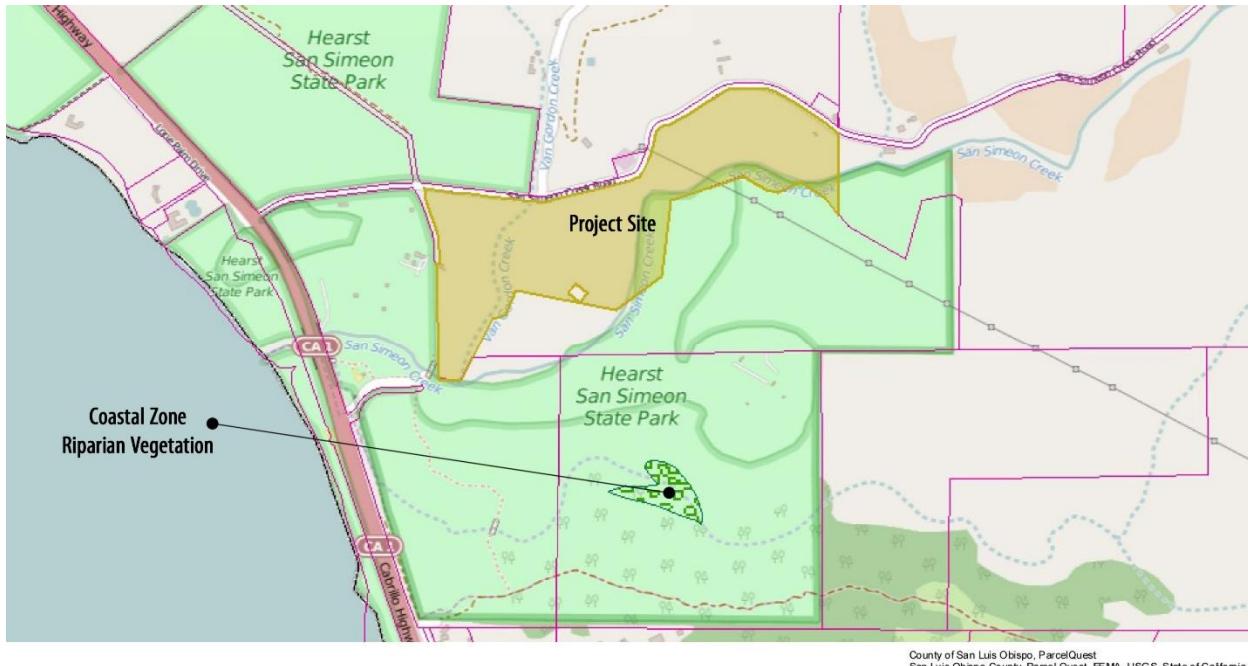


Page 5.3-38, Permit View Coastal Zone – Coastal Creeks Map, has been revised to include labels, as follows:



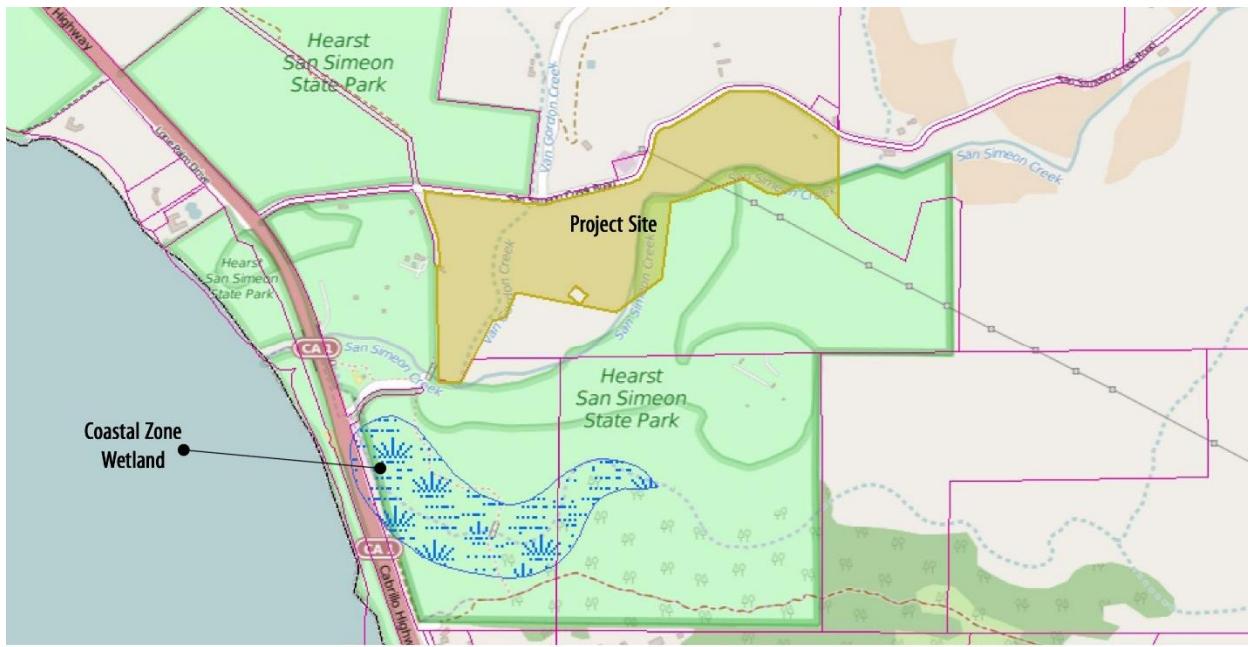


Page 5.3-39, Permit View Coastal Zone – Riparian Vegetation Map, has been revised to include labels, as follows:



County of San Luis Obispo, ParcelQuest  
San Luis Obispo County, Parcel Quest, FEMA, USGS, State of California

Page 5.3-39, Permit Coastal Zone – Wetland Map, has been revised to include labels, as follows:



County of San Luis Obispo, ParcelQuest  
San Luis Obispo County, Parcel Quest, FEMA, USGS, State of California



DSEIR Page 5.3-51 is revised in the FSEIR, as follows:

### 5.3.5 IMPACTS AND MITIGATION MEASURES

As discussed in detail in Section 5.0, Environmental Analysis, for purposes of the following impact analyses, “Sustainable Water Facility” (SWF) involves the built and operational Project components, whereas “Mitigation Measures (and Project modifications)” involve proposed Project modifications including those required for compliance various SWF mitigation measures.

DSEIR Page 5.3-53 is revised in the FSEIR, as follows:

- SWF: Non-chlorinated microfilter effluent, or a combination of de-chlorinated and oxygenated RO product water and microfilter effluent (a Project Design Feature (PDF) hereinafter referenced as “lagoon water”) is provided by the Project when the facility is operated during dry weather conditions and there is no flow occurring in the creek. The Project’s lagoon water is provided as a surface discharge immediately upstream from the upper San Simeon Creek Lagoon. An above-ground pipeline is used to deliver approximately 100 gallons per minute (gpm) of lagoon MF filtrate water (as deemed necessary by the Project’s Adaptive Management Plan (AMP); see Mitigation Measure BIO-7), from the Advanced Water Treatment Plant (AWTP) to a surface discharge structure; see Exhibit 3-11. The discharge structure, which is located just north of the San Simeon Creek treeline, dissipates velocity to create a sheet flow of mitigation MF filtrate water, prior to entering immediately upstream from the upper San Simeon Creek Lagoon. As discussed below, Mitigation Measure BIO-3 requires that the filtrate pipeline be extended to relocate the discharge point further south to the San Simeon Creek bank.
- Project Modifications: As noted above, approximately 100 gpm of lagoon water MF filtrate flow (as deemed necessary by the Project’s AMP; see Mitigation Measure BIO-7) is delivered for surface discharged immediately upstream from the upper San Simeon Creek Lagoon. To avoid biasing Well 16D1 water quality samples (as requested by the RWQCB) and more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek



Lagoon, the Project modifications involve placing the surface discharge point further south and closer into the San Simeon Creek bank; see *SWF Direct and Indirect Project Impacts* Section and Mitigation Measure BIO-3 below. At the discharge point, articulating concrete block (ACB) (Armorflex or similar) lining (approximately 87 SF) is proposed to protect the San Simeon Creek channel banks from erosion. Armorflex allows for the continued growth of riparian vegetation, further protecting the channel from any potential erosion. Implementation of BMPs would avoid/reduce any sedimentation within the water bodies.

DSEIR Page 5.3-54 is revised in the FSEIR, as follows:

Indirect operational impacts to tidewater goby could occur as the result of pumping 629 gpm of groundwater upstream of San Simeon Creek Lagoon at Well 9P7, which is located at the CCSD's treated wastewater effluent percolation ponds. If the SWF were to lower the lagoon water level during its dry period operation, it could result in a premature sandbar closure at San Simeon Creek Lagoon. This could reduce the amount of habitat for tidewater goby found in the lagoon. Unexpected habitat loss from groundwater drawdown could result in decreased food and shelter for tidewater gobies, resulting in increased competition for resources not just between tidewater gobies, but between gobies and other fish species that may be present in the lagoon. Adverse effects to tidewater goby could result in a take of this listed species; any such take would require either exemption from the prohibition against take or take authorization. ~~However, the SWF returns 100 gpm to the San Simeon Creek Lagoon and 452 gpm are re-injected into the San Simeon Creek aquifer further up gradient at the well field (a minor flow of 37 gpm of MF backwash water enters one of the percolation ponds and 39 gpm of RO concentrate is discharged in the evaporation pond). However, San Simeon Creek Lagoon would continue to provide tidewater goby a persistent, shallow lagoon containing soft substrate suitable for the construction of burrows for reproduction (PCE 1a) that also has submerged and emergent aquatic vegetation that provides protection from predators and high flow events (PCE 1b). The SWF includes a Project design feature that provides approximately 100 gpm of riparian water flow to the head of the San Simeon Creek Lagoon, which would maintain lagoon water levels. The SWF is also limited in how it operates in order to maintain a 60-day underground travel time between the re-injection well and existing CCSD potable wells (Wells SS1 and SS2). To maintain this minimum travel time, the maximum Well SS1 and Well SS2 extraction rates cannot exceed 400 gpm collectively. Additionally,~~



detailed hydraulic modeling found that approximately 40 percent of the water re-injected by the SWF stays within the aquifer and either returns to the subterranean creek channel or recycles back to extraction Well 9P7. Other SWF sidestreams include approximately 39 gpm of RO concentrate and membrane cleaning waste that is diverted to the evaporation pond or will otherwise enter Baker tanks for offsite disposal (as part of a proposed Project modifications). Certain minor Project sidestreams (e.g., approximately 37 gpm of automatic strainer backwash and MF backwash) re-enter the groundwater basin through an existing percolation pond. Mitigation Measure BIO-3 requires that the filtrate pipeline be extended to relocate the discharge point further south to the San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon, while also addressing its potential interference with water samples pulled from existing monitoring well 16D1. The GMR (see [Appendix E1](#)) included detailed hydrogeological modeling and found that the 100 gpm of mitigation MF filtrate water to the lagoon while the SWF is operating would maintain water levels in the lagoon, thereby avoiding potential impacts to the lagoon habitat; refer to Impact 5.5-3. Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. The Technical Memorandum (see [Appendix E6](#)) also included simulations under extreme drought conditions, comparing the zero (0) gpm, 50 gpm, and 100 gpm mitigation flow to conditions without the SWF. During the first year of simulated drought, the 100 gpm mitigation flow would maintain lagoon levels similar to conditions without the SWF. During the second year of simulated drought, both the 50 gpm and 100 gpm mitigation flows would result in higher lagoon levels than conditions without the SWF. Under extreme drought conditions without the SWF, the CCSD well field would not be capable of producing the permitted quantities, while under conditions with the SWF, production at permitted rates could continue. Based on the GMR's and Technical Memorandum's findings, the 100 gpm mitigation flow to the lagoon while the SWF is operating would maintain water levels in the lagoon. Notwithstanding, Mitigation Measure BIO-7 requires implementation of an Adaptive Management Program (AMP) for long-term SWF operations. The AMP is intended to monitor and protect the lagoon, creek, and riparian habitats and, by extension, protect the species that inhabit them (including the tidewater goby). The AMP's primary goal is to monitor the response of the lagoon, creeks, and riparian habitats to SWF operations. Monitoring is required as part of the AMP to ensure that creek and lagoon levels are maintained during SWF operations. It is noted, while a perennial section of San Simeon Creek is known to be present upstream of the confluence with Steiner Creek, San Simeon Creek's lower reaches are intermittent and are generally only inundated from late fall to late spring



or early summer, which would likely coincide with periods when the SWF would not operate. The U.S. Geological Survey has found that the lower reaches of the creek (such as traverse the Project site) flow subterranean during the dry season due to natural dry-season water level decline (i.e., decline without any pumping occurring). Thus, the creek would normally not be inundated during the six dry months of the year when the SWF would operate, discharging 100 gpm of lagoon MF filtrate water. With implementation of Mitigation Measure BIO-7, the lagoon and creek habitats would be protected, and by extension, the tidewater goby that inhabit them, as well. With mitigation, impacts to tide water goby would be reduced to less than significant.

DSEIR Page 5.3-56 is revised in the FSEIR, as follows:

**Project Modifications Direct and Indirect Impacts.** The proposed Project modifications involve removing the surface discharge structure and extending the filtrate pipeline to relocate the discharge point further south to the San Simeon Creek bank. As discussed above, these Project modifications were recommended as Mitigation Measure BIO-3, in order to avoid biasing Well 16D1 water quality samples (as requested by the RWQCB) and more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon. At the relocated discharge point, ACB (Armorflex) lining (approximately 87 SF) is proposed to protect the San Simeon Creek channel bank from erosion. Armorflex would allow for the continued growth of riparian vegetation, further protecting the channel from any potential erosion due to the 4-inch diameter lagoon water discharge. Direct impacts to tidewater goby are expected to be negligible during construction, since they would be limited to the ACB lining at the lagoon discharge structure of the San Simeon Creek channel banks. Specifically, construction-related direct impacts would involve making the area immediately surrounding the discharge temporarily uninhabitable by goby, if present in this area. However, direct impacts to tidewater goby are not expected during construction with the specified mitigation measures implemented, including installing an ACB lining at the lagoon discharge structure at the San Simeon Creek channel banks. Pre-construction surveys to ensure absence/flushing of individuals from the impact area, and the placement of exclusionary barriers to prevent these species from entering areas where conditions are less habitable, would further minimize impacts to tidewater goby. Construction-related noise impacts at the creek are expected to be negligible, since they would be short-term and on the surface, out of the water. No nighttime construction activities are proposed; therefore, no light/glare impacts would occur.



DSEIR Page 5.3-57 is revised in the FSEIR, as follows:

- SWF: The RO concentrate disposal and filtrate pipelines both cross under Van Gordon Creek. However, horizontal directional drilling construction was used to install these pipeline reaches under Van Gordon Creek without disturbing the ground surface. This pipeline installation was coordinated with the biological monitor with entrance and exit pits located outside of the tree drip line. Thus, Van Gordon Creek was avoided. As discussed above, approximately 100 gpm of MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is pumped during dry weather conditions for surface discharge to the upstream end of the San Simeon Creek Lagoon.

DSEIR Page 5.3-58 is revised in the FSEIR, as follows:

Indirect operational impacts could occur, particularly if reductions in the water table result in earlier-than-average seasonal drops in creek surface water. Adult steelhead typically migrate from the ocean into coastal streams between December and May, according to weather patterns and stream flow. On the other hand, smolts typically migrate downstream to lagoons and eventually the ocean between March and June, although low stream flows can block smolts from reaching their destinations. Reduced water in the lower reaches of San Simeon Creek could lead to earlier-than-usual sandbar closures in San Simeon Creek Lagoon, affecting the ability of smolts to migrate to the ocean and prematurely altering the lagoon/estuary temporal interchange. This may result in smolts becoming stranded in San Simeon Creek Lagoon and spending an extra year in the lagoon instead of at sea. Stranded smolts would suffer from increased competition in the lagoon habitat, particularly as upstream areas within San Simeon Creek dry up and leave only an isolated portion of the creek and lagoon. Adverse effects to steelhead could result in a take of this listed species; any such take would require either exemption from the prohibition against take or take authorization. However, the SWF Project design feature returns approximately 100 gpm of MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) to the San Simeon Creek Lagoon and approximately 452 gpm are re-injected into the San Simeon Creek aquifer further up-gradient at the well field. Mitigation Measure BIO-3 requires that the filtrate pipeline be extended to relocate the discharge point further south to the San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon, as discussed.



above. The GMR included detailed hydrogeological modeling and found that while the SWF is operating, the Project design feature's approximate 100 gpm of mitigation filtrate product water would maintain water levels in the lagoon, thereby avoiding potential impacts to steelhead habitat; ~~refer to see~~ Impact 5.5-3. Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, while the SWF is operating, the Project design feature's approximate 100 gpm mitigation of filtrate product water flow to the San Simeon Creek Lagoon would maintain water levels in the lagoon. Notwithstanding, Mitigation Measure BIO-7 requires implementation of an AMP for long-term SWF operations. Monitoring would be required as part of the AMP to ensure that creek/lagoon levels are maintained during SWF operations. With implementation of the AMP (Mitigation Measure BIO-7), the lagoon and creek habitats would be protected, and by extension, the steelhead that may inhabit them, as well. Additionally, Mitigation Measure BIO-15 requires that the CCSD continue with its existing efforts to monitor the creek habitat adjacent to, and downstream from the Project area, as required by the AMP, and specifies provisions, in the event migrating steelhead reappear within the San Simeon Creek. It is noted, San Simeon Creek's lower reaches are intermittent and are generally only inundated from late fall to late spring or early summer, which would likely coincide with periods when the SWF would not operate. The U.S. Geological Survey has found that the lower reaches of the creek (such as traverse the Project site) flow subterranean during the dry season due to natural dry-season water level decline (i.e., decline without any pumping occurring). Thus, the creek would normally not be inundated during the six dry months of the year when the SWF would operate, discharging 100 gpm of mitigation MF filtrate water. Therefore, with mitigation, impacts to steelhead would be reduced to less than significant.

DSEIR Page 5.3-60 is revised in the FSEIR, as follows:

### ***South-Central California Steelhead Recovery Plan***

The South-Central California Steelhead Recovery Plan (Recovery Plan) (NMFS 2013) identifies the San Simeon Creek steelhead population as one of the Core 1, or highest priority, populations of this subspecies for recovery. As stated in the Recovery Plan, groundwater extraction is one of the current threats to the stream and riparian corridor.



Further, according to the Recovery Plan, the following constitute the “Critical Recovery Actions” for steelhead in San Simeon Creek:

Develop and implement operating criteria to ensure the pattern and magnitude of groundwater extractions and water releases, including bypass flows around diversions, provide the essential habitat functions to support the life history and habitat requirements of adult and juvenile steelhead. Remove or modify instream fish passage impediments to allow steelhead natural rates of migration to upstream spawning and rearing habitats, and passage of smolts and kelts downstream to the estuary and ocean. Manage instream mining to minimize impacts to migration, spawning and rearing habitat. Identify, protect, and where necessary, restore estuarine rearing habitat, including management of artificial sandbar breeching at the river’s mouth, and upstream freshwater spawning and rearing habitats.

### **SUSTAINABLE WATER FACILITY**

SWF operations, without the project’s lagoon water supply design feature and mitigation, could affect several of the Critical Recovery Actions listed in the Steelhead Recovery Plan: the ability to develop and implement operating criteria for groundwater extractions and water releases; the ability to provide essential habitat functions for adult and juvenile steelhead; and the ability to protect estuarine rearing habitat. Without mitigation, Project implementation could negatively affect all three of the Critical Recovery Actions, which are all ultimately related to groundwater/surface water availability. Project implementation would involve groundwater extractions during the SWF’s operating period which, without mitigation, could adversely affect essential habitat functions supporting adult and juvenile steelhead including spawning and rearing, the availability of forage and refugia within San Simeon Creek. Reductions in adequate forage and refuge sites within the creek could have both short- and long-term effects on the local steelhead population in San Simeon Creek, resulting not only in increased competition for resources but also increased competition for water. Similarly, groundwater extractions could lower water levels in San Simeon Creek Lagoon, which provides estuarine habitat when the sandbar is breached; however, the sandbar has not been breached for several years, likely due to the drought conditions. Adverse impacts to the lagoon/estuarine habitat could affect the ability of steelhead smolt, to continually grow, and mature before swimming out to sea, or contrarily affect the ability of steelhead adults to replenish and rest after leaving the ocean and before swimming upstream to spawning habitat. Instream fish passage impediments and instream mining are not present in the creek within or adjacent to the Project site, and would not be affected by Project implementation. The amount of



surface water MF filtrate flow that is returned to San Simeon Creek Lagoon would be a minimum of approximately 100 gpm, but this would be adaptable, up to 150 gpm through the AMP as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7. Mitigation Measure BIO-3 requires that the 4-inch diameter lagoon water pipeline be extended to relocate the discharge point further south to the San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon. As discussed above, the GMR and Technical Memorandum (SEIR Appendices E1 and E6) included detailed hydrogeological modeling and found that, while the SWF is operating, the Project design feature's 100 gpm of filtrate product water flow discharged to the lagoon would maintain water levels in the lagoon, thereby avoiding potential impacts to steelhead habitat. Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, while the SWF is operating, the Project design feature's approximate 100 gpm filtrate product water mitigation flow to the lagoon would maintain water levels in the lagoon. Mitigation Measure BIO-7 (Adaptive Management Plan), requires that the CCSD implement an AMP entailing long-term monitoring. The AMP requires monitoring of groundwater levels, surface water levels/flows, in-stream and riparian habitat, and presence of listed species, including steelhead. Implementation of the AMP is intended to avoid or reduce adverse impacts to steelhead, wherein if adverse effects to surface water, habitat, and/or species are detected as a result of AMP monitoring actions, the SWF would be required to shut down and consult with regulatory agencies to determine the best actions to take.

The Recovery Plan also notes the current loss of 50 percent of the estuary, but also states that this loss is due to earlier development of San Simeon State Park and its associated recreational facilities, as well as the placement of the park's vehicle and pedestrian bridge overcrossings. The SWF would not result in permanent losses of estuarine habitat, as it proposes no new development within the estuary. Based on detailed hydrogeological modeling (GMR), while the SWF is operating, the Project design feature's approximate groundwater reinjection and 100 gpm of mitigation filtrate product water discharge to the San Simeon Creek Lagoon would maintain water levels in the lagoon, thereby avoiding potential impacts to the lagoon habitat. Further, the Technical Memorandum concluded that under normal climatic conditions while the SWF is operating, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, while



the SWF is operating, the Project design feature's approximate 100 gpm mitigation filtrate product water flow to the lagoon would maintain water levels in the lagoon. The lagoon/estuary would be expected to be generally subject to its annual cycles, which are also influenced by weather. Thus, impacts would be less than significant in this regard.

DSEIR Page 5.3-61 is revised in the FSEIR, as follows:

- SWF: Most of the CRLF habitat areas would be avoided during SWF construction. The RO concentrate disposal and filtrate pipelines both cross under Van Gordon Creek. However, horizontal directional drilling construction was used to install these pipeline reaches under Van Gordon Creek without disturbing the ground surface. This pipeline installation was coordinated with the biological monitor. Thus, Van Gordon Creek is avoided. The vast majority (approximately 90 percent) of the conveyance piping was installed above grade to minimize ground disturbance. No SWF improvements are proposed within the percolation ponds. As discussed above, the Project design feature's approximately 100 gpm of mitigation MF filtrate water (filtrate) (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is pumped during dry weather conditions for surface discharge at the upstream end of the San Simeon Creek Lagoon. BMPs would be used as necessary to avoid or reduce any sedimentation within the water bodies.

The RO concentrate evaporation pond holds water, and thus, could attract the CRLF. To prevent CRLF from access to the evaporation pond, a frog-exclusion fence was installed along the evaporation pond's perimeter.<sup>4</sup> The fence is constructed of rigid high-density polyethylene (HDPE) matrix, is approximately four feet high, and includes a climber barrier with climber barrier bracket. The fence was selected following its initial suggestion by a USF&WL representative during an August 27, 2014 joint agency project review meeting at the Santa Cruz offices of the California Coastal Commission. Subsequently, the CDM Project Management team researched and located a frog fence material that was accepted by USF&WL (ERTEC E-Fence), which was ultimately installed around the entire evaporation pond perimeter. The frog exclusion fence included an

<sup>4</sup> Specifically, the ERTEC E-Fence, which is accepted by the USFWS for CRLF exclusion, was installed; file:///F:/ERTEC%20E-Fence%20brochure.pdf.



integral climber barrier and HDPE matrix to prevent CRLF from being trapped within the fence.

- Project Modifications: No Project modifications are proposed within Van Gordon Creek or the percolation ponds. The proposed Project modifications include ~~repurposing the evaporation pond decommissioning and repurposing~~ (i.e., ~~to a~~ ~~p~~otable water supply storage basin), offsite disposal of the RO concentrate, and a containerized SWTP and Baker tanks (sited adjacent and immediately east of the AWTP). The mechanical spray evaporators/enclosures would be removed. Five new pipelines would be constructed (including the lagoon water filtrate pipeline extension).

As noted above, approximately 100 gpm of ~~lagoon water~~ MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7)

As previously discussed, a PDF ~~to provide~~ ~~100 gpm of lagoon water, which is pumped~~ proposes that approximately 100 gpm of MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is surface discharged during dry weather conditions ~~for surface discharge~~ at the upstream end of the San Simeon Creek Lagoon. The proposed Project modifications also involve removing the existing surface discharge structure and extending the lagoon water filtrate pipeline to relocate the discharge point further south to the northern bank of the San Simeon Creek (Mitigation Measure BIO-3), where ACB lining (or similar erosion prevention measure) is proposed to protect the San Simeon Creek channel banks from erosion. The 4-inch diameter lagoon water filtrate pipeline extension would be laid on top of the ground surface, and routed/placed by hand to avoid impacts to the habitat. BMPs would be used as necessary to avoid or reduce any sedimentation within the water bodies.

Mitigation Measure AES-2 requires removal of the mechanical spray evaporators and their enclosures, and evaporation pond decommissioning. As a result, ~~t~~The Project modifications also include offsite RO concentrate disposal and repurposing the evaporation pond as a potable water supply storage basin. The RO concentrate would be discharged to Baker tanks for storage prior to offsite disposal, instead of the evaporation pond. Thus, the evaporation pond would no longer be used to store RO concentrate and the repurposed evaporation pond (the potable water supply storage basin) would be filled with untreated (raw) potable water. No changes to the frog-exclusion fence are proposed, as part of the Project modifications. The fence's integral climber



barrier and HDPE matrix would remain to prevent CRLF from being trapped within the fence.

DSEIR Page 5.3-63 is revised in the FSEIR, as follows:

Indirect operational impacts could occur, particularly if reductions in the water table result in earlier-than-average seasonal drops in creek surface water. In San Simeon Creek, because CRLF can breed as late as late April, early drops in water levels could possibly affect the ability of CRLF eggs to hatch. CRLF typically attaches its eggs to floating vegetation or vegetation rooted in the creek substrate; drops in the water level could cause egg masses to desiccate. Tadpoles in turn could be lost if the creek dries too quickly, or increased competition for food from fish (such as stranded smolts) could result in tadpoles being subjected to increased predation. Project implementation could also have related impacts on California red-legged frog designated Critical Habitat. The area surrounding the Project site, including San Simeon Creek, San Simeon Creek Lagoon, Van Gordon Creek, and other upland areas, provides aquatic habitat that is suitable for both breeding (PCE 1) and non-breeding (PCE 2) by California red-legged frog, as well as upland habitat that could be used for foraging (PCE 3) and dispersal (PCE 4). Groundwater extraction may result in surface water drawdowns that could adversely modify Critical Habitat by reducing water levels and affecting the availability of breeding areas, PCE 1. This could cause the frogs to concentrate into smaller areas during the breeding season, or cause them to leave the creek and look for breeding or non-breeding habitat elsewhere. Non-breeding habitat and upland habitat are unlikely to be adversely modified. Adverse effects to steelhead California red-legged frog could result in a take of this listed species; any such take would require either exemption from the prohibition against take or take authorization. However, the SWF returns approximately 100 gpm (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) of filtrate product water to the San Simeon Creek Lagoon and approximately 452 gpm are re-injected into the San Simeon Creek aquifer further up-gradient at the well field. Mitigation Measure BIO-3 requires that the filtrate pipeline be extended to relocate the discharge point further south to the San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon. The GMR and San Simeon Creek Flows Technical Memorandum (Appendices E-1 and E-6) included detailed hydrogeological modeling and found that, when the SWF is operating, the 100 gpm of sidestream MF filtrate flow being provided mitigation water to the lagoon would maintain lagoon water levels, thereby avoiding potential impacts to the CRLF habitat.



Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow to the lagoon, would be sufficient to maintain lagoon levels similar to conditions without the SWF, while the SWF is operating. Based on the GMR's and Technical Memorandum's findings, the Project's design feature of providing approximately 100 gpm of mitigation flow to the lagoon while the SWF is operating and Mitigation Measure BIO-7 would maintain water levels in the San Simeon Creek Lagoon. Notwithstanding, monitoring would be required as part of the AMP (Mitigation Measure BIO-7) to ensure that creek/lagoon levels are maintained during SWF operations. With implementation of the AMP (Mitigation Measure BIO-7), the lagoon, creek, and riparian habitats would be protected, and by extension, the CRLF that inhabit them, as well. The U.S. Geological Survey has found that the lower reaches of the creek (such as traverse the Project site) flow subterranean during the dry season due to natural dry-season water level decline (i.e., decline without any pumping occurring). Thus, the creek would normally not be inundated during the six dry months of the year when the SWF would operate, discharging 100 gpm of mitigation MF filtrate water. With mitigation, impacts to CRLF would be reduced to less than significant.

DSEIR Page 5.3-67 is revised in the FSEIR, as follows:

Indirect impacts to these non-listed special-status wildlife species would primarily be related to habitat degradation as a result of groundwater pumping. If excessive groundwater withdrawal results in degradation of the in-stream or surrounding riparian vegetation, including trees, it may result in decreased habitat quality for nesting birds or roosting bats. Drops in the water level in Van Gordon Creek, San Simeon Creek, or San Simeon Creek Lagoon may result in small reductions of available habitat for aquatic herpetofauna, but would not be expected to result in breeding failure or death. However, the SWF Project design feature returns approximately 100 gpm of MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is as surface discharged to the San Simeon Creek Lagoon and approximately 452 gpm are re-injected into the San Simeon Creek aquifer further up-gradient at the well field. Mitigation Measure BIO-3 requires that the filtrate pipeline be extended to relocate the discharge point further south to the San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon, as discussed above. The GMR included detailed hydrogeological modeling and found that Project design feature's approximate the 100



gpm of filtrate product mitigation water flow would maintain water levels in the lagoon, thereby avoiding potential impacts to steelhead habitat; refer to see Impact 5.5-3. Further, the Technical Memorandum concluded that under normal climatic conditions, while the SWF is operating, flows of 50 gpm, which would be one-half of the proposed 100 gpm of MF filtrate mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, while the SWF is operating, the Project design feature's approximate 100 gpm filtrate product water mitigation flow to the San Simeon Creek Lagoon would maintain water levels in the lagoon. Notwithstanding, Mitigation Measure BIO-7 requires implementation of an AMP for long-term SWF operations. Monitoring would be required as part of the AMP to ensure that creek/lagoon levels are maintained during SWF operations. The U.S. Geological Survey has found that the lower reaches of the creek (such as traverse the Project site) flow subterranean during the dry season due to natural dry-season water level decline (i.e., decline without any pumping occurring). Thus, the creek would normally not be inundated during the six dry months of the year when the SWF would operate, discharging 100 gpm of mitigation MF filtrate water. With implementation of the AMP (Mitigation Measure BIO-7), the lagoon and creek habitats would be protected, and by extension, the non-listed special-status wildlife species that inhabit them, as well. The SWF is also subject to compliance with Mitigation Measure BIO-6, Mitigation Measure BIO-16, and Mitigation Measure BIO-17. With implementation of Mitigation Measures BIO-6, BIO-7m BIO-16, and BIO-17, impacts to special-status wildlife species would be reduced to less than significant.

DSEIR Page 5.3-70 is revised in the FSEIR, as follows:

BIO-7 Adaptive Management Plan. The CCSD shall develop and implement an Adaptive Management Program (AMP) for post construction operations upon commencement of SWF operations. The AMP shall be incorporated while the SWF is operating and indefinitely until the SWF is no longer in use or until deemed no longer necessary by applicable regulatory agencies. The AMP is intended to monitor and protect the lagoon, creek, and riparian habitats adjacent to the Project site and, by extension, protect the species that inhabit it. The AMP's primary goal shall be to monitor the response of the lagoon, creeks, and riparian habitats to SWF operations. This shall include, but not be limited to, the following:



- Regular monitoring of groundwater levels, surface water levels, surface water flow, in-stream and riparian habitat extent and health, available in-stream and fish habitat, and water quality;
- Surveys for tidewater goby, steelhead, CRLF, western pond turtle, and/or two-striped garter snake a minimum of two times per year to measure population levels over time; and
- Monitoring of riparian vegetation in the water bodies and in their upland extents.

Based on the results of the biological monitoring and any noted adverse changes in these habitats, SWF operations shall be adjusted such that the amount of treated water that is injected or discharged back into the system, is either increased or decreased to restore affected habitat features. It is expected that the minimum amount of approximately 100 gpm of water would be returned at any one time would be 100 gpm.

DSEIR Page 5.3-71 is revised in the FSEIR, as follows:

BIO-13 Water Impoundment. Unless approved by the USFWS, or otherwise mitigated by the frog-exclusion fence currently installed around the evaporation pond perimeter, water shall not be impounded in a manner that may attract CRLF. (E-CDP Condition 21)

DSEIR Page 5.3-72 is revised in the FSEIR, as follows:

BIO-15 Groundwater Pumping – Biological Monitoring. Ongoing During SWF operations, the CCSD shall continue with its existing efforts to monitor the creek habitat adjacent to, and downstream from the Project area, as required by the AMP. Should migrating steelhead reappear within the San Simeon Creek while the SWF is in operation, the CCSD shall implement efforts to avoid potentially impacting their movement prior to the creek naturally running dry and flowing as subsurface flow during the dry season. Such efforts may include alternating the use of production wells between the San



Simeon and Santa Rosa aquifers, discussing possible curtailments and/or coordination to pumping regimes being practiced by/with other riparian irrigators during such migration periods, invoking conservation/demand management measures, as well as operating the SWF to provide its lagoon water discharge.

DSEIR Page 5.3-76 is revised in the FSEIR, as follows:

- BIO-19 The CCSD shall minimize to the extent possible the disturbance and removal of riparian vegetation in the vicinity of San Simeon Creek Lagoon during the construction and placement of the ~~mitigation~~ MF filtrate water pipeline. All efforts shall be made to avoid creating a permanent pathway through the vegetation while constructing the pipeline. The pipeline shall in addition contain an adequate velocity dissipation mechanism to avoid creating any scour or deterioration of the upland habitat.

DSEIR Page 5.3-77 is revised in the FSEIR, as follows:

#### Avoidance and Minimization Efforts.

- SWF: The RO concentrate disposal and filtrate pipelines both cross under Van Gordon Creek where wetlands and jurisdictional waters are present. However, horizontal directional drilling construction was used to install these pipeline reaches under Van Gordon Creek without disturbing the ground surface. This pipeline installation was coordinated with the biological monitor with entrance and exit pits located outside of the tree drip line. Thus, Van Gordon Creek and associated riparian vegetation are avoided. As discussed above, approximately 100 gpm of mitigation water is pumped during dry weather conditions for surface discharge to the upstream end of the San Simeon Creek Lagoon MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is surface discharged to the San Simeon Creek Lagoon. San Simeon Creek and associated riparian vegetation were also avoided during construction. BMPs would be used as necessary to avoid or reduce any sedimentation within the water bodies.



- Project Modifications: None of the Project modifications would traverse Van Gordon Creek riparian habitat. As discussed above, approximately 100 gpm of mitigation water is pumped during dry weather conditions for surface discharge to the upstream end of the San Simeon Creek Lagoon. MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is surface discharged to the San Simeon Creek Lagoon. The Project modifications propose to extend the filtrate pipeline to relocate the discharge point further south to the San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon. This pipeline, which would traverse the riparian vegetation extending to the San Simeon Creek bank, would be constructed above-ground to ensure impacts to riparian vegetation are minimized. Vegetation disturbance would be limited to the minimum amount necessary to extend the pipeline to the creek bank. The filtrate pipeline would be routed/placed by hand to protect the riparian habitat. At the discharge point at the San Simeon Creek bank, ACB lining is proposed to protect the San Simeon Creek channel banks from erosion. BMPs would be used as necessary to avoid or reduce any sedimentation within the water bodies.

DSEIR Page 5.3-80 is revised in the FSEIR, as follows:

#### **SUSTAINABLE WATER FACILITY - CONCLUSION**

Potentially significant indirect impacts could occur as a result of SWF implementation and groundwater loss. The GMR included detailed hydrogeological modeling and found that the 100 gpm of mitigation MF filtrate water while the SWF is operating would maintain water levels in the lagoon, thereby avoiding potential impacts on wetland habitat. Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, the 100 gpm mitigation flow to the lagoon while the SWF is operating would maintain water levels in the lagoon. Notwithstanding, Mitigation Measure BIO-7 requires implementation of an AMP for long-term SWF operations. The AMP is intended to monitor and protect the creeks, lagoon, and onsite habitats. The AMP's primary goal is to monitor the response of the lagoon, creeks, and riparian habitats to SWF operations. With implementation of the AMP (Mitigation Measure BIO-7), the wetland habitats would be protected.



DSEIR Page 5.3-83 is revised in the FSEIR, as follows:

- *Project Modifications:* As discussed above, approximately the Project's 100 gpm lagoon water is provided during dry weather conditions for surface discharge to the upstream end of the San Simeon Creek Lagoon. of MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is surface discharged to the San Simeon Creek Lagoon. The Project modifications involve placing the surface discharge point further south to the San Simeon Creek bank, resulting in construction within the San Simeon Creek corridor. A 4-inch diameter lagoon water pipeline extension would traverse the corridor's riparian vegetation to the northern bank of the San Simeon Creek. This pipeline would be constructed above-ground to ensure impacts to the corridor are minimized. At the discharge point, ACB lining is proposed to protect the San Simeon Creek channel bank from erosion. The lagoon water filtrate pipeline would be routed/placed by hand to protect the habitat. Vegetation disturbance would be limited to the minimum amount necessary to extend the pipeline to the creek bank and construct the discharge structure.

### **SUSTAINABLE WATER FACILITY**

**SWF Direct and Indirect Impacts.** Movements of terrestrial and avian species could be affected and deterred by active construction. However, the movement corridors are not expected to be directly impacted, since no SWF improvement is proposed in the creek corridors.

San Simeon Creek, San Simeon Creek Lagoon, and Van Gordon Creek could experience indirect SWF-related effects, as a result of drawdown in the water table. If the depth of the water table has a strong correlation with the amount of surface water available in these water bodies, it may result in early seasonal cuts in aboveground water supplies. This would in turn degrade the quality of the movement corridor and potentially render it unusable by animals that are strictly confined to aquatic movement (e.g., fish). Thus, impacts to movement corridors would be significant unless mitigated. However, the SWF returns approximately 100 gpm of MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) to the San Simeon Creek Lagoon and 452 gpm are re-injected into the San Simeon Creek aquifer further up-gradient at the well field. Mitigation Measure BIO-3 requires that the lagoon water filtrate pipeline be extended to relocate the discharge point further south to the northern San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain



water levels at San Simeon Creek Lagoon. The GMR included detailed hydrogeological modeling and found that the 100 gpm of mitigation MF filtrate water to the lagoon while the SWF is operating would maintain water levels in the lagoon. Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, the 100 gpm mitigation flow to the lagoon while the SWF is operating would maintain water levels in the lagoon. Notwithstanding, Mitigation Measure BIO-7 requires implementation of an AMP for long-term SWF operations. Monitoring would be required as part of the AMP to ensure that creek/lagoon levels are maintained during SWF operations. The U.S. Geological Survey has found that the lower reaches of the creek (such as traverse the Project site) flow subterranean during the dry season due to natural dry-season water level decline (i.e., decline without any pumping occurring). Thus, the creek would normally not be inundated during the six dry months of the year when the SWF would operate, discharging 100 gpm of mitigation MF filtrate water. With implementation of the AMP (Mitigation Measure BIO-7), the lagoon and creek habitats would be protected, and by extension, the wildlife movement corridors, as well. To further minimize impacts to the movement corridors, the SWF is subject to compliance with Mitigation Measures BIO-4 (E-CDP Condition 16), BIO-5 (E-CDP Condition 17), BIO-6 (E-CDP Condition 20), and BIO-8 (E-CDP Condition 12), as described above. Mitigation Measure BIO-7 requires implementation of an AMP, which is intended to monitor and protect the creeks, lagoon, and onsite habitats. The AMP's primary goal is to monitor the response of the lagoon, creeks, and riparian habitats to SWF operations. Mitigation Measure BIO-18 requires that the lagoon discharge structure be designed to avoid impacts to riparian habitat to the greatest extent feasible. Finally, Mitigation Measure BIO-19 requires that the CCSD minimize the disturbance and removal of riparian vegetation, to the extent possible. Pursuant to the MBTA and FGC, the SWF is subject to compliance with Mitigation Measure BIO-16, which requires that a preconstruction nesting bird clearance survey be conducted in all work areas and all areas within 500 feet of the general construction zone.

DSEIR Page 5.3-88 is revised in the FSEIR, as follows:

**CZLUO Section 23.07.170.e.2 (Development in ESHA to Avoid a Taking)**



As discussed above, indirect operational impacts to tidewater goby, steelhead, and CRLF could occur as the result of Well 9P7 pumping groundwater in the vicinity of the percolation ponds, which is upstream from the San Simeon Creek Lagoon. To avoid these impacts, the Project included a PDF ~~to provide that approximately~~ 100 gpm of lagoon water during dry weather conditions for surface discharge at immediately upstream from the upper San Simeon Creek lagoon MF filtrate flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) is surface discharged to the San Simeon Creek Lagoon. This PDF includes an above-ground 4-inch diameter lagoon water pipeline, which discharges into a surface discharge structure located just north of the San Simeon Creek treeline to create a sheet flow of mitigation MF filtrate water, prior to entering upstream of the San Simeon Creek Lagoon. The Project modifications involve extending the lagoon water filtrate pipeline to relocate the discharge point further south to the northern San Simeon Creek bank (Mitigation Measure BIO-3). The 4-inch diameter lagoon water pipeline extension would be routed/placed by hand to protect the riparian habitat. The proposed discharge at the creek bank would provide more efficient delivery of water to San Simeon Creek to maintain water levels in the lagoon. Thus, Project modifications' lagoon water filtrate pipeline and discharge structure, are proposed within and adjacent to (within 100 feet of the boundary of) an ESHA to minimize impacts to tidewater goby, steelhead, and CRLF (which constitute a take). Pursuant to CZLUO Section 23.07.170.e.2, development within an ESHA shall be: the least necessary to avoid take; avoided to the maximum extent feasible; and fully mitigated. The lagoon water filtrate pipeline alignment was determined based on the shortest distance between the SWF treatment facility and discharge point that avoided impacting sensitive resource areas to the maximum extent practicable, and avoided the existing cultural resources, as discussed in detail in Section 5.4, Cultural Resources. The majority (85 percent) of this 1,000-foot pipeline was installed above grade to minimize disturbance. The remaining 150 feet were installed using horizontal directional drilling construction without disturbing the ground surface. Therefore, impacts to tidewater goby, steelhead, and CRLF were avoided to the maximum extent feasible. Implementation of Mitigation Measures BIO-2 through BIO-6, and BIO-8 through BIO-19-19, would reduce potential impacts to tidewater gobies, steelhead, and CRLF to less than significant and ensure compliance with CZLUO Section 23.07.170.e.2.

#### **CZLUO Section 23.07.170.e.3 (Steelhead Stream Protection: Net Loss Stream Diversions Prohibited)**

CZLUO Section 23.07.170.e.3 states that diversions of surface and subsurface water will not be allowed if they will result in a significant adverse impact on steelhead runs. This



Section applies to water supply wells that tap the subflow and similar water supply facilities that could significantly harm steelhead runs. Exceptions may be considered only where the impact cannot be avoided, is fully mitigated, and no significant disruption would result. The SWF is extracting groundwater from the groundwater basin below the wastewater effluent percolation ponds. The brackish water source is a combination of San Simeon Creek underflow, percolated treated wastewater effluent, and diluted seawater from a deep, saltwater wedge area. Specifically, the SWF pumps 629 gpm of groundwater upstream of San Simeon Creek Lagoon, of which: 452 gpm are re-injected into the San Simeon Creek aquifer further up-gradient at the well field; 37 gpm of MF backwash are discharged at a percolation pond; and 39 gpm of RO concentrate are discharged at the evaporation pond. Additionally, the SWF returns approximately 100 gpm of MF filtrate (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) to the San Simeon Creek Lagoon. Specifically, the Project's PDF includes lagoon water (non-chlorinated microfilter effluent, or a combination of microfilter effluent with de-chlorinated and oxygenated RO product water), which is pumped during dry weather conditions for surface discharge upstream of San Simeon Creek Lagoon. An above-ground pipeline is used to deliver the lagoon water from the AWTP to a surface discharge structure. The discharge structure creates a sheet flow of water, prior to entering upstream of the San Simeon Creek Lagoon. The lagoon water filtrate pipeline extension and surface discharge involve extending the 4-inch diameter filtrate pipeline to relocate the discharge point further south to the northern San Simeon Creek bank. The proposed discharge at the creek bank would provide more efficient delivery of water to San Simeon Creek to maintain water levels in the lagoon, while also avoiding existing monitoring well 16D1.

As discussed under Impact 5.3-1 above, indirect operational impacts could occur, particularly if reductions in the water table result in earlier-than-average seasonal drops in creek surface water. However, the SWF returns approximately 100 gpm of MF filtrate (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) to the San Simeon Creek Lagoon and 452 gpm are re-injected into the San Simeon Creek aquifer further up-gradient at the well field. Mitigation Measure BIO-3 requires that the filtrate pipeline be extended to relocate the discharge point further south to the San Simeon Creek bank to more efficiently deliver surface water into San Simeon Creek to maintain water levels at San Simeon Creek Lagoon. The GMR included detailed hydrogeological modeling and found that the 100 gpm of mitigation MF filtrate water while the SWF is operating would maintain water levels in the lagoon, thereby avoiding potential impacts to the lagoon habitat; refer to Impact 5.5-3. Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be



sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, the 100 gpm mitigation flow to the lagoon while the SWF is operating would maintain water levels in the lagoon. Notwithstanding, Mitigation Measure BIO-7 requires implementation of an AMP for long-term SWF operations. The AMP is intended to monitor and protect the lagoon, creek, and riparian habitats and, by extension, protect the species that inhabit them, including steelhead. The AMP's primary goal is to monitor the response of the lagoon, creeks, and riparian habitats to SWF operations. Monitoring is required as part of the AMP to ensure that creek and lagoon levels are maintained during SWF operations. With implementation of the AMP (Mitigation Measure BIO-7), the water levels would be maintained, lagoon and creek habitats would be protected, and by extension, any steelhead (and any tidewater gobies) that may inhabit them. Monitoring of groundwater and surface water, as well as additional hydrologic modeling, is required to track changes in groundwater, surface waters, and instream and riparian habitats to remove remaining uncertainty and fully understand the SWF's potential impacts. The AMP approach is implemented to provide the needed data and an oversight of uncertain effects of the SWF's pumping, and would alert the CCSD of the need to adjust SWF operations, depending on stream conditions to avoid potential adverse impacts to aquatic species, including steelhead. Adjustments could include alternating the use of production wells between the San Simeon and Santa Rosa aquifers, curtailments and/or coordination to pumping regimes being practiced by/with other riparian irrigators during such migration periods, invoking conservation/demand management measures, as well as operating the SWF to provide its lagoon water discharge.

DSEIR Page 5.3-91 is revised in the FSEIR, as follows:

#### **CZLUO Section 23.07.170.e.4.iv (Interference with Fish Migration)**

CZLUO Section 23.07.170.e.4.iv prohibits any development activity that would raise overall stream temperatures to unfavorable levels, or that would interfere with normal fish migration and movement within the stream. As stated above, with implementation of the AMP, the SWF is not anticipated to result in decreased water levels in San Simeon Creek and, when applicable, Van Gordon Creek. Implementation of the AMP would ensure that SWF operations would not result in decreased water levels regularly, seasonally, or during particularly dry periods, thus, ensuring that increased water temperatures due to decreased water levels, as well as restrictions on fish migration and movement, would not occur. The GMR included detailed



hydrogeological modeling and found that the Project's PDF of providing 100 gpm of lagoon water while the SWF is operating would maintain water levels in the lagoon, thereby avoiding potential impacts to the lagoon habitat; refer to Impact 5.5-3. Further, the Technical Memorandum concluded that under normal climatic conditions, flows of 50 gpm, which would be one-half of the proposed 100 gpm mitigation flow, would be sufficient to maintain lagoon levels similar to conditions without the SWF. Based on the GMR's and Technical Memorandum's findings, the Project's PDF of providing 100 gpm of lagoon water while the SWF is operating would maintain water levels in the lagoon. Notwithstanding, Mitigation Measure BIO-7 requires implementation of an AMP, which involves gathering additional hydrologic information to demonstrate that stream temperatures are maintained at favorable levels and that no interference with normal fish migration or movement within San Simeon Creek or Van Gordon Creek and ensure compliance with CZLUO Section 23.07.170.e.4.

DSEIR Page 5.3-93 is revised in the FSEIR, as follows:

*CZLUO Section 23.07.174 (Streams and Riparian Vegetation).*

The Project is subject to compliance with CZLUO Section 23.07.174, which is intended to preserve and protect these resources. According to CZLUO Section 23.07.174.b, alteration of stream channels are limited to necessary water supply projects and construction of improvements to fish and wildlife habitat (as well as flood control projects). The SWF pumps approximately 100 gpm of de-chlorinated/oxygenated product water (MF filtrate) flow (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7 during dry weather conditions for surface discharge upstream of San Simeon Creek Lagoon. The proposed Project modification surface discharge structure, which involves a discharge point at the San Simeon Creek bank, requires streambed alteration. This surface discharge structure involves both a water supply project and construction of improvements to fish and wildlife habitat and thus, would be a permitted alteration. The CZLUO further notes that alteration of stream channels are limited to necessary water supply projects, "provided that quantity and quality of water from streams shall be maintained at levels necessary to sustain functional capacity of streams, wetlands, estuaries and lakes."<sup>5</sup> As discussed above, Mitigation Measure BIO-7 requires implementation of an AMP, which is intended to

<sup>5</sup> A "necessary" water project is a project that is essential to protecting and/or maintaining public drinking water supplies (CZLUO Section 23.07.174.b(1)).



monitor and protect the creeks and lagoon, as well as the riparian habitats. Thus, in compliance with CZLUO Section 23.07.174.b, BIO-7 would ensure the functional capacity of San Simeon and Van Gordon Creeks, and the San Simeon Creek Lagoon.

## **SECTION 5.4, CULTURAL RESOURCES**

DSEIR Page 5.4-25 is revised in the FSEIR, as follows:

### **5.4.5 IMPACTS AND MITIGATION MEASURES**

As discussed in detail in Section 5.0, Environmental Analysis, for purposes of the following impact analyses, “Sustainable Water Facility” (SWF) involves the built and operational Project components, whereas “Mitigation Measures and Project modifications” involve proposed Project modifications including those required for compliance with various SWF mitigation measures.

## **SECTION 5.5, HYDROLOGY AND WATER QUALITY**

DSEIR Page 5.5-1 is revised in the FSEIR, as follows:

- *NPDES General Permit, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities*, Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ (CCRWQCB).
- *Waste Discharge Requirements National Pollutant Discharge Elimination System General permit for Discharges with Low Threat to Water Quality*, Order No. R3-2011-0223, NPDES No. CAG993001 (CCRWQCB).
- *Waste Discharge Requirements*, Order No. R3-2014-0047 (CCRWQCB).
- *Waste Discharge Requirements*, Order No. 010-100, modified November 14, 2014 (CCRWQCB).
- *Waste Discharge Requirements and Water Recycling Requirements*, Order No. R3-2014-0050 (CCRWQCB).
- *Cambria Emergency Water Supply Project San Simeon Creek Basin Groundwater Modeling Report (GMR)* (CDM Smith, May 2014) (see Appendix E1, Biological Resources Reports).



- *Technical Memorandum - San Simeon Creek Flows* (CDM Smith, October 16, 2015) (see Appendix E6).

DSEIR Page 5.5-9 is revised in the FSEIR as follows:

A seiche is an earthquake or slide-induced wave that can be generated in an enclosed body of water of any size from swimming pool, to a harbor, or lake. Given that the nearest large, enclosed open body of water is Lake Nacimiento, located approximately 12 miles northeast of the Project site, beyond the Santa Lucia Mountain Range, the potential for the Project site to be affected by seiching associated with Lake Nacimiento is nonexistent. Additionally, given that the onsite creeks are not inundated during the six dry months of the year, and given seiche is not considered a significant risk in San Luis Obispo County since County reservoirs are not considered large enough, the potential for the Project site to be affected by seiching associated with onsite streams is not significant.

DSEIR Page 5.5-15 is revised in the FSEIR as follows:

The quality of the State's waters can be affected by many sources that come in different forms and amounts. For regulatory purposes, these sources are categorized by whether they are planned, easily-identified "end-of-pipe" waste discharges from a single, discrete source such as constructed conveyance systems (known as "point source discharges"), or from planned or unplanned discharges from more diffuse runoff that covers a wide area (known as "nonpoint source discharges"). The waste can be in liquid or solid form, and can be in small to very large volumes. The RWQCB regulates discharges to surface water, such as rivers and the ocean through the NPDES Permit Program, and discharges to groundwaters (discharges to land) through the Waste Discharge Requirements (WDR) program. Through the NPDES Permit Program, the RWQCB regulates waste discharges to both surface waters, such as rivers and the ocean, and groundwaters (via discharge to land). The type of permits issued by the RWQCBs to control these various sources of pollutants depends on the type/category of waste, where the waste is discharged, and State and federal laws and regulations.



DSEIR Page 5.5-20 is revised in the FSEIR as follows:

Refer to Appendix C, E-CDP Conditions of Approval, for a list of E-CDP Conditions. E-CDP Conditions 6 and 20 are applicable to hydrology and water quality.

### **County of San Luis Obispo Tsunami Emergency Response Plan**

The Emergency Response Plan (ERP) is primarily intended to establish and define emergency management procedures, organizational response, and coordination related to receipt of a Tsunami Information Statement, Watch, Advisory or Warning or an actual tsunami along the San Luis Obispo County coastline.

Emergency management in the County is implemented through the National Incident Management System (NIMS) and the Standardized Emergency Management System (SEMS). NIMS provides a comprehensive, national approach to incident management that is applicable at all jurisdictional levels. The County uses SEMS, as part of its emergency management and response operations.

According to the ERP, the potential tsunami hazard for the County's coastal areas is greatest for those communities or portions thereof located below the estimated elevations for the 100- to 500-year events, that is, below elevation 50 feet above mean sea level (amsl). Coastal land uses most vulnerable to tsunamis hazards are those located near mouths of streams that drain into the Pacific Ocean, such as San Simeon Creek, among other factors.

The ERP includes maps to illustrate the potential tsunami run-up along the County's coast. These maps use the 50 feet amsl topographic elevation as a working maximum height potential for tsunami incident. According to the ERP Southern San Simeon Inundation Map, portions of the Project site are located within the Tsunami Inundation Area and the Tsunami Plan Evacuation Area.

DSEIR Page 5.5-27 is revised in the FSEIR as follows:

The SWF transfers extracted groundwater to the AWTP, which treats brackish water to produce potable water. The treated AWTP product water is re-introduced/pumped for injection into the groundwater basin. The RO concentrate is disposed for evaporation



in the evaporation pond and the MF backwash is discharged to the existing percolation ponds. As detailed in Table 3-3, AWTP Process Design Flows, the SWF specifically includes the following activities that involve discharges to groundwater and land:

- ~~reinjects 452 gpm of advanced treated water (RO permeate and UV feed flow) is re-injected~~ into the San Simeon Creek aquifer further upgradient at the well field;
- ~~returns Approximately 100 gpm of MF filtrate flow (as deemed necessary by the Project's Adaptive Management Plan (see Mitigation Measure BIO-7) is surface discharged~~ to the San Simeon Creek Lagoon);<sup>6</sup>
- ~~discharges 39 gpm of RO concentrate and membrane cleaning waste is discharged~~ to the evaporation pond; and
- ~~discharges 37 gpm of automatic strainer backwash and MF backwash is discharged~~ to the percolation pond, which flows back into the groundwater aquifer.

As previously noted, the SWF transfers extracted groundwater to the AWTP, which treats brackish water to produce potable water. To meet California Department of Public Health (DPH) and CCRWQCB regulations, the treated AWTP product water is re-introduced/pumped for injection into the groundwater basin. ~~MF filtrate water, which could potentially be augmented with de-chlorinated/oxygenated product water (filtrate)~~ is pumped during dry weather conditions for surface discharge habitat enhancement in the San Simeon Creek Lagoon. An above-ground pipeline delivers ~~approximately 100 gpm of water MF filtrate (as deemed necessary by the Project's Adaptive Management Plan; see Mitigation Measure BIO-7)~~ from the AWTP to a surface discharge structure; see Exhibit 3-5.

<sup>6</sup> ~~As discussed in DSEIR Section 5.5 and specified in DSEIR BIO-7, based on the results of the biological monitoring and any noted adverse changes in these habitats, SWF operations would be adjusted such that the amount of MF filtrate product water re-injected into the system, is either increased or decreased to restore affected habitat features. It is expected that the MF filtrate product water re-injected at any time would be approximately 100 gpm.~~



DSEIR Page 5.5-23 is revised in the FSEIR, as follows:

### **5.5.5 IMPACTS AND MITIGATION MEASURES**

As discussed in detail in Section 5.0, Environmental Analysis, for purposes of the following impact analyses, “Sustainable Water Facility” (SWF) involves the built and operational Project components, whereas “Mitigation Measures (and Project modifications)” involve proposed Project modifications including those required for compliance various SWF mitigation measures.

DSEIR Page 5.5-26 is revised in the FSEIR, as follows:

#### **MITIGATION MEASURES AND (PROJECT MODIFICATIONS)**

The ~~Mitigation Measures~~ (Project modifications) involve decommissioning and construction of various water facilities, as described in Section 3.5.2. These Project modifications would disturb one or more acres of soil and, thus, are required to obtain coverage under the General Construction Permit. Construction of the Project modifications would involve activities subject to this Permit including clearing, grading, and ground disturbances, which could result in short-term water quality impacts. A Notice of Intent and SWPPP must be prepared and submitted to the SWRCB demonstrating compliance with the General Construction Permit.

DSEIR Page 5.5-27 is revised in the FSEIR, as follows:

#### **SUSTAINABLE WATER FACILITY**

The SWF transfers extracted groundwater to the AWTP, which treats brackish water to produce potable water. The treated AWTP product water is re-introduced/pumped for injection into the groundwater basin. The RO concentrate is disposed for evaporation in the evaporation pond and the MF backwash is discharged to the existing percolation ponds. As detailed in Table 3-3, AWTP Process Design Flows, the SWF specifically includes the following activities that involve discharges to groundwater and land: reinjects



- 452 gpm of advanced treated water (RO permeate and UV feed flow) is re-injected into the San Simeon Creek aquifer further up-gradient at the well field; returns
- Approximately 100 gpm of MF filtrate flow (as deemed necessary by the Project's Adaptive Management Plan (AMP) (see Mitigation Measure BIO-7 re-injects) is surface discharged to the San Simeon Creek Lagoon;<sup>7</sup>
- 39 gpm of RO concentrate and membrane cleaning waste is discharged to the evaporation pond; and discharges
- 37 gpm of automatic strainer backwash and MF backwash is discharged to the a percolation pond, which flows back into the groundwater aquifer.

As previously noted, the SWF transfers extracted groundwater to the AWTP, which treats brackish water to produce potable water. To meet California Department of Public Health (DPH) and CCRWQCB regulations, the treated AWTP product water is re-introduced/pumped for injection into the groundwater basin. MF filtrate water, which could potentially be augmented with de-chlorinated/oxygenated product water (filtrate), is pumped during dry weather conditions for surface discharge habitat enhancement in the San Simeon Creek Lagoon. An above-ground pipeline delivers approximately 100 gpm of water MF filtrate (as deemed necessary by the Project's AMP; see Mitigation Measure BIO-7) from the AWTP to a surface discharge structure; see Exhibit 3-5. The discharge structure, which is located just north of the San Simeon Creek tree line, dissipates velocity, in order to create a sheet flow of mitigation water, prior to entering upstream of the San Simeon Creek Lagoon. The RO concentrate from the AWTP is disposed for evaporation in the Van Gordon Reservoir, an existing storage pond that was rehabilitated/modified into an evaporation pond to meet State Title 27 requirements. The CCRWQCB classifies the RO concentrate as a *Special Waste* and prohibits its discharge to Waters of the State in excess of background levels. The evaporation pond is lined with an impermeable liner system with leak detection to contain the RO concentrate and protect the underlying soil and groundwater. The RO concentrate evaporation is aided with five mechanical spray evaporators.

<sup>7</sup> As discussed in DSEIR Section 5.5 and specified in DSEIR BIO-7, based on the results of the biological monitoring and any noted adverse changes in these habitats, SWF operations would be adjusted such that the amount of MF filtrate product water re-injected into the system, is either increased or decreased to restore affected habitat features. It is expected that the MF filtrate product water re-injected at any time would be approximately 100 gpm.



DSEIR Page 5.5-32 is revised in the FSEIR, as follows:

It is noted that with implementation of the recommended Mitigation Measure AES-2, the mechanical spray evaporators would be removed and the evaporation pond would be ~~repurposed to storing raw (untreated) potable water~~ ~~decommissioned~~. Therefore, with implementation of AES-2, the potential for RO concentrate drift would no longer occur. This is because the AES-2 Project modifications would allow RO concentrate to be stored in on-site Baker Tanks for periodic off-site disposal. With implementation of these Project modifications, the Project would be required to amend Order No. R3-01-11, as discussed in the Mitigation Measures Project Modifications Section below.

DSEIR Page 5.5-33 is revised in the FSEIR, as follows:

#### **MITIGATION MEASURES AND (PROJECT MODIFICATIONS)**

The Project modifications involve discharging the AWTP RO concentrate to Baker tanks for storage prior to offsite disposal, instead of the evaporation pond. The mechanical spray evaporators would be removed. The evaporation pond would be ~~decommissioned and repurposed as a potable water supply storage basin~~. The source water for the potable water supply storage basin would be potable water from the CCSO groundwater pumps. The potable water supply storage basin would be seasonally filled during the wet season when there is adequate flow occurring in the local creeks. The potable water supply storage basin's water quality would generally be similar to the Well SS-1 and Well SS-2 water quality. However, because the potable water supply storage basin would be uncovered, water quality could potentially degrade due to various sources of contamination, including bird and animal waste, algal growth, insects and fish, and airborne deposition. Because open storage would diminish water quality, a containerized surface water treatment plant (SWTP) would ensure water quality criteria are met. These Project modifications would not include activities that involve discharges to groundwater or land, with the exception of the lagoon surface discharge extension.



DSEIR Page 5.5-34 is revised in the FSEIR as follows:

The lagoon surface discharge extension would be required to file an Amendment to the Region-wide General NPDES Permit for Discharges with Low Threat to Water Quality (General Permit). The Project design feature's approximate 100 gpm discharge filtrate product water flow to the San Simeon Creek Lagoon (as deemed necessary by the Project's Adaptive Management Plan, see Mitigation Measure BIO-7) would remain the same as the Project, although the location of the discharge point would be relocated further south to the northern San Simeon Creek bank. Moving the discharge point to anywhere impinging upon, or below the ordinary high water mark, would require a 401 Water Quality Certification from the Regional Water Quality Control Board, a 404 Permit from the U.S. Army Corp of Engineers, and a Streambed Alteration Agreement from the CDFW; see also Mitigation Measure BIO-18. The proposed discharge at the creek bank would provide more efficient delivery of water into San Simeon Creek to maintain lagoon water levels, while also avoiding the potential favoring of water quality samples taken from nearby monitoring well 16D1 due to the lagoon water discharge's high quality. At the revised discharge point, articulating concrete block (ACB) (Armorflex) lining is proposed to protect the northern San Simeon Creek channel bank from erosion. Armorflex allows for the continued growth of riparian vegetation, further protecting the channel from any potential erosion.

DSEIR Page 5.5-34 is revised in the FSEIR, as follows:

**Mitigation Measures:** No mitigation is required. See Mitigation Measures BIO-7 and BIO-18.

DSEIR Page 5.5-36 is revised in the FSEIR, as follows:

As detailed in Table 3-3, AWTP Process Design Flows, the SWF proposes to withdraw up to 629 gpm of water through existing Well 9P7. Reinjection of up to 452 gpm of highly treated water for indirect potable reuse after appropriate residence time in the aquifer and gradient control occurs at the SWF's recharge well, while up to approximately 100 gpm (as deemed necessary by the Project's AMP, see Mitigation Measure BIO-7) is discharged to San Simeon Creek to support the fresh water lagoon. Therefore, the SWF



would not substantially deplete groundwater supplies and, given the area's drought history and its impacts, would instead work toward alleviating an existing problem.

DSEIR Page 5.5-38 is revised in the FSEIR, as follows:

#### **MITIGATION MEASURES AND (PROJECT MODIFICATIONS)**

The Project modifications which generally involve evaporation pond decommissioning and repurposing, mechanical spray evaporator/enclosure removal, offsite RO concentrate disposal, surface water treatment, and modified surface discharge are illustrated on; see Exhibit 3-12, Mitigation Measures and (Project Modifications). Repurposing the evaporation pond to store raw (untreated) potable water (i.e., potable water supply storage basin) provides further reliability to the supply system, while also addressing potential biological impacts from the evaporation pond operations. This repurposing indirectly provides greater protection of the existing groundwater supply by allowing CCSD operators to alternate the source of supply among the two aquifer well fields, the SWF, and the stored raw water. Such resting and alternating of supply sources aids in well recovery, maintaining groundwater basin storage, and in meeting unplanned conditions, such as the loss of a well due to mechanical failure or other causes. The potable water supply storage basin is also proposed as an open, uncovered pond to allow for its potential use as a fire fighting helicopter fill station, should it ever be needed in response to a local wildfire. Having such a quiescent fill source would be beneficial, particularly when there are high surf conditions that make using ocean water unsafe. Repurposing the evaporation pond as a potable water supply storage basin requires SWTP to meet required water quality criteria. The repurposed evaporation pond would hold approximately 6 to 7 million gallons for potential emergency use, as well as for augmenting the existing groundwater supply sources during the dry season. It would be replenished by the San Simeon Well Field pumps during the wet season and to maintain its readiness during the summer season (e.g., periodic, minimal pumping, to offset evaporative loss). These Project modifications would not include activities that involve discharges to groundwater. Thus, no impacts to groundwater would result due to Project modifications.



DSEIR Page 5.5-41 is revised in the FSEIR, as follows:

### **MITIGATION MEASURES AND (PROJECT MODIFICATIONS)**

These Project modifications, which generally involve evaporation pond decommissioning and repurposing, removal of the mechanical spray evaporators/enclosures, offsite RO concentrate disposal, surface water treatment, and modified lagoon water surface discharge are illustrated on; see Exhibit 3-12, Mitigation Measures and (Project Modifications). These Project modifications would not include activities that involve discharges to land, with the exception of the modified surface discharge.

The modified surface discharge would be required to file an Amendment to the Region-wide General NPDES Permit for Discharges with Low Threat to Water Quality (General Permit). The proposed approximately 100 gpm discharge to the San Simeon Creek Lagoon as deemed necessary by the Project's AMP; see Mitigation Measure BIO-2 would remain the same, although the location of the discharge point would be relocated further south to the San Simeon Creek bank. Moving the discharge point to anywhere impinging upon, or below the ordinary high water mark, would require a 401 Water Quality Certification from the Regional Water Quality Control Board, a 404 Permit from the U.S. Army Corp of Engineers, and a Streambed Alteration Agreement from the CDFW; see also to Mitigation Measure BIO-18. The proposed discharge at the creek bank would provide more efficient delivery of water to San Simeon Creek, in order to maintain water levels in the lagoon for the purposes of maintaining biological resources, as discussed in Impact Statement 5.3, *Biological Resources*. At the discharge point, Armorflex lining is proposed to protect the San Simeon Creek channel banks from erosion. Armorflex allows for the continued growth of riparian vegetation, further protecting the channel from any potential erosion. With implementation of an Amendment to the General Permit, this Project modification would not result in substantial erosion or siltation during operations. The Project modifications would not result in substantial increases in the rate or amount of surface run-off and would not exceed the capacity of the existing or planned stormwater drainage systems such that additional sources of polluted runoff would occur. Less than significant impacts would result in this regard.



DSEIR Page 5.5-42 is revised in the FSEIR, as follows:

### **SUSTAINABLE WATER FACILITY**

Portions of the Project site are situated within a 100-year flood plain and designated as FH Combining Designation. The proposed aboveground improvements that are located within the 100-year flood zone and Flood Hazard combining designation are: the surface discharge structure; RIW, MW-4, and portions of the product water pipeline. No other permanent aboveground SWF facilities are located within the 100-year flood zone. Due to the nature and scale of the improvements located within the 100-year flood zone, none would affect the creeks' hydrologic/hydraulic characteristics or result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). Therefore, none of these improvements would impede or redirect flows, such that they would cause flooding downstream. The evaporation pond and AWTP are located outside of the 100-year flood zone. Further, the AWTP would not be required to continue functioning and provide services after a flood event, since it is needed and would operate only during dry conditions, when flooding would not occur. The improvements located within the 100-year flood zone, as well as the SWF, were specifically designed to be protected from flooding or washout from a 100-year flood event. These facilities located within the 100-year flood zone, as well as the SWF, were specifically designed to be protected from flooding or washout from a 100-year flood event. Further, the SWF is not subject to the CZLUO Sections 23.07.064 through 23.07.066 standards, per CZLUO Section 23.07.062. As required by CZLUO Section 23.07.062, construction activities did not occur between October 15 and April 15. Further, during construction of underground SWF features located within the 100-year flood zone, the SWF complied with E-CDP Condition 6, pertaining to development in floodplains. As part of this condition, all SWF-related development within the 100-year floodplain, including water delivery pipes, were identified. As the facilities within the 100-year flood zone were designed to be protected from flooding or washout during the 100-year flood event, the SWF results in a less than significant impact involving the placement of structures within a flood hazard area, since flows are not impeded or redirected as a result of the SWF.



DSEIR Page 5.5-43 is revised in the FSEIR, as follows:

#### **MITIGATION MEASURES AND PROJECT MODIFICATIONS**

The Project modifications would not include the construction of structures within the 100-year flood zone, with the exception of the modified surface discharge extension. This structure would include Armorflex lining along the San Simeon Creek channel banks to protect the slopes from erosion. The Armorflex would allow for the continued growth of riparian vegetation, further protecting the channel from any potential erosion. ~~These Project modifications are not anticipated to result in the impediment or redirecting of flood flows during the 100 year storm event. Due to the nature and scale of the surface discharge extension proposed within the 100-year flood zone, this improvement would not affect the creeks' hydrologic/hydraulic characteristics or result in the modification of the existing regulatory floodway, the effective BFEs, or the SFHA.~~ Therefore, the surface discharge extension would not impede or redirect flows, such that it would cause flooding downstream during the 100-year storm event. Further, the surface discharge extension would not be required to continue functioning after a flood event, since it would be needed and would operate only during conditions, when flooding would not occur. These Project modifications located within the 100-year FH overlay would be subject to CZLUO Sections 23.07.064 through 23.07.066 standards, per CZLUO Section 23.07.062. As required by CZLUO Section 23.07.062, construction activities would not occur between October 15 and April 15.

DSEIR Page 5.5-44 is revised in the FSEIR as follows:

A seiche is an earthquake or slide-induced wave that can be generated in an enclosed body of water of any size from swimming pool, to a harbor, or lake. Given that the nearest large, enclosed open body of water is Lake Nacimiento, located approximately 12 miles northeast of the Project site, beyond the Santa Lucia Mountain Range, the potential for seiching associated with Lake Nacimiento is nonexistent. ~~Additionally, given that the onsite creeks are not inundated during the six dry months of the year, and given seiche is not considered a significant risk in San Luis Obispo County since County reservoirs are not considered large enough and there is none located in the Project vicinity, the potential for the Project site to be affected by seiching associated~~



with onsite streams is not significant.<sup>8</sup> It is noted that the SWF includes an evaporation pond. However, the evaporation pond is not large enough to cause inundation to off-site properties as a result of a seiche. Therefore, less than significant impacts concerning seiche are anticipated.

Due to its location, the Project site has the potential to be exposed to mudflow (i.e., mudslide, debris flow) ~~and tsunami inundation~~. However, the SWF water facilities do not include habitable structures, or people residing at the Project site. Thus, less than significant impacts ~~result involving the risk associated with tsunami inundation or mudflow are anticipated.~~

As discussed above, portions of the Project site are located within the Tsunami Inundation Area and the Tsunami Plan Evacuation Area, according to the ERP Southern San Simeon Inundation Map. The effects of a tsunami can range from little to heavy damage. Water storage and delivery infrastructure such as is proposed by the Project could be impacted, potentially impacting the ability to extinguish fires and availability of potable water for consumption. However, the AWTP and RO concentrate evaporation pond are located outside of the Tsunami Inundation Area; see ERP Southern San Simeon Inundation Map. As discussed above, portions of the Project site are located within the Tsunami Inundation Area and the Tsunami Plan Evacuation Area, according to the ERP Southern San Simeon Inundation Map. The effects of a tsunami can range from little to heavy damage. Water storage and delivery infrastructure such as is proposed by the Project could be impacted, potentially impacting the ability to extinguish fires and availability of potable water for consumption. However, the AWTP and RO concentrate evaporation pond are located outside of the Tsunami Inundation Area; see ERP Southern San Simeon Inundation Map.<sup>9</sup> Management of a tsunami incident pursuant to ERP specifications, which include implementation and compliance with the NIMS and SEMS, would ensure potential impacts associated with inundation by tsunami are less than significant.

#### **MITIGATION MEASURES (AND PROJECT MODIFICATIONS)**

Similar to the SWF, Project modifications would not include habitable structures, or people residing at the Project site. Thus, less than significant impacts would result involving the risk associated with ~~tsunami inundation or mudflow~~. As discussed above, portions of the Project site are located within the Tsunami Inundation Area and the Tsunami Plan Evacuation Area, according to the ERP Southern San Simeon Inundation Map. However, the SWTP, RO concentrate storage tanks, and treated water transfer tank and pump station are proposed outside of the Tsunami Inundation Area;



see ERP Southern San Simeon Inundation Map.<sup>10</sup> The lagoon surface discharge structure would be the only Project component within the Tsunami Inundation Area and would be designed such that it can be flooded. Therefore, the impacts from this particular component being flooded would be less than significant. As with the SWE, management of a tsunami incident pursuant to ERP specifications would ensure potential impacts associated with inundation by tsunami are less than significant.

## SECTION 5.6, LAND USE AND LCP COMPLIANCE

DSEIR Page 5.6-4 is revised in the FSEIR as follows:

### LOCAL

#### **County of San Luis Obispo General Plan Land Use and Combining Designations**

The Project site is located in the North Coast (NC) Planning Area, within the Rural North Coast (RNC) community. The NC Planning Area is addressed in the North Coast Area Plan (NCAP), which constitutes the County's General Plan Land Use and Circulation Elements for the NC Planning Area. The NC Planning Area is entirely within California's Coastal Zone. The NCAP is one part of the Land Use and Circulation Elements for the North Coast Planning Area (other parts include the Coastal Framework for Planning, Coastal Plan Policies, and Official Maps). Any development within the NC Planning Area must comply with each of these documents, as well as other SLO County General Plan Elements. The *Coastal Zone North Coast Planning Area Rural Land Use Category Map<sup>11</sup>* separates the NC Planning Area into land use categories, which define regulations for land uses, density, and intensity of use. As shown on the Land Use Category Map, the Project site is designated Agriculture. The *Coastal Zone North Coast Planning Area Rural Combining Designation Map<sup>12</sup>* assigns Combining Designations to NC areas containing hazards, sensitive resource areas,

<sup>8</sup> County of San Luis Obispo Website, *San Luis Obispo County General Plan Safety Element*, <http://www.slocounty.ca.gov/Assets/PL/Elements/Safety+Element.pdf>, Accessed April 19, 2017.

<sup>9</sup> County of San Luis Obispo Website, *San Luis Obispo County General Plan Safety Element*, <http://www.slocounty.ca.gov/Assets/PL/Elements/Safety+Element.pdf>, Accessed April 19, 2017.

<sup>10</sup> Ibid.

<sup>11</sup> County of San Luis Obispo Website, [http://www.slocounty.ca.gov/planning/zoning/Map\\_Image\\_Download\\_Center/Land\\_Use\\_Maps.htm](http://www.slocounty.ca.gov/planning/zoning/Map_Image_Download_Center/Land_Use_Maps.htm), Accessed February 23, 2015.

<sup>12</sup> Ibid.



environmentally sensitive habitat areas, historic and archaeologically sensitive areas, and public facilities. As shown on the Combining Designation Map, portions of the Project site are assigned the following Combining Designations:

DSEIR page 5.6-8 is revised in the FSEIR as follows:

Policy 28 *Buffer Zone for Riparian Habitats*. In rural areas (outside the USL) a buffer setback zone of 100 feet shall be established between any new development (including new agricultural development) and the upland edge of riparian habitats. In urban areas this minimum standard shall be 50 feet except where a lesser buffer is specifically permitted. The buffer zone shall be maintained in natural condition along the periphery of all streams. Permitted uses within the buffer strip shall be limited to passive recreational, educational, or existing nonstructural agricultural developments in accordance with adopted best management practices. Other uses that may be found appropriate are limited to utility lines, pipelines, drainage and flood control facilities, bridges and road approaches to bridges to cross a stream and roads when it can be demonstrated that: 1) alternative routes are infeasible or more environmentally damaging and 2) adverse environmental effects are mitigated to the maximum extent feasible. Lesser setbacks on existing parcels may be permitted if application of the minimum setback standard would render the parcel physically unusable for the principal permitted use. In allowing a reduction in the minimum setbacks, they shall be reduced only to the point at which a principal permitted use (as modified as much as is practical from a design standpoint) can be accommodated.

## **AGRICULTURE**

The Coastal Act also requires protection non-prime agricultural land wherever feasible (30242). To achieve these goals, the Coastal Act requires each local government to address protection of agricultural areas through the designation of appropriate land uses and management techniques in the Local Coastal Program. The following agriculture-related LCP policy is relevant to the Project:

Policy 3 Non-Agricultural Uses. In agriculturally designated areas, all non-agricultural development which is proposed to supplement the agricultural use permitted in areas designated as agriculture shall be compatible with



preserving a maximum amount of agricultural use. When continued agricultural use is not feasible without some supplemental use, priority shall be given to commercial recreation and low intensity visitor-serving uses allowed in Policy 1.

Non-agricultural developments shall meet the following requirements:

- a. No development is permitted on prime agricultural land. Development shall be permitted on non-prime land if it can be demonstrated that all agriculturally unsuitable land on the parcel has been developed or has been determined to be undevelopable.
- b. Continued or renewed agricultural use is not feasible as determined through economic studies of existing and potential agricultural use without the proposed supplemental use.
- c. The proposed use will allow for and support the continued use of the site as a productive agricultural unit and would preserve all prime agricultural lands.
- d. The proposed use will result in no adverse effect upon the continuance or establishment of agricultural uses on the remainder of the site or nearby and surrounding properties.
- e. Clearly defined buffer areas are provided between agricultural and non-agricultural uses.
- f. Adequate water resources are available to maintain habitat values and serve both the proposed development and existing and proposed agricultural operations.
- g. Permitted development shall provide water and sanitary facilities on-site and no extension of urban sewer and water services shall be permitted, other than reclaimed water for agricultural enhancement.
- h. The development proposal does not require a land division and includes a means of securing the remainder of the parcel(s) in agricultural use through agricultural easements. As a condition of approval of non-agricultural development, the county shall require



the applicant to assure that the remainder of the parcel(s) be retained in agriculture and, if appropriate, open space use by the following methods:

- Agricultural Easement. The applicant shall grant an easement to the county over all agricultural land shown on the site plan. This easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land covered by the easement to agriculture, non-residential use customarily accessory to agriculture, farm labor housing and a single-family home accessory to the agricultural use.
- Open Space Easement. The applicant shall grant an open space easement to the county over all lands shown on the site plans as land unsuitable for agriculture, not a part of the approved development or determined to be undevelopable. The open space easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land to non-structural, open space uses.

[THIS POLICY SHALL BE IMPLEMENTED PURSUANT TO CZLUO SECTION 23.04.050.]

DSEIR Page 5.6-11 is revised in the FSEIR as follows:

- (4) Required findings: Supplemental non-agricultural uses may be established only if the following findings are made by the applicable approval body:
  - (i) For prime soils, it has been demonstrated that no alternative project site exists except on prime soils;
  - (ii) The least amount of prime soils possible will be converted; and
  - (iii) The proposed use will not conflict with surrounding agricultural lands and uses.
- (5) Application content. In addition to the information required for a land use permit application by CZLUO Sections 23.02.033 et seq., the application for a supplemental non-agricultural use shall also include the following:



- (i) The site layout plan shall identify all portions of the site that are undevelopable, that are not suitable for agriculture, or that are intended to be used for agricultural purposes.
  - (ii) Documentation which demonstrates that revenues to affected local governments as a result of the project will equal the public costs of providing and/or maintaining roads, water, sewer, fire and police protection to serve the project.
  - (iii) Documentation which demonstrates that the proposed project is designed and sited to protect habitat values and to be compatible with the rural character of the surrounding area.
  - (iv) Proposed provisions for public coastal access consistent with Local Coastal Plan policies for lateral and vertical access in agricultural areas, if the site is located between the first public road and the ocean.
- (6) Site design and development standards. A land use permit for a supplemental non-agricultural use shall not be approved unless the proposed project will satisfy all the following requirements:
- (i) Project location. The project shall be designed so that no development occurs on prime agricultural soils, except where it is demonstrated that all agriculturally unsuitable land on the site has been developed or cannot be used because of terrain constraints.
  - (ii) Limitation on project area. The total area of the site allocated for supplemental non-agricultural uses shall not exceed two percent of the gross site area.
  - (iii) Priority for agricultural use. The primary use of the site shall be the continuing, renewed or expanded production of food and fiber. The proposed supplemental use shall support, not interfere with, and be economically necessary to the primary use of the site as a productive agricultural unit.
  - (iv) Prevention of land use conflicts. The proposed use shall be designed to provide buffer areas between on- and off-site agricultural and non-agricultural uses to minimize land use conflicts.
  - (v) On-site water resources. Adequate water resources shall be available to the site, to maintain habitat values and serve both the proposed development and existing and proposed agricultural operations.
  - (vi) Urban services prohibited. No extension of urban sewer and water services shall be permitted to support on-site agricultural operations



or other uses, except for reclaimed wastewater that may be used for agricultural enhancement.

- (vii) Land division prohibited. The project shall not require land division.

(7) Guarantee of continuing agricultural or open space use. As a condition of approval of a supplemental non-agricultural use, the applicant shall insure that the remainder of the parcel(s) be retained in agriculture, and if appropriate, open space use by the following methods:

- (i) Agricultural Easement. The applicant shall grant an easement to the county over all agricultural land shown on the site plan. Such easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land covered by the easement to agriculture, non-residential use customarily accessory to agriculture, farm labor housing, and a single-family dwelling accessory to the agricultural use.
- (ii) Open space easement. The applicant shall grant an open space easement to the county over all lands shown on the site plan as land unsuitable for agriculture, not a part of the approved development or determined to be undevelopable. The open space easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land to non-structural, open space uses.
- (iii) Procedures for agricultural or open space easements. Any easement required by this section shall be reviewed as set forth in CZLUO Section 23.04.420g(4).

DSEIR Page 5.6-15 is revised in the FSEIR as follows:

As discussed in detail in Section 5.0, Environmental Analysis, for purposes of the following impact analyses, "Sustainable Water Facility" (SWF) involves the built and operational Project components, whereas "Mitigation Measures (and Project modifications)" involve proposed Project modifications including those required for compliance with various SWF mitigation measures.



Table 5.6-1, *Coastal Act and Local Coastal Plan Consistency*) on DSEIR page 5.6-18 is revised in the FSEIR as follows:

Coastal Act Policy	LCP Policy
<p><b>Land Resources</b></p> <p><b>\$30241 Prime Agricultural Land; Maintenance In Agricultural Production:</b> The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:</p> <ul style="list-style-type: none"><li>a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.</li><li>b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.</li><li>c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Coastal Act §30250.</li><li>d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.</li><li>e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.</li><li>f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.</li></ul>	<p><u>LCP 38: Non-Agricultural Uses.</u> In agriculturally designated areas, all non-agricultural development which is proposed to supplement the agricultural use permitted in areas designated as agriculture shall be compatible with preserving a maximum amount of agricultural use. When continued agricultural use is not feasible without some supplemental use, priority shall be given to commercial recreation and low intensity visitor-serving uses allowed in Policy 1.</p> <p><u>Non-agricultural developments shall meet the following requirements:</u></p> <ul style="list-style-type: none"><li>a. No development is permitted on prime agricultural land. Development shall be permitted on non-prime land if it can be demonstrated that all agriculturally unsuitable land on the parcel has been developed or has been determined to be undevelopable.</li><li>b. Continued or renewed agricultural use is not feasible as determined through economic studies of existing and potential agricultural use without the proposed supplemental use.</li><li>c. The proposed use will allow for and support the continued use of the site as a productive agricultural unit and would preserve all prime agricultural lands.</li><li>d. The proposed use will result in no adverse effect upon the continuance or establishment of agricultural uses on the remainder of the site or nearby and surrounding properties.</li><li>e. Clearly defined buffer areas are provided between agricultural and non-agricultural uses.</li><li>f. Adequate water resources are available to maintain habitat values and serve both the proposed development and existing and proposed agricultural operations.</li><li>g. Permitted development shall provide water and sanitary facilities on-site and no extension of urban sewer and water services shall be permitted, other than reclaimed water for agricultural enhancement.</li><li>h. The development proposal does not require a land division and includes a means of securing the remainder of the parcel(s) in agricultural use through agricultural easements. As a condition of approval of non-agricultural development, the county shall require the applicant to assure that the remainder of the parcel(s) be retained in agriculture and, if appropriate, open space use by the following methods:</li></ul>



Coastal Act Policy	LCP Policy
	<ul style="list-style-type: none"> <li data-bbox="866 318 1428 559">• Agricultural Easement. The applicant shall grant an easement to the county over all agricultural land shown on the site plan. This easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land covered by the easement to agriculture, non-residential use customarily accessory to agriculture, farm labor housing and a single-family home accessory to the agricultural use.</li> <li data-bbox="866 559 1428 836">• Open Space Easement. The applicant shall grant an open space easement to the county over all lands shown on the site plans as land unsuitable for agriculture, not a part of the approved development or determined to be undevelopable. The open space easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land to non-structural, open space uses.</li> </ul>

DSEIR page 5.6-29 is revised in the FSEIR as follows:

As discussed in Response to Sensitive Habitats Policy LCP 1, the SWF's product water, filtrate, and RO concentrate disposal pipelines, and MW-4, the Project modifications' potable water pipeline 2 and the surface water pipeline, and filtrate pipeline extension and surface discharge, as well as the construction laydown areas, are within the riparian setback. CZLUO Section 23.07.174.d.1 specifies that permitted uses within the required setback are as specified in CZLUO Section 23.07.172d.1.i, which include utility lines and pipelines, provided it can be demonstrated that: alternative routes are infeasible or more environmentally damaging; and adverse environmental effects are mitigated to the maximum extent feasible. The SWF's product water, filtrate water, RO concentrate disposal pipelines, the Project modifications' potable water pipeline 2 and the surface water pipeline, and filtrate pipeline extension and surface discharge, as well as the construction laydown areas are limited to utility lines/pipelines, thus, are permitted within the required setback. As discussed in detail in Section 7.5, Alternatives Considered But Rejected), various alternatives (including alternative sites) were rejected due to greater environmental impacts, and time and location constraints, among other factors. Therefore, no feasible alternative Project site exists. The SWF Project repurposes various existing infrastructure, including the Van Gordon Reservoir, to facilitate its timely completion, minimize its footprint, minimize its potential impacts (including to ESHA), and avoid/minimize impacts to riparian habitat. Moreover, the pipeline alignments were determined based on the shortest distance between the two points that avoided both the riparian tree line to the maximum extent practicable, and



avoided the existing cultural resources, as discussed in detail in Section 5.4, *Cultural Resources*. The vast majority (approximately 90 percent) of the SWF conveyance piping was installed above grade to minimize disturbance. Additionally, horizontal directional drilling construction was used to install SWF pipeline reaches under Van Gordon Creek without disturbing the ground surface, with entrance and exit pits located outside of the riparian tree drip line. Thus, the SWF was designed and located to avoid significant disruption to riparian areas. Options considered but rejected concerning locating pipelines in riparian areas involved use of traditional open trench drilling. However, this was considered invasive, and construction and horizontal directional drilling construction was used instead. As discussed in Response to Policy LCP 1, the adverse environmental effects to riparian vegetation are mitigated to the maximum extent feasible. Overall, the Project was designed and located in a manner which avoids any significant disruption or degradation of ESHA, including riparian habitat. Thus, the Project would be consistent with LCP 21.

Table 5.6-3, *LCP Consistency Analysis* on DSEIR page 5.6-31 is revised in the FSEIR as follows:

Policy #	Policy	Determination of Consistency
<b>Terrestrial Environments</b>		
LCP 29	<p>Protection of Terrestrial Habitats. Designated plant and wildlife habitats are environmentally sensitive habitat areas and emphasis for protection should be placed on the entire ecological community. Only uses dependent on the resource shall be permitted within the identified sensitive habitat portion of the site.</p> <p>Development adjacent to environmentally sensitive habitat areas and holdings of the State Department of Parks and Recreation shall be sited and designed to prevent impacts that would significantly degrade such areas and shall be compatible with the continuance of such habitat areas.</p>	<p><b>Sustainable Water Facility, and Mitigation Measures, (and Project Modifications)</b></p> <p>Consistent: Refer to Response to Sensitive Habitats Policy LCP 1, above. As noted in Section 5.3, <i>Biological Resources</i>, terrestrial and marine habitat ESHA would not be impacted by the SWF and Mitigation Measures (Project modifications).</p>
<b>Non-Agricultural Uses</b>		



Policy #	Policy	Determination of Consistency
LCP 3	<p>In agriculturally designated areas, all non-agricultural development which is proposed to supplement the agricultural use permitted in areas designated as agriculture shall be compatible with preserving a maximum amount of agricultural use. When continued agricultural use is not feasible without some supplemental use, priority shall be given to commercial recreation and low intensity visitor-serving uses allowed in Policy 1.</p> <p>Non-agricultural developments shall meet the following requirements:</p> <ul style="list-style-type: none"> <li>i. No development is permitted on prime agricultural land. Development shall be permitted on non-prime land if it can be demonstrated that all agriculturally unsuitable land on the parcel has been developed or has been determined to be undevelopable.</li> <li>j. Continued or renewed agricultural use is not feasible as determined through economic studies of existing and potential agricultural use without the proposed supplemental use.</li> <li>k. The proposed use will allow for and support the continued use of the site as a productive agricultural unit and would preserve all prime agricultural lands.</li> <li>l. The proposed use will result in no adverse effect upon the continuance or establishment of agricultural uses on the remainder of the site or nearby and surrounding properties.</li> <li>m. Clearly defined buffer areas are provided between agricultural and non-agricultural uses.</li> <li>n. Adequate water resources are available to maintain habitat values and serve both the proposed development and existing and proposed agricultural operations.</li> <li>o. Permitted development shall provide water and sanitary</li> </ul>	<p><b>Sustainable Water Facility, Mitigation Measures, and Project Modifications</b></p> <p>Consistent: Policy LCP 3 is implemented through compliance with CZLUO Section 23.04.050 (Non-Agricultural Uses in the Agriculture Land Use Category). The Project site is designated AG. This section establishes permit requirements and standards for non-agricultural uses in the AG category. The SWF and Project modifications would be required to comply with all applicable standards for non-agricultural uses in the AG category prior to approval and issuance of the R-CDP.</p> <ul style="list-style-type: none"> <li>• Required Findings: As shown on the Permit View NRCS [Natural Resources Conservation Service] Farmland Classification Map (see Section 8.1, Agricultural and Forest Resources), the western portions of the Project site are designated "Prime Farmland if Irrigated" and a small segment along the northern boundary is designated "Farmland of Statewide Importance." As discussed in detail in Section 7.5, <i>Alternatives Considered But Rejected</i>, various alternatives (including alternative sites) were rejected due to greater environmental impacts, and time and location constraints, among other factors. Therefore, no feasible alternative Project site exists. The SWF Project repurposes various existing infrastructure, including the Van Gordon Reservoir, to facilitate its timely completion, minimize its footprint, minimize its potential impacts (including to ESHA), and convert the least amount of prime soils. Given the distance that exists between the Project components and the surrounding agricultural lands, the Project would not conflict with surrounding agricultural uses. Therefore, the Project satisfies the required findings.</li> <li>• Site Design and Development Standards: Although Prime Farmland if Irrigated and Farmland of Statewide Importance are present on the Project site, the Project's design locates Project components in previously disturbed areas to avoid/minimize impacts to biological and cultural resources, to the maximum extent practicable. The Project site involves two parcels of land (APNs 013-051-024 and 013-051-008) that total approximately 96 acres. The Van Gordon Reservoir is an existing use that was repurposed for the SWF Project. Excluding the existing approximately 3.0-acre reservoir, the site area allocated to the Project components totals approximately 1.73 acres, which would be below the 2.0 percent (approximately 1.86 acres) site area limitation. The Project site is not currently used for agricultural production. The site has been in public utility use since 1979 when the CCSD constructed its San Simeon well field and treated wastewater effluent disposal system. Therefore, the Project would not interfere with continuation of any agricultural activity. The SWF is buffered/separated from nearby agricultural uses by San Simeon/Monterey Creek Road and the AWTP is located approximately 0.45 mile from the nearest agricultural use. Further, as concluded in Sections 5.1 through 5.7, and Section 8.0, following compliance with the established regulatory framework and implementation of the specified mitigation</li> </ul>



Policy #	Policy	Determination of Consistency
	<p><u>facilities on-site and no extension of urban sewer and water services shall be permitted, other than reclaimed water for agricultural enhancement.</u></p> <p>p. <u>The development proposal does not require a land division and includes a means of securing the remainder of the parcel(s) in agricultural use through agricultural easements. As a condition of approval of non-agricultural development, the county shall require the applicant to assure that the remainder of the parcel(s) be retained in agriculture and, if appropriate, open space use by the following methods:</u></p> <ul style="list-style-type: none"><li><u>• Agricultural Easement. The applicant shall grant an easement to the county over all agricultural land shown on the site plan. This easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land covered by the easement to agriculture, non-residential use customarily accessory to agriculture, farm labor housing and a single-family home accessory to the agricultural use.</u></li><li><u>Open Space Easement. The applicant shall grant an open space easement to the county over all lands shown on the site plans as land unsuitable for agriculture, not a part of the approved development or determined to be undevelopable. The open space easement shall remain in effect for the life of the non-agricultural use and shall limit the use of the land to non-structural, open space uses.</u></li></ul>	<p>measures, the Project would result in less than significant impacts concerning environmental factors that influence land use compatibility, including aesthetics, noise, and traffic, among others. Therefore, minimizes potential land use conflicts with nearby agricultural and non-agricultural land uses. As discussed in detail in Section 5.3.5, <i>Impacts and Mitigation Measures</i>, based on the GMR's and Technical Memorandum's findings, while the SWF is operating, the Project design feature's 100 gpm filtrate product water flow to the San Simeon Creek Lagoon would maintain lagoon water levels. Further, with implementation of Mitigation Measure BIO-7, the lagoon and creek habitats would be protected, and by extension, the species that inhabit them. With mitigation, Project impacts to biological resources would be reduced to less than significant. Therefore, adequate water resources would be available to the Project site to maintain habitat values. As concluded under Impact 5.6-4, Compliance with the Coastal Zone Land Use Ordinance, the Project is an allowable use in the AG land use category. The Project site contains CCSD water facilities, thus, is consistent with the "Public Utility Facilities [J5]" land use definition. Per <i>Coastal Zone Framework for Planning Table O, Public Utility Facilities on sites designated AG category are "S-13" status, indicating the land use is a special use, allowable subject to special standards/processing requirements.</i> The Project requires a Regular Coastal Development Permit (R-CDP). Therefore, the Project complies with the Site Design and Development Standards.</p> <p>• <u>Guarantee of Continuing Agricultural or Open Space Use.</u> The site has been in public utility use since 1979 when the CCSD constructed its San Simeon well field and treated wastewater effluent disposal system. No portion of the parcel is presently in agricultural use, or has been in agricultural use for at least 38 years. Therefore, there is no need to ensure that the remainder of the parcel(s) not occupied by the Project be retained in agriculture and the Project complies with the <u>Guarantee of Continuing Agricultural or Open Space Use standard.</u></p> <p><u>Consistency with the applicable standards would be confirmed through the R-CDP application process.</u></p>



DSEIR Page 5.6-41 is revised in the FSEIR as follows:

**CZLUO Section 23.04.050 (Non-Agricultural Uses in the Agriculture Land Use Category).** The Project site is designated AG. This section establishes permit requirements and standards for non-agricultural uses in the AG category. The SWF and Project modifications would be required to comply with all applicable standards for non-agricultural uses in the AG category prior to approval and issuance of the R-CDP.

- Required Findings: As shown on the Permit View NRCS [Natural Resources Conservation Service] Farmland Classification Map (see Section 8.1, *Agricultural and Forest Resources*), the western portions of the Project site are designated “Prime Farmland if Irrigated” and a small segment along the northern boundary is designated “Farmland of Statewide Importance.” As discussed in detail in Section 7.5, *Alternatives Considered But Rejected*), various alternatives (including alternative sites) were rejected due to greater environmental impacts, and time and location constraints, among other factors. Therefore, no feasible alternative Project site exists. The SWF Project repurposes various existing infrastructure, including the Van Gordon Reservoir, to facilitate its timely completion, minimize its footprint, minimize its potential impacts (including to ESHA), and convert the least amount of prime soils. Given the distance that exists between the Project components and surrounding agricultural lands, the Project would not conflict with surrounding agricultural uses. Therefore, the Project satisfies the required findings.
- Site Design and Development Standards: Although Prime Farmland if Irrigated and Farmland of Statewide Importance are present on the Project site, the Project’s design locates Project components in previously disturbed areas to avoid/minimize impacts to biological and cultural resources, to the maximum extent practicable. The Project site involves two parcels of land (APNs 013-051-024 and 013-051-008) that total approximately 96 acres. The Van Gordon Reservoir is an existing use that was repurposed for the SWF Project. Excluding the existing approximately 3.0-acre reservoir, the Project site would total approximately 93 acres. The site area allocated to the Project components totals approximately 1.73 acres, which would be below the 2.0 percent (approximately 1.86 acres) site area limitation. The Project site is not currently used for agricultural production. The site has been in public utility use since 1979 when



the CCSD constructed its San Simeon well field and treated wastewater effluent disposal system. Therefore, the Project would not interfere with continuation of any agricultural activity. The SWF is buffered/separated from nearby agricultural uses by San Simeon/Monterey Creek Road and the AWTP is located approximately 0.45 mile from the nearest agricultural use. Further, as concluded in Sections 5.1 through 5.7, and Section 8.0, following compliance with the established regulatory framework and implementation of the specified mitigation measures, the Project would result in less than significant impacts concerning environmental factors that influence land use compatibility, including aesthetics, noise, and traffic, among others. Therefore, minimizes potential land use conflicts with nearby agricultural and non-agricultural land uses. As discussed in detail in Section 5.3.5, *Impacts and Mitigation Measures*, based on the GMR's and Technical Memorandum's findings, while the SWF is operating, the Project design feature's 100 gpm filtrate product water flow to San Simeon Creek Lagoon would maintain lagoon water levels. Further, with implementation of Mitigation Measure BIO-7, the lagoon and creek habitats would be protected, and by extension, the species that inhabit them. With mitigation, Project impacts to biological resources would be reduced to less than significant. Therefore, adequate water resources would be available to the Project site to maintain habitat values. As concluded under Impact 5.6-4, Compliance with the Coastal Zone Land Use Ordinance, the Project is an allowable use in the AG land use category. The Project site contains CCSD water facilities, thus, is consistent with the "Public Utility Facilities [J5]" land use definition. Per *Coastal Zone Framework for Planning* Table O, Public Utility Facilities on sites designated AG category are "S-13" status, indicating the land use is a special use, allowable subject to special standards/processing requirements. The Project requires a Regular Coastal Development Permit (R-CDP). Therefore, the Project complies with the Site Design and Development Standards.

- Guarantee of Continuing Agricultural or Open Space Use. The site has been in public utility use since 1979 when the CCSD constructed its San Simeon well field and treated wastewater effluent disposal system. No portion of the parcel is presently in agricultural use, or has been in agricultural use for at least 38 years. Therefore, there is no need to ensure that the remainder of the parcel(s) not occupied by the Project be retained in agriculture and the Project complies with the Guarantee of Continuing Agricultural or Open Space Use standard.



Consistency with the applicable requirements standards would be confirmed through the R-CDP application process.

DSEIR page 5.6-43 is revised in the FSEIR as follows:

**CZLUO Section 23.08.288 (Public Utility Facilities).** The requirements of this section apply to Public Utility Facilities where designated as S-13 uses by Coastal Table "O." Public Utility Facilities (other than electric and communications transmission and natural gas regulation and distribution) require Development Plan approval pursuant to Section 23.02.034, *Development Plan*. According to CZLUO Section 23.08.288d, Limitation on Use, Sensitive Environmental Areas, uses shall not be allowed in sensitive areas such as on prime agricultural soils, sensitive resource areas, environmentally sensitive habitats, or hazard areas, unless a finding is made that there is no other feasible location on or off-site the property. As shown on the Permit View NRCS [Natural Resources Conservation Service] Farmland Classification Map (see Section 8.1, *Agricultural and Forest Resources*), the western portions of the Project site are designated "Prime Farmland if Irrigated" and a small segment along the northern boundary is designated "Farmland of Statewide Importance." As shown on the Combining Designation Map, portions of the Project site are assigned Environmentally Sensitive Habitat [Area] (ESHA), including Terrestrial Habitat (ESHA-TH) and Coastal Creeks (ESHA-CC). This ESHA-TH designation is associated with the Monterey pine forest that exists south of the Project site. The Project development footprint does not extend into this Monterey pine forest ESHA-TH. Therefore, no further analysis of this ESHA-TH is required. The ESHA-CC designation is associated with the San Simeon Creek, Van Gordon Creek, and San Simeon Creek Lagoon, which traverse the Project site. As discussed in Section 5.5.2, according to FEMA and as shown on Flood Insurance Rate Map Number 06079C0530G, portions of the Project site are located within Special Flood Hazard Area (SFHA) Zone A. Additionally, as shown on the Flood Hazard Overlay Map, figure, portions of the Project site are located within the FH Overlay. Potential impacts concerning placing a structure within a 100-year flood hazard area structures which would impede or redirect flood flows are addressed under Impact 5.5-5. As discussed in detail in Section 7.5, *Alternatives Considered But Rejected*, various alternatives (including alternative sites) were rejected due to greater environmental impacts, and time and location constraints, among other factors. Therefore, no feasible alternative Project site exists. The SWF Project repurposes various existing infrastructure, including the Van Gordon Reservoir, to facilitate its timely completion, minimize its footprint, minimize its potential impacts (including to ESHA), and convert



the least amount of prime soils. Moreover, the pipeline alignments were determined based on the shortest distance between the two points that avoided ESHA and other sensitive biological resources to the maximum extent practicable, and avoided the existing cultural resources, as discussed in detail in Section 5.4, Cultural Resources. The vast majority (approximately 90 percent) of the SWF conveyance piping was installed above grade to minimize disturbance. Additionally, horizontal directional drilling construction was used to install SWF pipeline reaches under Van Gordon Creek without disturbing the ground surface, with entrance and exit pits located outside of the tree drip line. Thus, the SWF was designed and located to avoid significant disruption to prime soils and ESHAs. It is also noted that the CCSD acquired the underlying Bonomi Ranch property prior to original adoption of the CZLUO (March 1, 1988), and has been using the property for Public Facilities (PF) since 1979. This acquisition was predicated on the CCSD's use of the property for its Public Facilities, as opposed to agricultural uses. Consistency with the applicable requirements would be confirmed through the R-CDP application process.

## SECTION 5.7, NOISE

DSEIR Page 5.7-14 is revised in the FSEIR as follows:

As discussed in detail in Section 5.0, Environmental Analysis, for purposes of the following impact analyses, "Sustainable Water Facility" (SWF) involves the built and operational Project components, whereas "Mitigation Measures (and Project modifications)" involve proposed Project modifications including those required for compliance with various SWF mitigation measures.

DSEIR Page 5.7-17 is revised in the FSEIR as follows:

Construction noise associated with the mitigation measures (Project modifications) would typically be generated by on-site equipment (trenchers, backhoes, etc.), and mobile trips to and from the Project site (from construction workers, offsite RO concentrate disposal truck rips, etc.). It is noted that daily commuting of construction workers does not represent a substantial percentage of currently daily traffic volumes along access routes. As the Project modifications involve construction of water



facilities, substantial soil hauling is not anticipated to occur along local roadways due to the minimal amount of earthmoving and grading activities. However, approximately 2,350 round truck trips would occur during evaporation pond ~~decommissioning (RO concentrate offsite disposal)~~~~emptying~~ and mechanical evaporator decommissioning. Truck noise levels depend on vehicle speed, load, terrain, and other factors. The effects of construction-related truck traffic would depend on the level of background noise already occurring at a particular receptor site. It is anticipated that construction truck traffic would access the Project site utilizing San Simeon Monterey Creek Road. The closest noise-sensitive use to San Simeon Monterey Creek Road is the San Simeon Creek Campground located approximately 75 feet from the San Simeon Monterey Creek Road roadway centerline. However, once on the Project site, the trucks would utilize internal roadways that would be further away from the sensitive receptors. Construction-related truck trips would occur during the allowable hours for construction specified in CZLUO Section 23.06.042. These permitted hours of construction are specified in recognition that construction activities undertaken during daytime hours are typical and do not cause a significant disruption. Given the sporadic nature of noise levels generated during construction of Project modifications and following compliance with CZLUO-specified time limits, construction-related noise impacts from the proposed ~~mitigation measures (Project modifications)~~ would be less than significant.

DSEIR Page 5.7-24 is revised in the FSEIR as follows:

#### **MITIGATION MEASURES AND (PROJECT MODIFICATIONS)**

Implementation of the proposed ~~mitigation measures (Project modifications)~~ would result in evaporation pond ~~decommissioning and~~ repurposing (i.e., potable water supply storage basin), mechanical spray evaporator removal, offsite RO concentrate disposal, surface water treatment, and modified surface discharge. As the spray evaporators would be removed from the site and the evaporation pond would be ~~decommissioned then~~ repurposed as a potable water supply storage basin, no operational noise would be generated from stationary equipment at the potable water supply storage basin. A surface water transfer pump station is proposed within the potable water supply storage basin; however, this pump would be submerged under water, thus, would not be audible. Stationary noise at the SWTP site would predominantly be generated by the SWTP MF system equipment, including an influent break tank, MF feed pumps, strainer, MF membrane skid, MF backwash tank, MF



backwash pumps, MF clean-in-place (CIP) tank, MF CIP pump, compressed air system, and MF pretreatment and cleaning chemical feed system. However, the MF system equipment would be housed in a shipping container (similar to the operating equipment at the SWF). The noise generated by the SWTP would be similar to the noise levels in Table 5.7-10. The proposed SWTP equipment would adjoin the operating SWF facility to the east, and would operate simultaneously. Based on the noise levels in Table 5.7-10, the combined noise levels from the simultaneous operation of the SWF facility and proposed SWTP would be approximately 60.5 dBA at a distance of 30 feet. Noise levels at the nearest sensitive receptor (San Simeon Creek Campground located approximately 970 feet to the west) would be approximately 30.0 dBA, which is well below the CZLUO allowable noise standards. Therefore, the combined noise levels from the simultaneous operation of the SWF facility and proposed SWTP would result in a less than significant impact.

## SECTION 6.0, OTHER CEQA CONSIDERATIONS

DSEIR Page 6-4 is revised in the FSEIR as follows:

Since adoption of the BRP and certification of the WMP PEIR, a substantial number of lots have been retired through a variety of methods. In accordance with PEIR Mitigation Measure PHG-2 (requiring progress reporting), the CCSD has continued to track and record merger activities from 2007 and into 2016. The Voluntary Merger Program has been monitored over that time period and information is available at the CCSD office and on the CCSD website. Table 6-1, CCSD Lot Retirement Program at a Glance, provides an overview of lot mergers and retirements through Summer 2016. It is noted that while some property retirements were made pursuant to the BRP, many others have been a result of efforts not related to the BRP.

## SECTION 7.0, ALTERNATIVES TO THE PROPOSED PROJECT

DSEIR Page 7-10 is revised in the FSEIR as follows:

The SWF without Project Modifications Alternative would be environmentally inferior to the proposed Project Modifications regarding aesthetics. Although, the site's visual



character would be further altered, the nearby sensitive receptors, as well as motorists along SR-1, would continue to experience views of the mechanical spray evaporators and sound enclosures. The aesthetic improvement created by removal of the evaporators/sound enclosures ~~through repurposing of the and~~ evaporation pond ~~decommissioning~~ would result in substantial benefits to the surrounding land uses. The SWF without Project Modifications Alternative would be environmentally superior to the proposed Project Modifications regarding light and glare, as new light sources would not be introduced.

DSEIR Page 7-11 is revised in the FSEIR as follows:

The SWF without Project Modifications Alternative would be environmentally superior to the Project Modifications, since no disturbance to the site would occur, and no impacts to plants, wildlife, or sensitive habitats would occur. However, the SWF without Project Modifications Alternative would be environmentally inferior to the Project Modifications, since it would not have the benefit of relocating the SWF lagoon water discharge, which would provide protection to the San Simeon Creek Lagoon during extended dry periods. The relocated discharge would more efficiently deliver surface water into the upper lagoon area to maintain water levels (resulting in beneficial biological impacts). In addition, the Project Modifications would include ~~decommissioning and repurposing the~~ existing evaporation pond and removal of the mechanical spray evaporators. These would result in additional biological benefits, since the existing ~~operation of the pond and~~ evaporator operations (RO concentrate's hypersalinity) results in potential impacts to avian and other wildlife species as a result of evaporation pond operations (RO concentrate's hypersalinity). These potential hypersalinity impacts would no longer occur with implementation of the Project Modifications.

DSEIR Page 7-13 is revised in the FSEIR as follows:

A maximum of approximately 2,350 round truck trips would occur during evaporation pond ~~decommissioning emptying~~ (RO concentrate offsite disposal) and mechanical evaporator decommissioning. Construction noise associated with the Project Modifications would result in less than significant impacts. The Project Modifications' construction-related vibration impacts are also anticipated to be less than significant.



Construction-related short-term noise impacts from stationary and mobile sources and vibration impacts would not occur with the SWF without Project Modifications Alternative. Therefore, the short-term construction-related noise and vibration impacts that would occur with the Project Modifications would be avoided with the SWF without Project Modifications Alternative.

DSEIR Page 7-14 is revised in the FSEIR as follows:

The SWF without Project Modifications Alternative would accomplish the majority of the Project objectives, as identified above. However, a number of beneficial environmental effects associated with implementation of the Project Modifications (e.g., improvements in the Project site's visual/aesthetic character, biological benefits at San Simeon Creek and Lagoon associated with evaporation pond decommissioning and placing the surface discharge point for San Simeon Creek further south, groundwater benefits from evaporation pond repurposing, and reductions in stationary noise associated with the mechanical spray evaporator removal) would not occur under the SWF without Project Modifications Alternative.

DSEIR Page 7-17 is revised in the FSEIR as follows:

However, the discharge of RO concentrate to the ocean through the Santa Cruz Wastewater Treatment Plant ocean outfall (as well as any of the other ocean outfalls identified above) would be subject to meeting permitted concentration and loading limitations, and additional study may be further required through its NPDES permit. Unlike RO concentrate from a seawater desalination facility, the salt concentration in the SWF's RO concentrate is much lower due to its source water being brackish water, as opposed to pure seawater. For example, the SWF's total dissolved solids concentration would be approximately 6,000 mg/l, while background seawater would be approximately 32,000 mg/l. Additionally, the introduction of RO concentrate would be further diluted by existing wastewater effluent currently being disposed of within the existing outfall. Further discussions with the outfall agency representatives would be needed to confirm whether the programs and permits in place could accept the SWF's RO concentrate without requiring further detailed studies and permitting. If such efforts were needed, the Kettleman Hills site would be used until such supporting studies and permitting were completed. A detailed analysis of marine biological



impacts would be required prior to implementation of this Alternative, and such a discharge would be subject to the State Water Resources Control Board (SWRCB) *Amendment to the Water Quality Control Plan for Ocean Waters in California Addressing Desalination Facility Intakes, Brine Discharges, and the Incorporation of Other Non-Substantive Changes* (OPA). Permits from the SWRCB and California Coastal Commission would also be required for implementation of this Alternative. Additionally, if the discharge is proposed within the Monterey Bay National Marine Sanctuary (MBNMS), authorization would be required from the MBNMS along with appropriate NEPA review as needed. Subject to further analysis of impacts related to marine biological resources, the RO Concentrate Ocean Outfall Disposal Alternative would be considered environmentally inferior to the Project Modifications.

DSEIR Page 7-18 is revised in the FSEIR as follows:

## Hydrology and Water Quality

Under the RO Concentrate Ocean Outfall Disposal Alternative, none of the facilities proposed as part of the Project Modifications would be altered. The only difference between this Alternative and the Project Modifications would be that the RO concentrate would be trucked to the Santa Cruz Wastewater Treatment Plant for disposal through the existing ocean outfall. There would be no changes to drainage or water quality conditions under this Alternative. The introduction of RO concentrate, while much more dilute than background seawater concentrations, as well as being further diluted by existing wastewater effluent, could potentially alter marine water quality. To minimize this potential impact, the discharge of RO concentrate to the ocean through the ocean outfall would be subject to meeting permitted concentration and loading limitations required of the agency's permitting program, and as may be further required through its NPDES permit and OPA compliance. Further discussions with the outfall agency representatives would be needed to confirm whether the programs and permits in place could accept the SWF's RO concentrate without requiring further detailed studies and permitting. If such efforts were needed, the Kettleman Hills site would be used until such supporting studies and permitting were completed. Additionally, if discharge is proposed within the Monterey Bay National Marine Sanctuary (MBNMS), authorization would be required from the MBNMS along with appropriate NEPA review as needed. Subject to further analysis of impacts related to hydrology and water quality, the RO Concentrate Ocean Outfall Disposal Alternative would be considered environmentally inferior to the Project Modifications.



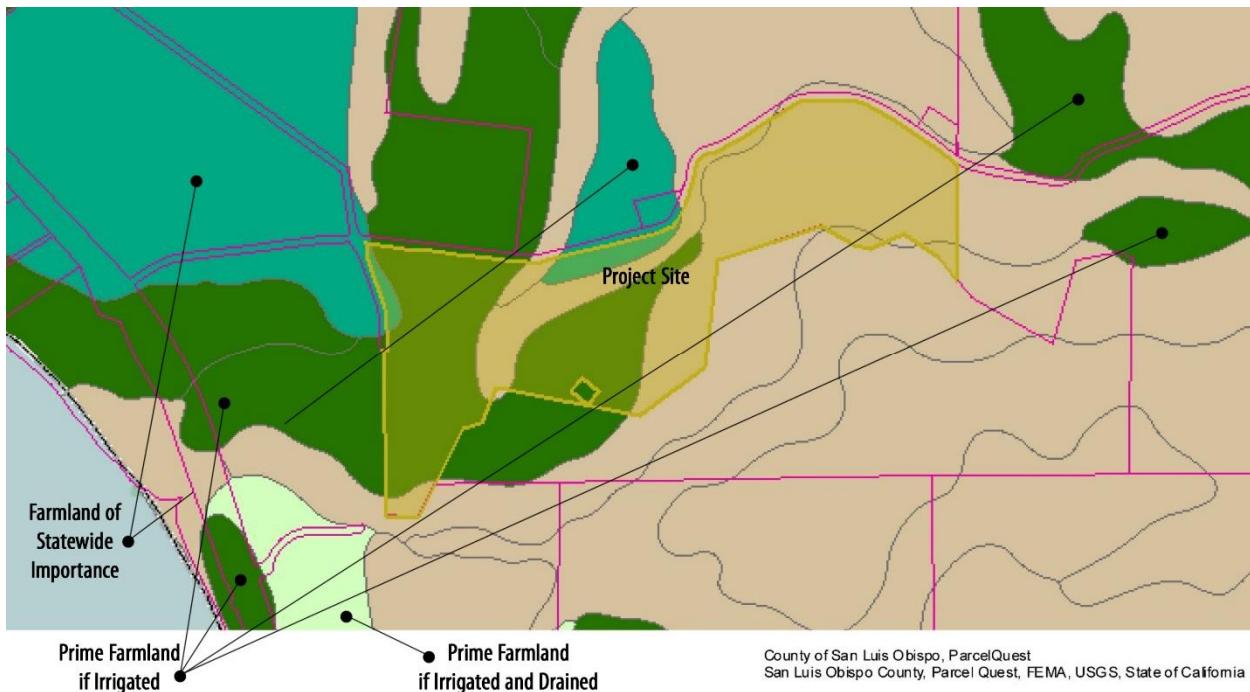
## SECTION 8.0, EFFECTS FOUND NOT TO BE SIGNIFICANT

DSEIR Page 8-1 is revised in the FSEIR as follows:

Detailed analyses and discussion of environmental topics found to be significant are provided within Section 5.0 of this SEIR. Section 5.0 also identifies impacts that are found to be less than significant. The following resources do not exist within the Project area and/or the Project is not considered to have the potential to cause a significant environmental impact. As such, detailed analyses of the environmental resources presented below were not included in this SEIR.

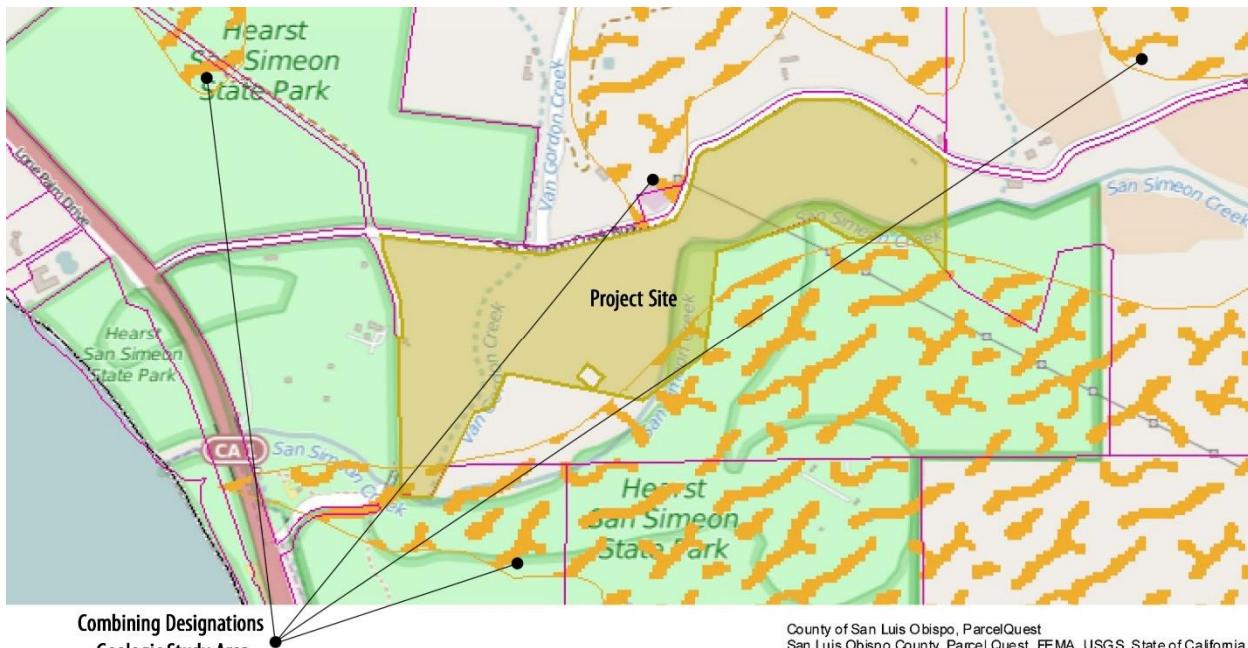
For purposes of the following impact analyses, “Sustainable Water Facility” (SWF) involves the built and operational Project components, whereas “Mitigation Measures and Project modifications” involve proposed Project modifications including those required for compliance with various SWF mitigation measures.

Page 8-2, Permit View NRCS [Natural Resources Conservation Service] Farmland Classification Map, has been revised to include labels, as follows:





Page 8-6, Permit View Combining Designation – Geologic Study Area Map, has been revised to include labels, as follows:

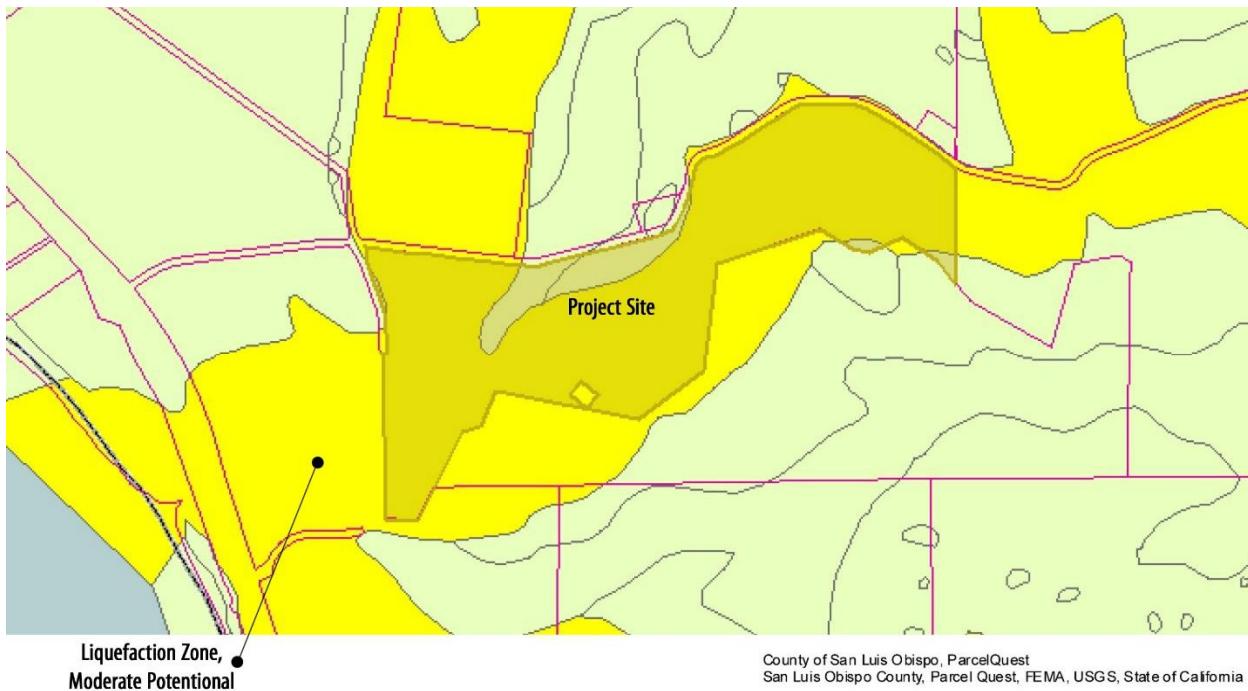


DSEIR Page 8-6 is revised in the FSEIR as follows:

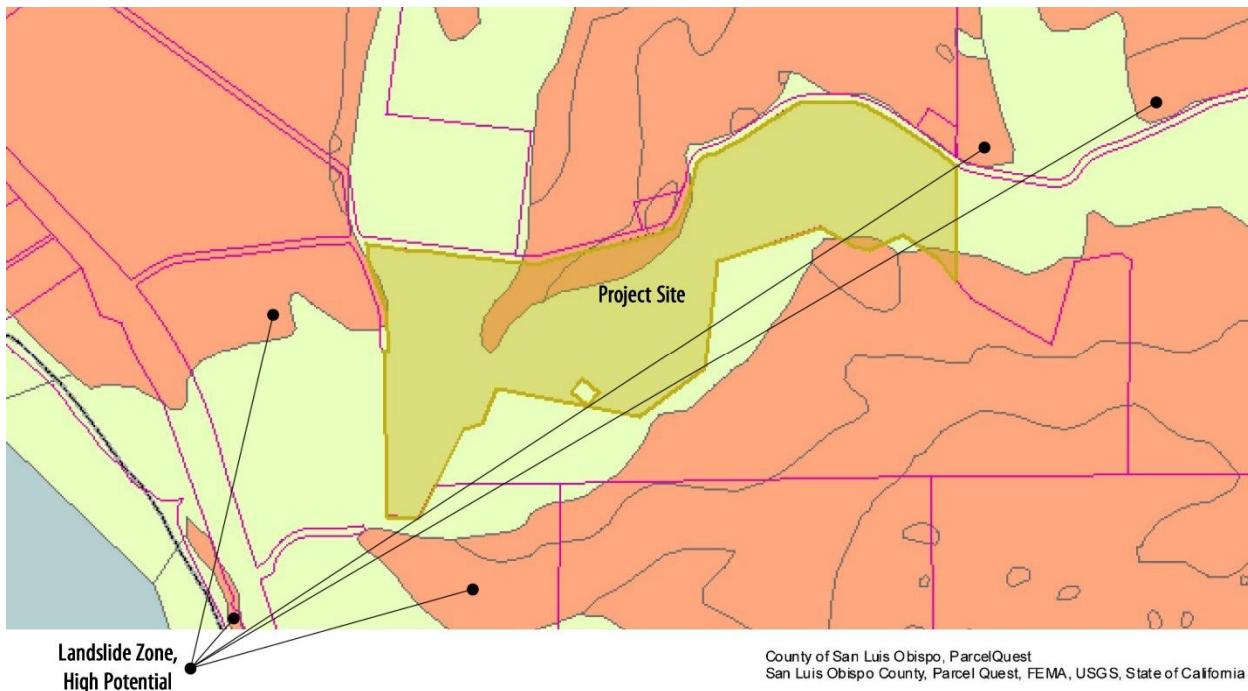
One Mitigation Measure (Project modification) BIO-3, the lagoon surface discharge extension, is proposed within the GSA designation. This proposed Project modification involves removing the existing discharge structure and extending the four-inch lagoon water filtrate pipeline to relocate the discharge point further south at the northern San Simeon Creek bank. As noted in Response 8.3.a.1 above, no Earthquake Fault Zone traverses the Project site. Additionally, the Project site does not contain coastal bluffs/cliffs. However, the north-central portion of the Project site has a high potential for landslide (the remainder, a low potential); see Response 8.3.a.4 below. Additionally, most of the Project site is classified as having a moderate potential for liquefaction; see Response 8.3.a.3 below.



Page 8-8, Permit View – Liquefaction Map Zones, has been revised to include labels, as follows:



Page 8-10, Permit View – Environmental Landslide Map, has been revised to include labels, as follows:





DSEIR Page 8-16 is revised in the FSEIR as follows:

The proposed ~~mitigation measures~~ (Project modifications) would require construction-related activities to decommission the spray evaporator system, dispose of RO concentrate from the evaporation pond (~~prior to conversion~~ to a potable water supply storage basin), construct the SWTP, and construct the conveyance pipelines. The ~~mitigation measures~~ (Project modifications) also include energy emissions associated with operations of the SWTP. Table 8-2, Total Greenhouse Gas Emissions with Mitigation Measures (Project Modifications), provides the construction and operational emissions of the total Project (SWF plus the mitigation measures). ~~(Project modifications (i.e., The operational emissions include~~ energy consumption from SWTP operations, and truck trips from operational RO concentrate disposal)). As indicated in Table 8-2, with the implementation of the Project modifications, the GHG emissions would total 909.93 MTCO<sub>2</sub>eq/yr, which is well below the 10,000 MTCO<sub>2</sub>eq/year screening threshold. Therefore, a less than significant impact would occur in this regard.

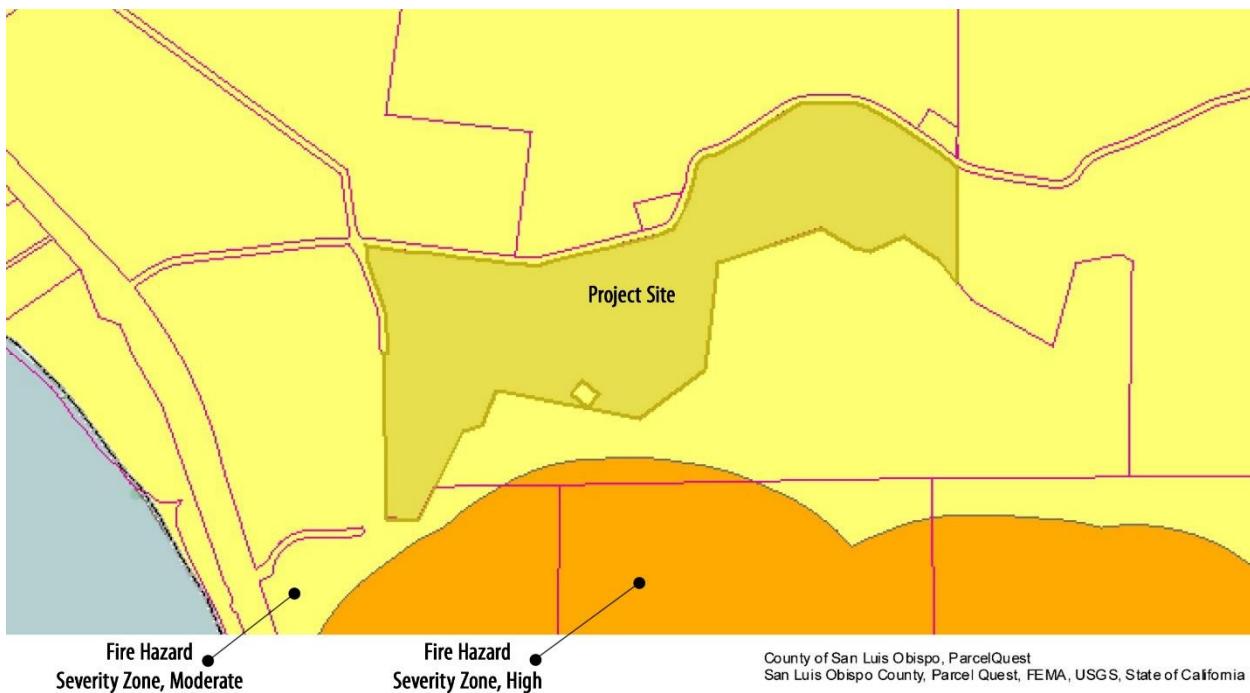
DSEIR Page 8-20 is revised in the FSEIR as follows:

#### MITIGATION MEASURES AND (PROJECT MODIFICATIONS)

The proposed ~~Mitigation Measures~~ (Project modifications) would decommission the ~~spray evaporator system~~~~evaporation pond~~ and require additional hauling of RO concentrate materials to the Kettleman Hills Hazardous Waste Facility (Kettleman Facility) for treatment and disposal. Kettleman is a fully permitted 1,600 acre hazardous waste treatment, storage, and disposal facility operated by Waste Management, Inc.



Page 8-22, Permit View – Fire Hazard Severity Map, has been revised to include labels, as follows:



DSEIR Page 8-27 is revised in the FSEIR as follows:

As part of its ~~repurposing to a potable water supply storage basin~~decommissioning, the evaporation pond would be emptied of the RO concentrate. The RO concentrate and the residual slurry would be transported for disposal at an appropriate Class II waste disposal facility. This is a one-time event and the number of truck trips required to empty the evaporation pond would vary depending on the volume of RO concentrate present when evaporation pond decommissioning begins. Construction phasing is structured such that either the evaporation pond would be empty or the proposed Baker tanks would be online when evaporation pond decommissioning begins. The dirty water would similarly be transported for offsite disposal. For purposes of conducting a conservative analysis of the potential traffic impacts associated with emptying the evaporation pond, this analysis assumes the following: the evaporation pond would be full (6.96 mg); 6,000 gallon capacity trucks would be used; 1,160 truck trips would be required over 60 days; the residual RO concentrate would be transported to a disposal site, such as Kettleman Hills, which is located approximately 85 miles from the Project site. In total, 2,350 round trucks trips from decommissioning the evaporation pond (2,320 round trips from evaporation pond RO



concentrate disposal and 30 trips from decommissioning the spray evaporators). As these transport activities would occur over approximately 80 days, a total of 30 daily trips (approximately four per hour). Given these are a short-term impact, and since the trips would occur over approximately 80 days, the Project modifications construction traffic would not significantly impact intersections, streets, highways, freeways, mass transit, or CMP facilities.