

BOARD OF DIRECTORS

John T. Gannon, Jr.
President

Judith Dietch
Vice-President

Robert Bergman
Director

Kevin Hunt
Director

Greg O'Sullivan
Director

**STAFF**

Jeffrey W. Hodge
General Manager

Bettina Mayer, PE
District Engineer

Laurie A. Ion
*Assistant to General Manager/
Board Secretary*

Jay Short
Utilities Supervisor

Jim Langborg
Fire Chief

Melissa Johnson
Sports Coordinator

TEMPLETON COMMUNITY SERVICES DISTRICT

P.O. BOX 780 • 420 CROCKER STREET • TEMPLETON, CA 93465 • (805) 434-4900 • FAX: (805) 434-4820

RESOLUTION NO. 5-2012

MITIGATED NEGATIVE DECLARATION FOR THE TEMPLETON COMMUNITY SERVICES DISTRICT FLOW RE-ROUTING PROJECT

WHEREAS, at a public meeting on Tuesday, May 22, 2012, a Mitigated Negative Declaration was considered for the construction of a 2.4 mile sewer transmission pipeline to re-route wastewater now generated within the Templeton Community Services District ("District") and treated at the Paso Robles Wastewater Treatment Plant to the District's Meadowbrook Wastewater Treatment Plant for treatment and disposal ("Project"); and

WHEREAS, the Project begins at District sewer facilities near Volpi Ysabel Road and the railroad tracks east of U.S. 101, and ends near the intersection of Petersen Ranch Road and Duncan Road west of U.S. 101 in San Luis Obispo County; and

WHEREAS, an Initial Study has been conducted by the District that evaluates the Project's potential for adverse environmental impacts; and

WHEREAS, there is no substantial evidence before the Board of Directors of the District that the proposed Project, along with the proposed mitigation measures, may have significant adverse environmental effects; and

WHEREAS, the Board has considered all comments, written or oral, related to the proposed Mitigated Negative Declaration and the proposed Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Templeton Community Services District that:

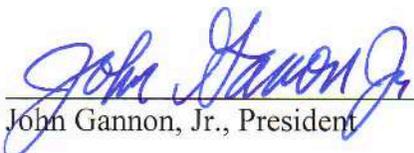
- 1) The attached Mitigated Negative Declaration for the construction of the Project and each of the findings contained therein are hereby adopted in accordance with the California Environmental Quality Act; and
- 2) The Project, along with the mitigation measures and mitigation monitoring program set forth in the Initial Study for the Project, is hereby approved and the General

Manager is authorized to prepare, sign and file a Notice of Determination with the County Clerk and the State Office of Planning and Research within 5 working days from the date of this Resolution.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Templeton Community Services District at a special meeting thereof held on the 22nd day of May, 2012.

Upon a motion by Dietch, seconded by O'Sullivan and on the following roll call vote, to-wit:

AYES: Dietch, O'Sullivan and Gannon
NOES: Bergman
ABSTAIN: None
ABSENT: Hunt



John Gannon, Jr., President

ATTEST:



Laurie Ion, Board Secretary

MITIGATED NEGATIVE DECLARATION

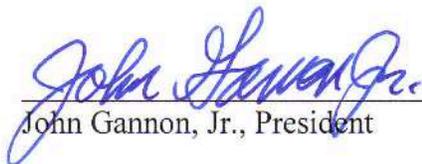
Pursuant to the California Environmental Quality Act and Guidelines, the Templeton Community Services District (District) hereby adopts this Mitigated Negative Declaration for the following project:

- 1 Project Title: Flow Re-Routing Project
- 2 Project Sponsor: Templeton Community Services District
- 3 Project Location: The Project pipeline alignment will run approximately 2.4 miles connecting to existing District facilities and pipelines. The northern end of the new pipeline will connect at District facilities near Volpi Ysabel Road and the railroad tracks east of U.S. 101, and will connect at the southern end near the intersection of Peterson Ranch Road and Duncan Road west of U.S. 101 in San Luis Obispo County, California.
- 4 Brief Description of the Project: The District proposes a change in wastewater operations that requires a wastewater change petition subject to approval by the State Water Resources Control Board (SWRCB). The Project will re-route the treatment and disposal of about 220,000 gallons per day (“gpd”) of wastewater to the District’s Meadowbrook Wastewater Treatment Plant (WWTP) and Selby Percolation Pond Facility (Selby Ponds). This wastewater is currently collected by the District within the northern portion of the District, delivered to the Paso Robles WWTP for treatment, and then discharged to the Salinas River after treatment. The Project will require construction of new conveyance infrastructure (pipelines and pumps) in uplands and existing developed areas. The new pipeline alignment will run approximately 2.4 miles connecting to existing TCSD facilities and pipelines.
- 5 Findings of the Board of Directors of the Templeton Community Services District:
 - Although the Project could have a significant effect on the environment, there will not be a significant effect because the mitigation measures described in the Initial Study have been added to the Project.
 - On the basis of the whole record before it (including the Initial Study and comments received), there is no substantial evidence that the Project may have a significant effect on the environment.
 - The Initial Study and Mitigated Negative Declaration for the Project reflect the independent judgment and analysis of the Board of Directors of the District.

6. A copy of the Initial Study is attached.
7. The mitigation measures are listed in the Initial Study and are hereby adopted, along with the mitigation monitoring program also set forth in the Initial Study.
8. The documents or other material which constitute the record of proceedings upon which the adoption of this Mitigated Negative Declaration is based can be found at the District office located at 420 Crocker Street, Templeton, California 93465. The custodian of such records is the District General Manager.

Adopted by the Board of Directors of the Templeton Community Services District on Tuesday, May 22, 2012.

AYES: Dietch, O'Sullivan, and Gannon
NOES: Bergman
ABSENT: Hunt
ABSTAIN: None



John Gannon, Jr., President

ATTEST:



Laurie Ion, Board Secretary

Notice of Determination

Appendix D

TO:

Office of Planning and Research

For U.S. Mail:

P.O. Box Box 3044
Sacramento, CA 95812-3044

Street Address:

1400 Tenth Street
Sacramento, CA 95814

County Clerk

County of: San Luis Obispo

Address: 1055 Monterey Street, San Luis Obispo, 93408

FROM:

Public Agency: Templeton Community Services District

Address: PO Box 780, 420 Crocker Street, Templeton, CA 93465

Contact: Tina Mayer

Phone: 805 434-4900

Lead Agency (if different from above):

Address:

Contact:

Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): SCH# 2012041010

Project Title: Templeton Community Services District Flow Re-Routing Project

Project Location (include county): San Luis Obispo County between Paso Robles and Templeton

Project Description: Construction of a 2.4 mile pipeline to re-route wastewater from the Paso Robles WWTP to the Meadowbrook WWTP for treatment and disposal.

This is to advise that the Templeton Community Services District has approved the above described

Lead Agency or Responsible Agency)

project on May 22, 2012 and has made the following determinations regarding the above

(Date)

described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration and record of project approval are available to the General Public at:

Templeton Community Service District, 420 Crocker Street, Templeton, CA 93465

Signature (Public Agency) [Signature] Title: General Manager

Date: 23 May 2012 Date Received for filing at OPR: _____

Authority cited: Section 21083, Public Resources Code.

Reference: Sections 21000-21174, Public Resources Code.

Revised 2005

Notice of Determination

Appendix D

TO:

Office of Planning and Research

For U.S. Mail:

P.O. Box Box 3044
Sacramento, CA 95812-3044

JULIE L. RODEWALD COUNTY CLERK
BY [Signature] FROM:

DEPUTY CLERK Public Agency: Templeton Community Services District

Street Address:

1400 Tenth Street
Sacramento, CA 95814

Address: PO Box 780, 420 Crocker Street, Templeton, CA 93465

Contact: Tina Mayer

Phone: 805 434-4900

Lead Agency (if different from above):

Address:

Contact:

Phone:

County Clerk

County of: San Luis Obispo

Address: 1055 Monterey Street, San Luis Obispo, 93408

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): SCH# 2012041010

Project Title: Templeton Community Services District Flow Re-Routing Project

Project Location (include county): San Luis Obispo County between Paso Robles and Templeton

Project Description: Construction of a 2.4 mile pipeline to re-route wastewater from the Paso Robles WWTP to the Meadowbrook WWTP for treatment and disposal.

This is to advise that the Templeton Community Services District has approved the above described project on May 22, 2012 and has made the following determinations regarding the above described project:

(Lead Agency or Responsible Agency)

(Date)

1. The project will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was was not] adopted for this project.
5. A statement of Overriding Considerations was was not] adopted for this project.
6. Findings were were not] made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration and record of project approval are available to the General Public at:

Templeton Community Service District, 420 Crocker Street, Templeton, CA 93465

Signature (Public Agency) [Signature] Title: General Manager

Date: 23 May 2012 Date Received for filing at OPR:

Authority cited: Section 21083, Public Resources Code.

Reference: Sections 21000-21174, Public Resources Code.

Revised 2005



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
 ATTACHMENT 04
 2012 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# **427476**
 STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY: Templeton Community Service District DATE: 5/25/2012
 COUNTY/STATE AGENCY OF FILING: County of San Luis Obispo DOCUMENT NUMBER:
 PROJECT TITLE: Templeton Community Service District
 PROJECT APPLICANT NAME: Templeton Community Service District PHONE NUMBER: 434 (805) 4900
 PROJECT APPLICANT ADDRESS: 1000 Crocker St. CITY: Templeton STATE: CA ZIP CODE: 93465

PROJECT APPLICANT (Check appropriate box):
 Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$2,919.00	\$	
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (ND)(MND)	\$2,101.50	\$	<u>2101.50</u>
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$992.50	\$	
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	<u>50.00</u>
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____		\$	

PAYMENT METHOD:
 Cash Credit Check Other _____
 TOTAL RECEIVED \$ 2151.50

SIGNATURE: [Signature] TITLE: Deputy Clerk

WHITE - PROJECT APPLICANT YELLOW - DFG/ASB PINK - LEAD AGENCY GOLDEN ROD - COUNTY CLERK DFG 753.5a (Rev. 11/11)

Initial Study of Environmental Impact

I. ENVIRONMENTAL DETERMINATION FORM

1. Project Title:

Templeton CSD Wastewater Flow Re-Routing Project

2. Lead Agency Name and Address:

Templeton Community Services District
P.O. Box 780
Templeton CA 93465

3. Contact Person and Phone Number:

David Foote, c/o *firma*, (805) 781-9800

4. Project Location:

The new pipeline alignment would run along approximately 2.4 miles connecting to existing TCSD facilities and pipelines. The northern end of the new pipeline would connect at TCSD facilities near Volpi Ysabel Road and the railroad tracks east of U.S. 101, and would connect at the southern end near the intersection of Peterson Ranch Road and Duncan Road west of U.S. 101. (See Exhibit A- Location Map)

5. Project Sponsor's Name and Address:

Same as Lead Agency

6. General Plan Designation:

Generally in rights of ways and passing along or across Industrial, Commercial service and Commercial retail, residential suburban and residential single family and agriculture land use designations.

7. Zoning:

Industrial, Commercial service and Commercial retail, residential suburban and residential single family and agriculture

8. Description of the Project:

The Templeton Community Services District (TCSD) proposes a change in wastewater operations that requires a Wastewater Change Petition subject to approval by the State Water Resources Control Board (SWRCB). The Project would re-route the treatment and disposal location of 220,000 gallons per day ("gpd") to the Meadowbrook wastewater treatment plant (WWTP) and Selby Percolation Pond Facility (Selby Ponds). This wastewater is currently discharged to the Salinas River after treatment from the City of Paso Robles WWTP. The Project would require construction of new conveyance infrastructure (pipelines and pumps) in uplands and existing developed areas. The new pipeline alignment would run along approximately 2.4 miles connecting to existing TCSD facilities and pipelines. The Biological Assessment attached to this document contains 17 photographs of the proposed alignment of the pipeline.

The TCSD currently utilizes two wastewater treatment and disposal options. Approximately 220,000 gpd are sent to the Paso Robles WWTP for treatment and disposal, and the remainder of effluent (150,000 gpd) is treated by the TCSD Meadowbrook WWTP and discharged at the Selby Ponds where the treated wastewater percolates into the Salinas River underflow. The Project includes three components 1) cessation of conveyance by TCSD of any wastewater to the Paso Robles WWTP where the treated wastewater is discharged to the Salinas River; 2) the

pipeline construction along a 2.4 mile corridor; and (3) the treatment of the wastewater previously conveyed to the Paso Robles WWTP at the TCSD Meadowbrook WWTP where the treated wastewater is discharged to the Selby Ponds.

The TCSD already has the permitted capacity to treat 600,000 gpd of wastewater at its Meadowbrook WWTP and discharge the treated wastewater at the Selby Ponds, inclusive of the redirected 220,000 gpd, per existing WDR Order No. R3- 2007-0029. The environmental impacts for this activity were addressed in a previous CEQA document. The TCSD adopted a mitigated negative declaration for that project in 1998.

9. Surrounding Land Uses and Setting:

The new pipeline alignment would be constructed in mostly existing right of way through developed areas and roads, ruderal / grassland habitats along the railroad tracks, and agricultural/grazing fields.

10. Other Public Agencies Whose Approval is Required:

State Water Resources Control Board- Wastewater Change Petition
 County of San Luis Obispo- Grading Permit

11. Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a Potentially Significant Impact as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Public Services
<input type="checkbox"/>	Agriculture Resources	<input type="checkbox"/>	Hydrology and Water Quality	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Air Quality	<input type="checkbox"/>	Land Use and Planning	<input type="checkbox"/>	Transportation and Traffic
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Utilities and Service Systems
<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Mandatory Findings of Significance
<input type="checkbox"/>	Geology and Soils	<input type="checkbox"/>	Population and Housing		

- There is no evidence before the District that the project will have any potential adverse effects on fish and wildlife resources or the habitat upon which the wildlife depends. As such, the project qualifies for a de minimis waiver with regards to the filing of Fish and Game Fees.
- The project has potential to impact fish and wildlife resources and shall be subject to the payment of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

12. Determination:

On the basis of this initial evaluation:

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

For: Templeton Community Services District



Date: January 23, 2012

Signature

David Foote ASLA, Consultant

II. ENVIRONMENTAL CHECKLIST

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Impact Discussion:

1a-d. The proposed Project involves an underground pipeline which will not change the visual character of the environment.

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	7			X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X

- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

7				X
---	--	--	--	---

Impact Discussion:

2a-c Agricultural lands occurring along the pipeline alignment are dry farmed hay fields that are seeded, mowed and disced each year. The NRCS Soil Survey identifies the Lockwood shaley loam soil on these properties as Class II if irrigated and Class IV if non-irrigated. Pastures of non-native annual grassland used for cattle grazing also occur along the pipeline alignment. Approximately 0.4 miles of the proposed pipeline alignment traverses agricultural lands. Because any disruption of farming operations that may or may not be present during pipeline construction would be temporary and not long-term, no change in farming would result from the Project. Because the area of disturbance is confined to a narrow trench, the mixing of subsoil with topsoil resulting from excavation, pipe placement and trench re-compaction would not result in a significant loss of productive topsoil. The Project would not result in a long-term change to agriculture or impair productive soils. Therefore, no impact is identified. The cessation of TCSD's conveyance of wastewater to the Paso Robles WWTP which is discharged to the Salinas River after treatment, and the resulting increase in discharge of treated wastewater from the Meadowbrook WWTP to the Selby Ponds would not affect any agricultural lands.

3. **AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	8			X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X

Impact Discussion:

3a-e. The proposed construction of the pipeline would result in construction phase equipment emissions. The SLO County APCD CEQA handbook identifies significance thresholds for air pollutants, including reactive organic gases (ROG) and Nitrous oxides (NOx), diesel particulate matter (DPM), and dust (PM10). Based on this document, the Project would not be expected to exceed construction stage emission thresholds for these pollutants because the work would be completed in less than 90 days and based on a calculation of cubic yards excavated and replaced in the pipeline trench, the daily emissions for DPM, ROG and NOx are a small fraction of the thresholds (CEQA Air Quality Handbook table 2-2). The Project is located on the edge of an area mapped in the CEQA Air Quality Handbook as potentially having naturally occurring asbestos in the geology. It is not anticipated that underlying rock will be encountered because the soils in the

pipeline corridor are deep alluviums. Therefore, exposure to naturally occurring asbestos is not identified as a potential impact.

4. BIOLOGICAL RESOURCES. Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	2,3			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	2,3		X		
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	2,3			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	3		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	3				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	3				X

Impact Discussion:

4a. The conclusions in this section of the IS are based on the Biological Assessment by Sage Institute prepared for the proposed Project which is attached to this document for reference. The BA includes correspondence with applicable resource agencies and

analysis by Fugro related to the effects of the proposed discharge at the Selby Ponds upon River conditions. The Project has three distinct components 1) the cessation of treated wastewater discharge into the Salinas River at the current outfall location at the Paso Robles Wastewater Treatment Plant; 2) diversion of this water to the existing and permitted TCSD Meadowbrook WWTP for treatment and then discharge to the Selby Ponds about 4 miles upstream from the Paso Robles outfall; and 3) construction of a pipeline to convey the wastewater. The first action, cessation of discharge at the Paso Robles location, has been determined to have a less than significant effect on habitat for the federally threatened south /central California coast steelhead trout, with concurrence by the resource agencies. The second action, percolation of an additional 220,000 gallons per day of treated wastewater to the Selby Ponds, would have the effect of increasing the River underflow with the likelihood of some surficial wetting, as described in the "Revised Numerical Evaluation of Impacts of Treated Wastewater Effluent Discharge in the Selby Percolation Pond Facility on the Salinas River and its Alluvium, Templeton, California" (Fugro, 2012). As described in the "TCSD Change in Wastewater Operations Project Biological Assessment" (Sage Institute, 2012), the potential for increased dry season wetted sediments in the Salinas River from the additional discharge at the Selby Ponds may provide low suitability aquatic habitat within the dry season for the California red-legged frog. No adverse impacts on the aquatic environment in the river are identified. The third action, construction of the pipeline, would result in ground disturbance and temporary noise. The BA identified the following potentially significant impacts on sensitive plant and animal species in the pipeline construction corridor:

- Potential disturbance to occupied American badger dens
- Potential disturbance to sensitive plants that may be present including the special-status plant species associated with upland soils, or ones that may occur in the grassland habitat within the region (Mesa horkelia, Lemmon's jewel-flower, umbrella larkspur, yellow-flowered eriastrum, Santa Cruz Mountains pussypaws.)

Mitigation Measures:

Measure BIO-1 To mitigate potential adverse effects on American badger, a qualified biologist shall conduct a pre-construction survey at least 30 days before initial site disturbance for pipeline construction to identify whether badgers are using any portion of the site. The survey shall cover the boundaries of proposed disturbance and 100 feet beyond, and shall examine both old and new dens. If potential badger dens are found, they shall be inspected to determine whether they are occupied by badgers. Occupation of the den shall be determined by one or more of the following methods:

- a. Use of a fiber optic scope to examine the den to the end;
- b. Partially obstruct the den entrance with sticks, grass, and leaves for three consecutive nights and examine for signs that animals are entering or leaving the den; and
- c. Dust the den entrance with a fine layer of dust or tracking material for three consecutive nights and examine the following mornings for footprints representing badger use.

Inactive dens within construction areas shall be excavated and backfilled by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens between August and January, a qualified biologist shall establish a 50-foot diameter exclusion zone around the den entrance. To avoid disturbance and the possibility of direct take of badgers, no construction, grading, or staging of equipment shall be conducted within the buffer area until the biologist has determined that the badgers have vacated the den. If badgers are found in dens between February and July, nursing young may be present. Therefore, a County-approved biologist shall establish a 200-foot diameter buffer area around the den. No construction, grading, or staging of equipment shall be conducted within the buffer.

Measure BIO-2 To mitigate potential impacts on sensitive plant species during construction of the pipeline, conduct a floristic inventory and rare plant survey of annual grassland habitat within the Project alignment focusing on the presence/absence of rare, threatened, or endangered plant species discussed above. To ensure adequacy of the floristic inventory and rare plant survey, it should be conducted in accordance with the guidelines recommended by the California Native Plant Society, CDFG, and the USFWS that includes:

- Conducting the survey at the proper time of year when rare plants are both evident and identifiable. This is typically during the spring/summer flowering period.
- Surveys that are floristic in nature. That is all plant species noted in the field are identified to the level necessary to determine if it is rare, threatened, or endangered.
- Conducting the survey using systematic field techniques in all suitable habitats of the site to ensure a reasonable and thorough coverage.
- Up to three visits to the site may be necessary to ensure that seasonal variations in the flowering period of the target species are adequately covered.

If non formally-listed special-status plant species are detected during the above survey, the following should be implemented:

- All soil and plant material that is cleared and grubbed for construction, and the top six inches of surface material excavated for the pipeline trench, shall be salvaged and stockpiled for use in re-spreading on the surface as part of Best Management Practices for restoration of the disturbed areas and to minimize the potential for post-project weed invasion.

4b. The proposed Project would not result in significant changes to the riparian environment as discussed above. No riparian vegetation is proposed for removal. Effects on wetlands, vernal pools and waters of the US are discussed below.

4c. The pipeline alignment crosses three seasonal/ephemeral drainages with established beds and banks that are considered

waters of the U.S. and waters of the State subject to US Army Corps of Engineers and California Department of Fish and Game jurisdiction. These three drainages are vegetated with non-native annual grasses and weedy species. No ground disturbance is currently proposed within any jurisdictional drainage as the Project proposes to directional bore underneath them.

4d. The BA identifies the potential for construction to disrupt nesting birds along the proposed pipeline route, a potential significant impact.

Mitigation Measure:

Measure BIO-3 Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the nesting season for birds. If vegetation removal is planned for the bird nesting season (February 1 to August 31), then preconstruction nesting bird surveys shall be required to determine if any active nests would be impacted by Project construction. If no active nests are found, then no further mitigation shall be required. If any active nests are found that would be impacted by construction, then the nest sites shall be avoided with the establishment of a non-disturbance buffer zone around active nests as determined by a qualified biologist. Nest sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active nest would reduce potential impacts on nesting birds to a less-than-significant level.

4e-f. The proposed Project would not conflict with an HCP or local policy or program.

5. CULTURAL RESOURCES. Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
4				X
4		X		
				X
				X

Impact Discussion:

5a-d. This section references the archeological investigation prepared by CRMS for the pipeline route. Although occasional Monterey chert fragments were observed in open areas, no evidence of prehistoric or historic artifacts, features, or other indications of significant cultural resources were found during the survey. No significant cultural resources were identified as a result of this investigation of the Project area and no further archaeological work is recommended. While it is unlikely that subsurface remains are present, the nature of a surface survey does not preclude the possible existence of such remains.

Mitigation Measure:

Measure CUL-1 If prehistoric or historic cultural materials are encountered during any phase of property grading or excavation, the work should be halted until a qualified archaeologist can make an assessment of the resources and proper mitigation measures be formulated in accordance with County guidelines.

6. GEOLOGY AND SOILS. Would the

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
---------	--------------------------------	---	------------------------------	-----------

project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Impact Discussion:

6a-e. The Proposed Project does not involve construction of structures subject to seismic risk. The temporary ground modifications consist of trenching and backfill which would not be upon, or result in, unstable soils or geologic conditions. The capacity of the soils to percolate the proposed discharge has been addressed in previous CEQA determinations related to the Selby ponds in 2005 and is further discussed relative to the Salinas River underflow in section 8 of this IS.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					

ATTACHMENT 04

a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?					X
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?					X
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?					X
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?					X

Impact Discussion:

7a-h. The proposed Project does not involve the use or transport of hazardous materials, is not located near an airport, school or a hazardous materials site, and as construction is limited to only pipeline installation, the Project would not expose people or structures to wildland fire risks or conflict with any adopted emergency response plan.

8. HYDROLOGY AND WATER QUALITY. Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	5.6				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	5.6			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?					X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?					X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					X
f) Otherwise substantially degrade water quality?					X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?					X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?					X

ATTACHMENT 04

l) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Impact Discussion:

8a-b. Under the proposed Project, the wastewater flow redirected from the Paso Robles WWTP to the District's Meadowbrook WWTP (approximately 220,000 gpd) will be treated at the latter WWTP and discharged at the Selby Ponds consistent with the District's waste discharge requirements. As a consequence, the Project will not violate any water quality standards or waste discharge requirements, or otherwise adversely affect water quality. The District's wastewater which is currently transported to the Paso Robles WWTP is discharged after treatment to the Salinas River and either contributes to the River's flow or underflow depending on the season. Only a negligible portion of such discharged treated wastewater may contribute to groundwater recharge. Thus, the Project will not substantially interfere with groundwater supplies or recharge. The production rates at any nearby wells would not be affected. There is no aspect of the Project that would alter existing drainage patterns, or create or contribute to runoff.

8c-j. The Project would not expose people, structures or homes to risks or hazards from flooding.

9. LAND USE AND PLANNING. Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?					X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1			X	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	1				X

Impact Discussion:

9a. The Project would not result in any physical barrier.

9b. The proposed Project is consistent with the adopted County General Plan which calls for Templeton CSD to seek additional long term water sources. The Project meets the applicable regulations of the California Regional Water Quality Control Board, the California Department of Health Services and the State Water Resources Control Board.

9c. There is no applicable HCP or conservation plan in effect on this site or in the vicinity.

10. MINERAL RESOURCES. Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				X
1				X

Impact Discussion:

10a. The site is not identified as having any mineral resource value.

11. NOISE. Would the project result in:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
			X	
			X	
				X
			X	
				NA
				NA

Impact Discussion:

11a-f. The Project would not result in a new permanent noise source. Temporary noise increases associated with the operation of trenching equipment will occur near receptors usually considered sensitive: single family homes. However, the activity would be subject to the County noise ordinance for construction /stationary noise sources which limit the times of operation to daytime. Compliance with this ordinance would result in less than significant noise impacts.

12. POPULATION AND HOUSING. Would the project:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	5,6			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?					X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?					X

Impact Discussion:

12a. The Project would provide additional water resources to the TCSD that would be available to the community to accommodate new development consistent with the County General Plan and as may be approved by the land use authority, San Luis Obispo County. The District has no authority to approve new land uses. The amount of new water that would be available to the District as a result of the Project would not exceed that amount needed to provide for build-out of the community as envisioned in the Salinas Area Plan Update which was environmentally reviewed in the Salinas Area Plan Update Final EIR and which review is incorporated herein.

12b-c. The Project would not displace any housing or people.

13. PUBLIC SERVICES.	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					

ATTACHMENT 04

Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

Impact Discussion:

13a. The proposed Project will not require public services.

14. RECREATION:

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				X
				X

Impact Discussion:

14a-b. The Project will not directly increase population or the use of public parks. See also impact discussion under 12a.

15. TRANSPORTATION/TRAFFIC: Would the project:

- a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				X
				X
				X

ATTACHMENT 04

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Impact Discussion:

15a-g. The Project will not increase vehicular trips on the street system, increase hazards on the roadways or result in inadequate emergency access. The Proposed Project will result in a temporary increase in traffic on local streets due to construction vehicles over a period of months. The street network accessing the proposed pipeline route consists of local and collector streets that have adequate capacity and width to accommodate the type of excavating and other equipment that will be used for construction. See also impact discussion under 12a.

16. UTILITIES AND SERVICE SYSTEMS.

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
				X
				X
				X
				X
				X
				X

g) Comply with federal, state, and local statutes and regulations related to solid waste?

				X
--	--	--	--	----------

Impact Discussion:

16a-g. The wastewater flow proposed to be redirected to the Meadowbrook WWTP will be about 220,000 gpd, which together with what is currently treated and discharged at the Meadowbrook WWTP (150,000 gpd), is well below the plant's authorized capacity of 600,000 gpd. The District's existing river wells will not need to be modified in order to retrieve the treated wastewater downstream of the Selby Pond site. The Project's elements do not require the construction of any new stormwater drainage facilities. The Project also does not require a water supply, but instead will generate a limited new supply. The Project will not involve a landfill or solid waste, nor will it increase demand for water and sewer service. The project will not require storm water conveyance improvements off site that might have significant effects on the environment. See also impact discussions under 8a and 12a.

	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
17. GREENHOUSE GAS EMISSIONS. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	1			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	1			X	

Impact Discussion:

17a. The APCD has not yet established significance thresholds for greenhouse gas (GHG) emissions from project operations. Nonetheless, lead agencies should make a good-faith effort to identify potential effects of a project individually and cumulatively. In this case other than the temporary trips for the construction crews to reach the site, no heavy motorized equipment will be employed that would create substantial greenhouse gases. The Project has extremely limited potential to contribute a meaningful amount of greenhouse gas.

Mitigation Measures: None

17. MANDATORY FINDINGS OF SIGNIFICANCE.	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	3,4			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	3,4			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					X

Impact Discussion:

- 17a. The Project could have adverse effects on limited biological resources, but they are mitigable. The potential limited effects would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal. The Project would not eliminate important examples of the major periods of California history or prehistory.
- 17b. The proposed Project has effects that are individually limited; and they will be mitigated. These effects, after mitigation, when considered with the effects of past projects or foreseeable future projects are not cumulatively significant.
- 17.c No substantial adverse effects on people are identified associated with the proposed Project.

17. EARLIER ANALYSES.

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one of more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063 (c) (3) (D0. In this case a discussion should identify the following items:

a) Earlier analysis used.

Salinas Area Plan Update Final EIR, adopted by resolution 96-24 by the County of San Luis Obispo, Mitigated Negative Declaration for Templeton Community Services District Wastewater Treatment Plan Expansion Project adopted by the TCSD in 1998, and the Negative Declaration for the Water Retrieval Project adopted by the TCSD in 2005,

b) Impacts adequately addressed. (Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.)

The Salinas Area Plan Update Final EIR adequately discussed the land use, population and growth impacts of development in the TCSD boundary. The FEIR identified a mitigation measure to expand the TCSD wastewater treatment plant, which has been implemented by the TCSD. The Mitigated Negative Declaration for Templeton Community Services District Wastewater Treatment Plan Expansion Project adequately addressed the effects of the expansion of the wastewater facility and creation of percolation ponds along with the discharge of effluent to these ponds. Mitigation measures were adopted related to construction stage impacts (dust, tree protection, removal of contaminated soils). The Negative Declaration for the Water Retrieval Project adequately addressed the effects of recapture (retrieval) of treated wastewater percolated from the Meadowbrook wastewater treatment facility by pumping that water from the Salinas River underflow at the District's existing downstream well(s).

c) Mitigation measures. (For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions of the project.) None identified.**18. SOURCE REFERENCES.**

1.	Salinas River Area Plan Land Use Element- Circulation Element, 1996, County of San Luis Obispo
2.	Numerical Evaluation of Impacts of Treated Wastewater Effluent Discharge in the Selby Percolation Pond Facility on the Salinas River and its Alluvium, Templeton, California, Fugro, 2012
3.	TCSD Change in Wastewater Operations Project Biological Assessment, Sage Institute, 2012
4.	Linear Archaeological Inventory Survey of a proposed ±2.3 mile sewer line, Templeton, San Luis Obispo County, California, Cultural Resource Management Services, 2011
5.	Initial Study and Mitigated Negative Declaration TCSD Water Retrieval Project, TCSD, 2005
6.	Initial Study and Mitigated Negative Declaration Templeton Community Services District Percolation Pond Expansion Project, TCSD 2005
7.	Soil Survey of San Luis Obispo County-Paso Robles Area, Natural Resource Conservation Service, USDA
8.	CEQA Air Quality Handbook, San Luis Obispo County Air Pollution Control District, 2009

III. MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MEASURES / MONITORING AND REPORTING.

Measure BIO-1 To mitigate potential adverse effects on American badger, a qualified biologist shall conduct a pre-construction survey at least 30 days before initial site disturbance for pipeline construction to identify whether badgers are using any portion of the site. The survey shall cover the boundaries of proposed disturbance and 100 feet beyond, and shall examine both old and new dens. If potential badger dens are found, they shall be inspected to determine whether they are occupied by badgers. Occupation of the den shall be determined by one or more of the following methods:

- a. Use of a fiber optic scope to examine the den to the end;
- b. Partially obstruct the den entrance with sticks, grass, and leaves for three consecutive nights and examine for signs that animals are entering or leaving the den; and
- c. Dust the den entrance with a fine layer of dust or tracking material for three consecutive nights and examine the following mornings for footprints representing badger use.

Inactive dens within construction areas shall be excavated and backfilled by hand with a shovel to prevent re-use of dens during construction. If badgers are found in dens between August and January, a qualified biologist shall establish a 50-foot diameter exclusion zone around the den entrance. To avoid disturbance and the possibility of direct take of badgers, no construction, grading, or staging of equipment shall be conducted within the buffer area until the biologist has determined that the badgers have vacated the den. If badgers are found in dens between February and July, nursing young may be present. Therefore, a County-approved biologist shall establish a 200-foot diameter buffer area around the den. No construction, grading, or staging or equipment shall be conducted within the buffer.

Mitigation Implementation/Monitoring

- 1) **Performance Standard:** Conduct survey and implement measures to reduce impacts
- 2) **Contingency Measure:** As identified by biologist
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** Pre-construction and during construction
- 5) **Monitoring Method:** District retain biologist

Measure BIO-2 To mitigate potential impacts on sensitive plant species during construction of the pipeline, conduct a floristic inventory and rare plant survey of annual grassland habitat within the project alignment focusing on the presence/absence of rare, threatened, or endangered plant species discussed above. To ensure adequacy of the floristic inventory and rare plant survey, it should be conducted in accordance with the guidelines recommended by the California Native Plant Society, CDFG, and the USFWS that includes:

- Conducting the survey at the proper time of year when rare plants are both evident and identifiable. This is typically during the spring/summer flowering period.
- Surveys that are floristic in nature. That is all plant species noted in the field are identified to the level necessary to determine if it is rare, threatened, or endangered.
- Conducting the survey using systematic field techniques in all suitable habitats of the site to ensure a reasonable and thorough coverage.
- Up to three visits to the site may be necessary to ensure that seasonal variations in the flowering period of the target species are adequately covered.

If non formally-listed special-status plant species are detected during the above survey, the following should be implemented:

- All soil and plant material that is cleared and grubbed for construction, and the top six inches of surface material excavated for the pipeline trench, shall be salvaged and stockpiled for use in re-spreading on the surface as part of Best Management Practices for restoration of the disturbed areas and to minimize the potential for post-project weed invasion.

Mitigation Implementation/Monitoring

- 1) **Performance Standard:** Conduct survey at appropriate season and implement measures to reduce impacts
- 2) **Contingency Measure:** As identified by biologist
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** Pre-construction and during construction
- 5) **Monitoring Method:** District retain biologist

Measure BIO-3 Vegetation removal and initial site disturbance shall be conducted between September 1 and January 31 outside of the nesting season for birds. If vegetation removal is planned for the bird nesting season (February 1 to August 31), then preconstruction nesting bird surveys shall be required to determine if any active nests would be impacted by project construction. If no active nests are found, then no further mitigation shall be required. If any active nests are found that would be impacted by construction, then the nest sites shall be avoided with the establishment of a non-disturbance buffer

zone around active nests as determined by a qualified biologist. Nest sites shall be avoided and protected with the non-disturbance buffer zone until the adults and young of the year are no longer reliant on the nest site for survival as determined by a qualified biologist. As such, avoiding disturbance or take of an active nest would reduce potential impacts on nesting birds to a less-than-significant level.

Mitigation Implementation/Monitoring

- 1) **Performance Standard:** Conduct survey at appropriate season and implement measures to reduce impacts
- 2) **Contingency Measure:** As identified by biologist
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** Pre-construction
- 5) **Monitoring Method:** District retain biologist

Measure CUL-1 If prehistoric or historic cultural materials are encountered during any phase of property grading or excavation, the work should be halted until a qualified archaeologist can make an assessment of the resources and proper mitigation measures are formulated in accordance with County guidelines.

Mitigation Implementation/Monitoring

- 1) **Performance Standard:** Grading Plans to include notes to stop work if cultural remains unearthed.
- 2) **Contingency Measure:** As identified by archaeologist and County guidelines
- 3) **Implementation Responsibility:** District
- 4) **Implementation Schedule:** during construction
- 5) **Monitoring Method:** District verify grading plan provides directives to stop work if cultural remains unearthed,