



## AGENDA

### REGULAR MEETING OF THE BOARD OF DIRECTORS OF CARPINTERIA VALLEY WATER DISTRICT

HELD AT  
CVWD BOARD ROOM  
1301 SANTA YNEZ AVENUE  
CARPINTERIA, CA 93013

Wednesday, November 13, 2024 at 5:30 p.m.

#### Join Zoom Meeting

<https://us06web.zoom.us/j/89635169655?pwd=wC13jhpIFqSaEw8uybr28mzvboTOuy.1>

Meeting ID: 896 3516 9655

Passcode: 838084

or

Dial by Phone: 1-669-444-9171

#### BOARD OF DIRECTORS

Case Van Wingerden  
President  
Shirley L. Johnson  
Vice President

Casey Balch  
Polly Holcombe  
Matthew Roberts

#### GENERAL MANAGER

Robert McDonald, P.E. MPA

If interested in participating in a matter before the Board, you are strongly encouraged to provide the Board with a public comment in one of the following ways:

1. **Online:** Comments may be submitted online through the “eComments” function located in the **Upcoming Events** section on our website: <https://cvwd.net/about/our-board/meetings/> **by 5:00 p.m. on the day of the meeting.**

2. **Submitting a Written Comment.** If you wish to submit a written comment, please email your comment to the Board Secretary at [Public.Comment@cvwd.net](mailto:Public.Comment@cvwd.net) by **5:00 P.M. on the day of the meeting.** Please limit your comments to 250 words. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.

3. If you wish to make either a general public comment or to comment on a specific agenda item in person, please: attend the Board Meeting at the location noted above and fill out a speaker slip prior to the hearing the item.

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE: President Van Wingerden ~1 minute**

**II. ROLL CALL: Board Secretary, Lisa Silva ~1 minute**

**III. PUBLIC FORUM (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda) ~1 minute**

1301 Santa Ynez Avenue  
Carpinteria, CA 93013  
(805) 684-2816

\*\*Indicates attachment of document to agenda packet.

**IV. CONSENT AGENDA ~ 3 minutes**

- A. \*\*Minutes of the Regular Board meeting held on October 23, 2024**
- B. \*\*Minutes of the Special Board meeting held on October 30, 2024**

**V. UNFINISHED BUSINESS – None**

**VI. [CLOSED SESSION] CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6. DISTRICT NEGOTIATOR: JEFFREY DINKIN EMPLOYEE ORGANIZATION: SEIU LOCAL 620. ~15 minutes**

**VII. Consider Authorizing Board President to execute the Memorandum of Understanding between CVWD and SEIU Local 620 (for action, General Manager McDonald) ~ 3 minutes**

**VIII. ADJOURN to Regular Board meeting of Carpinteria Groundwater Sustainability Agency (Time Certain 5:55 p.m.) ~ 15 minutes**

**IX. NEW BUSINESS ~60 minutes**

- A. Consider Report on the participation in the AWWA Transformative Water Leadership Academy (for information, General Manager McDonald) *Presented by Maso Motlow***
- B. \*\*Consider adoption of Resolution No. 1161 Commending Shirley Johnson for her service on the Carpinteria Valley Water District Board of Director (for action, General Manager McDonald)**
- C. \*\*Consider adoption of Resolution No. 1162 Appointing Patrick O'Connor to the CVWD Board of Directors in election District 5 (for action, General Manager McDonald)**
- D. \*\*Consider Draft Ordinance 24-x Adopting an Administrative Remedies and procedures for Challenges to Fees, Charges, and Assessments (for information, General Manager McDonald)**
- E. \*\*Consider Authorization to execute a license agreement with Carpinteria Summerland Fire and Montecito Fire Districts for colocation of equipment at Shepard Mesa Tank (for action, General Manager McDonald)**
- F. \*\*Consider authorization to execute the CAPP JEP A and Ground Lease (for action, General Manager McDonald)**
- G. Consider approval of the CAPP EIR Addendum (for action, General Manager McDonald)**

**X. DIRECTOR REPORTS ~10 minutes**

**A. \*\*Recycled Water Committee – November 11, 2024 – Directors Roberts and Balch**

**B. \*\*CCWA Board Meeting – October 24, 2024 – Director Johnson**

**XI. GENERAL MANAGER REPORTS (for information) – none**

**XII. CONSIDER DATES AND ITEMS FOR AGENDA FOR: *1 minutes***

**CARPINTERIA VALLEY WATER DISTRICT BOARD MEETING OF  
DECEMBER 11, 2024, AT 5:30 P.M., CARPINTERIA CITY HALL, 5775  
CARPINTERIA AVENUE, CARPINTERIA, CALIFORNIA.**

**XIII. ADJOURNMENT.**

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 5:30 p.m., November 10, 2024. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements. Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

1301 Santa Ynez Avenue  
Carpinteria, CA 93013  
(805) 684-2816

\*\*Indicates attachment of document to agenda packet.

	<b>MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS</b>	
	<b>CARPINTERIA VALLEY WATER DISTRICT</b>	
	<b>October 23, 2024</b>	
	Director Van Wingerden called the Regular meeting of the Carpinteria Valley Water District Board of Directors held in the Carpinteria City Hall Chamber to order at 5:30 p.m., Wednesday, October 23, 2024, and led the Board in the Pledge of Allegiance.	
<b>ROLL CALL</b>	Directors Present; Holcombe, Balch, Johnson, Roberts and Van Wingerden	
	Others Present: Bob McDonald	
	Junajoy Frianeza Norma Rosales Maso Motlow	Chris Malejan Amy Stevens
<b>PUBLIC FORUM</b>	No one from the public addressed the Board.	
<b>CONSENT AGENDA</b>	Director Holcombe moved, and Director Balch seconded the motion to approve the consent agenda with amendment to Minutes. The motion carried by a 5-0 vote. The motion was approved by roll call as follows; Ayes: Holcombe, Johnson, Balch, Roberts and Van Wingerden Nays : none Absent: none	
<b>CLOSED SESSION</b>	President Van Wingerden adjourned the meeting at 5:37 p.m. to convene the Board into closed session for the following matters:  <b>X. [CLOSED SESSION] CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6. DISTRICT NEGOTIATOR: JEFFERY DINKIN EMPLOYEE ORGANIZATION: SEIU LOCAL 620</b>	
<b>BOARD RECONVENED IN OPEN SESSION</b>	At 6:17 p.m., President Van Wingerden reconvened the Board meeting with the following reportable actions:  <b>X. No reportable Action</b>	
<b>ADJOURN</b>	President Van Wingerden opened the Carpinteria Groundwater Sustainability Agency Special meeting at 6:18 p.m.	
<b>RECONVENED TO REGULAR BOARD MEETING</b>	President Van Wingerden reconvened the Regular Board meeting at 6:48 p.m.	

<b>WATER SUPPLY INTENSIFICATION POLICY UPDATE</b>	<p>General Manager McDonald presented to consider Water Supply Intensification Policy update. Presented by Maso Motlow.</p> <p>For Information.</p>
<b>CARPINTERIA-SUMMERLAND AND MONTECITO FIRE DISTRICTS LICENSE AGREEMENT</b>	<p>General Manager McDonald presented to consider license agreement with Carpinteria-Summerland and Montecito Fire Districts to collocate communication equipment at the Shepard Mesa Tank.</p> <p><u>Key Features:</u></p> <ul style="list-style-type: none"> <li>- Shared responsibilities: Electrical costs, maintenance of driveway and tank access. No fee for the use.</li> <li>- Fire Districts will indemnify and hold harmless the Water District from claims arising from the Fire District’s use of the property.</li> <li>- The District makes no warranty on the property.</li> <li>- Fire Districts will reimburse all District costs to implement and maintain the license agreement.</li> </ul> <p>For Information. Will be brought back to next board meeting for action.</p>
<b>PROCUREMENT POLICY DRAFT</b>	<p>General Manager McDonald presented to consider draft CVWD Procurement Policy.</p> <p>For Information.</p>
<b>CGSA JPA AGREEMENT AMENDMENT NO. 1</b>	<p>General Manager McDonald presented to consider Authorizing execution of Amendment No. 1 of the Carpinteria Groundwater Sustainability Agency (CGSA) JPA agreement.</p> <p>Following discussion, Director Balch moved, and Director Holcombe seconded the motion authorizing execution of Amendment No. 1 of the CGSA JPA agreement. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;</p> <p>Ayes: Holcombe, Balch, Johnson, Roberts and Van Wingerden  Nayes: none  Absent: none</p>
<b>CAPP PROJECT UPDATE</b>	<p>General Manager McDonald presented to consider CAPP Project update. Presented by Chris Malejan and Amy Stevens, WSC.</p> <p>For information.</p>
<b>DISTRICT 5 BOARD VACANCY PROCESS</b>	<p>General Manager McDonald presented to consider Process to appoint District 5 Board seat.</p> <p>For information.</p>

<b>JOINT UTILITIES COMMITTEE MEETING</b>	Directors Balch and Van Wingerden gave a verbal report on the Joint Utilities Committee meeting that was held on October 9, 2024
<b>CENTRAL COAST WATER AUTHORITY OPERATING COMMITTEE MEETING</b>	General Manager McDonald gave a verbal report on the CCWA Operating Committee meeting that was held on October 10, 2024.
<b>NEXT BOARD MEETING</b>	The next Special Board meeting is scheduled to be held on October 30, 2024, at 5:30 p.m., Carpinteria Valley Water District, 1301 Santa Ynez Avenue, Carpinteria California.
<b>ADJOURNMENT</b>	Director Van Wingerden adjourned the meeting at 8:32 p.m.
	Robert McDonald, Interim Board Secretary

	<b>MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS</b>	
	<b>CARPINTERIA VALLEY WATER DISTRICT</b>	
	<b>October 30, 2024</b>	
	Director Van Wingerden called the Special meeting of the Carpinteria Valley Water District Board of Directors held in the Carpinteria Valley Water District board room to order at 5:30 p.m., Wednesday, October 30, 2024, and led the Board in the Pledge of Allegiance.	
<b>ROLL CALL</b>	Directors Present; Holcombe, Balch, Roberts and Van Wingerden Director Johnson joined the meeting at 5:32 p.m.	
	Others Present: Bob McDonald	
	Lisa Silva Norma Rosales Jeffery Dinkin	Alonzo Orozco Patrick O'Connor
<b>PUBLIC FORUM</b>	No one from the public addressed the Board.	
<b>CLOSED SESSION</b>	President Van Wingerden adjourned the meeting at 5:31 p.m. to convene the Board into closed session for the following matters:  <b>X. [CLOSED SESSION] CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE SECTION 54957.6. DISTRICT NEGOTIATOR: JEFFERY DINKIN EMPLOYEE ORGANIZATION: SEIU LOCAL 620</b>	
<b>BOARD RECONVENED IN OPEN SESSION</b>	At 6:02 p.m., President Van Wingerden reconvened the Board meeting with the following reportable actions:  <b>X. No reportable Action</b>	
<b>DISTRICT 5 BOARD VACANCY INTERVIEWS</b>	General Manager McDonald presented to interview and consider eligible applicants for Director to fill the District 5 Board Vacancy.  <u>Candidates:</u> - Alonzo Orozco - Patrick O'Connor  Following discussion, Director Johnson moved, and Director Balch seconded the motion to authorize the General Manager to prepare a resolution appointing Patrick O'Connor to the Board. The motion carried by a 5-0 vote. The motion was approved by roll call as follows;  Ayes: Holcombe, Balch, Johnson, Roberts and Van Wingerden Nays: none	

	Absent: none
<b>NEXT BOARD MEETING</b>	The next Regular Board meeting is scheduled to be held on November 13, 2024, at 5:30 p.m., Carpinteria Valley Water District Board room, 1301 Santa Ynez Avenue, Carpinteria California.
<b>ADJOURNMENT</b>	Director Van Wingerden adjourned the meeting at 7:10 p.m.
	Lisa Silva, Board Secretary





## AGENDA

### REGULAR MEETING OF THE BOARD OF DIRECTORS OF CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY

HELD AT  
CVWD BOARD ROOM  
1301 SANTA YNEZ AVENUE  
CARPINTERIA, CA 93013

Wednesday, November 13, 2024 at 5:50 p.m.

#### Join Zoom Meeting

<https://us06web.zoom.us/j/89635169655?pwd=wC13jhpiFqSaEw8uybr28mzvbOTOUy.1>

Meeting ID: 896 3516 9655

Passcode: 838084

or

Dial by Phone: 1-669-444-9171

1. **CALL TO ORDER**
2. **PUBLIC FORUM (Any person may address the Board of Directors on any matter within its jurisdiction which is not on the agenda).**
3. **CONSENT AGENDA**
  - A. **\*\*Minutes for the Regular Meeting of the Board held on October 23, 2024**
4. **UNFINISHED BUSINESS – none**
5. **NEW BUSINESS –**
  - A. **\*\*Consider engagement of Groundwater Solutions Inc for GSA annual report preparation in an amount not to exceed \$34,828 (for action, Executive Director McDonald)**
6. **EXECUTIVE DIRECTOR REPORTS (for information) – none**
7. **ADJOURNMENT**

The above matters are the only items scheduled to be considered at this meeting.

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 5:00 p.m., November 10, 2024. The Americans with Disabilities Act provides that no qualified

\*\*Indicates attachment of document to agenda packet.

individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements. Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

\*\*IIndicates attachment of document to agenda packet.

**RESOLUTION NUMBER 1161**  
**RESOLUTION OF THE BOARD OF DIRECTORS OF CARPINTERIA VALLEY WATER**  
**DISTRICT COMMENDING SHIRLEY JOHNSON FOR HER SERVICE ON THE**  
**CARPINTERIA VALLEY WATER DISTRICT BOARD OF DIRECTOR**

**Whereas**, Director Shirley Johnson has served on the Board of the Carpinteria Valley Water District for eight years with unwavering dedication, commitment, and professionalism; and

**Whereas**, while serving on the Carpinteria Valley Water District Board, Director Shirley Johnson also served on the Board of Directors for the Central Coast Water Authority, contributing to its challenging mission of consistently delivering and maximizing the benefit of the State Water Project in Santa Barbara County; and

**Whereas**, Director Shirley Johnson served on the Board of Directors for the Carpinteria Groundwater Sustainability Agency, providing thoughtful ideas and discussion during the agency's startup and development, through the creation of the Groundwater Sustainability Plan (GSP) and now in its GSP implementation phase; and

**Whereas**, during her tenure, Director Johnson has consistently demonstrated leadership, integrity, and a deep commitment to the issues facing the District, actively contributing to the Board's mission of ensuring sustainable, reliable, and high-quality water services; and

**Whereas**, Director Johnson's work has been instrumental in guiding the Carpinteria Valley Water District through numerous initiatives and improvements, supporting policies and projects that have positively impacted both the residents and agricultural community of the Carpinteria Valley; and

**Whereas**, her knowledge, experience, and insight have been invaluable assets to the Board, setting a high standard of service and fostering a spirit of collaboration and progress; and

**Whereas**, her colleagues, staff, and community members have recognized her dedication, resilience, and positive contributions to the Carpinteria Valley Water District;

**Now, Therefore, Be It Resolved**, that the Board of Directors of the Carpinteria Valley Water District hereby extends its deepest gratitude and appreciation to Director Shirley Johnson for her eight years of exemplary service and commitment to the District and to the community of Carpinteria.

**PASSED AND ADOPTED** by the Governing Board of the Carpinteria Valley Water District on the 13th day of November 2024 by the following vote:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

APPROVED:

\_\_\_\_\_  
Case Van Wingerden, President

ATTEST:

\_\_\_\_\_  
Lisa Silva, Board Secretary

**RESOLUTION NUMBER 1162**

**APPOINTING PATRICK O'CONNOR  
TO THE BOARD OF DIRECTORS  
CARPINTERIA VALLEY WATER DISTRICT**

**WHEREAS**, a vacancy has been created on the Board of Directors by reason of the resignation of Director Johnson; and

**WHEREAS**, Section 30504 of the California Water Code and Section 1780 of the California Government Code authorize the Board of Directors to fill by appointment a vacancy occurring on the Board of Directors; and

**WHEREAS**, on August 29, 2024 the District began the appointment process by advertising the vacancy and the Board's intent to fill the vacancy through an appointment process; and

**WHEREAS**, the District notified the County elections officer and posted a Notice of Vacancy in three conspicuous places within the District boundaries seeking applications from interested and eligible members of the public to fill the Board vacancy; and

**WHEREAS**, the District advertised in the Coastal View News in October and September, sent direct mailing to residents in District 5, and published online ads soliciting interested and eligible members of the public to fill the Board vacancy; and

**WHEREAS**, the District received two statements of interest; and

**WHEREAS**, the Board of Directors has complied with all the applicable statutory procedures for filling the vacancy by appointment.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Carpinteria Valley Water District as follows:

Patrick O'Connor is hereby appointed to serve as a member of the Board of Directors for Election District 5 of the Carpinteria Valley Water District to fill the vacancy created by the resignation of Director Johnson.

**PASSED AND ADOPTED** by the Governing Board of the Carpinteria Valley Water District on the 13th day of November 2024 by the following vote:

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

APPROVED:

---

Case Van Wingerden, President

ATTEST:

---

Lisa Silva, Board Secretary

**ORDINANCE NO. XXXX**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF CARPINTERIA VALLEY WATER DISTRICT ADOPTING AN ADMINISTRATIVE REMEDIES PROCEDURE FOR CHALLENGES TO FEES, CHARGES, AND ASSESSMENTS**

**SECTION 1. AUTHORITY.** This Ordinance is authorized by the District's statutory authority to adopt fees and charges for its services, to impose assessments on real property, and to establish rules and regulations governing such fees, charges, and assessments, Government Code section 53759.1, and other applicable law.

**SECTION 2. Exhaustion of Administrative Remedies for Challenges to Fees, Charges, and Assessments on Real Property**

A. Scope. The duty to exhaust administrative remedies imposed by this section extends to:

- a. any fee or charge subject to articles XIII C or XIII D of the California Constitution,
- b. any assessment on real property levied by the District, and
- c. the methodology used to develop and levy such a fee, charge, or assessment.

B. "Hearing" as used in this section means the hearing referenced in paragraph 4 of subsection D of this Ordinance.

C. Duty to Exhaust Issues. No person may bring a judicial action or proceeding alleging noncompliance with the California Constitution or other applicable law for any new, increased, or extended fee, charge, or assessment levied by the District, unless that person submitted to the Board Secretary timely, written objection to that fee, charge, or assessment specifying the grounds for alleging noncompliance. The issues raised in any such action or proceeding shall be limited to those raised in such an objection unless a court finds the issue could not have been raised in such an objection by those exercising reasonable diligence.

D. Procedures. The District shall:

(1) Make available to the public any proposed fee, charge, or assessment to which this section is to apply no less than 45 days before the deadline for a ratepayer or assessed property owner to submit an objection pursuant to paragraph 4 of this subsection D.

(2) Post on its internet website a written basis for the fee, charge, or assessment, such as a cost of service analysis or an engineer's report, and include a link to the

internet website in the written notice of the Hearing, including, but not limited to, a notice pursuant to subdivision (c) of Section 4 or paragraph (1) of subdivision (a) of Section 6 of Article XIII D of the California Constitution.

(3) Mail the written basis described in paragraph 2 of this subsection D to a ratepayer or property owner on request.

(4) Provide at least 45 days for a ratepayer or assessed property owner to review the proposed fee or assessment and to timely submit to the Board Secretary a written objection to that fee, charge, or assessment that specifies the grounds for alleging noncompliance. Any objection shall be submitted before the end of the public comment portion of a Hearing on the rate, charge or assessment.

(5) Include in a written notice of the Hearing, a statement in bold-faced type of 12 points or larger that:

(A) All written objections must be submitted to the Board Secretary by the end of public comment period at the Hearing and that a failure to timely object in writing bars any right to challenge that fee, charge, or assessment in court and that any such action will be limited to issues identified in such objections.

(B) All substantive and procedural requirements for submitting an objection to the proposed fee, charge, or assessment such as those specified for a property-related fee under California Constitution, article XIII D, section 6(a) or for an assessment on real property under California Constitution, article XIII D, section 4(e).

E. Board Consideration; District Responses. Before or during the Hearing, the Board of Directors shall consider and the District shall respond in writing to, any timely written objections. The Board may adjourn the Hearing to another date if necessary to respond to comments received after the agenda is posted for the meeting at which the Hearing occurs. The District's responses shall explain the substantive basis for retaining or altering the proposed fee, charge, or assessment in response to written objections, including any reasons to reject requested amendments.

F. Board Determinations. The Board of Directors, in exercising its legislative discretion, shall determine whether:

(1) The written objections and the District's response warrant clarifications to the proposed fee, charge, or assessment.

(2) TO REDUCE THE PROPOSED FEE, CHARGE OR ASSESSMENT.

(3) To further review the proposed fee, charge, or assessment before determining whether clarification or reduction is needed.

(4) To proceed with the Hearing, to continue it, or to abandon the proposal.



**SECTION 3. CEQA FINDINGS.** The Board of Directors finds that adoption of this Ordinance is exempt from CEQA because: (i) it is not a project within the meaning of Public Resources Code, section 21065 because it has no potential to alter the physical environment; (ii) and pursuant to CEQA Guidelines section 15061(b)(3), the so-called “common sense” exemption, for this same reason.

**SECTION 4. SEVERABILITY.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance or its application to any person or circumstance is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons and circumstances. The Board of Directors declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional and, to that end, the provisions hereof are hereby declared to be severable.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall be in full force and effect upon its adoption pursuant to Water Code section 31027.

**SECTION 6. PUBLICATION.** The Secretary of the Board of Directors shall give published notice of this Ordinance as required by Water Code section 31027.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect on XXXXXXX, 2024 by roll

AYES:  
NAYES:  
ABSENT:  
ABSTAIN:

**PASSED AND ADOPTED** by the Governing Board of the Carpinteria Valley Water District on the XXX day of XXXX, 2024, by the following roll call vote:

**APPROVED:**

**Case Van Wingerden, Board President**

---

**ATTEST:**

**Lisa Silva, Board Secretary**

---

# LICENSE AGREEMENT

This License Agreement (“**Agreement**”) is dated for reference November 13, 2024, and is made by and between the Carpinteria Valley Water District (“**Water District**”) and the Carpinteria-Summerland Fire Protection District and the Montecito Fire Protection District (“**Fire Districts**”). Water District and Fire Districts may be referred to herein individually as “Party” and collectively as “Parties.”

## RECITALS:

- A. Water District is the owner of certain real property located at 7339 Shepard Mesa Road, Carpinteria, CA 93013, APN 001-120-004 (the “**Water District Property**”).
- B. Fire Districts desire to install a microwave antenna and ground mounted radio equipment as part of an existing system more specifically described in Exhibit A attached hereto (“**Antenna System**”).
- C. The Antenna System will be constructed on a portion of the Water District Property as more specifically depicted on Exhibit B attached hereto.
- D. Water District wishes to grant, and Fire Districts wish to receive, a revocable license to install, operate and maintain the Antenna System on the Water District Property, and the Parties wish to agree on the terms and certain other matters related to the Antenna System and the license, as set forth herein.

For valuable consideration, including the matters set forth above and the covenants and promises contained herein, the Parties agree as follows:

### 1. Grant of License

Water District hereby grants to Fire Districts a revocable license (the “**License**”) to construct, maintain and operate the Antenna System, subject to the terms and conditions set forth in this Agreement. This License shall include a reasonable right of access over Water District Property for purposes of constructing, maintaining, and operating the Antenna System.

### 2. Termination of License

Either Party may terminate the License, but not the other provisions of this Agreement, upon providing 60 days prior written notice to the other Party.

### 3. Payment for License

Except as provided in Section 4 below, the License is granted to Fire Districts without charge and no payment is required from Fire Districts to Water District for the grant of the License.

4. Reimbursement of Water District Cost

(a) Fire Districts agree to reimburse Water District for all expenses incurred by Water District related to Water District's review and approval of this Agreement, including any attorney fees incurred by Water District.

(b) Carpinteria Summerland Fire Protection District (CSFD) will transfer the existing SCE account for the CVWD Property into its name. CSFD will pay the SCE bill and keep the account in good standing. CVWD will continue to utilize power from the SCE meter for its SCADA system and aircraft warning light. Agencies will coordinate power issues as necessary.

(c) Fire Districts agree to share in the cost of maintaining and repairing access to the site and maintenance and repair of tank ladder, safety equipment.

5. Antenna System

All cost associated with the construction, maintenance and operation of the Antenna System shall be borne by Fire Districts. Water District and its consultant will review and approve proposed Antenna System plans prior to installation. Water District and its consultant will perform any necessary modification to the tank structure, including but not limited to mounting, brackets, cable securing and welding. The cost of these modifications will be borne by the Fire Districts. Once installed, Fire Districts will keep the Antenna System in good operating condition and maintain it in a manner that does not interfere with Water District's operation and use of Water District Property.

6. Documentation

Fire Districts shall provide plans documenting the equipment specifications, the location of equipment on Water District property, and any proposed alterations to Water District property. These plans shall be detailed enough for review by Water District staff and its consultants. Plans must be prepared by a professional engineer experienced in the type of work being proposed.

7. Rights Reserved by Water District

Water District retains all rights not specifically granted to Fire Districts by this Agreement and may exercise all said rights without notice.

8. Existing Rights of Others

This Agreement is subject to and subordinate to all existing rights of others regarding Water District Property.

9. Condition of Water District Property; No Warranty

Water District makes no warranty or representation concerning the condition of the Water District Property or its suitability for Fire District's proposed use. Fire Districts have investigated the Water District Property, is familiar with the condition of the Water District Property and accepts the Water District Property in its present state and with all faults.

10. Actions upon Termination of the License

Fire Districts will, on termination of this Agreement, leave the Water District Property in good condition and will promptly remove the Antenna System from the Water District Property and repair any and all damage caused by such removal.

11. Indemnity

Fire Districts will indemnify, defend and hold harmless Water District and its officers, directors, employees and agents from and against any loss, damage, claim, cost, lien, action, suit, liability, or judgment (including, without limitation, attorneys' fees and costs) arising from, resulting from, or in any way related to use of the Water District Property by Fire Districts or any agent, servant, employee or invitee of Fire Districts, including, without limitation, any failure to repair or maintain. Further, Fire Districts and Water District agree that Fire Districts shall serve as lead agency for purposes of compliance with the California Environmental Quality Act. In the event of any challenge or litigation associated with compliance with CEQA, Fire Districts agree to indemnify, defend and hold Water District harmless with respect to such action.

12. Compliance with Laws

Fire Districts will, at Fire District's sole expense, comply with all local, state and federal laws and regulations now or hereafter in force regarding this Agreement, the installation of the Antenna System and any activities of Fire Districts on the Water District Property. Fire Districts shall be responsible for obtaining required permits from the appropriate regulatory and land use authorities associated with the Antenna System. The Fire Districts will be the lead agency under CEQA for the Antenna System project.

13. No Recording

Neither this Agreement nor any memorandum of it will be recorded in the Office of the County Recorder.

14. Notices

All notices and other communications required or permitted to be given under this Agreement will be in writing and will be deemed to have been given to a Party (a) when hand delivered to the Party; (b) three (3) business days after deposit in the United States mail as certified or registered mail, return receipt requested, postage prepaid and addressed as set forth below; or (c) the next business day after delivery to a national overnight delivery service for next-business-day delivery guaranteed, addressed as set forth below:

If to Water District:                   General Manager  
Carpinteria Valley Water District  
1301 Santa Ynez Avenue  
Carpinteria, CA 93013

If to Fire Districts:                   Fire Chief  
Carpinteria - Summerland Fire Protection District  
1140 Eugenia Place, Suite A  
Carpinteria, CA 93013

Fire Chief  
Montecito Fire Protection District  
595 San Ysidro Road  
Santa Barbara, CA 93108

Either Party may change its address for the purposes of this section by giving written notice of such change to the other Party in the manner provided in this section.

15.    Miscellaneous

15.1   Recitals. The recitals set forth at the beginning of this Agreement are true and correct.

15.2   Exhibits. Every exhibit attached to and referred to in this Agreement is incorporated in this Agreement by such reference.

15.3   Titles and Headings. The titles and headings used in this Agreement are for convenience only, are not a part of this Agreement, and will have no effect upon its construction or interpretation.

15.4   No Partnership or Joint Venture. Nothing contained in this Agreement is intended to create a relationship of partnership or of joint venture or of any association between Water District and Fire Districts.

15.5   Successors and Assigns. This Agreement binds, and is for the benefit of, the Parties and their respective successors and permitted assigns, including successors in title. Except for successors in title, to whom assignment shall be automatic, assignment is not permitted, except with the prior written approval of the other Party.

15.6   Time. Time is of the essence in the performance of this Agreement.

15.7   Modification. Any extension, modification or amendment of this Agreement must be in writing and signed by the Parties to be affected thereby or their respective successors in interest.

15.8 Waiver. No waiver of, or failure by any Party to enforce, a provision, covenant, condition or right under this Agreement will be construed as a subsequent waiver of the same provision, covenant, condition or right, or a waiver of any other provision, covenant, condition or right. No extension of time for performance of any obligation or act will be deemed an extension of the time for performance of any other obligation or act. The waiver of a provision, covenant, condition or right, or an extension of time, will be effective only if made in writing.

15.9 Partial Invalidation. If any term, covenant, condition, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of this Agreement will remain in full force and effect, and will in no way be affected, impaired, or invalidated thereby.

15.10 Entire Agreement. This Agreement contains the entire agreement between the Parties hereto with respect to its subject matter. No promises, representations, warranties, or covenants not included in this Agreement, either oral or written, have been or are relied upon by any Party.

15.11 Neutral Construction. In construing this Agreement, no consideration will be given to the fact or presumption that any Party had a greater or lesser hand in the drafting of this Agreement.

This Agreement is executed by the Parties on the dates shown below:

CARPINTERIA VALLEY WATER  
DISTRICT

\_\_\_\_\_  
Board President, Case Van Wingerden

CARPINTERIA-SUMMERLAND FIRE  
PROTECTION DISTRICT

\_\_\_\_\_  
Robert Kovach, Fire Chief

MONTECITO FIRE PROTECTION  
DISTRICT

\_\_\_\_\_  
David Neels, Fire Chief

## **Appendix A**

### **Shepard Mesa Site Equipment Specifications for Microwave Antenna Addition**

Equipment at the Shepard Mesa Water Tank

- (1) Equipment cabinet mounted to concrete pads
- (2) Land mobile radio repeaters (transmit and receive) operating on FCC licensed VHF frequencies.
- (1) Repeater antenna combiner, filter, and multi-coupler network.
- (1) Battery charger with 24-to-48-volt deep discharge batteries.
- (1) Uninterruptable power supply (UPS)
- (1) Cabinet cooling fans.
- (1) Microwave radio with 36-inch diameter antenna operating on FCC licensed 11 or 18 GHz frequencies, mounted outside the tank service walkway railing.

## **Appendix B**

### **Shepard Mesa Site Location for Microwave Antenna Addition**



# “Shepard Mesa” Proposed Microwave Antenna and Pad Changes



Proposed New Antenna

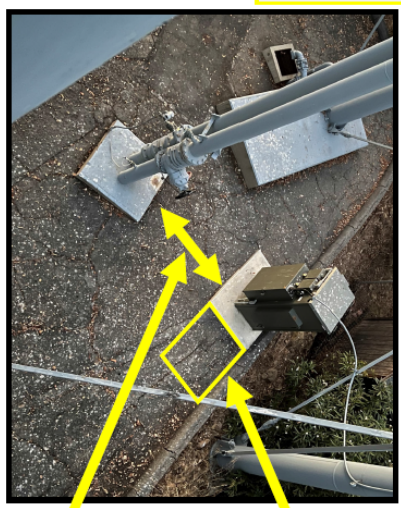


One new Fire Dept. microwave antenna, approximately as shown in red, is proposed to be mounted on the existing 1-3/4" pipe. The microwave antenna is 2-3' tall, will be mounted outside the walkway, and will point Northwest.

One of two existing Fire Dept. antenna on tank railing. This antenna is on West side of the tank on a 1-3/4" pipe pointing West. The antenna is 40.5" tall. There is a second 1-3/4" antenna pipe behind it shown, not currently used.

2023 photo from West side of tank looking North.

Proposed New Pad For a New Second Rack



Proposed new 48" x 60", concrete pad, matching existing size and height.

New rack does not require power service.

Greater than six feet.

2023 Photo from tank ladder looking down.



Photo of typical microwave antenna proposed.



# Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013  
Phone (805) 684-2816

BOARD OF DIRECTORS

*Case Van Wingerden*  
President

*Casey Balch*  
*Polly Holcombe*  
*Shirley L. Johnson*  
*Matthew Roberts*

GENERAL MANAGER

*Robert McDonald, P.E. MPA*

To: CVWD Board of Directors

From: Bob McDonald, General Manager

Date: November 13, 2024

## **For Consideration: Item IX. F - CAPP JEPA and Lease Agreement**

### **Background**

The Carpinteria Advanced Purification Project (CAPP) is a collaborative initiative between Carpinteria Valley Water District (CVWD) and the Carpinteria Sanitary District (CSD). A critical component of this project is the construction of an Advanced Water Purification Facility (AWPF) on CSD property. The AWPF will be responsible for treating wastewater to a potable standard prior to injection into the Carpinteria Groundwater Basin for storage and future retrieval as drinking water.

The operation and maintenance of the AWPF will be handled by CSD staff on behalf of CVWD. CVWD will receive advanced treated water produced at the AWPF and will manage its delivery to injection wells for storage. CVWD will reimburse CSD for the costs associated with the AWPF's operations and maintenance, including labor, consumable treatment products (such as chemicals, membranes, and UV light bulbs), and utilities like electricity.

CVWD and CSD jointly developed a Joint Exercise of Powers Agreement (JEPA) and Lease Agreement to govern the funding, operations, performance, and asset management of CAPP. Previous versions of the JEPA and Lease Agreement were presented to the CVWD Board and committees over the last two years. The CSD Board has also reviewed previous versions of the documents. The documents were revised based on Board and legal counsel input. On September 25, 2024, staff brought the latest draft of the JEPA and the Lease Agreement to the CVWD Board for feedback.

### **Discussion**

Since the September 25, 2024 board meeting, a few minor changes were made to the JEPA. A bulleted list of the changes are described below:

- Revised/clarified formal terminology around the Operating Agreement to make it consistent throughout the JEPA.

## **Item IX.E - CAPP JEPA and Lease Agreement**

- Extended the term of the JEPA from 30-years to 50-years.

While originally it was believed that maximum term of the JEPA was limited to 30-years, further review of the State statues does not apply. As a result, CVWD and CSD staff mutually agreed to extend the term of the JEPA to a 50-year initial term.

CSD intends to take the JEPA and Lease Agreement to the CSD Board on November 19, 2024 for approval.

Once the JEPA and Lease Agreement are finalized, staff will shift focus to completing the Operations Agreement, with the goal of bringing a draft to Board in January 2025. The Operations Agreement will be crucial in establishing clear operational protocols and financial responsibilities between CVWD and CSD for the AWPf.

### **Recommendation:**

Staff recommends that the Board Authorize the President to execute the JEPA and Lease Agreement

### **Attachments:**

1. Joint Exercise of Powers Agreement (JEPA)
2. Lease Agreement

CARPINTERIA ADVANCED PURIFICATION PROJECT  
JOINT EXERCISE OF POWERS AGREEMENT

THIS JOINT EXERCISE OF POWERS AGREEMENT (the “Agreement”) is made and entered into by and between Carpinteria Valley Water District (“CVWD”), a California county water district organized pursuant to Division 12 of the Water Code, and the Carpinteria Sanitary District (“CSD”), a California special district organized under the Sanitary District Act of 1923. CVWD and CSD may be referred to individually as a “Party” or collectively as the “Parties.” The Parties agree as follows:

ARTICLE 1: SCOPE, NATURE AND PURPOSE

1.1. The purpose of this Agreement is to authorize the Parties, pursuant to that authority in the Joint Exercise of Powers Act (Government Code sections 6500 through 6599.3) to jointly exercise their powers to plan, finance, acquire, construct, maintain and operate facilities for collection, transportation, treatment, reclamation, recycling, reuse, and disposal of sanitary sewage and similar wastewaters and to produce recycled or advanced purified water for beneficial use.

1.2. Each Party to this Agreement is a public agency authorized and empowered to contract for the joint exercise of powers under the Act.

1.3. The Parties now desire, by this Agreement, to collectively harness their joint powers to allow for the construction, operation, and administration of a reclamation facility for the purpose of treating wastewater and producing recycled or advanced purified water, and for related purposes.

ARTICLE 2: GENERAL PROVISIONS

2.1. Definitions. Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this Agreement. Undefined words and phrases have the same meaning as set forth in the Act:

2.1.1 Act means the Joint Exercise of Powers Act (Government Code sections 6500 through 6599.3) governing the joint exercise of powers common to public agencies.

2.1.2 Agreement means this Joint Exercise of Powers Agreement.

2.1.3 CEQA refers to the California Environmental Quality Act (Public Resources Code § 21000, et seq.) and the regulations promulgated to implement it (14 Cal. Code of Regs. § 15000, et seq.).

2.1.4 Chief Plant Operator means the individual who is chiefly responsible for overseeing the day-to-day operation of the AWWPF.

2.1.5 Effective Date means the date this Agreement was executed. Should there be differing dates of execution, Effective Date means the latest in time date of execution.

2.1.6 Fiscal Year means the period commencing on July 1 of each year and ending on and including June 30 of the following calendar year.

2.1.7 NEPA refers to the National Environmental Policy Act (42 U.S.C. Section 4321, et seq.) and the regulations promulgated to implement it (40 CFR Part 1500, et seq.).

2.1.8 Product Water means Title 22 water produced by the Project that meets all state and federal requirements for groundwater augmentation and any supplemental water quality requirements agreed to by the Parties as necessary and appropriate for delivery to CVWD customers.

2.1.9 Product Water Delivery Point means the point at which Product Water crosses the legal boundary line from the Property into the adjoining real property parcel.

2.1.10 Project means any devices, equipment, plants and systems used in the conveyance, storage, treatment, recycling, reclamation, and advanced purification of wastewater, including all advanced water purification facilities, conveyance facilities, well facilities, utility installations, and related appurtenances, extensions, improvements, remodeling, additions and alterations thereof, and any works that will be an integral part of the treatment process or used for ultimate disposal of waste streams generated by the Advanced Water Purification Facility. The Project is comprised of the following primary components:

- a. Advanced Water Purification Facility, or "AWPF," which includes those facilities required to treat recycled water to meet standards for indirect potable reuse via groundwater replenishment by subsurface injection; facilities that provide full advanced treatment and treatment waste streams; the building that houses the AWPF; the Product Water Pump Station; and all associated AWPF and Product Water Conveyance System piping on the Property. This term does not include those facilities that are identified as Wastewater Treatment Plant or Collection System.
- b. Product Water Conveyance System which is the conveyance system used to transport Product Water from the Product Water Pump Station to the injection wells. A portion of the Product Water Conveyance System is on the Property and included in the definition of AWPF.
- c. Product Water Pump Station which refers to those facilities, including clear wells, pumps, pipes, control systems, electrical equipment, valves, and appurtenances, necessary to discharge purified water into the Product Water Conveyance System. The Product Water Pump Station is on the Property and included in the definition of AWPF.

2.1.11 Collection System, which refers to the intercepting sewers, and wastewater collection and conveyance systems owned and operated by CSD for the purpose of collecting and delivering wastewater to the AWPF and associated pumping stations and other equipment and their appurtenances, extensions, improvements, remodeling, additions and alterations thereof.

2.1.12 Wastewater Treatment Plant means new or existing primary treatment, biological secondary treatment, disinfection, effluent discharge, and solids handling facilities.

2.1.13 Property means the real property owned by CSD and located at 5351 6th Street, Carpinteria.

2.1.14 Source Water means the wastewater received and processed and owned by CSD before Project treatment.

2.1.15 Title 22 means Title 22, Division 4 of the California Code of Regulations, as may be amended from time to time.

### ARTICLE 3: THE PROJECT

3.1 Beneficiaries. The Project will be constructed by CVWD and operated for the benefit of CVWD customers. The Project may have secondary benefits for CSD and groundwater sustainability.

3.2 Project Ownership; Right of Inspection.

3.2.1 CVWD owns the Project, including the Advanced Water Purification Facility and Product Water Conveyance System, and all Product Water beginning at the Product Water Delivery Point. CVWD may inspect the AWPf upon notice to the CSD General Manager.

3.2.2 CSD owns the Collection System, Property, and Wastewater Treatment Plant and is responsible for providing any Source Water for use in and treatment by the AWPf at no cost to CVWD. CSD employees will operate the AWPf in accordance with this Agreement.

3.3 Agreement Administration. Except as otherwise provided in this Agreement, the General Manager for each Party will represent their respective agency on all matters relating to the administration of this Agreement.

3.4 Environmental Documentation. During the environmental review and permitting process, the Parties will work together to ensure compliance under CEQA and NEPA, if applicable, and further agree to provide timely notice, review, response and comment, as necessary.

3.5 Project Development. CVWD will serve as the Lead Agency and CSD will be designated a Responsible/Cooperating Agency for CEQA (and NEPA, if applicable) review of Project development, design and construction, and operations. CVWD is responsible for and must finance the costs of addressing any CEQA and NEPA protests and appeals.

3.6 National Pollution Discharge Elimination System (NPDES) Permitting. With the exception of technical studies or non-routine analysis needed to obtain approvals (e.g., where a third-party consultant or outside service provider must be retained), CSD will fund and secure any necessary changes in its NPDES permit to accommodate discharge of Advanced Water Purification Facility waste streams, including reverse osmosis concentrate discharged to receiving waters under the jurisdiction of federal and state agencies. CVWD will only pay for any extraordinary costs associated such permit applications and approvals that are exclusively associated with the Project.

3.7 Waste Discharge Requirements and Water Recycling Requirements (WDR/WRR) Permitting. CVWD will obtain and fund all efforts required to obtain the WDR/WRR permit for the Project facilities except for development and implementation of an enhanced source control program by CSD. CSD is an interested agency for purposes of comment and review on WDR/WRR permitting activities.

3.8 Project Costs. Except as otherwise provided, CVWD is solely responsible for the cost of funding the design, construction, operation, repair and maintenance of the Project. CSD is only liable for the cost of any repair or maintenance resulting from CSD's negligence or intentional misconduct.

3.9 Project Design and Construction. CVWD will execute all final design and construction contracts with CSD as an intended third-party beneficiary. The Parties will collaborate on the design development process. Subject to this Agreement, however, CVWD will have final authority on the overall design and construction of the Project.

3.9.1. CVWD understands its use of the Property for the Project, including layout and operational activities, must accommodate CSD's Property rights and operational needs. CVWD must ensure the Project will be designed to minimize impacts to continued operation of the Wastewater Treatment Plant and other CSD facilities. In addition, CSD must provide final approval, which will not be unreasonably withheld, for any modification of the Property and its Wastewater Treatment Plant and Collection System.

3.10 Change Orders. The Parties understand the Project is unique in timing, cost and approach. Accordingly, either Party through its General Manager may request change orders to the design or construction of the Project with respect to:

3.10.1. Party-caused delays including delays caused by contractors or consultants acting upon a Party's behalf.

3.10.2. Increase in material costs; change in design necessary for implementation of the Project including any increase in labor costs resulting from design changes in the Project as work progresses.

3.10.3. Change in law; and

3.10.4. Force Majeure Events or other events beyond the reasonable control of the Parties including private or public projects affecting a critical path as determined from the most recent critical path schedule.

3.10.5. The Joint Management Committee (defined in Section 5.3) must approve any such requests in good faith and resolve such requests in a reasonably timely manner.

3.11 CSD Funding. CSD may advance costs for the Project which must be reimbursed to CSD by CVWD. The method, timing, and reimbursement of any payments must be approved by the CSD Board of Directors. Such approval may be reflected in an Operating Plan as contemplated by this Agreement. All such payments will constitute a debt owed by CVWD to CSD and must be repaid by CVWD with interest at the interest rate in the Local Agency Investment Fund (“LAIF”). Failure to reimburse CSD may subject the Agreement to termination; CSD may, alternatively, suspend operating the AWPf upon 10 days’ notice until being fully reimbursed.

3.12 Ownership. CSD owns and will continue to own all Source Water, any discharge or bypass water, and all byproduct waste streams produced by the AWPf that meet the restrictions on CSD’s NPDES permit for ocean discharge, and covenants to comply with all applicable concentration limitations and requirements. CVWD will take delivery and ownership of all Product Water at the time it reaches the Product Water Delivery Point.

3.13 Waste Stream Disposal. As AWPf operator, CSD is responsible for managing disposal of all AWPf water that does not meet the requirements to be considered Product Water. CVWD is financially responsible for disposing of AWPf waste streams that do not meet CSD’s NPDES permit for ocean discharge when Source Water meets CSD’s NPDES permit for ocean discharge, except for disposal issues caused by CSD negligence or intentional misconduct. CSD and CVWD will work together to resolve permit issues and enable discharge under the NPDES permit in accordance with the remedies set forth in the Operations Agreement.

3.14 Source Water Quality. CSD will in good faith endeavor to ensure that all Source Water for subsequent treatment by the Advanced Water Purification Facility meets permit requirements. Any ongoing acute or chronic issues impacting the quality of the Source Water may be resolved by the Operating Committee or Joint Management Committee, respectively.

3.15 Chief Plant Operator; Project Designee; Use of CSD Employees.

3.16.1. The Operating Agreement will address hiring and supervision of the Chief Plant Operator.

3.16.2. CSD employees, personnel, contractors and consultants including, without limitation, the Chief Plant Operator (“CSD Personnel”) will operate the Collection System, Wastewater Treatment Facility, and Advanced Water Purification Facility.

3.16.3. CVWD will designate a CVWD employee who is primarily responsible for coordinating with the Chief Plant Operator (the “CVWD Project Designee”). The CVWD Project Designee is intended to liaise with the Chief Plant Operator regarding operational matters.



3.16 Data Sharing. CSD will collect and share with CVWD data concerning the amount and quality of water treated by the Advanced Water Purification Facility along with AWPf operational information in a manner sufficient to allow CVWD to meet WDR/WRR permit requirements and coordinate operation of its injection wells. Data sharing requirements and integrated control systems may be further refined in Operating Memoranda.

3.17 Future Regulatory Impacts. The Parties understand each of their agencies as well as the Project operate in a highly regulated environment, and that future regulation may impact the Project and its operations. Consequently, the Parties agree to work collaboratively to meet future regulatory requirements imposed on the use or treatment of Source Water, operation of the AWPf, and disposal of AWPf waste streams. Notwithstanding, CSD is responsible for funding and complying with any future regulations concerning discharge that would otherwise be imposed in absence of the Project.

#### ARTICLE 4: FINANCING; USE OF THE PROPERTY

4.1 Loan Conditions. CVWD will obtain financing through the Clean Water State Revolving Fund (the “SRF Loan”), with an expected SRF Loan term of 30 years after CVWD files the construction Notice of Completion for the AWPf with the Santa Barbara County Clerk (the “Notice of Completion Date”). The Parties understand the SRF Loan is conditioned upon CVWD’s continued and unimpeded right to use the Property for the life of the Project, which the Parties estimate to be a minimum of 30 years after the Notice of Completion Date. CSD agrees, during the Term of this Agreement, to take reasonable actions to preserve CVWD’s continued right to use the Property.

4.2 Lease Agreement. CSD and CVWD will execute a separate instrument governing the Parties’ rights and obligations to use the Property for the lifetime of the Project. The Parties intend that such instrument will ensure the unimpeded use of the Property by CVWD for the duration of the Term. The fee for using the Property to benefit the Project will be nominal to the extent permitted by applicable law.

#### ARTICLE 5: GOVERNANCE

5.1 Operations Committee. The Parties will appoint an Operations Committee or “OC” comprised of the General Manager of each Party and the Chief Plant Operator and the CVWD Project Designee. The Operations Committee will oversee and provide guidance concerning the operations and maintenance of the Project.

5.2 Meetings. The Operations Committee may meet as often as desirable by the Parties, but not less than a quarterly basis.

5.3 Joint Management Committee. A joint committee comprised of three members of the governing body of CVWD and two members of the governing body of CSD will be established to review and direct policy and high-level management decisions concerning and affecting the Project, including any future amendment of this Agreement and the roles and responsibilities of the Parties hereto (the “Joint Management Committee”). The Joint Management Committee will review and recommend the Project’s annual operating budget, engage in capital planning and

budgeting, and make decisions related to Project operations, among other things. The Joint Management Committee's role will be advisory to staff and the governing bodies of the Parties.

5.4 *Meetings.* During the pendency of the Project, the Joint Management Committee will meet once monthly. The meetings of the Joint Management Committee must comply with the requirements of the Ralph M. Brown Act (Government Code sections 54950, et seq.). After a notice of completion for the Project is recorded, the Joint Management Committee may meet as desirable but not less than once a quarter.

5.5 *Finances.* The OC will prepare an annual budget for the operation and maintenance of the Project that is reviewed by the Joint Management Committee. The Joint Management Committee will recommend an annual budget to the Board of Directors for each Party. All recommended annual budgets must be approved by the Board of Directors for each Party. If the annual budget is not approved by both Board of Directors, the most recently approved annual budget will continue to apply until a new annual budget is in place. The annual budget may be adjusted during the fiscal year following the same approval process as the original annual budget.

5.6 *Policy.* The Joint Management Committee may suggest amendments to this Agreement to the Board of Directors for each Party.

5.7 *Appeals.* The Joint Management Committee may hear appeals of disputes in accordance with this Agreement.

#### ARTICLE 6: COOPERATION; OPERATIONS AGREEMENT AND OPERATING MEMORANDA

6.1 *Operations Agreement; Purpose.* Once completed and approved, the Operations Agreement becomes an attachment to this Agreement and is incorporated by this reference. The Operations Agreement is intended to identify: an AWPf operations staffing plan including hire dates, employee qualifications, and employee compensation; CSD Project cost tracking and reimbursement methodologies; use of pre-RO treated water; and other operational matters.

6.2 *Execution and Amendment of Operations Agreement.* The Operations Agreement must be ratified by the Parties' governing bodies. It may be amended by the Operating Committee or Joint Management Committee in accordance with this Article. The governing bodies of each Party will ratify any Operations Agreement amendments within 90 calendar days after approval by the Joint Management Committee. Failure to ratify such an amendment within 90 days renders it void.

6.3 *Operating Memoranda; Purpose.* The Parties acknowledge that the provisions of the Agreement require a close degree of cooperation and that new information and future events may demonstrate that changes are appropriate with respect to the rights and obligations of the Parties under this Agreement. The Parties desire, therefore, to retain a certain degree of flexibility with respect to the performance details for those items covered in general terms under this Agreement. If, from time to time, the Parties find that refinements or adjustments are desirable, such refinements or adjustments will be accomplished through operating memoranda or implementation agreements (the "Operating Memoranda(um)") approved by the Parties which, after execution, will

be attached to this Agreement as addenda and become a part hereof. No substantive changes to this Agreement may be accomplished via an Operating Memorandum.

6.4 Execution and Amendment of Operating Memoranda. The OC may determine that an Operating Memorandum, as defined in this Agreement, is desirable to assist in governing this Agreement and the Project. Operating Memoranda may be executed on behalf of the Parties by their respective General Managers. Notwithstanding, approval of any Operating Memorandum may be deferred to the Joint Management Committee or the governing bodies of each Party upon the request of any Party's General Manager. The Operating Memoranda may be amended after collaboration and recommendation of the Operating Committee or the Joint Management Committee and executed on behalf of the Parties by their respective General Managers. The Parties may only amend an Operating Memorandum in the same manner as the original.

6.5 Cooperation Regarding Grant Funding. The Parties further resolve to work collaboratively to maximize grant opportunities for the Project, and to respond to associated requests for information in a timely manner.

#### ARTICLE 7: SALE OF THE PROPERTY DURING TERM

7.1 Transfer. CSD agrees that it will not voluntarily sell, exchange, assign, or otherwise transfer ("Transfer"), or attempt to Transfer, title to the Property to any third party during the initial 50-year Term after the Notice of Construction Date.

7.2 Purchase Option. Thereafter, if CSD desires to Transfer the Property, it will (1) first offer CVWD the ability to purchase the Property at fair market value to be determined by an independent third-party consultant qualified in the wastewater or water industry; and (2) any eventual Transfer to a third-party must be made contingent upon the continuation of CVWD's contractual rights to use the Property through the Term of this Agreement.

7.2.1 CSD must give CVWD timely notice of its intent to Transfer the Property not less than 12 months before the end of any Term subsequent to the initial Term.

7.2.2 CVWD may have up to six months after a fair market value is determined to purchase of the Property, and CSD may only Transfer the Property to a third party after expiration of the six-month period or receipt of CVWD's written notice that it does not intend to purchase the Property. Upon CVWD's expression of intent to purchase the Property, CVWD must purchase the property within twelve months.

7.3 Survival. This Agreement survives any sale of the Property to a third-party during the Term. CVWD constitutes an intended third-party beneficiary to any agreement between CSD and a third party for the sale of the Property.

#### ARTICLE 8: INSURANCE

8.1 Each Party understands and acknowledges that the other is a public entity and is a member of an insurance pool, pursuant to a joint powers agreement, and the limits of liability under the agreement is set forth in the respective memoranda of coverage for each Party. Each Party agrees to accept the other's status as satisfactory compliance with their respective insurance requirements. In the event either Party decides to change its insurance status, it agrees to provide the other Party with 30 days' advance written notice of the effective date of this change in status. Thereafter, that Party agrees to provide the other with appropriate evidence of insurance coverage(s).

8.2 The Parties agree that it may be necessary to secure property damage coverage for the AWPf that is independent from that currently held by the Parties. The Joint Management Committee may make such recommendation to the respective Board of Directors for each Party. CVWD is responsible for acquiring and paying for any such insurance.

#### ARTICLE 9: AMENDMENT

9.1 This Agreement may be amended at any time by the written consent of the governing body of each Party hereto. Bases for amendment include, without limitation, changes related to the design, construction, operation, and funding of the Project.

#### ARTICLE 10: TERMINATION

10.1 *Term and Termination.* The Parties acknowledge the terms of the SRF Loan require this Agreement to be effective for at least 30 consecutive years, the anticipated life of the Loan. This Agreement becomes effective as of the Effective Date and continue in full force and effect for a minimum term ("Term") of 50 years after the Notice of Completion Date, and, unless terminated, will automatically renew for successive five-year periods on the anniversary of the Notice of Completion Date. Except for non-payment of invoices, this Agreement may only be terminated if written notice of termination is provided not less than one year before the end of any Term. Before any notice of termination, the Parties must engage in the dispute resolution process.

A 90-day notice of default for failure to pay invoices may be provided by a Party. If, following such 90-day notice, the invoice remains unpaid, this Agreement will automatically terminate except upon mutual written agreement ratified by the Board of Directors of both parties. Upon termination, this Agreement will continue to exist for the purpose of disposing of all claims, distribution of assets, and all other functions necessary to conclude the Project. Notwithstanding the foregoing, a Party may pay an invoice under protest, and thereafter engage in the dispute resolution process set forth in this Agreement.

#### ARTICLE 11: SPECIAL PROVISIONS

11.1 *Release and Indemnity.* The Parties to this Agreement release each other and agree to hold each other harmless, as well as their governing boards, officers, agents, administrators and employees, for any loss or liability arising from their respective activities pursuant to this Agreement. Except as otherwise provided herein, each Party agrees to indemnify, defend and hold harmless the other Parties, governing boards, officers, agents, administrators and employees from any and all demands, claims, or liabilities of any nature, including death or injury to any person,

property damage or any other loss caused by or arising out of that Party's performance or failure to perform the obligations assumed under this Agreement.

11.2 Survival. This Article 11 survives termination of this Agreement.

11.3 Dispute Resolution. If a dispute should arise, the General Manager or other executive-level manager for each Party will meet or teleconference to resolve the dispute within 25 calendar days of written notification of the dispute. Before such meeting or teleconference, the Party bringing the dispute will draft and submit to the other Party(ies) a written description, including any factual support, of the disputed mater. After receiving this written description, the other Party(ies) will provide a written response to such written description within a reasonable period of time, not to exceed 15 calendar days after receipt of the written description.

11.3.1 If no resolution of the dispute occurs at the meeting or teleconference and the dispute remains unresolved after 40 calendar days of written description of the dispute, the dispute will be elevated to the Joint Management Committee. The Parties' previously prepared written descriptions and responses must be submitted to the Joint Management Committee for its consideration, and a meeting of the Joint Management Committee must be duly noticed for no more than 70 calendar days after the initial written description of the dispute.

11.3.2 If no resolution of the dispute occurs at the meeting of the Joint Management Committee, the dispute will be elevated to a Joint meeting of the Board of Directors for each Party. The Parties' previously prepared written descriptions and responses must be submitted to the Board of Directors for each Party for its consideration, and Joint meeting of the Board of Directors for each Party must be duly noticed for no more than 60 calendar days after the initial written description of the dispute. If no resolution of the dispute occurs at the meeting of the Board of Directors for each Party and the dispute remains unresolved after 60 calendar days from receipt of the initial written description of the dispute, the Parties agree to submit the dispute to non-binding mediation by a mediator to be mutually selected by the disputing Parties. The costs of mediation will be shared equally by all Parties subject to the dispute. Any statute of limitations will be tolled from the time the matter is submitted to mediation until the mediation process has concluded.

11.3.3 In the event the dispute is not resolved by mediation, the dispute may be resolved by binding arbitration. The Parties must submit such dispute for binding arbitration in Santa Barbara County, California, before an arbitrator selected from Judicate West (or if it no longer exists, from the American Arbitration Association (AAA), of it that no longer exists, from JAMS, or if that no longer exists, from a similar arbitration organization.) Arbitration will be conducted in accordance with Judicate West's, or other chosen arbitration organizations, then current rules related to commercial arbitration. Judicate West's Commercial Arbitration Rules can be found at: <https://www.judicatewest.com/Services/DisplayPDF/127>.

11.3.4 The Parties have all rights to depositions and discovery as provided under the rules of the selected arbitration organization. The arbitrator must apply California law to the proceeding. The arbitrator has the power to grant all legal and equitable remedies including provisional remedies and award compensatory damages provided by law, but the arbitrator may not order relief in excess of what a court could order. The arbitrator must prepare and provide the parties with a written award including factual findings and the legal reasoning upon which the award is based.

Any court having jurisdiction may enter judgment on the award rendered by the arbitrator or correct or vacate such award as provided by applicable law.

11.3.5 Notwithstanding the foregoing, nothing set forth in this Section requires mediation before commencing an action in equity seeking injunctive relief. All applicable statutes of limitation are tolled while the mediation procedures specified herein are pending, and the Parties agree to take all action, including the execution of stipulations or tolling agreements, necessary to effectuate the intent of this provision.

11.3.6 Nothing in this Section prohibits one or both Parties from seeking a special joint meeting of their governing boards to seek resolution of a dispute. A request for such meeting must be made upon 10-day written notice by one Party to the other or, if jointly requested, by mutual scheduling.

11.4 *Force Majeure*. Except as otherwise provided, the Parties are not liable for delays or failures in performance of their obligations under this Agreement that arise out of or result from causes beyond its or their control including, without limitation, the occurrence or threat of the following: an act of public enemy; an act of civil or military authorities; a fire, flood, earthquake or other disaster, natural or otherwise; an explosion; a declared or undeclared war or act of terrorism; an epidemic or pandemic; a national or state emergency; a strike or a lockout, other than strikes or lockouts of the Parties' employees; a riot or civil unrest; a freight embargo; delays of common carriers; acts or orders of governmental authorities, except for acts or orders of the Parties; impact of governmental statutes, regulations, permits or orders imposed or issued after the Effective Date; unavailability of required third-party labor or materials; inability to acquire or retain qualified employees to operate the Project; inability to obtain funding due to a financial crisis; a regulatory agency's failure to issue a required permit or other approval despite submittal of a complete application; litigation involving either the Property or the Project not initiated by the Parties; and any other events or circumstances not within the reasonable control of the affected Party whether similar or dissimilar to any of the foregoing ("Force Majeure Event(s)"). A Force Majeure Event is considered to have ended when the Parties can reasonably and safely resume their respective obligations and efforts under this Agreement.

11.5 *Choice of Law*. This Agreement must in all respects be interpreted, enforced and governed by and under the laws of the State of California. The Parties agree that the venue of any action, proceeding or counterclaim is the County of Santa Barbara.

11.6 *Notice*. Notices required or permitted by this Agreement are sufficiently given if made in writing and delivered personally or by registered or certified mail, postage prepaid, to the Parties as follows:

CVWD:  
Carpinteria Valley Water District  
1301 Santa Ynez Ave.  
Carpinteria, CA 93013  
Attn: General Manager

CSD:  
Carpinteria Sanitary District  
5300 6<sup>th</sup> Street  
Carpinteria, CA 93013  
Attn: General Manager

11.7 Headings. The article and section headings in this Agreement are for reference only and do not define or interpret any provision hereof.

11.8 Severability. If any provisions of this Agreement are invalid or unenforceable, the remainder of this Agreement is not affected thereby, and each provision of this Agreement is valid and enforced to the full extent permitted by law, provided the material provisions of this Agreement can be determined and effectuated.

11.9 Counterparts. This Agreement may be executed in identical counterparts, each of which must be an original, but all of which taken together constitutes one and the same Agreement.

11.10 Cooperative Drafting. This Agreement was drafted through a cooperative effort of CSD and CVWD, each of which have had an opportunity to have the Agreement reviewed and revised by legal counsel. No one Party will be considered the drafter of this Agreement, and no presumption or rule that an ambiguity will be constructed against the drafting Party may apply to the interpretation and enforcement of this Agreement.

11.11 Entire Agreement. Except as otherwise provided in this Agreement, this Agreement constitutes the full and complete Agreement of the Parties.

11.12 Separating Writings, Exhibits, Appendices. The following constitute a part of this Agreement and are incorporated into this Agreement by reference:

- a. Lease Agreement.
- b. Operations Agreement.

11.13 Waiver. No waiver of any breach, any failure of a condition, or any right or remedy under this Agreement (1) is effective unless it is in writing and signed by the Party making the waiver; (2) may be deemed to be a waiver of, or consent, to any other breach, failure of a condition, or right or remedy; or (3) is deemed to constitute a continuing waiver unless the writing expressly so states.

11.14 No Third-Party Rights. Nothing in this Agreement, whether express or implied, is intended to confer any rights or remedies under, or by reason of, this Agreement on any person other than the Parties and their respective successors and assigns, nor is anything in this Agreement intended to relieve or discharge the obligations or liability of any third person to any Party, nor shall any provision give any third person any right of subrogation or action over or against any Party.

11.15 Authorization. The legislative bodies of the Parties have each authorized execution of this Agreement, as evidenced by the signatures below.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by authorized officials thereof on the dates indicated below.

CARPINTERIA VALLEY WATER DISTRICT

APPROVED AND ACCEPTED BY THE BOARD OF DIRECTORS:

By: \_\_\_\_\_  
CASE VAN WINGERDEN  
PRESIDENT, BOARD OF DIRECTORS

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
BOB MCDONALD, BOARD SECRETARY

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
CARI ANN POTTS, GENERAL COUNSEL

DATE: \_\_\_\_\_

[SIGNATURES CONTINUED ON FOLLOWING PAGE]



CARPINTERIA SANITARY DISTRICT

APPROVED AND ACCEPTED BY THE BOARD OF DIRECTORS:

By: \_\_\_\_\_  
MIKE MODUGNO  
PRESIDENT, BOARD OF DIRECTORS

DATE: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
KIM GARCIA, BOARD CLERK

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
KARL H. BERGER, GENERAL COUNSEL

DATE: \_\_\_\_\_

DRAFT

**LEASE AGREEMENT BETWEEN THE  
CARPINTERIA SANITARY DISTRICT AND  
THE CARPINTERIA VALLEY WATER DISTRICT**

THIS LEASE is made and executed this \_\_\_\_ day of \_\_\_\_\_, 2023, (the “Effective Date”) between the Carpinteria Sanitary District (“CSD”), a California special district organized under the Sanitary District Act of 1923, and the Carpinteria Valley Water District (“CVWD”), a California county water district organized pursuant to Division 12 of the Water Code. In this Lease, CSD and CVWD are sometimes individually referred to as a “Party” and collectively as the “Parties.” The Parties agree as follows:

1. **LEASE; DESCRIPTION OF PROPERTY.** CSD leases to CVWD to use, on the terms and conditions of this Lease, portions of real property graphically identified in attached Exhibit “A” (“Property”), which is incorporated by reference, which represents the footprint of the Advanced Water Purification Facility (the “AWPF”). This Lease is exempt from the provisions of the California Subdivision Map Act pursuant to Government Code section 66412.1(b).

2. **SUBJECT OF LEASE.** This Lease is entered into pursuant to that certain Carpinteria Advanced Purification Project Joint Exercise of Powers Agreement executed on xxxx (the “JEP A”). Unless otherwise defined herein all capitalized terms have the meanings ascribed to them in the JEP A. **IN THE EVENT OF ANY CONFLICT BETWEEN THE TERMS AND CONDITIONS OF THIS LEASE AND THE TERMS AND CONDITIONS OF THE JEP A, THE JEP A CONTROLS.**

3. **JEP A.** The JEP A provides for the ground lease of the Property to CVWD and the development and construction thereon of the AWPF pursuant to the terms of the JEP A.

4. **DEVELOPMENT OF THE PROJECT.** CVWD must construct the AWPF on the Property in accordance with the terms and conditions of the JEP A.

5. **USE OF THE PROPERTY.**

A. Use of the Property. CVWD may use the Property and the AWPF only for the uses expressly permitted by the JEP A.

B. Only Lawful Uses Permitted. CVWD may not use the Property or the AWPF for any purpose that is in violation of any applicable law. Additionally, CVWD may not maintain or commit any nuisance on the Property or the AWPF, or any part thereof.

6. **LEASE TERM.** CVWD leases the Property from CSD and CSD leases the Property to CVWD for a term commencing on the Effective Date and ending upon the termination of the JEP A or under one of the permitted methods of termination in this Lease. This Lease will automatically renew upon every renewal of the JEP A, as governed by the JEP A.

7. **RENT/CONSIDERATION.** The Parties acknowledge and agree that the Property is being leased to CVWD pursuant to the terms of the JEPA to enable CVWD to perform its obligations under the JEPA; consequently, no rent is payable by CVWD to CSD hereunder.

8. **UTILITIES AND TAXES.** The Parties agree that the payment for utilities is governed by the terms of the JEPA.

9. **LIENS; STOP PAYMENT NOTICES.** Except as expressly provided in writing by CSD, CVWD agrees to keep the Property free and clear of any mechanics', materialmen's and/or other liens and stop notices (individually, a "Lien" and collectively, "Liens") for or arising out of or in connection with work, labor, services, or materials supplied or claimed to have been supplied to CVWD in connection with CVWD's construction, operation and maintenance of the AWPf, and CVWD agrees to defend, indemnify, and hold CSD and its respective officers, officials, employees, agents, and representatives, harmless against such Liens. If any such Lien is at any time filed against the Property, CVWD must, within 30 days after notice to CVWD of the filing thereof, cause the same to be discharged by payment or bonding. Before commencement of construction of the AWPf on the Property, or any repair or alteration thereto or replacement of any portion thereof, CVWD must give CSD not less than 30 days advance notice in writing of intention to begin said activity in order that non-responsibility notices may be posted.

10. **MAINTENANCE AND REPAIR; CAPITAL REPLACEMENTS; DAMAGE.** Maintenance and repair of, and capital replacements, including damage and destruction to, the AWPf is governed by the terms of the JEPA. CVWD is only responsible for maintenance and repair of, and damage and destruction to, portions of the Property other than the AWPf resulting from CVWD's gross negligence or intentional misconduct.

11. **ENVIRONMENTAL MATTERS.** The allocation of responsibility for hazardous materials with respect to the Property and AWPf is governed by the terms of the JEPA.

12. **ASSIGNMENT, SUBLEASE OR OTHER TRANSFER.** CVWD may not assign, encumber or otherwise transfer this Lease or any right therein, sublet the Property, or sell or encumber the AWPf, without prior written approval of CSD in its sole and absolute discretion. In the event such approval is granted, the subletting, encumbrance or assignment is not effective unless and until the assignor/transferor and assignee/transferee have signed an assignment and assumption agreement in a form and substance acceptable to CSD. Any purported assignment or subletting or sale without the prior written consent of CSD is absolutely null and void and confers no rights whatsoever upon any purported assignee, transferee or sub-lessee.

13. **SIGNAGE.** In accordance with CVWD's Construction Installment Sales Agreement with the California State Water Resources Control Board, CVWD is permitted to place one sign at least four feet tall by eight feet wide for the duration of the construction of the AWPf in a prominent place near the Property. The Parties understand that signage must comply with the requirements set forth in Construction Installment Sales Agreement, which is a separate instrument from this Lease but is publicly available. The Parties will work cooperatively to determine a signage location that is mutually acceptable.

14. **INDEMNITY.** CVWD's indemnification and defense obligations are set forth in the JEPA and are incorporated by this reference.

15. **INSURANCE.** The Parties' insurance obligations concerning liability and the AWPf are governed in the JEPA. Coverage for the Property is provided by CSD.

16. **COMPLIANCE WITH LAW.** Compliance with laws is addressed in the JEPA.

17. **ENTRY AND INSPECTION.** CSD may enter the Property at any time for any purpose but CSD's inspection of the AWPf is governed by the JEPA. Aside from the foregoing, CVWD has a right to quiet possession of the Property.

18. **ENTRY BY PUBLIC OFFICIALS.** In accordance with the State Water Resources Control Board Construction Installment Sales Agreement, CSD will allow CVWD to permit authorized representatives from the State Water Board, the Governor of California, authorized representatives from the United States Environmental Protection Agency, authorized representatives from the Office of Inspector General, any member of Congress, or any delegee of the foregoing, to access and inspect the Property, including the AWPf, at all reasonable times during the Term of this Lease.

19. **EVENTS OF DEFAULT.** A Party is in default of its obligations under this Lease if that Party defaults on its obligations under the JEPA.

20. **REMEDIES.** In the event of a default by CVWD, CSD may, at its option, take any or all of the following actions:

A. Correct or cause to be corrected said default and charge the costs thereof to CVWD, which CVWD must pay within 90 days after written demand;

B. Terminate this Lease in accordance with the Termination procedures provided in Section 10.1 of the JEPA.

21. **EARLY TERMINATION.** As set forth in Section 3.18 of the JEPA, the Parties understand and agree that future regulation may require CSD to fund and construct facilities that are needed to comply with such regulations. This may include mandated capacity expansion due to currently unanticipated levels of development within the region. In the event that compliance measures unavoidably require CSD's use of portions of the property occupied by the AWPf, the parties agree to negotiate early termination of this Lease in good faith. If agreement cannot be reached, the Dispute Resolution procedures in Section 11.3 of the JEPA will be followed.

22. **DISPUTE RESOLUTION.** The Parties incorporate by reference the JEPA's Dispute Resolution procedures.

23. **RIGHT OF THE PARTIES IN THE EVENT OF TERMINATION OF LEASE.** Upon termination of this Lease, CSD may re-enter and repossess the Property and the AWPf and CVWD must surrender and deliver the Property to CSD within six months of

such termination in good order, condition and repair, except for reasonable wear and tear. During this six-month period, CVWD may relocate as many portable portions of the AWP as possible. Termination of this Lease does not relieve or release CVWD from any obligation incurred pursuant to this Lease before the date of such termination.

**24. RIGHTS AND REMEDIES ARE CUMULATIVE.** These remedies are not exclusive and shall be cumulative to all other rights and remedies possessed by CSD. The exercise by CSD of one or more such rights or remedies does not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by CVWD.

**25. MISCELLANEOUS.**

A. **Governing Law.** This Lease is governed by the laws of the State of California.

B. **Legal Actions.** In addition to any other rights or remedies, either Party may institute legal action to cure, correct or remedy any default, to recover damages for any default, or to obtain any other remedy consistent with the purpose of this Lease. Such legal actions must be instituted in the Superior Court of Santa Barbara County, State of California, in any other appropriate court in that County, or in the Federal District Court in the District of California in which the Property is located.

C. **Acceptance of Service of Process.** If any legal action is commenced by one Party against the other, service of process on a Party must be made by personal service upon the Party's General Manager, or in such other manner as may be provided by law.

**26. POSSESSORY INTEREST TAXES.** CVWD is informed by CSD pursuant to Revenue & Taxation Code § 107.6 that its property interest in the land may be subject to property taxation if created and that a lessee may be subject to the payment of property taxes levied on its interest. CVWD may not deduct such amount from payments to CSD. The Parties understand and agree that the Parties are each public agencies, neither of which should be subject to payment of possessory interest taxes. In the event possessory interest taxes are levied on CVWD's interest in the Property, the Parties will cooperatively resolve or terminate any such levy.

**27. NOTICES.** All notices must be given as provided in the JEP.

**28. TIME IS OF THE ESSENCE.** Time is of the essence in the performance of the terms and conditions of this Lease.

**29. WAIVERS AND AMENDMENTS.** All waivers and amendments of the provisions of this Lease must be in writing and signed by the appropriate authorities of CSD or CVWD. The waiver by CSD of any breach of any term, covenant, or condition herein contained may not be deemed to be a waiver of such term, covenant or condition, or any subsequent breach of the same or any other term, covenant or condition herein contained. Failure on the part of CSD to require or exact full and complete compliance with any of

the covenants or conditions of this Lease may not be construed as in any manner changing the terms hereof and does not prevent CSD from enforcing any provision hereof.

30. **ENTIRE AGREEMENT.** Except as otherwise provided as to the JEPA, this Lease sets forth the entire understanding of the Parties with respect to CVWD's ground lease of the Property.

31. **BINDING EFFECT.** This Lease is binding upon and (subject to restrictions on assignment and subletting) inures to the benefit of the parties hereto and their successors and assigns.

32. **ESTOPPEL CERTIFICATES.** Each of the Parties may at any time and from time to time upon not less than 30 days' prior notice by the other, execute, acknowledge and deliver to such other Party a statement in writing certifying that this Lease is unmodified and is in full force and effect (or if there shall have been modifications that this Lease is in full force and effect as modified and stating the modifications), and stating whether or not to the best knowledge of the signer of such certificate such other Party is in default in performing or observing any provision of this Lease, and, if in default, specifying each such default of which the signer may have knowledge, and such other matters as such other Party may reasonably request, it being intended that any such statement delivered by CVWD may be relied upon by CSD or any successor in interest to CSD or any prospective mortgagee or encumbrancer, and it being further intended that any such statement delivered by CSD may be relied upon by any prospective assignee of CVWD's interest in this Lease. Reliance on any such certificate may not extend to any default as to which the signer of the certificate has no actual knowledge.

33. **MEMORANDUM OF LEASE.** Upon the execution of this Lease, CVWD will execute, acknowledge, and record a memorandum of this Lease in the form of Exhibit "B" and deliver it to CSD.

34. **CONDITION OF PROPERTY UPON TERMINATION.** Within six months of termination of this Lease for any reason, and except as provided for Transfer of the Property under the JEPA, CVWD will vacate the Property and deliver it to CSD in good order and condition, damage by the elements, earthquake, and ordinary wear and tear excepted.

35. **LEASE BY CSD.** Should CSD lease any part of the Property to any transferee other than CVWD, then such transfer is under and subject to this Lease and all of CVWD's rights hereunder.

36. **RELOCATION BENEFITS.** CVWD acknowledges that it was informed that CSD is a public entity and that the Property was previously acquired by CSD for a public purpose. CVWD further acknowledges that any rights acquired under this Lease arose after the date of acquisition of the Property and that said rights are subject to termination when the Property is needed by CSD. CVWD acknowledges that at the time of any termination of this Lease, CVWD will not be a "displaced person" entitled to any of the relocation assistance or benefits offered to displaced persons under State or Federal law.

37. **FORCE MAJEURE.** Should performance of this Lease be prevented due to fire, flood, explosion, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the Parties' control for a consecutive 12-month period, either Party may terminate this Lease.

38. **WAIVER OF BREACH.** Any express or implied waiver of a breach of any term of this Lease will not constitute a waiver of any further breach of the same or other term of this Lease.

39. **CONSTRUCTION.** The language of each part of this Lease will be construed simply and according to its fair meaning, and this Lease will never be construed either for or against either Party.

40. **AUTHORITY/MODIFICATION.** The Parties represent and warrant that all necessary action has been taken by the Parties to authorize the undersigned to execute this Lease and to engage in the actions described herein. This Lease may be modified by written amendment signed by duly authorized representatives of both Parties. The Parties' General Managers, or their designees, may execute any such amendment if authorized by their respective Boards of Directors.

41. **COUNTERPARTS.** This Lease may be executed in any number or counterparts, each of which will be an original, but all of which together will constitute one instrument executed on the same date.

IN WITNESS WHEREOF the Parties have executed this contract the day and year first hereinabove written.

CARPINTERIA SANITARY DISTRICT

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

CARPINTERIA VALLEY WATER DISTRICT

\_\_\_\_\_

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_





# Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013  
Phone (805) 684-2816

BOARD OF DIRECTORS

*Case Van Wingerden*  
President

*Casey Balch*  
*Polly Holcombe*  
*Shirley L. Johnson*  
*Matthew Roberts*

GENERAL MANAGER

*Robert McDonald, P.E. MPA*

To: CVWD Board of Directors

From: Bob McDonald, General Manager

Date: November 13, 2024

## **For Consideration: Item IX.G. - CAPP EIR Addendum**

### **Background**

On December 11, 2019 Carpinteria Valley Water District (CVWD) adopted the Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP) for the Carpinteria Advanced Purification Project (CAPP). Now, five years later, some elements of the original concept have been modified as design has progressed to 75% completion. Since project elements have been modified, a CAPP EIR and MMRP Addendum (Addendum) was prepared. References below and in the Addendum to the "Approved Project" describe what was included in the 2019 EIR and references to the "Modified Project" refer to changes proposed in this Addendum.

Section 15164 of the CEQA Guidelines states: "The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Conditions that may warrant a subsequent EIR or more include:

- 1) Substantial changes are proposed in the project which would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR become available

## **Item IX.D- CAPP EIR Addendum**

None of the conditions described in section 15162 were satisfied and thus only an Addendum to the EIR and MMRP is required. There are no substantial changes proposed in the Modified Project; no substantial changes in the circumstances under which the Modified Project would be undertaken; and no new information of substantial importance which was unknown or could not have been known at the time the EIR was certified.

### **CAPP EIR Addendum**

Below is a summary of the proposed changes from the Approved Project to the Modified Project as described and evaluated in the CAPP EIR Addendum.

#### ***Injection Well Locations***

The EIR identified up to three injection wells at five different potential locations. The EIR Addendum reduces the number of injection wells to two, but the locations differ slightly from the sites identified. Included in the EIR Addendum is the addition of two injection well locations, both within the public right-of-way, one on Linden Ave and one on Meadow View Lane. The wells are of similar depth and size to what was originally described in the EIR and would be constructed in the same manner as originally approved.

Under the Modified Project, the above grade backwash storage tank was removed. Instead, a 48-inch buried pipeline installed in Meadow View Lane will allow for the injection well backwash to be slowly metered into the sewer collection system and returned to Carpinteria Sanitation District's wastewater treatment plant for advanced water purification.

#### ***Monitoring Well Locations***

The EIR Addendum also expands the monitoring well locations to include the roadway right-of-way at the western end of Meadow View Lane (adjacent to the proposed injection Well location in public right-of-way), as well as to CVWD headquarters at 1301 Santa Ynez Road and the adjacent roadway right-of-way. The total number of monitoring wells, size, depth, and construction methods would remain the same as the Approved Project, with up to four monitoring well clusters being constructed for the Project, though one monitoring well cluster at El Carro Park has already been constructed and is not included in this analysis

#### ***AWPF Layout***

The Advanced Water Purification Facility remains on the Carpinteria Sanitary District's existing wastewater treatment plant site. Below is a short summary of the changes from the Approved Project:

- Total building height increased from 20 feet above grade to 30 feet above grade (similar in height to the existing building)
- AWP Process Building increased from 8,900 square feet to approximately 12,000 square feet.
- The 200,000-gallon equalization tank changed from an above ground steel tank to a completely buried concrete tank.
- Overall treatment capacity increased from 1.2 MGD in the Approved Project to up to 1.3 MGD to capture more of the peak flows.

#### **Item IX.D- CAPP EIR Addendum**

- Foundation for the building will be supported by deep-soil cement-mixing, instead of driven or drilled piles.

#### **Evaluation of Environmental Impacts**

The Modified Project involves relocating two planned injection wells to public right-of-way, reducing the number of injection wells from three to two, altering the layout and final design of the treatment facilities, and expanding potential locations for monitoring wells. The change in location of the injection wells does not result in a meaningful change in the length of pipeline constructed, only moving two injection wells from adjacent parcels to the public right-of-way. The layout and design changes at the Advanced Water Purification Facility include increasing the structure height to 30 feet, but the construction methods remain similar to those evaluated in the EIR.

The conclusions and mitigation measures in the CAPP EIR are applicable to the Modified Project. The Modified Project is not associated with new significant impacts or greater severity of impacts compared to the Approved Project.

#### **Recommendation:**

Public review is not required for a CEQA Addendum. Staff recommends the Board approve the CAPP CEQA Addendum.



# Addendum No. 1 to Environmental Impact Report

## Carpinteria Advanced Purification Project

# CAPP

Replenishing Our Groundwater for the Future

**State Clearinghouse #2019011016**

**Prepared by:**

Carpinteria Valley Water District  
1301 Santa Ynez Ave.  
Carpinteria, CA 93013

**With Assistance From:**



**Woodard  
& Curran**

9665 Chesapeake Drive, Suite 320  
San Diego, CA 92123  
858.875.7400

**October 2024**  
CVWD

## TABLE OF CONTENTS

<b>1.</b>	<b>INTRODUCTION.....</b>	<b>1-1</b>
1.1	Background.....	1-1
1.1.1	Approved Project .....	1-1
1.1.2	Proposed Modified Project.....	1-3
1.2	Purpose of Addendum .....	1-6
1.3	Basis for Addendum .....	1-8
1.4	Evaluation of Environmental Impacts.....	1-9
1.5	Summary of Findings.....	1-12
<b>2.</b>	<b>PROJECT DESCRIPTION.....</b>	<b>2-13</b>
2.1	Purpose of Project .....	2-13
2.2	Description of Modified Project .....	2-13
2.2.1	Changes to Injection Wells .....	2-13
	<i>Alternative Location for Well Site #3 - Linden Injection Well .....</i>	<i>2-13</i>
	<i>Injection Well – Meadow View Well (Well Site #4) .....</i>	<i>2-16</i>
	<i>Injection Well Construction.....</i>	<i>2-17</i>
2.2.2	Expansion of Potential Monitoring Well Locations .....	2-18
	<i>Monitoring Well Construction .....</i>	<i>2-18</i>
2.2.3	Modifications to the AWPf.....	2-18
2.2.4	Construction Equipment and Staging .....	2-22
2.2.5	Construction Trip Generation.....	2-22
2.2.6	Construction Schedule.....	2-23
2.2.7	Project Operation and Maintenance .....	2-23
2.3	Environmental Commitments.....	2-23
2.4	Permits and Discretionary Approvals.....	2-25
<b>3.</b>	<b>EVALUATION OF ENVIRONMENTAL IMPACTS.....</b>	<b>3-1</b>
3.1	Aesthetics .....	3-1
3.2	Agriculture and Forestry Resources .....	3-4
3.3	Air Quality .....	3-5
3.4	Biological Resources .....	3-5
3.5	Marine Biological Resources .....	3-14
3.6	Cultural Resources .....	3-14
3.7	Energy .....	3-17
3.8	Geology and Soils.....	3-17
3.9	Greenhouse Gas Emissions .....	3-21
3.10	Hazards and Hazardous Materials.....	3-22
3.11	Hydrology and Water Quality .....	3-28
3.12	Land Use and Planning.....	3-30
3.13	Mineral Resources.....	3-32
3.14	Noise.....	3-33
3.15	Population and Housing.....	3-38
3.16	Public Services .....	3-39

3.17	Recreation .....	3-40
3.18	Transportation.....	3-40
3.19	Tribal Cultural Resources .....	3-44
3.20	Utilities and Service Systems.....	3-46
3.21	Wildfire.....	3-46
3.22	Environmental Justice.....	3-48
3.23	Federal Crosscutters.....	3-49
<b>4.</b>	<b>CONCLUSIONS.....</b>	<b>4-1</b>

#### **LIST OF TABLES**

Table 2-1: Construction Equipment.....	2-22
Table 2-2: Permits and Approvals .....	2-25

#### **LIST OF FIGURES**

Figure 1-1: Approved Project Evaluated in EIR .....	1-2
Figure 1-2: Modified Project .....	1-7
Figure 2-1: Well Site #3 Layout from Approved Project and Modified Project .....	2-14
Figure 2-2: Rendering of Meadow View Well Looking South .....	2-17
Figure 2-3: AWPf Site Layout under Approved Project .....	2-20
Figure 2-4: AWPf Layout under Modified Project .....	2-21
Figure 2-5: Rendering of AWPf Under the Modified Project.....	2-21
Figure 3-1: Visual Rendering of AWPf Structures in Modified Project.....	3-3

### Acronyms

AOP	Advanced oxidation process
bgs	below ground surface
CAPP	Carpinteria Advanced Purification Project
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CVWD	Carpinteria Valley Water District
EIR	Environmental Impact Report
MF	microfiltration
MGD	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
MS4	Municipal Separate Storm System
PWPS	Purified water pump station
RWO	right-of-way
SCH	State Clearinghouse
UF	ultrafiltration
WWTP	Wastewater Treatment Plant

## 1. INTRODUCTION

This document is Addendum No. 1 to the Carpinteria Advanced Purification Project Environmental Impact Report (State Clearinghouse [SCH] No. 2019011016), referred to hereafter as the “EIR”. This Addendum to the EIR has been prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 15164.

### 1.1 Background

On December 11, 2019 Carpinteria Valley Water District (CVWD) adopted the EIR and Mitigation Monitoring and Reporting Program (MMRP) for the Carpinteria Advanced Purification Project (Approved Project). In September 2023, as part of final design activities, CVWD determined the need to include changes to the Approved Project. An Addendum to the EIR has been identified as the appropriate CEQA documentation to address these proposed changes (see *Section 1.3* below).

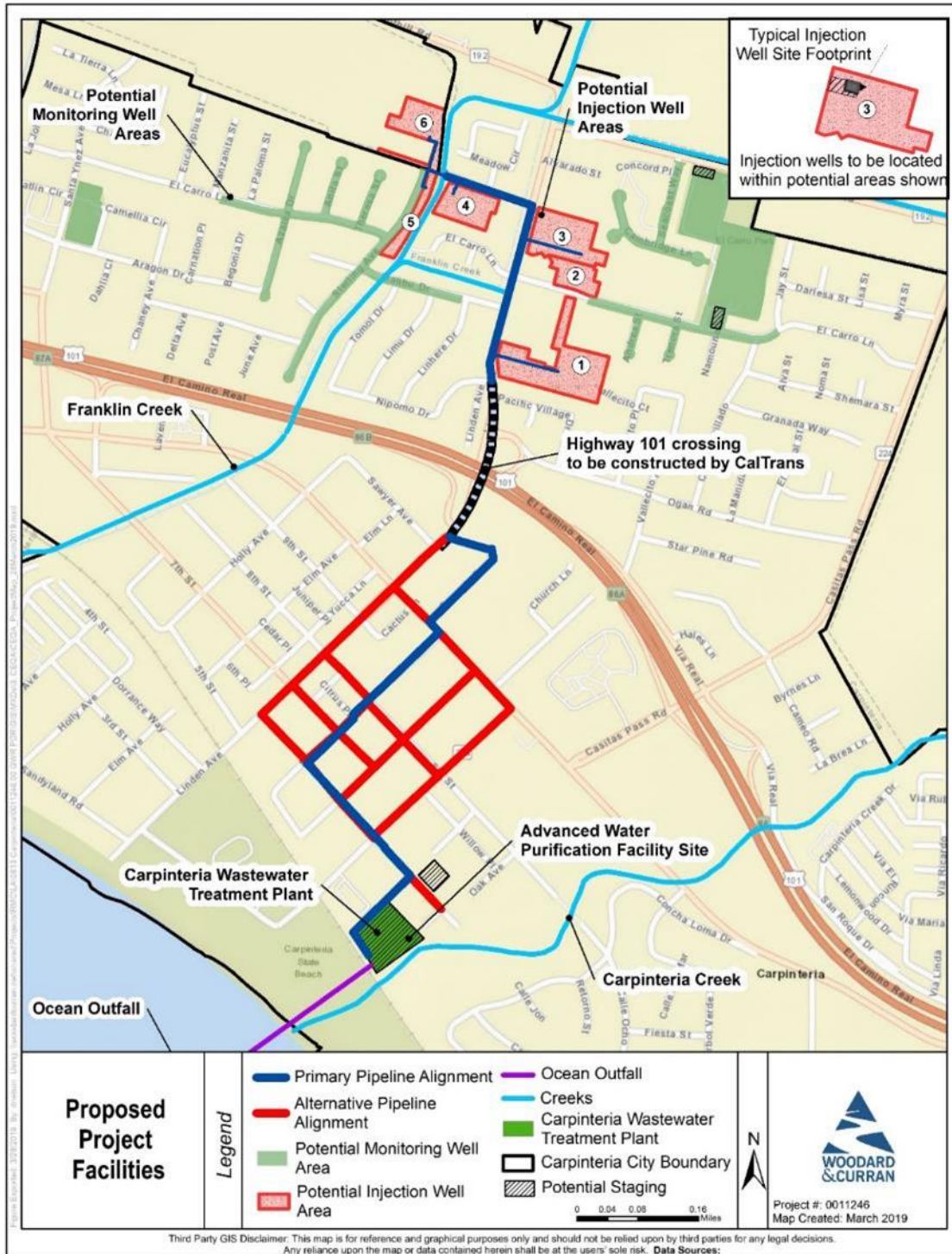
#### 1.1.1 Approved Project

The EIR analyzed the environmental impacts of the construction and operation of an advanced water purification facility (AWPF), injection wells, monitoring wells, and conveyance pipelines in the City of Carpinteria and unincorporated Santa Barbara County, shown in **Figure 1-1**. The majority of the Approved Project is located primarily in the City of Carpinteria, with one proposed well site in unincorporated Santa Barbara County (Well Site #6). The Approved Project footprint covers the AWPF site at 5351 Sixth Street (co-located with Carpinteria Sanitary District’s [CSD] Wastewater Treatment Plant [WWTP] site), an up-to-40-foot-wide corridor that follows the conveyance pipelines, 10,000 square feet at each of up to three injection well sites, 5,000 square feet at each of three monitoring well sites, and the immediate area around the existing ocean outfall. The injection well sites would be located approximately 0.8 to 1.0 miles north of the AWPF. Five potential injection well sites were identified in the EIR, though only three would be selected as design continues and property rights are acquired. A sixth potential injection well site was included in the project alternatives, shown here as the Franklin Creek park site (Well Site #5 in the EIR). Conveyance pipelines between the AWPF and the injection wells would generally run within the public roadway rights-of-way (ROW) or existing CVWD easements. The pipeline would cross U.S. Highway 101 at the Linden Street Overpass in a pipeline casing installed by Caltrans as part of a separate project. The Approved Project is roughly bounded to the east by Carpinteria Creek, the south by the Pacific Ocean, the west by Sterling Avenue, and the north by Foothill Road/Highway 192. When completed, the Approved Project would produce approximately 1,100 acre-feet per year (AFY) of purified water from the CSD WWTP for injection into the local groundwater basin. This water would ultimately be used for CVWD potable water supply, and existing CVWD production wells would be used to recover treated water from the groundwater basin.



Introduction

Figure 1-1: Approved Project Evaluated in EIR



As described in the Final EIR, the Approved Project's facilities consist of:

- Advanced Water Purification Facility consisting of equalization tank, ultrafiltration (UF), reverse osmosis (RO), and an advanced oxidization process (AOP), to be located on the WWTP site
- Purified Water Pump Station (PWPS), to be located on the WWTP site
- 6,100 linear feet (LF) of 12-inch conveyance pipeline from the PWPS to a well lateral split point, including Caltrans installation for the Linden Avenue overpass over U.S. Highway 101
- 2,000 LF of 8-inch conveyance pipeline from the well lateral split point to two individual injection wells (1,000 LF of pipeline to each well)
- Up to three 14-inch diameter injection wells with backwash pumps and one 42,000-gallon tank
- Either 1,400 LF of 12-inch well backwash discharge piping to existing sanitary sewers, or 600 LF of 12-inch discharge piping to existing storm drain culverts
- Up to six monitoring wells, each consisting of either nested wells (three different casings in each well nesting in a single borehole) or three individual wells at different depths (cluster)
- Modifications to the CSD WWTP ocean outfall

### **1.1.2 Proposed Modified Project**

The following are summaries of new project elements that modify the Approved Project. These modified elements, together with the Approved Project, constitute the "Modified Project." A detailed listing of the new elements can be found in *Section 2 Project Description*.

#### ***Alternative Location for Well Site #3 - Linden Injection Well***

The Modified Project is considering alternative locations for the injection well proposed for Well Site #3, which is now referred to as the Linden Injection Well under the Modified Project. The Modified Project maintains the potential placement of the well at the corner of the parcel near Linden Avenue as described in the EIR, but includes a new potential location for the well in the roadway ROW on Linden Avenue, approximately 250 feet north of the intersection of Linden Avenue and El Carro Lane. This well would have a similar size and depth as originally described in the Approved Project and would be constructed in the same manner as originally approved, though the wellhead would be located below-ground in a manhole instead of a below-ground vault. Above-grade appurtenances and electrical controls will be located inside a fenced enclosure within the ROW along the sidewalk or within the parcel.

### ***Alternative Location for Well Site #4 - Meadow View Injection Well***

The Modified Project includes an alternative location for the injection well at Well Site #4. The new location would be the roadway ROW on Meadow View Lane adjacent to the Well Site #4 parcel, owned by the Church of Latter-day Saints. The new location would be located approximately 350 feet west of the intersection of Meadow View Lane and Linden Avenue. This well would have a similar size and depth as originally described in the Approved Project and would be constructed in the same manner as originally approved, though the wellhead would be located below-ground in a manhole with above-grade appurtenances and electrical controls located behind the sidewalk in the roadway ROW. Above-grade equipment will be inside a fenced enclosure within the ROW along the sidewalk. Restoration to sidewalk and paving is subject to City permitting. The addition of the Meadow View Lane ROW as a proposed location for the injection well does not change the total number of injection wells planned for the project. Under the Modified Project, there would no longer be a backwash storage tank constructed at Well Site #4. Instead, a buried pipeline is proposed that will be sufficient in size to convey the injection well backwash to the sewer collection system, eliminating the need for the above-ground storage tank. This buried 48-inch pipeline in Meadow View Lane will allow for the backwash to be conveyed to the sewer system along Linden Avenue and returned to CSD's water reclamation plant for advanced water purification back into the groundwater system. Staging and soundwalls may be located on existing paved surfaces within 50 feet of the Franklin Creek embankment, though the environmental commitments included in the EIR, including compliance with permit requirements (including implementation of a Stormwater Pollution Prevention Plan) and keeping the areas clean of trash and debris, would be implemented to avoid potential impacts to the creek.

### ***Expansion of Monitoring Well Locations***

The Modified Project would expand the potential locations for monitoring well clusters to include injection Well Site #2 and injection Well Site #3 of the Approved Project, the roadway ROW at the western end of Meadow View Lane (adjacent to injection Well Site #4), as well as to CVWD headquarters at 1301 Santa Ynez Road and the adjacent roadway ROWs. The total number of monitoring wells, size, depth, and construction methods would remain the same as the Approved Project, with up to four monitoring well clusters being constructed for the Project, though one monitoring well cluster at El Carro Park has already been constructed and is not included in this analysis. **Figure 1-2** shows the expanded locations to be considered for monitoring wells based on final design, modeling, and permitting requirements.

### ***Modifications to the AWPf Layout***

The Modified Project includes changes to the AWPf layout, although all facilities would remain within the CSD WWTP site. Layout changes have resulted in an increase in total building height from 20 feet above grade to 30 feet above grade, and increased the total footprint of the AWPf Process Building from 8,900 square feet to approximately 12,000 square feet with the Process Building at 8,300 square feet and the exterior canopy over the chemical and ultra-violet (UV) reactor at 3,700 square feet. The 200,000 gallon

equalization tank will be completely buried, increasing the excavation depth to approximately 21 feet, and eliminating the 27-foot tall above-ground equalization tank that was included in the Approved Project. The AWPf treatment train would remain the same as described in the Approved Project, and include ultrafiltration (UF), reverse osmosis (RO), advanced oxidation process (AOP) with UV and free chlorine, with a slight increase in overall treatment capacity from 1.2 MGD in the Approved Project to up to 1.3 MGD in peak conditions under the Modified Project. The Modified Project would average 1.0 MGD for an estimated total average purified effluent of 1,100 AFY, consistent with the Approved Project. The foundation for the building will be supported by deep-soil cement-mixing, instead of driven or drilled piles. Staging would occur within the paved areas of the AWPf site, including within 50 feet of the wall bordering Carpinteria Creek.

In summary, the Modified Project's facilities consist of the following elements, with modifications addressed in this Addendum shown in **bold**:

- Advanced Water Purification Facility consisting of below grade equalization tank, below grade waste tank, UF, RO, and an AOP), systems, to be located on the WWTP site, **with an expanded building height, buried equalization tank, increased treatment capacity and supported on stabilized soils via deep-soil cement mixing ground improvements.**
- Purified Water Pump Station (PWPS) and 10,000 gallon below grade clearwell, to be located on the WWTP site
- 6,100 linear feet (LF) of 10-inch conveyance pipeline from the PWPS to a well lateral split point, including Caltrans installation for the Linden Avenue overpass over U.S. Highway 101
- 1,000 LF of 8-inch conveyance pipeline from the well lateral split point to two individual injection wells **(a reduction of 1,000 LF of pipeline)**
- Up to two 14-inch diameter injection wells with backwash pumps **including a change in the potential location of two previously planned injection wells from parcels to the roadway ROW, the elimination of one injection well, and elimination of a 42,000 gallon storage tank.**
- 600 LF of pressurized 12-inch piping and **400 LF of gravity 48-inch well backwash discharge piping** to existing sanitary sewers; including associated sewer manholes and air-gap discharge to sewer near wellheads; **a reduction of 400 total LF of backwash piping and avoidance of backwash discharge to the storm system.**
- Up to three monitoring well clusters, **including expanded potential locations and representing a reduction in total number of monitoring well clusters from the Approved Project.**

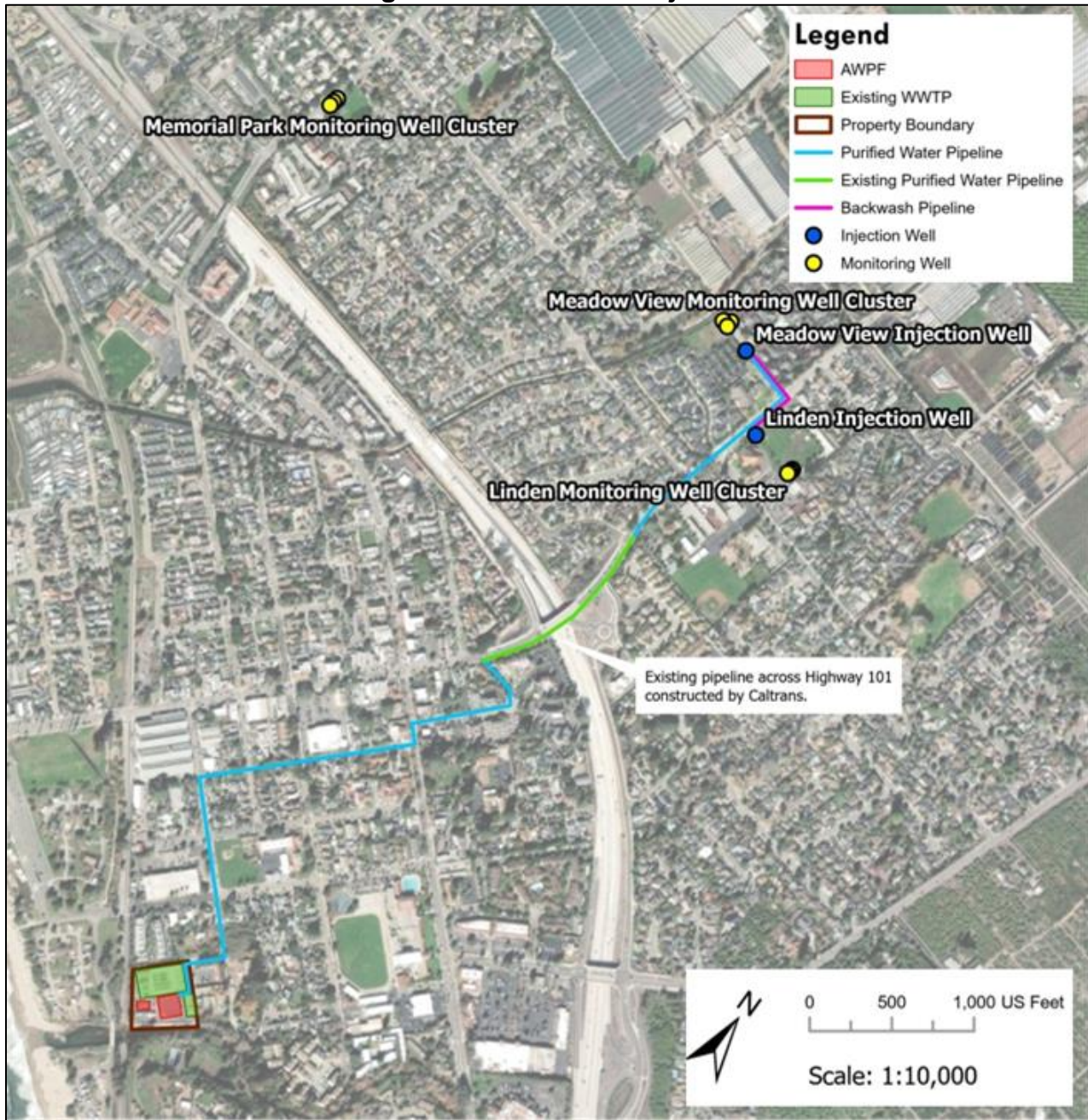
Modifications to the ocean outfall have already been completed, consistent with the EIR. One monitoring well cluster (El Carro monitoring wells) were completed as a separate project and were addressed via an MND, because they are part of the Carpinteria Groundwater Sustainability Agency's groundwater monitoring program and not specific

to the Approved or Modified Project. For these reasons, neither the ocean outfall modifications nor the El Carro monitoring wells are part of the Modified Project. Additionally, the Modified Project eliminates the need for the Franklin Creek crossing included in the Approved Project.

## **1.2 Purpose of Addendum**

Addendum No. 1 addresses potential environmental effects of the construction and operation of the Modified Project as shown in **Figure 1-2** (and discussed in greater detail in Section 2). The Draft EIR, Final EIR, and Addendum No. 1, together with the other documents incorporated by reference herein, serve as the environmental review of the Carpinteria Advanced Purification Project (Modified Project), as required pursuant to the provisions of CEQA, the CEQA guidelines, 14 California Code of Regulations (CCR) Section 15164 et seq. The environmental analysis in this Addendum and all feasible mitigation measures identified in the EIR would be incorporated into the resolutions approving the Modified Project.

Figure 1-2: Modified Project



### 1.3 Basis for Addendum

Section 15164 of the CEQA Guidelines states: "The lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Pursuant to Section 15162 of the CEQA Guidelines, no subsequent EIR may be required for the project unless the lead agency determines, on the basis of substantial evidence, that one or more of the following conditions are met:

- A. When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:
  - (1) Substantial changes are proposed in the project which would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
  - (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
    - (a) The project would have one or more significant effects not discussed in the previous EIR or negative declaration;
    - (b) Significant effects previously examined would be substantially more severe than shown in the previous EIR;
    - (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - (d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

- B. If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.
- C. Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.

CVWD has assessed the proposed project modifications in light of the requirements defined under Section 15162 of the CEQA Guidelines. As discussed in this Addendum, none of the conditions requiring preparation of a subsequent negative declaration under Section 15162 of the CEQA Guidelines are satisfied.

#### **1.4 Evaluation of Environmental Impacts**

This Addendum uses the Environmental Checklist questions, pursuant to Section 15063(d)(3) of the CEQA guidelines, to compare the anticipated environmental effects of the proposed Modified Project with those disclosed in the EIR, and reviews whether any of the conditions requiring preparation of a Subsequent EIR pursuant to Section 15162 of the CEQA Guidelines are met, and whether there are new significant impacts resulting from the proposed Modified Project. The Environmental Checklist questions used to review the potential environmental effects of the proposed Modified Project for each of the following areas:

- Aesthetics;
- Agriculture Resources;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Energy;
- Geology and Soils;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Mineral Resources;
- Noise;
- Population and Housing;
- Public Services;
- Recreation;



- Transportation;
- Tribal Cultural Resources;
- Utilities and Service Systems; and
- Wildfire

The Modified Project would involve a change in the location of two previously planned injection wells for advanced purified water, a reduction in the number of injection wells from three to two, and changes to the layout and final design of treatment facilities for the Carpinteria Advanced Purification Project. It would also expand the potential location of monitoring wells and reduce the overall number of monitoring wells. The change in location of the injection wells would not result in a meaningful change in the length of pipeline constructed and would move two injection wells from parcels to the roadway ROW. The change to the layout and design at the AWPf would increase the height of the structures to 30 feet. The methods of construction (i.e., drilling, pavement cutting, grading, trenching, and restoration) are the same as, or very similar to, those evaluated in the EIR. The overall excavation required for the Modified Project would be less than what was assumed in the environmental analysis for the Approved Project in the EIR based on refined design details. The Modified Project would result in a 15 percent reduction in the number of haul trips compared to the Approved Project. Based on the similarities in construction methods and location of the Approved Project and the Modified Project, and based on the reduction in overall excavation required for the AWPf structures, the environmental analyses provided in the EIR remains current and applicable to the Modified Project. The conclusions and mitigation measures in the EIR are applicable to the Modified Project. As explained below, the Modified Project is not associated with new significant impacts or greater severity of impacts compared to the Approved Project.

The following resource areas were found to have No Impact or Less than Significant Impact in the EIR, and the Modified Project would also result in a finding of No Impact or Less than Significant Impact. No additional analysis is required for the following unchanged environmental resources evaluated in the EIR. For a discussion and analysis of the resources topics below please refer to the previous EIR, these resource areas are not analyzed further in this Addendum:

- 3.1 Aesthetics
  - 3.1-2) *Damage scenic resources within the viewshed of a State scenic highway*
- 3.2 Agriculture and Forestry Resources
- 3.3 Air Quality
- 3.4 Biological Resources
  - 3.4-4) *Interfere substantially with the movement of fish or wildlife;*
  - 3.4-6) *conflict with local, regional, or state habitat conservation plan*
- 3.5 Marine Biological Resources
  - 3.5-6) *conflict with local, regional, or state habitat conservation plan*
- 3.6 Cultural resources

- 3.6-1) *cause substantial adverse change in the significance of a historical resource*
- 3.7 Energy
- 3.8 Geology and Soils
  - 3.8-1.i) *cause potential substantial adverse effects involving rupture of known earthquake fault;*
  - 3.8-1.iv) *cause potential substantial adverse effects involving landslides;*
  - 3.8-4) *have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems*
- 3.9 Greenhouse Gas Emissions
- 3.10 Hazards and Hazardous Materials
  - 3.10-5) *within two miles of a public airport or public use airport result in a safety hazard or excessive noise*
- 3.11 Hydrology and Water Quality
  - 3.11-2) *substantially decrease groundwater supplies or interfere substantially with groundwater recharge*
  - 3.110-3) *substantially alter the existing drainage pattern of the site or area*
- 3.12 Land Use and Planning
  - 3.12-1) *physically divide an established community*
- 3.13 Mineral Resources
- 3.14 Noise
  - 3.14-2) *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*
- 3.15 Population and Housing
- 3.16 Recreation
- 3.17 Transportation
  - 3.17-2) *conflict with CEQA Guidelines Section 15064.3, subdivision (b)*
- 3.18 Utilities and Service Systems
- 3.19 Wildfire
  - 3.19-4) *expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes*
- 3.20 Environmental Justice

This Addendum evaluates environmental resources where the proposed Modified Project changes could result in changes to impacts and environmental resources that were potentially significantly impacted by the Approved Project and required mitigation as disclosed in the EIR. Because of the Modified Project's similarity to the Approved Project in construction methods, and because the Modified Project would result in a reduction of overall excavation, there is the potential for the Modified Project to have similar or lesser impacts as the Approved Project.

## **1.5 Summary of Findings**

The environmental evaluation in this Addendum has concluded that major revisions of the EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects are not required. There are no substantial changes proposed in the Modified Project; no substantial changes in the circumstances under which the Modified Project would be undertaken; and no new information of substantial importance which was unknown or could not have been known at the time the EIR was certified. The impacts of the Modified Project are consistent with the impacts of the Approved Project in the EIR. There are no new significant impacts resulting from implementation of the Modified Project, nor are there any substantial increases in the severity of any previously identified environmental impacts, and no new mitigation measures would be required. The environmental analysis in this Addendum and all feasible mitigation measures identified in the EIR would be incorporated into the resolutions approving the Modified Project.

## 2. PROJECT DESCRIPTION

### 2.1 Purpose of Project

The overall goal of the Project is described in the EIR's *Section 2.2 Project Purpose*. As with the Approved Project, the proposed Modified Project is expected to create an additional 1,100 acre-feet per year (AFY) potable water with three total injection wells and six monitoring well clusters.

The objectives of the Modified Project are the same as the original EIR, with a slight change in the total volume of water and treatment capacity, neither of which represent a meaningful difference in project objectives. The change in the objective related to volume is shown in ~~strikeout~~:

1. Create a new, drought-resistant, reliable supply of local water.
2. Produce approximately 1,100 AFY on average advanced treated water suitable for groundwater recharge and potable reuse (at ~~1.0~~ 1.3 MGD capacity), ~~with the ability to expand to up to 1,200 AFY (at 1.2 MGD capacity)~~.
3. Reduce CVWD's reliance on imported surface water and storage at Lake Cachuma.

### 2.2 Description of Modified Project

The proposed Modified Project would expand the potential locations for two injection wells, expand the area that monitoring wells may be located in, and refines the layout of the AWPf. There would be a reduction in the overall number of injection wells and monitoring well clusters, and despite a small increase in the treatment capacity of the AWPf from 1.2 MGD to 1.3 MGD, the average flows and annual production would remain the same as the Approved Project at 1.0 MGD and 1,100 AFY, respectively. This does not represent a meaningful change to the overall size of the proposed Project. There would be no change to the location of the conveyance pipelines.

#### 2.2.1 Changes to Injection Wells

##### ***Alternative Location for Well Site #3 - Linden Injection Well***

Under the Modified Project, the injection well located at Well Site #3, the parcel belonging to the Saint Joseph Catholic Church, would either be constructed within the parcel, similar to the Approved Project, or in the roadway ROW on Linden Avenue, immediately adjacent to the Well Site #3 parcel. Under the Modified Project, this well is referred to as the Linden Injection Well. If the Linden Injection Well remains in the parcel, the details of the final location within the parcel, and the anticipated layout of the well, electrical, and fencing has been refined from that described in the Final EIR, and is shown in Figure 2-1.

As with the Approved Project, the wellhead of the Linden Injection Well would be housed in a below-ground manhole and would be a single-completion well having one 26-inch diameter borehole with 14-inch diameter casing and screening in the A, B, and C aquifer zones. The well would reach a maximum depth of 1,240 feet below ground surface (bgs).

The well equipment would include injection supply lines, flow meters, air release valves, pressure-regulating valves, and controls for down-hole flow control valves. The well equipment and associated piping and appurtenances would be located above grade in a 400 square foot fenced and paved area. An electric/pneumatic control panel would be installed within the well equipment area. The fencing would be consistent with the existing fencing at the site, which was added after the EIR was certified. An electrical transformer and service would be required to be installed near the well equipment in compliance with Southern California Edison standards. The wellhead would be located in small below grade manhole or vault approximately five feet in diameter, in addition to below grade piping to the well equipment pad area. During construction, the impacted area would be approximately 10,000 square feet to accommodate a drill rig, laydown, support equipment, and groundwater treatment tanks.

The construction method would remain consistent with the Approved Project, and may require 24-hour drilling.

**Figure 2-1: Well Site #3 Layout from Approved Project and Modified Project**  
*Rendering of proposed Well Site #3 from Original Approved Project*



*Rendering of refined Linden Injection Well site, if located within the Well Site #3 parcel*



VIEW 1: LINDEN WELL - LOOKING SOUTH



VIEW 2: LINDEN WELL - LOOKING WEST

### ***Alternative Location for Well Site #4 – Meadow View Well***

The Modified Project would expand injection Well Site #4, at the Church of Jesus Christ of Latter-day Saints to include the adjacent roadway ROW on Meadow View Lane. The injection well would be located in the ROW approximately 350 feet west of the intersection with Linden Ave. This well is referred to as the Meadow View Well under the Modified Project. The revised location is shown in Figure 1-2.

The construction of the Meadow View Well would remain the same as described for the Approved Project in the EIR. The wellhead would be housed in a below-ground manhole and would be a single-completion well having one 26-inch diameter borehole with 14-inch diameter casing and screening in the A, B, and C aquifer zones. The well would have a maximum depth of 1,240 feet bgs. The well equipment would include injection supply lines, flow meters, air release valves, pressure-regulating valves, and controls for down-hole flow control valves. The well equipment and associated piping and appurtenances would be located above grade in a 400 square foot fenced and paved area outside the traffic roadway within the City ROW. An electric/pneumatic control panel would be installed within the well equipment area. The fencing would be consistent with City of Carpinteria requirements. Modifications to the sidewalk at this location would be as directed by the City of Carpinteria. Electrical power would be sourced from the nearby Southern California Edison transformer located at the Linden Injection Well approximately 1,000 feet away. The wellhead would be located in small below grade manhole or vault approximately 5 feet in diameter in addition to below grade piping to the well equipment pad area. Additional site grading would be completed around the wellhead vault to improve drainage along with additional onsite catch basins to connect to the existing catch basin. Existing sidewalk between the proposed well location and west to Franklin Creek may be removed permanently, a length of approximately 150 feet subject to City of Carpinteria requirements. During construction, the impacted area would be approximately 10,000 square feet to accommodate a drill rig, laydown, support equipment, and groundwater treatment tanks. The revised well layout is shown in **Figure 2-2**.

The storage tank that would have been located at injection Well Site #4 in the Approved Project, would no longer be constructed. Instead, a buried 48-inch backwash pipeline would be installed to convey the injection well backwash water to the existing sewer collection system along Linden Avenue. The benefit of the pipeline is it will return this backwash flow via the sewer system through CSD's water reclamation plant and advanced water purification back into the groundwater basin. This also avoids backwash discharge to the stormwater system and Franklin Creek. The 400-LF of 48-inch diameter pipeline would use construction methods consistent with pipeline installation described in the EIR, anticipated to be open cut trenching.

**Figure 2-2: Rendering of Meadow View Well Looking South**



### ***Injection Well Construction***

As described in the EIR for the Approved Project, construction of the injection wells include soil improvements, civil site work and grading, concrete construction, well drilling and installation, site piping, mechanical, electrical, instrumentation, controls, SCADA systems, and equipment installation. Well drilling may require up to four weeks of 24-hour drilling for each well, and would include drilling a pilot hole, reaming, and well construction. Overall construction of each injection well from mobilization through site restoration may require up to 20 weeks. The impacted area during construction would be limited to approximately 10,000 square feet with a final well permanent access area of approximately 60 feet by 40 feet. Vegetation, such as hedges, would be restored per property owner direction or sidewalk repairs per property owner direction.

Sound walls may be repurposed or expanded to allow for adjacent monitoring well construction to minimize site impacts by having a single sound barrier constructed. Due to site constrictions, sound walls may be erected within 50 feet of the Franklin Creek embankment, but would remain within existing paved areas.

Electrical service would be required at each injection well to provide power to the well's motor control center (MCC) and well pump motors. The electrical meter panel, switchgear and MCC would be located above-grade and would be an approximately 11-foot long by 2-foot wide footprint. A single electrical service from the Linden Injection Well would



power both wells. The above-grade well equipment would be within a 400 square foot fenced enclosure.

### **2.2.2 Expansion of Potential Monitoring Well Locations**

The area where monitoring wells would be located has been expanded from the areas identified in the EIR and now include the Well Site #2 and Well Site #3 parcels, as well as the roadway ROW adjacent to Well Site #4, at the western end of Meadow View Lane. The Modified Project retains the potential monitoring well locations included in the EIR, which are shown in **Figure 1-1**. The expanded monitoring well locations are shown in **Figure 1-2**.

#### ***Monitoring Well Construction***

Design and construction of the monitoring wells would be consistent with the Approved Project, and may require 24-hour drilling. Each monitoring well would be constructed as monitoring well “clusters” where each well cluster would include three individual boreholes drilled near each other. Each cluster would have a 12.25-inch diameter borehole. Each borehole within the cluster would have a 2-inch casing installed for each aquifer at different depths (Zone A, B, and C) for monitoring purposes. The well completion for Zone A would have a maximum depth of 370 feet bgs; the completion for Zone B would have a maximum depth of 935 feet bgs; and the completion for Zone C would have a maximum depth of 1,210 feet bgs. During construction, monitoring wells would require up to 10,000 square feet for construction equipment and drilling which is an increase from the 5,000 square feet assumed in the Approved Project. The actual disturbance area for drilling the monitoring wells would be approximately nine square feet for each borehole.

Sound walls may be repurposed or expanded to allow for adjacent injection well construction to minimize site impacts by having a single sound barrier constructed.

### **2.2.3 Modifications to the AWPf**

Under the Modified Project, the AWPf layout would be modified. Specifically, the AWPf Process building would be 12,000 square feet compared to 8,900 square feet under the Approved Project, with the enclosed AWPf Process Building at approximately 8,300 and chemical storage area and UV reactor outside under a 3,700 square foot canopy. The chemical storage and feed area would be moved from spanning the width of the building to occupying a corner of the building. The clearwell and purified water pump station would be moved from the southern side of the site to the southwest side of the AWPf Process Building to be located under the UV reactor canopy. The equalization tank, UF feed, and UF disc filter system would be located in approximately the same location as the Approved Project, but the 200,000gallon equalization tank would be below grade. As with the Approved Project, there would be no new facilities located within the 50-foot setback from the top of the bank of Carpinteria Creek.

Under the Modified Project, the total facilities footprint at the AWPf including the building, clearwell, and equalization tank would be approximately 15,000 square feet, an increase

from the 11,000 square feet included in the Approved Project. Below ground facilities, including the purified water clearwell, waste equalization tank, and equalization tank, would range from 8 feet to 21 feet deep, and the AWPF structure would be 30 feet tall compared to 20 feet for the AWPF process building under the Approved Project. Excavation of up to 21 feet in depth could be required to construct the belowground tanks. As was included in the Approved Project, excavation up to 20 feet in depth may be required to remove an existing buried and abandoned circular primary clarifier (roughly 67 feet outside diameter), located approximately 10 feet west of the proposed AWPF.

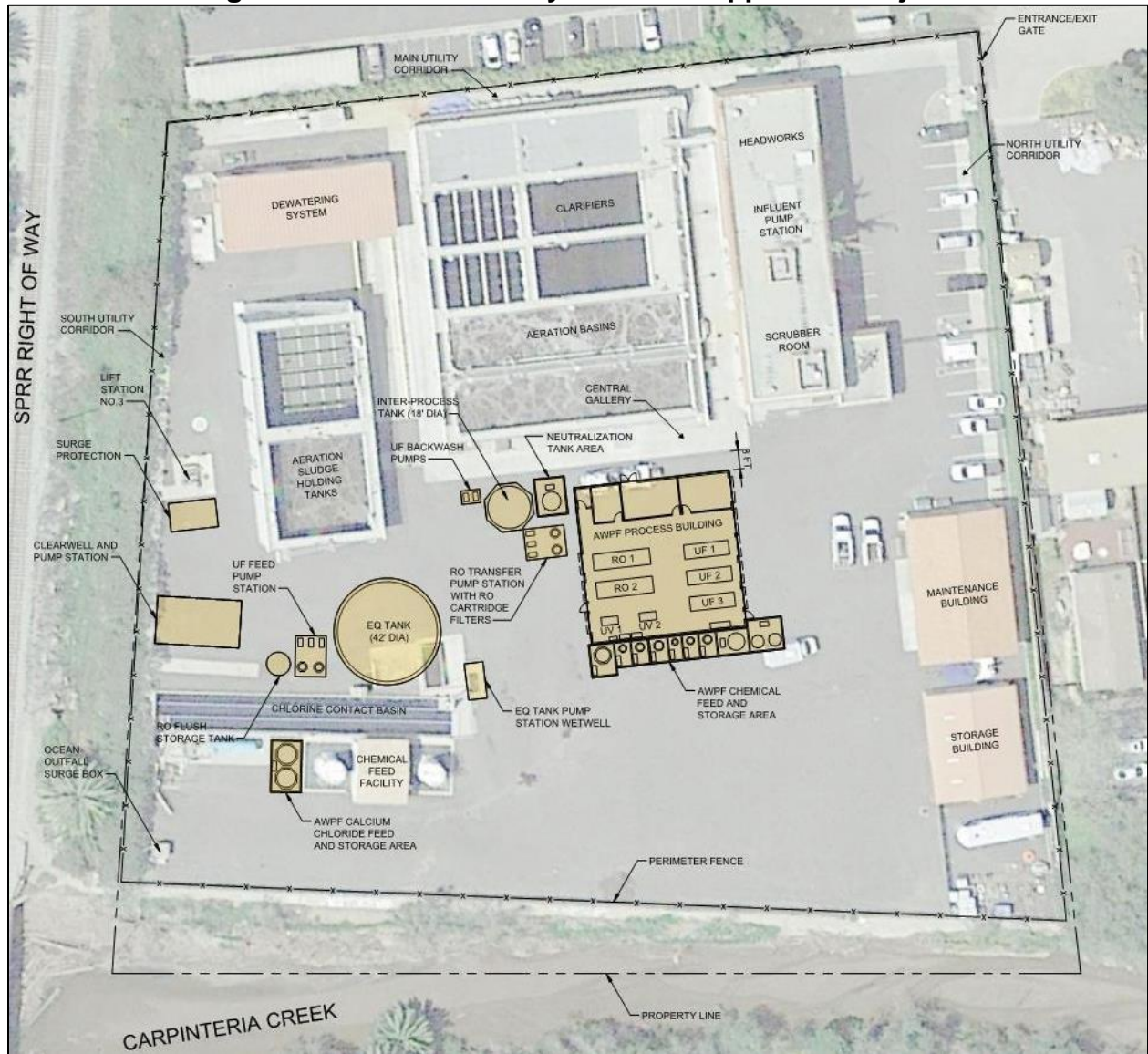
Soil stabilization is recommended under the AWPF Process Building. Deep soil mixing has been selected as the preferred approach and produces lower noise levels over a driven pile system or drilled piles, both of which were included in the Approved Project. This change eliminates the use of a pile driver during construction of the Modified Project. Deep soil mixing improves weak soils prone to liquefaction by mixing them with a dry cementitious binder or slurry. A drilling rig is used to drill into the soil to a depth that is to be modified, and cement and water are injected directly into the soil through the mixing blade. This allows the combined soil and cement to be mixed in place with minimal excavation or spoils. The drill auger is then slowly withdrawn to the surface while the cement is simultaneously pumped and mixed into the soil layers. Depth and number of drillings will be subject to final design. Deep soil mixing will be limited to the approximate footprint of the AWPF Process Building, chemical storage area and UV canopies, and clearwell tank under the UV canopy equal to approximately 12,000 square feet. Helical anchors will be utilized for soil stabilization under the equalization tank.

Approximately 10,180 cubic yards of soil would be excavated for shoring and foundation support of the AWPF building, equalization tank and clearwell, though 4,000 - 5,000 cubic yards of these soils would be reused onsite as engineered fill.

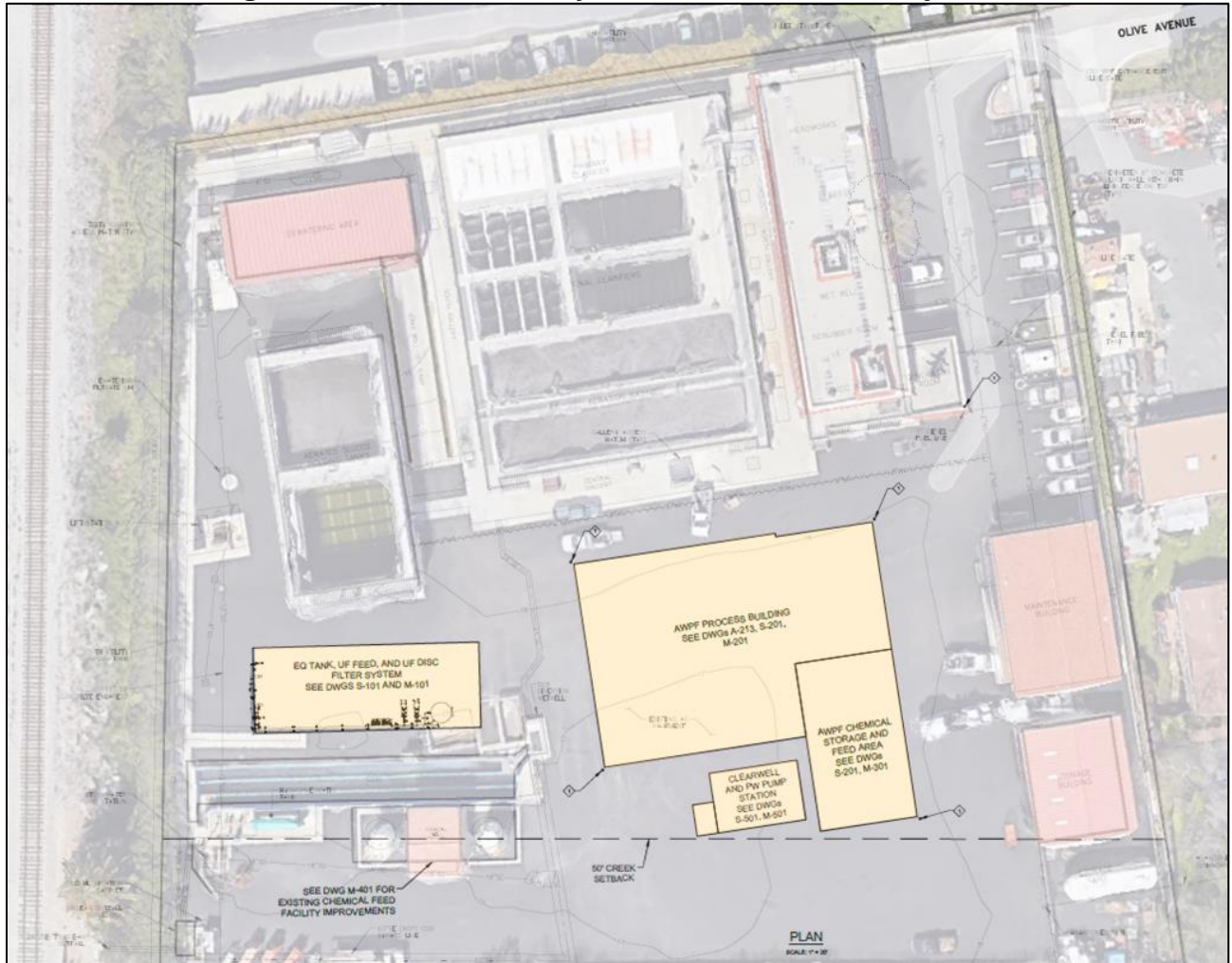
The 200,000-gallon secondary effluent equalization tank is anticipated to be located below grade and located north of the existing chlorine contact basin. The tank would be a buried cast-in-place concrete tank with a footprint of approximately 3,000 square feet.

The Approved Project's AWPF layout along with the Modified Project's layout are provided in **Figure 2-3** and **Figure 2-4**. These changes to the AWPF layout would increase the overall aboveground building height from 20 feet in the Approved Project to 30 feet under the Modified Project. A rendering of the AWPF structure under the Modified Project is provided in **Figure 2-5**.

Figure 2-3: AWPf Site Layout under Approved Project



**Figure 2-4: AWPf Site Layout under Modified Project**



**Figure 2-5: Rendering of AWPf Under the Modified Project**



### 2.2.4 Construction Equipment and Staging

The construction equipment required for well construction and the AWPf under the Modified Project would be similar as for the Approved Project, though the Modified Project eliminates the need for a pile driver as well as trenchless auger/drill rig. The Modified Project’s construction equipment is listed in **Table 2-1**.

**Table 2-1: Construction Equipment**

Equipment		
Truck-mounted drill rigs	Compactors	Flat-bed delivery trucks
Track-mounted excavators	End and bottom dump trucks	Forklifts
Backhoes	Front-end loaders	Concrete trucks
Graders	Water trucks	Compressors/jack hammers
Crane	Paver and roller	Scrapers

Staging areas would be selected using the same criteria described in the EIR for the Approved Project, and are expected to be consistent with the Approved Project. Staging for the facilities to be constructed at the WWTP site would occur on the CSD WWTP site. Staging areas for the injection and monitoring wells would be within the temporary construction easement for each well site. Staging for the pipelines would be located generally on vacant and CVWD- or CSD-owned parcels in the vicinity of the construction activities, such as the CVWD headquarters, or within the construction footprint. If staging areas use pavement or roadway rights-of-way, these areas would be re-surfaced as appropriate to conform to pre-construction conditions and consistent with applicable City standards. Staging would involve storage of pipe, equipment, spoils, and other materials. During construction, staging may be within 50 feet of Franklin Creek’s embankment (injection Well Site #4) or within 50 feet of Carpinteria Creek (AWPF). In both instances, staging would be located within previously paved areas, and in the case of staging at the AWPf, it would be within the existing paved and walled site. The Project would continue to implement the environmental commitments in the EIR, including compliance with permits and keeping sites clear of trash and debris.

### 2.2.5 Construction Trip Generation

During construction, the Modified Project would generate trips associated with construction crews and material deliveries. Construction of the Modified Project would generate up to approximately 14,800 round-trip trips during the duration of the construction period, including approximately 1,330 round trips for off hauling of export material, 4,370 round trips for delivery of materials from vendors, and 9,100 round trips for workers. This is approximately 15 percent fewer round-trip trips than the Approved Project, which had used a conservative approach and evaluated a total of approximately 17,370 round-trips during construction.

## 2.2.6 Construction Schedule

In total, construction of the Project, including the modified elements, is estimated to take approximately 36 months, with anticipated commencement in Q3 2025 and completion in Q3 2028, which is three years later than the initial construction schedule published in the EIR. Construction of all Project components (injection and monitoring wells, conveyance pipelines, and AWPf) would occur simultaneously.

## 2.2.7 Project Operation and Maintenance

The Modified Project would reduce the total number of monitoring or injection wells, and although it would increase the treatment capacity of the AWPf by 0.1 MGD from the Approved Project, it would generate the same average annual flows as the Approved Project, so this change is not considered substantial. Because the Modified Project includes fewer wells but the same kinds of facilities as the Approved Project, there would be no changes to operation and maintenance (O&M) for each of the proposed Project's key facilities. These O&M activities include:

- AWPf:
  - Daily inspections and maintenance of UF, RO, and UV/AOP treatment processes.
  - MF/UF: Backflush for 60 to 120 seconds at 20- to 40-minute intervals; daily chemically enhanced backwash cleans; weekly to monthly chemical clean-in-place. Membranes estimated to be replaced every six years.
  - RO: Chemical CIP monthly; membranes estimated to be replaced every five years.
- Pump stations: daily inspections and routine pump maintenance
- Pipelines: periodic inspections of pipeline and exercising valves
- Injection wells: periodic backflush one time per week per well for approximately 60 minutes; backflush flowrate up to two times the injection flowrate, anticipated to be 900 gallons per minute, weekly inspections by CVWD staff.
- Chemical delivery: deliveries of AWPf chemicals, up to eight truck trips per month depending on chemical supplier and logistics
- Monitoring wells: periodic visits to conduct water sampling and monitoring

## 2.3 Environmental Commitments

Environmental commitments shall be consistent with those included in the Final EIR for the Approved Project, with minor adjustments shown in strikeout to clarify environmental commitments that would not be required under the Modified Project because the related project components have either changed or been removed under the Modified Project. These environmental commitments shall be included in the Modified Project's plans and specification and in its construction contracts, and are in addition to compliance with

applicable permits, laws, and regulations. These environmental commitments are part of the Modified Project.

- **Time construction to reduce interference with community needs.** Construction timing shall avoid construction near schools during the school year to the extent feasible, and avoid construction on the portion of Linden Avenue south of Highway 101 that runs through the downtown core during high tourism and shopping periods (e.g., summer and the Christmas holiday season). Timing construction in this way would reduce impacts to students and schools, as well as reduce potential impacts to the commercial corridor on Linden Avenue, supporting the local economy.
- **Avoid nighttime activities where possible during construction and operation.** To the extent reasonable, CVWD and CSD shall comply with the timing of construction as outlined in the City's Municipal Code, and shall obtain permits for any nighttime construction. During operation, CVWD and CSD shall avoid truck trips, deliveries, and maintenance activities during nighttime hours, except in the case of emergencies or where avoidance of nighttime hours are infeasible.
- **Provide biological and cultural resource training to workers.** CVWD shall provide biological sensitivity and cultural resource awareness training. These trainings shall be conducted by a certified biologist and archaeologist, respectively. Workers shall be trained to identify sensitive species and to halt work and consult with a biologist if sensitive species are encountered unexpectedly. ~~Workers who will be present for ocean-based work shall be trained to serve as vessel-based monitors for marine mammals, unless another, appropriately trained monitor will be present. Divers shall also be trained to identify *Caulerpa taxifolia* and to avoid it during outfall modification.~~ Workers involved with excavation and ground disturbing activities shall be trained to identify potential cultural resources and to halt work and call in a qualified archaeologist if they believe cultural resources have been encountered. Workers shall also be trained to stop work and call the County Coroner if they encounter human remains.
- **Keep construction areas clean of trash and debris.** Workers shall also be required to comply with worker cleanliness guidelines that are designed to reduce the potential for trash or debris to leave the construction sites. These guidelines may include: disposal of food related trash in closed containers and removed from the project site each day during the construction period, prohibition on feeding wildlife at or near the construction area, and upon project completion, removal of all project-generated debris, vehicles, building materials, and rubbish from the project footprint.
- **Implement Santa Barbara County Air Pollution Control District (SBCAPCD) and California Air Resources Board (CARB) Construction Best Management Practices.** Contractors shall be required to comply with the SBCAPCD's construction best management practices, which include diesel

equipment and vehicle regulations and dust control measures. These construction best management practices are detailed in Section 2.1.7 of Appendix C. Additionally, contractors shall comply with CARB In-Use Off-Road Diesel-Fueled Fleets Regulations, which would limit vehicle idling time to 5 minutes, restrict adding vehicles to construction fleets with older-tier engines, and establish a schedule for retiring older, less fuel-efficient engines from the construction fleet.

- **Compliance with Permit Requirements.** CVWD and/or CSD shall acquire and comply with necessary permits, depending on which facility locations are selected in final project design. Potential permits are shown in **Table 2-2**, may reflect the mitigation measures proposed in this EIR, and may include additional environmental commitments suggested by the permitting entity. CVWD shall obtain and comply with the SWRCB’s General Construction Permit, including preparation of a Storm Water Pollution Prevention Plan (SWPPP), for all Project facilities. CVWD and/or CSD shall prepare appropriate noticing as required for permits, such as may be required for the California Coastal Commission Coastal Development Permit.
- **Coordinate with Caltrans.** CVWD shall coordinate with Caltrans to secure an encroachment permit for any construction work within the State’s right-of-way. CVWD shall submit its design drawings to Caltrans for confirmation that work within the State’s right-of-way complies with Caltrans standards. CVWD shall implement any conditions of approval and requirements of the encroachment permit as determined by Caltrans’ District 5 Permits office.
- **Post-Construction Restoration:** CVWD shall restore areas disturbed by construction to pre-construction conditions, such as replanting vegetation cleared for construction activities or patching/repaving roadways where open trenching was used for pipeline construction.

## 2.4 Permits and Discretionary Approvals

Anticipated permits for the Modified Project are identified in **Table 2-2** and does not represent additional permits from those identified for the Approved Project.

**Table 2-2: Permits and Approvals**

Agency	Type of Approval
<b>Federal</b>	
U.S. Environmental Protection Agency	Maintains inventory for Underground Injection Program
U.S. Fish and Wildlife Service (USFWS)	Federal Endangered Species Act (FESA) consultation for sensitive species (potential)
<b>State</b>	
State Water Resources Control Board – Department of Drinking Water	Review and approval of Engineering Report; Recommendations to Central Coast Regional Water Quality Control Board for Waste Discharge



Agency	Type of Approval
	Requirements NPDES General Construction Permit/Stormwater Pollution Prevention Plan (SWPPP)
Central Coast Regional Water Quality Control Board (Region 3)	Issuance of updated Waste Discharge Requirements for CSD WWTP (Order No. R3-2017-0032 [National Pollutant Discharge Elimination System (NPDES) Permit CA0047364]) NPDES for backflush discharge into Franklin Creek (if sewer discharge not used)
California Department of Fish and Wildlife	CA Endangered Species Act consultation for sensitive species
California Department of Transportation (Caltrans)	Encroachment Permit
Cal/OSHA	Excavation and Dirt Moving Permit
California Division of Industrial Safety	Safety Permit
<b>Local</b>	
City of Carpinteria	Conditional Use Permit/Coastal Development Permit
	Approval of Traffic Management Plan
	Approval of Construction SWPPP
	Encroachment Permits
	Transportation Permit
Santa Barbara County Planning and Development	Coastal Development Permit (if Well Site #6 selected)
Santa Barbara County Environmental Health Services	Well/Boring Installation Permit
Carpinteria Summerland Fire Protection District	Hazardous Materials Business Plan approval

### 3. EVALUATION OF ENVIRONMENTAL IMPACTS

The following includes an environmental review pursuant to CEQA, incorporating environmental evaluation thresholds based on the checklist questions from Appendix G of the CEQA Guidelines. The analysis herein evaluates the adequacy of the environmental impact findings and mitigation of the Approved Project, the Carpinteria Advanced Purification Project, relative to impacts and mitigation of the Modified Project. The Carpinteria Advanced Purification Project EIR was approved by the CVWD Board of Directors on December 11, 2019.

#### 3.1 Aesthetics

As explained in *Section 1.4 Evaluation of Environmental Impacts*, this analysis only discusses checklist questions 3.1-1, 3.1-3, and 3.1-4, because the other topics under Aesthetics were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

##### 3.1-1) Have a substantial adverse effect on a scenic vista

###### *Approved Project*

As described in the EIR, monitoring wells and pipelines would be constructed underground and the surface restored to its pre-construction conditions, as would areas of temporary disturbance. Underground facilities would not impact surrounding views or scenic resources. Those injection wells being constructed above-grade with wellhead facilities, electrical service, and backflush tank (at one of the well sites) would be placed in screened cages or behind fences or vegetation. Above-grade injection wells would have the potential to impact surrounding views or scenic resources. AWPF improvements would be consistent with the existing visual character and views of the WWTP site, and would be impeded by existing structures and vegetation. There would be no potential impacts to scenic vistas from the AWPF component of the Project. Visibility of the wells and associated infrastructure from adjoining public spaces, particularly those in parks with scenic views of the eastern hills, is considered a potentially significant impact. **Mitigation Measure MM 3.1-1** requires CVWD to test out tank sizing and minimize the size of the final backflush tank, install vegetation screening, and limit lighting to low intensity and shielded options in compliance with City of Carpinteria Policy CD-13b.

The EIR found that the Approved Project would not substantially adversely impact local scenic vistas of surrounding foothills and mountains, and impacts would be less than significant with associated mitigation incorporated.

###### *Modified Project*

The Modified Project would revise underground components of the Approved Project, including changes to monitoring well locations, installation of injection wells in underground vaults, modifications to the piping of the AWPF treatment train, and installation of the equalization tank belowground at the AWPF. It would also increase the

overall height of the structure at the AWPf. The backflush tank would be eliminated under the Modified Project, with backflush water instead being stored in 48-inch underground piping, eliminating visual impacts of the tank. There would still be some aboveground facilities associated with the injection wells, as shown in Figure 2-1 and Figure 2-2. Disturbed areas would be restored to pre-construction conditions resulting in no new visual impacts from underground components. Although the height of the structures at the AWPf would increase from 20 feet to 30 feet, the AWPf would remain within the existing 30-foot height limit per City of Carpinteria ordinance. The AWPf is located adjacent to Carpinteria Creek, which provides a scenic corridor or vista, however the AWPf structures in the Modified Project would remain consistent with the character of the structures in the Approved Project, and the existing screening along the property would still remain. Because the Modified Project would be located in the same areas as the Approved Project, and have similar facilities, it would have similar potential to impact scenic views, though the backflush tank would no longer be constructed. As such approved **Mitigation Measure MM 3.1-1** would no longer be required. Therefore, there would be no new impact as a result of the Modified Project and no new mitigation would be required.

3.1-3) In non-urbanized areas, potential to substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality

#### *Approved Project*

The EIR found that all permanent Approved Project structures would be designed to be consistent with the existing visual character of the surrounding area and consistent with the objectives and policies identified in the City's *General Plan/Local Coastal Land Use Plan* and the Creeks Preservation Program. The Approved Project would comply with all applicable regulations that govern scenic quality, including the 30-foot height restriction by City ordinance. Construction activities may impact scenic resources as a result of large construction equipment, temporary fencing at construction sites, and site clearing and excavation activities. Due to the temporary nature of construction activities, however, visual impacts are considered less than significant. Vegetation screening for aboveground injection wells would be required and **Mitigation Measure MM 3.1-1** (requiring screening, limiting lighting, and minimizing the size of the backflush tank) would be implemented to reduce potential visual impacts to less than significant. Impacts from the Approved Project were found to be less than significant with the incorporation of mitigation measures.

#### *Modified Project*

The Modified Project would increase the height of structures at the AWPf from 20 feet to 30 feet. The structures would be within the 30-foot height limit of the site, and designed to be consistent with the existing visual character of the WWTP site (see **Figure 3-1**). The height increase would not represent a substantial change in the visual character of the AWPf components from the Approved Project. The backflush tank would be eliminated

and backflush instead stored and conveyed in 48-inch underground piping, eliminating the potential for visual impacts from the backflush tank. Aboveground components of the injection wells would be screened from view with vegetation and/or fencing. As a result, there would be no visual impacts from the injection wells and **Mitigation Measure MM 3.1-1** would no longer apply. Therefore, there would be no new impact as a result of the Modified Project and no new mitigation would be required.

**Figure 3-1: Visual Rendering of AWP Structures in Modified Project**



3.1-4) Potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area

*Approved Project*

The EIR found that most construction activities for the Approved Project would occur during the day and would not require nighttime work. Should nighttime work be necessary at any point, CVWD and CSD would obtain permits for any nighttime construction, and nighttime construction would be limited to well drilling activities. During operation, truck trips, deliveries, and maintenance activities would be avoided during nighttime hours, except in the case of emergencies or where avoidance of nighttime hours is infeasible.

New sources of light or glare associated with the Project would be installed around the new equipment at the AWP and would be similar to and in proximity to existing light sources at the WWTP site. New light sources at the injection wells would typically remain off and would only be used if a problem occurs at night and light is needed to address the issue. **Mitigation Measure MM 3.1-4** and requires nighttime lighting to be of low intensity, directed downward, shielded, and directed away from sensitive habitats, receptors, and residential areas. Additionally, **Mitigation Measure MM 3.1-1** requires low intensity and

shielded lighting, for those situations where safety lighting at the well sites is necessary. Implementation of these mitigation measures would ensure that operational lighting at the well sites and AWPf would have a less than significant impact on adjacent residences. All new light sources associated with the AWPf, injection wells, and backflush tank would comply with applicable City policies and regulations to minimize light and glare, including *General Plan/Local Coastal Land Use Plan Policy CD-13b* and *Creeks Preservation Program Policy 2.4*. Impacts from the Approved Project were found to be less than significant with the incorporation of mitigation measures.

### *Modified Project*

The Modified Project would include the same or similar construction methods as those outlined in the Approved Project, but would not require the above-ground backwash tank. Therefore mitigation for tank size and tank screening would not be needed. All nighttime and operational lighting would incorporate **Mitigation Measure MM 3.1-4**, which was previously adopted in the EIR, and be shielded and directed downward to minimize impacts on neighboring properties. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

### Mitigation Measures:

To mitigate possible visual impacts to public views and lighting during construction and operation, CVWD shall implement **Mitigation Measure MM 3.1-4**, listed below, which was previously adopted in the EIR for the Approved Project. The impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

- **MM 3.1-4 Minimize Light and Glare.** CVWD shall ensure that all construction and operational lighting be of the lowest intensity necessary for public safety purposes. Lighting shall be of low intensity, shall be directed downward and at the immediate work area, and shall be shielded to minimize halo and spillover effects. Lighting shall be directed away from sensitive habitats and receptors, as well as away from neighboring residential areas. Additional protective measures, such as light glare shields, may be used if light sources are still directly visible from neighboring residential areas or interferes with scenic views after lighting is installed and oriented as described in this mitigation measure.

## **3.2 Agriculture and Forestry Resources**

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Agriculture and Forestry Resources were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project. The new proposed locations for the injection wells in the roadway ROW and the additional locations for the monitoring wells would not be located within designated Farmland or agricultural land. Therefore, potential impacts under Agriculture and Forestry

Resources would remain less than significant under the Modified Project. There would be no new impacts as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures

None required or recommended.

### 3.3 Air Quality

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Air Quality were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

The Modified Project would result in less overall excavation included in the air quality modeling conducted for the Approved Project, resulting in 15 percent fewer soil hauling truck trips compared to the Approved Project. All other assumptions used for the air quality analysis conducted via CalEEMod would remain the same because the Modified Project would use the same or similar construction methods, there are no additional monitoring or injection wells, and there are no substantial changes to the length of pipeline to construct. Because fewer haul trips would be required, and all other assumptions related to air quality would remain the same or substantially similar, the Modified Project would have a lower overall potential to impact air quality compared to the Approved Project as evaluated in the EIR. Therefore, would be no new impacts as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures

None required or recommended.

### 3.4 Biological Resources

As explained in in *Section 1.4 Evaluation of Environmental Impacts*, this analysis only discusses checklist questions 3.4-1, 3.4-2, 3.4-3, and 3.4-5 are analyzed, because the other topics under Biological Resources were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

3.4-1) 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 USFWS

*Approved Project*

While no special status plant or terrestrial wildlife species were observed in the Biological Resources Area of Potential Effect (APE), the EIR did find that six special status wildlife species had the potential to occur in the Approved Project's APE given the surrounding environment and historic sightings of the species. Those species and their potential to occur are as follows:

- Monarch (Moderate)

- Tidewater goby (High)
- Steelhead (High)
- California legless lizard (Low)
- Western snowy plover (Moderate)
- Yellow warbler (Moderate)

**Mitigation Measures MM 3.4-1a** (Worker Environmental Awareness Program), **MM 3.4-1b** (Nesting Bird Surveys) , and **MM 3.4-1c** (Avoidance of Monarch Butterfly Winter Roost Sites) are included in the EIR to avoid potential impacts that the Approved Project could have on special status terrestrial, aquatic, and bird species; and related **Mitigation Measure MM 3.1-4** (Minimize Light and Glare) under *Section 3.1, Aesthetics*, additionally supports the avoidance of impacts on species. The EIR concluded that effects to special status species were less than significant with implementation of mitigation measures.

#### *Modified Project*

While there are locations in the Modified Project which were not originally identified as potential injection well locations in the Approved Project, these locations – on Linden Avenue and Meadow View Lane – were surveyed as part of the Approved Project’s APE for pipe laydown and water conveyance. The potential monitoring well location in the St. Joseph’s Church parcel was additionally surveyed for the Approved Project as a potential injection well site. Similarly, the additional monitoring well locations along Meadow View Lane and Well Sites #2 and Well Site #3 were surveyed under the Approved Project’s APE, as part of the pipeline alignment and injection well locations. The AWP location has additionally undergone surveying sufficient to encompass changes in the Modified Project. All locations containing Modified Project elements have therefore been surveyed. Mitigation measures **MM 3.4-1a**, **MM 3.4-1b**, and **MM 3.4-1c** would apply equally to the Modified Project, therefore, no new impact would occur, and no new mitigation would be required.

*3.4-2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or USFWS*

#### *Approved Project*

The Approved Project would use an open cut trench method along Olive Avenue, which is a developed public ROW, for a portion of the primary pipeline alignment. Open cut trenching and/or construction materials (e.g., stockpiled materials, construction equipment, and trash) have the potential to result in potentially significant indirect impacts to the arroyo willow thicket located in this area. The arroyo willow thicket meets the criteria for classification of an environmentally sensitive habitat area (ESHA), a coastal zone wetland, and a CDFW sensitive natural community. **Mitigation Measure MM 3.4-1a** requires worker environmental awareness training, while **Mitigation Measure MM 3.4-3c** includes construction best management practices (BMPs) to minimize runoff and conveyance of pollutants into creeks. Compliance with other regulatory guidance and

permits, such as erosion control and water quality BMPs in the General Construction Permit SWPPP, would also serve to protect riparian habitats and species. In addition, hazardous materials containment and spill response requirements in **Mitigation Measure MM 3.10-1b** would help to reduce potential construction-related impacts to riparian and sensitive communities by reducing the potential for pollutants to enter these habitats. With implementation of **Mitigation Measures MM 3.4-1a**, and **MM 3.4-2**, which will require training of workers to identify and avoid sensitive habitat and use temporary fencing to delineate and avoid sensitive habitat areas, potential indirect impacts to the arroyo willow thicket would be reduced to a less than significant level.

#### *Modified Project*

The additional areas for the injection and monitoring wells for the Modified Project do not contain riparian habitat or other sensitive natural communities. The Modified Project would include pipeline along Olive Avenue, consistent with the Approved Project, and include the same or substantially similar construction methods, resulting in similar potential impacts to riparian habitat or sensitive natural community. Staging and soundwalls may be located within 50 feet of the embankment for Franklin Creek, but would remain on existing paved surfaces. As noted in the EIR, the County's Coastal Land Use Plan's Policy 9-37 requires a minimum buffer of 50 feet for urban creeks, but allows for the buffer to be adjusted upwards or downwards on a case-by-case basis following consultation with Department of Fish and Game (now Fish and Wildlife) and the Regional Water Quality Control Board to ensure protection of stream and water quality. The Modified Project is pursuing a Coastal Development Permit, which includes requirements to protect stream water quality. The Coastal Development Permit will include the staging and soundwalls within 50 feet of the Creek. With compliance with the permit, the Modified Project there would be no significant impacts associated with staging within 50 feet of the creeks. **Mitigation Measure 3.4-3b** has been modified to clarify that staging could occur within 50 feet of a creek if allowed by the applicable permit, such as the Coastal Development Permit.

With implementation of the Environmental Commitments, including compliance with regulatory guidance and permits such as erosion control and water quality BMPs in the General Construction Permit SWPPP, and trash and debris management, along with implementation of **Mitigation Measures MM 3.4-1a**, **MM 3.4-2**, **MM 3.4-3c**, and **MM 3.10-1b**, the Modified Project's potential impacts and would be reduced to less than significant. Therefore, no new impacts would occur and no new mitigation would be required.

*3.4-3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means*

#### *Approved Project*

Impacts to Carpinteria Creek would not occur under the Approved Project. However, if Well Site #6 is selected for construction, there would be limited potential for impacts to Franklin Creek during construction of the creek crossing. Project-related direct impacts to



Franklin Creek would be less than significant due to selection of trenchless or pipe bridge construction methods. Indirect impacts from construction materials (e.g., stockpiled materials, construction equipment, and trash) that may be stored onsite could adversely affect water quality (e.g., increased turbidity, altered pH, decreased dissolved oxygen levels, etc.) within the jurisdictional waters if runoff were to occur during storm events and BMPs were not implemented. Therefore, **Mitigation Measures MM 3.4-3a** (Disturbance Area and Staging), **MM 3.4-3b** (Material Storage), and **MM 3.4-3c** (Construction Best Management Practices) shall be implemented within 50 feet of Franklin Creek and Carpinteria Creek to avoid potential indirect impacts to water quality within these jurisdictional features. Indirect impacts from construction techniques could also include release of bentonite drilling fluid into the channel during HDD operation. Implementation of **Mitigation Measure MM 3.11-1a** would require preparation of a *Frac-Out Prevention and Contingency Plan* to ensure protection of aquatic resources. With implementation of these mitigation measures (and adherence to agency permits and existing regulations), potential indirect impacts to creeks would be reduced to a less than significant level.

#### *Modified Project*

The Modified Project would include increased excavation at the AWPf site which has the potential to increase the amount of material/spoils associated with excavation at the WWTP site, though overall excavation for the entire Modified Project would be less than the Approved Project due to a shorter overall pipeline than assumed in the EIR (5,730 LF compared to maximum 8,700 LF in the Approved Project), one fewer injection well, and three fewer monitoring well clusters, and other adjustments with project design. Additionally, the EIR used a conservative approach to excavation assumptions for purposes of the environmental analysis, while the Modified Project uses refined excavation information based on the advancement of the project design from 2019 to 2024. Construction at the AWPf would remain outside the 50-foot buffer from Carpinteria Creek and within the existing walled WWTP site. Staging would be located within 50 feet of Carpinteria Creek, but within the paved and walled AWPf site. All onsite drainage at the AWPf site is captured and returned to the treatment facility headworks through the existing stormwater pump station at the site. As a result, any potential spills or runoff from the staging area or construction activities at the AWPf site would remain onsite. Therefore the Modified Project is not expected to impact Carpinteria Creek. The Modified Project would eliminate the Franklin Creek crossing, thereby eliminating the need for HDD and reducing the potential impacts to Franklin Creek. However, the Modified Project would expand the monitoring well locations to include Meadow View Lane, with sound walls and staging potentially within 50 feet of Franklin Creek embankment. Staging or soundwalls would be located on existing, paved areas. The monitoring well wellhead will be located approximately 60 feet from the Franklin Creek embankment. Therefore, the existing **Mitigation Measures MM 3.4-3a**, **MM 3.4-3b**, and **MM 3.4-3c**, which includes construction BMPs shall also apply to the Modified Project to reduce potential impacts to less than significant, though **Mitigation Measure MM 3.11-1a** (Frac-Out Plan) would not apply. **Mitigation Measure MM 3.4-3b** has been modified to clarify that the 50-foot buffer around the creek applied unless otherwise approved by applicable permits. The remaining Modified Project locations and elements do not have the potential to impact

state or federally protected wetlands. Therefore, no new impacts would be expected and no new mitigation would be required.

3.4-5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

*Approved Project*

As described in the EIR, the Carpinteria *General Plan/Local Coastal Land Use Plan* Policy OSC-8 Protect and Conserve Monarch Butterfly Tree Habitat requires new development in or adjacent to habitat used by special status species to be set back sufficiently far as to minimize impacts to the habitat area. For parcels adjacent to Carpinteria Creek, a setback of 300 feet from nesting and roosting trees used by sensitive, rare, threatened, or endangered raptors is required, and **Mitigation Measure 3.4-1b** would require pre-construction nesting bird surveys to further help avoid impacts. Setbacks may be reduced by a qualified biologist based on the results of pre-construction surveys. The policy also protects trees supporting monarch butterfly populations. Suitable roosting habitat and trees are within the project area, but **Mitigation Measures MM 3.4-1a** and **MM 3.4-1c** would train workers to avoid sensitive species and habitats. The *Carpinteria General Plan/Local Coastal Land Use Plan's* Policy OSC-6, *Preserve the Natural Environmental Qualities of Creekways and Protect Riparian Habitat*, and Santa Barbara County *Coastal Land Use Plan Ordinance* Section 35-97.19, *Development Standards for Stream Habitats* supports the preservation of creeks and their corridors. A minimum setback of 50 feet is required around all streams, including Carpinteria Creek, for development. The Approved Project would not construct permanent AWWP facilities within this 50-foot setback. Any potential direct impacts from the project within 50 feet of areas subject to Policy OSC-6 would be temporary in nature, and **Mitigation Measures MM 3.4-1a, MM 3.4-2, MM 3.4-3a, MM 3.4-3b, and MM 3.4-3c** would reduce impacts to Franklin Creek and arroyo willow thicket. Trees meeting the City (including City landmarks) and County tree protection standards, and relevant to the City's *General Plan/Local Coastal Land Use Plan's* policies OSC-7 and OSC-8, were observed throughout the Biological Resources APE, some of which are located along the roadway ROW. **Mitigation Measure MM 3.4-5** would reduce potential impacts to protected trees by restricting activities within 20 feet of the canopy drip line for protected trees, and coordination with a certified arborist to minimize potential impacts to protected trees where work occurs within 20 feet of the canopy drip line, as permitted. Impacts would be less than significant with implementation of mitigation measures.

*Modified Project*

The Modified Project would be completed in the roadway ROWs and the WWTP site, within the biological APE evaluated in the EIR for the Approved Project. It would not move permanent facilities within the required buffers identified in the EIR, nor would it move permanent facilities closer to known sensitive habitats or species. The Modified Project would include staging within 50 feet of Carpinteria Creek at the AWWP site, and within 50 feet of Franklin Creek near the Meadowview Well site, but would remain within existing paved areas. The City's Policy OSC-6 only applies to development, and would not apply

to the staging or soundwalls. Additionally, the County's Policy 9-37 allows the 50-foot buffer around urban creeks to be adjusted downward on a case-by-case basis. Because the Modified Project would be subject to a Coastal Development Permit, which would prohibit impacts to the creeks, the proposed staging within the 50-foot buffer, coupled with compliance with the environmental commitments and **Mitigation Measure MM 3.4-3c**, Construction BMPs, would have less than significant impacts.

Potential impacts to biological species would be similar to the Approved Project because the Modified Project would be completed in the same vicinity and using the same or similar construction methods as the Approved Project. **Mitigation Measures MM 3.4-1a** (Worker Environmental Awareness Program), **MM 3.4-1b** (Nesting Bird Surveys), **MM 3.4-1c** (Avoidance of Monarch Butterfly Winter Roost Sites), **MM 3.4-2** (Sensitive Habitat Fencing), **MM 3.4-3a** (Disturbance Area and Staging), **MM 3.4-3b** (Material Storage), **MM 3.4-3c** (Construction Best Management Practices), and **MM 3.4-5** (Tree Protection Zone Provisions) shall all apply to the Modified Project and similar to the Approved Project, would reduce impacts to less than significant. Therefore, no new impacts would occur and no new mitigation would be required.

Mitigation Measures:

To mitigate potential impacts to biological resources during construction and operation, CVWD shall implement **Mitigation Measures MM 3.4-1a, MM 3.4-1b, MM 3.4-1c, MM 3.4-2, MM 3.4-3a, MM 3.4-3b, MM 3.4-3c, and MM 3.4-5** which were previously adopted in the EIR for the Approved Project and listed below. The impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

- **MM 3.4-1a Worker Environmental Awareness Program.** Prior to initiation of all construction activities (including staging and mobilization), all personnel associated with Proposed Project construction shall attend a WEAP training, conducted by a qualified biologist, to assist workers in recognizing special status biological resources that may occur in the Biological Resources APE. This training will include information about southern California steelhead, tidewater goby, protected nesting birds, marine mammals, as well as other special status species potentially occurring in the Biological Resources APE.

The specifics of this program shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts to biological resources within the work area. Training for workers who will be involved with the ocean outfall improvements will also include vessel-based monitoring training for identification of marine mammals. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the Proposed Project. All employees shall sign a form provided by the trainer documenting they have attended the WEAP and

understand the information presented to them. The crew foreman shall be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species. If new construction personnel are added to the project, the crew foreman shall ensure that the new personnel receive the WEAP training before starting work. The subsequent training of personnel can include videotape of the initial training and/or the use of written materials rather than in-person training by a biologist.

- **MM 3.4-1b Nesting Bird Surveys.** To avoid disturbance of nesting and special status birds, including raptor species protected by the Migratory Bird Treaty Act of 1918 (MBTA) and CFGC 3503, activities related to the project including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season for migratory birds (February 1 through August 31), if practicable.

If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100-foot buffer (300-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practicable. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur inside this buffer until the avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist

- **MM 3.4-1c Avoidance of Monarch Butterfly Winter Roost Sites.** To minimize indirect project impacts to potential monarch butterfly roosts, monarch butterfly roosts shall be avoided during all construction activities related to project activities, tree removal/trimming, vegetation clearing, and grading activities (collectively, "land clearing activities"). This can be accomplished by implementing either one of the following options:
  1. Prohibit land clearing activities during the monarch wintering season (October 1 through March 1); or,
  2. Conduct site-specific surveys prior to land clearing activities during the monarch wintering season (October 1 through March 1) and avoid monarch roosts.

If Option 2 is selected, surveys (described below) shall be conducted to identify

any monarch roosts in the area proposed for disturbance. Monarch roosts shall be avoided during the wintering season by establishing a 50-foot buffer between land clearing activity and the roost.

An initial monarch survey shall be conducted of all potentially suitable habitat areas within the APE 30-days prior to the initiation of land clearing activities. The project site must continue to be surveyed on a weekly basis with the last survey completed no more than 7 days prior to the initiation of land clearing activities. The monarch butterfly survey must cover monarch wintering habitat within the APE. If monarch roosts are found, land clearing activities within 50 feet surrounding the roost shall be postponed or halted while the monarchs are present (typically October 1 through March 1). Construction activities may occur outside of the 50-foot setback areas during this time.

- **Mitigation Measure MM 3.4-2 Sensitive Habitat Fencing.** Prior to project mobilization, where the project is adjacent to native habitat (i.e., ESHA, riparian habitat, wetland, sensitive natural communities), a certified biologist would identify native habitat to avoid, and temporary construction fencing shall be erected by the contractor at the edge of the temporary construction easement to avoid impacts to the habitat throughout the duration of construction.
- **MM 3.4-3a Disturbance Area and Staging.** Areas of temporary disturbance shall be minimized to the extent practicable. Staging and laydown areas shall be limited to sites unvegetated, previously disturbed (e.g., ROWs, parking lots), and community parks (areas consisting of ruderal vegetation, ornamental landscaping, and outside of the Tree Protection Zone [TPZ; dripline plus 6 feet] of protected trees).
- **MM 3.4-3b Material Storage.** Construction materials for pipelines, injection wells, monitoring wells, and backflush tank, shall be stored on impervious surfaces or plastic ground covers to prevent any spills or leakage. Material storage shall be at least 50 feet from Franklin Creek, Carpinteria Creek, and Carpinteria State Beach, unless otherwise allowed by applicable permits. Any material/spoils from project activities shall be located and stored 50 feet from potential jurisdictional areas (Franklin Creek, Carpinteria Creek, and Carpinteria State Beach) unless otherwise allowed by applicable permits. Construction materials and spoils shall be protected from stormwater runoff using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.
- **MM 3.4-3c Construction Best Management Practices.** To avoid and/or minimize potential indirect impacts to jurisdictional waters and water quality, the following BMPs shall be implemented within 50 feet of Franklin Creek and Carpinteria Creek:
  - a) Prevent the off-site tracking of loose construction and landscape materials by implementing street sweeping, vacuuming, and rumble plates, as appropriate.

- b) Prevent the discharge of silt or pollutants off of the site when working adjacent to potentially jurisdictional waters. Install BMPs (i.e., silt barriers, sandbags, straw bales) as appropriate.
  - c) Work adjacent to Franklin and Carpinteria Creeks shall ensure no wash water enters the receiving water bodies, through measures that may include locating site washout areas at least 50 feet from a storm drain, open ditch or surface water or implementation of barriers to control runoff, such that runoff flows from such activities do not enter receiving water bodies.
  - d) All vehicles and equipment shall be in good working condition and free of leaks. The contractor shall prevent oil, petroleum products, or any other pollutants from contaminating the soil or entering a watercourse (dry or otherwise). When vehicles or equipment are stationary, mats or drip pans shall be placed below vehicles to contain fluid leaks.
  - e) All re-fueling, cleaning, and maintenance of equipment will occur at least 50 feet from potentially jurisdictional waters (Franklin Creek, Carpinteria Creek, and the roadside storm water drain).
  - f) Any spillage of material will be stopped if it can be done safely. The contaminated area will be cleaned, and any contaminated materials properly disposed. For all spills, the project foreman or other designated liaison will notify CVWD immediately.
  - g) Adequate spill prevention and response equipment shall be maintained on site and readily available to implement to ensure minimal impacts to the aquatic and marine environments.
- **Mitigation Measure MM 3.4-5 Tree Protection Zone Restrictions.** Components of the project footprint that occur within 20 feet of the canopy drip line of protected trees shall be subject to the following:
    - a. No ground disturbance, grading, trenching, construction activities or structural development shall occur within the tree protection zone (TPZ; dripline plus 6 feet).
    - b. No equipment, soil, or construction materials shall be placed within the TPZ. No oil, gasoline, chemicals, paints, solvents, or other damaging materials may be deposited within the TPZ or in drainage channels, swales or areas that may lead to the TPZ.
    - c. If work within the TPZ cannot be avoided, a qualified arborist shall monitor all activities within the TPZ of protected trees.
    - d. Unless otherwise directed by the arborist, all work within the TPZ, including brush clearance, digging, trenching and planting, shall be done with hand tools or small hand-held power tools that are of a depth and design that will not cause root damage.
    - e. Where trenching or digging within the TPZ is specifically permitted, the work shall be conducted in a manner that minimizes root damage, as directed by an

arborist.

- f. Grade changes outside of the TPZ shall not significantly alter drainage to protected trees. Grading within the TPZ shall use methods that minimize root damage and ensure that roots are not cut off from air. Where erosion may be a factor return and protect the original grade or otherwise stabilize the soil.
- g. Protected trees shall not be used for posting signs, electrical wires or pulleys; for supporting structures; and shall be kept free of nails, screws, rope, wires, stakes and other unauthorized fastening devices or attachments.

### 3.5 Marine Biological Resources

The Approved Project includes modifications to the ocean outfall, and required mitigation associated with construction activities for the ocean outfall. However, no changes to the ocean outfall are proposed under the Modified Project and in fact, the ocean outfall improvements were already completed prior to this Addendum. Additionally, the Modified Project would not increase the volume or concentrations of discharges from the AWPf compared to the Approved Project. Therefore, the Modified Project would have no changes from the Approved Project related to the project elements that would have had potential impacts on Marine Biological Resources. As a result, additional analysis of potential impacts to Marine Biological Resources is not needed for the Modified Project. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

#### Mitigation Measures:

The Modified Project would not require implementation of mitigation measures associated with reducing potential impacts to Marine Biological Resources because the Modified Project proposes no changes to the ocean outfall improvements of the Approved Project that were previously completed.

### 3.6 Cultural Resources

As explained in in Section 1.4 Evaluation of Environmental Impacts, this analysis only discusses checklist questions 3.6-2 and 3.6-3, because the other topics under Cultural Resources were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

#### 3.6-2) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5

##### *Approved Project*

The Cultural Resources Assessment, included as Appendix E to the EIR, indicates CHRIS-CCIC records search found one prehistoric archaeological site, CA-SBA-7, mapped within the 0.5 mile radius cultural resources Study Area, specifically at the WWTP site along Carpinteria Creek. However, review of previous records and

archaeological investigations conducted within proximity to the site indicate that the resources associated with CA-SBA-7 are largely concentrated to the east of Carpinteria Creek outside of the Study Area. Furthermore, previous construction activities at the WWTP site have greatly disturbed the underlying soil, and it is likely that any cultural deposits associated with CA-SBA-7 that were once present in the Study Area have since been substantially disturbed or destroyed. However, given the general sensitivity of the Study Area for containing archaeological resources, the EIR requires implementation of **Mitigation Measure MM 3.6-2a**, which would require archaeological and Native American monitoring for initial ground disturbance up to a depth of 10 feet within the vicinity of CA-SBA-7 (the AWPf and directly adjacent conveyance pipelines), and **Mitigation Measure MM 3.6-2b** would be implemented in the event of unanticipated discovery of cultural resources during ground-disturbing activities. Additionally, CVWD would conduct cultural resources awareness training for construction workers, including how to identify archaeological resources during ground-disturbing activities (see *Section 2.10, Environmental Commitments* in the EIR). With implementation of mitigation measures and environmental commitments, impacts would be less than significant.

#### *Modified Project*

The Modified Project would be constructed within the Cultural Resources Assessment's 0.5 mile radius around the Study Area. Therefore, the findings of the Cultural Resources Assessment conducted for the Approved Project would also apply to the Modified Project in its entirety. The CA-SBA-7 site would therefore remain the only known cultural resources site within the Study Area of the Modified Project. New or additional facilities of the Modified Project would not be in closer proximity to the vicinity of CA-SBA-7, but would continue to include construction activities at the WWTP site and directly adjacent pipelines. The Modified Project would have the same potential impact as the Approved Project. As such, **Mitigation Measures MM 3.6-2a** (Archaeological and Native American Monitoring) and **MM 3.6-2b** (Unanticipated Discovery of Cultural Resources) would be required to reduce impacts to less than significant. No new impacts would occur and no new mitigation would be required.

#### *3.6-3) Disturb any human remains, including those interred outside of formal cemeteries*

#### *Approved Project*

The EIR noted that human remains are not anticipated to be encountered during construction of the Approved Project due to the disturbed and developed nature of the majority of the Study Area. However, as with any ground-disturbing activities, and due to the cultural sensitivity of the Study Area, there is potential for unanticipated discovery of human remains during Project-related ground-disturbing activities. As such, **Mitigation Measure MM 3.6-3** (Unanticipated Discovery of Human Remains) would be implemented to reduce impacts to less than significant. **Mitigation Measure MM 3.6-3** requires CVWD to comply with California Health and Safety Code Section 7050.5, including immediately halting construction activities and notifying the County Coroner's office upon discovery of human remains.



### *Modified Project*

The Modified Project would also be constructed in areas that have been previously disturbed and developed, and similar to the Approved Project would not be anticipated to encounter human remains. However, construction would involve ground-disturbing activities, and given the cultural sensitivity of the Study Area, there is potential for unanticipated discovery of human remains, similar to the Approved Project. As such, **Mitigation Measure MM 3.6-3** would be required to reduce impacts to less than significant. No new impacts would occur and no new mitigation would be required.

### Mitigation Measures

To mitigate possible impacts to cultural resources during construction and operation, CVWD shall implement **Mitigation Measures MM 3.6-2a, MM 3.6-2b, and MM 3.6-3** (listed below) which were previously adopted in the EIR for the Approved Project. The impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

- **Mitigation Measure MM 3.6-2a Archaeological and Native American Monitoring.** CVWD shall retain a qualified archaeological and Native American monitor to be present during ground disturbing activities such as grading, trenching, or excavation within the vicinity of CA-SBA-7 (the AWPf and directly adjacent conveyance pipelines). Archeological monitoring shall be performed during initial ground disturbance only (not entire construction timeframe) under the direction of an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archeology (National Park Service, 1983). Native American monitoring should be provided by a locally affiliated tribal member. Monitors shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate vicinity area must halt and the find evaluated for listing in the California Register and National Register of Historic Places. Archaeological or Native American monitoring or both may be reduced or halted at the discretion of the monitors, in consultation with CVWD, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60% of rough grading. If monitoring is reduced to spot-checking, spot-checking shall occur when ground-disturbances moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock).
- **Mitigation Measure MM 3.6-2b Unanticipated Discovery of Cultural Resources.** If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the discovery proves to be significant under the NHPA

and/or CEQA, additional work such as data recovery excavation and Native American consultation shall occur, as necessary, to mitigate any significant impacts or adverse effects.

- **MM 3.6-3 Unanticipated Discovery of Human Remains.** In the event of an unanticipated discovery of human remains, the County Coroner shall be notified immediately, and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98 in accordance with California Health and Safety Code Section 7050.5. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant has 48 hours from being granted access to the site to make recommendations for the disposition of the remains. If the most likely descendant does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance.

### 3.7 Energy

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Energy were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

The Modified Project would be constructed using the same or substantially similar construction methods as the Approved Project, would have the same overall number of wells and components, and would have the same operations and maintenance activities as the Approved Project. Therefore, the Modified Project would have the same findings of Less than Significant Impacts for Energy as the Approved Project.

#### Mitigation Measures

None required or recommended.

### 3.8 Geology and Soils

As explained in *Section 1.4 Evaluation of Environmental Impacts*, this analysis only discusses checklist questions 3.8-1.ii, 3.8-1.iii, 3.8-3, 3.8-4, and 3.8-6, because the other topics under Geology and Soils were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

#### 3.8-1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

*Approved Project*

As described in the EIR, Southern California is known to be seismically active. The Study Area does not lie within an Alquist-Priolo fault rupture zone as delineated by the California Geological Survey. The Carpinteria Fault and Rincon Creek Fault trend toward the southwest end of the Study Area, and are both inactive, concealed faults, though the City considers the faults to be potentially active for planning purposes. Two additional potentially active faults are located within two miles of the Study Area to the north-northeast. Although the Approved Project would be designed in compliance with applicable standards and codes to protect against impacts of seismic ground shaking, **Mitigation Measure MM 3.8-1** (Geotechnical Analysis) has been included to further reduce seismic impacts to less than significant.

**Mitigation Measure MM 3.8-1** includes the development of a geotechnical report for the injection wells, backflush tank, monitoring wells, and conveyance pipeline sites to determine the appropriate design features to include in the Approved Project facilities. This mitigation measure addresses potential earthquake faults and ground shaking as well as liquefaction; the entire Study Area is in soils vulnerable to earthquake-induced liquefaction, and the Approved Project therefore has the potential to expose people or structures to earthquake-induced liquefaction. Soil testing would be conducted prior to final selection of the injection and monitoring well sites and the potential for soil expansion would be considered in the site selection process. Compliance with applicable design and construction standards would likely reduce potential impacts associated with exposure to earthquake-induced liquefaction, however there would remain potentially significant impacts. **Mitigation Measure MM 3.8-1** reduces potential impacts to less than significant by requiring soils testing/surveys and protective measures in areas with liquefaction potential or expansive soils.

The Study Area does not fall with the areas designated as having a high landslide potential in the City's *General Plan/Local Coastal Land Use Plan*. Additionally, as aforesaid, the Approved Project would comply with design standards and would not result in an increased risk of landslides within the Study Area. As such, the Approved Project would not result in significant impacts related to landslides. Impacts would be less than significant.

#### *Modified Project*

The Modified Project would be subject to the same risk of structural damage or loss due to seismic ground shaking as the Approved Project because the Modified Project would be located within the same fault zone area. The Modified Project facilities would also be constructed using the same standards and guidelines as those in the Approved Project. As with the Approved Project, **Mitigation Measure MM 3.8-1** would apply, which requires preparation of a soils and geotechnical report for the facilities proposed under the Modified Project, which would determine whether there is a liquefaction risk and recommendations for materials and design would be incorporated into the specifications. Therefore, no new impact related to seismic ground shaking, ground failure or liquefaction, or landslides or soil instability would occur from the Modified Project, and no new mitigation would be required.

3.8-3) Be located on 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

*Approved Project*

The City's *General Plan/Local Coastal Land Use Plan* and *Santa Barbara County Comprehensive Plan* indicates that the Study Area is susceptible to liquefaction. The Approved Project is in a generally level area and is not anticipated to destabilize soils that would result in landslides. Potential impacts from lateral spreading, subsidence, liquefaction, or expansive soils would be reduced through implementation of applicable design and construction standards and further mitigated by **Mitigation Measure MM 3.8-1** (Geotechnical Analysis), which requires soils testing/surveys and protective measures in areas with liquefaction potential or expansive soils, thereby reducing impacts to less than significant.

*Modified Project*

Because the Modified Project would be within the same area as the Approved Project, Modified Project facilities would also be located in areas susceptible to liquefaction. As with the Approved Project, the Modified Project, would occur on generally level soils, and potential impacts would be mitigated under those measures established in the Approved Project (**Mitigation Measure MM 3.8-1**). Therefore, no new impact would occur from the Modified Project and no new mitigation would be required.

3.8-4) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property

*Approved Project*

The EIR determined that a portion of the Study Area is in high expansive soils. There is potential for these soils to create a risk to Approved Project components, such as damage to a conveyance pipeline. In the event that one of the pipelines is damaged due to the expansive soils, there is potential risk to property from flooding associated with a broken pipeline. This risk would be reduced through implementation of applicable design and construction standards, but could be potentially significant and require mitigation. **Mitigation Measure MM 3.8-1** (Geotechnical Analysis) requires soils testing/surveys and protective measures in areas with liquefaction potential or expansive soils, thereby reducing impacts to less than significant. Therefore, the impact would be less than significant with mitigation incorporated.

*Modified Project*

The Modified Project area is in the same vicinity as the Approved Project area; the portion of the Study Area identified in the EIR to contain expansive soils thus remains for the Modified Project, and the Modified Project would be subject to the same mitigation measures as the Approved Project as described in the EIR. The geotechnical report that would be completed as part of **Mitigation Measure MM 3.8-1** would identify expansive

soils and provide design specifications to avoid potential damage to the Modified Project facilities, reducing potential impacts to less than significant. Therefore, no new impacts associated with expansive soils would occur for the Modified Project and no new mitigation measures would be required.

3.8-6) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature

*Approved Project*

The EIR found that there is low paleontological sensitivity in the Approved Project area between 0 and 15 feet bgs due to the young age of the soils at these depths at the project site. Impacts on paleontological resources at these depths would therefore not be expected. Excavation for the Approved Project's conveyance pipelines, backflush tank, and backflush pipelines would all remain above the 15-foot threshold, and therefore would have no impact on paleontological resources. Likewise, the ocean outfall modifications would not involve excavation and would similarly have no impact on paleontological resources.

The EIR found a high potential for impacts to paleontological resources if the Approved Project excavates deeper than 15 feet bgs. Excavation at the AWPf site would reach a maximum depth of 20 feet bgs, however, previous excavation activities across the WWTP site have disturbed the sediments to an estimated depth of 20 feet bgs. Well drilling would extend beyond 15 feet bgs, but these activities would have negligible impacts on paleontological resources or unique geologic features because the well drill auger has a small diameter which would limit disturbances to intact Pleistocene sediments. As a result, significant impacts to paleontological resources are not anticipated.

To ensure proper procedures are in place in the event of an unanticipated fossil discovery, **Mitigation Measure MM 3.8-6** (Fossil Discovery, Preparation, and Curation) would be implemented during all construction phases of the Project and would ensure that any unanticipated fossils present on site are preserved. With implementation of **Mitigation Measure MM 3.8-6**, the potential impacts on paleontological resources would be less than significant.

*Modified Project*

The Modified Project sites are all located in urbanized, previously developed or disturbed land. The Modified Project sites are located in proximity to the Approved Project sites and would use the same or substantially similar construction methods as those of the Approved Project. Excavation activities at the AWPf would be to similar depths as those of the Approved Project, though over a modified total footprint, and would similarly exceed 15 feet bgs. However, the previous excavation activities at the WWTP site have disturbed the sediments to an estimated depth of 21 feet bgs, including in areas where the Modified Project's AWPf components would be constructed, similar to the Approved Project. As a result, the Modified Project would have the same potential risk for encountering fossiliferous deposits during anticipated ground disturbance and well drilling. The

Modified Project would implement previously adopted **Mitigation Measure MM 3.8-6** in the event of unanticipated fossil discovery, and therefore potential impacts would be less than significant. No new paleontological resource impacts would occur with the Modified Project and no new mitigation would be required.

Mitigation Measures:

To mitigate possible impacts to geology and soils and paleontological resources during construction and operation, CVWD shall implement **Mitigation Measures MM 3.8-1** and **MM 3.8-6** (listed below) which were previously adopted in the EIR for the Approved Project. The impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

- **MM 3.8-1 Complete a Geotechnical Analysis, Assess Potential for Liquefaction and Expansive Soils and Incorporate Protective Measures.** All of the Proposed Project's components would be located within an area of high expansive soils or an area at risk for liquefaction. During design for all project components, CVWD shall complete an engineering geotechnical and soils report that assesses potential for seismic-related risks and liquefaction. CVWD shall incorporate protective measures as necessary, based on the findings of the geotechnical and soils report. Pipelines shall be installed within consolidated engineered backfill. Protective measures may include the use of specific materials (e.g., PVC instead of cement pipes), design features such as thickness of pipes or foundations, methods that comply with standards and regulations for areas with potential for liquefaction, or selection of materials resistant to the effects of liquefaction.
- **MM 3.8-6 Fossil Discovery, Preparation, and Curation.** In the event an unanticipated fossil discovery is made during the course of the project development, then in accordance with SVP (2010) guidelines, a qualified professional paleontologist should be retained in order to examine the find and to determine if further paleontological resources mitigation is warranted. The paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure fossil(s) can be assessed for scientific significance and if necessary, removed in a safe and timely manner. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County) along with all pertinent field notes, photos, data, and maps.

### 3.9 Greenhouse Gas Emissions

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Greenhouse Gas Emissions were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

The Modified Project would result in less overall excavation than the Approved Project. This results in approximately 15 percent fewer hauling trips. All other assumptions used for the greenhouse gas emissions analysis conducted via CalEEMod would remain the same because the Modified Project would use the same or similar construction methods and there are no substantial changes to the length of pipeline to construct. Because fewer haul trips would be required, and all other assumptions related to air quality would remain the same or substantially similar, the Modified Project would have a lower overall potential for impacts associated with greenhouse gas emissions compared to the Approved Project as evaluated in the EIR. Therefore, there would be no new greenhouse gas emission impacts as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures

None required or recommended.

### 3.10 Hazards and Hazardous Materials

As explained in in Section 1.4 Evaluation of Environmental Impacts, this analysis only discusses checklist questions 3.10-1, 3.10-2, 3.10-3, 3.10-4, 3.10-6, and 3.10-7, because the other topics under Hazards and Hazardous Materials were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

3.10-1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials

*Approved Project*

During construction, construction machinery and associated chemicals (e.g. gasoline, diesel fuel, hydraulic fluids, paint) would be required. During operation, chemicals would be routinely used, stored, and delivered for the treatment/blending facility (e.g. cleaning and degreasing solvents, sodium hypochlorite, ammonium hydroxide, antiscalant, etc.). The EIR found the routine use of hazardous materials during construction and operation of the Approved Project would be minimized through compliance with existing federal, State and local regulations, which were identified in the EIR. To further minimize potential impacts of hazards and hazardous materials transported, used, or disposed of for the project, **Mitigation Measures MM 3.10-1a** (Preparation of Hazardous Materials Business Plan) and **MM 3.10-1b** (Hazardous Materials Management and Spill Prevention and Control Plan) would be implemented, which require the amendment of existing, and creation of additional, plans for hazardous materials onsite for the AWPf and construction phase, consecutively. With conformance to appropriate regulations, BMPs, and mitigation measures, the EIR found impacts related to hazards and hazardous materials would be less than significant.

*Modified Project*

Under the Modified Project, the use of construction machinery and chemicals during construction would be the same as for the Approved Project because the same or substantially similar construction methods would be used. The additional well locations

would not substantially change routine use of hazardous materials during construction. CVWD would be required to be in compliance with all applicable federal, State, and local regulations pertaining to hazardous materials and would use appropriate BMPs in addition to implementing **Mitigation Measures MM 3.10-1a** and **MM 3.10-1b**, and impacts would be less than significant. Therefore, no new impacts would occur for the Modified Project related to routine transport, use, or disposal of hazardous materials and no new mitigation would be needed.

3.10-2) 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

*Approved Project*

Construction of the Approved Project would temporarily increase the routine transport and use of hazardous materials commonly used in construction activities. Therefore, the Approved Project has the potential to result in release of hazardous materials through reasonably foreseeable upset or accident conditions during both construction and operation of the Approved Project. The Approved Project would be in compliance with applicable policies and regulations, follow appropriate BMPs, and implement **Mitigation Measure MM 3.10-1b**, which would require the preparation of a Hazardous Materials Management and Spill Prevention and Control Plan establishing procedures for preventing construction-related accidents and handling potential accidents. With implementation of **Mitigation Measure MM 3.10-1b**, impacts from potential accidental release of hazardous materials to the public or the environment would be reduced to less than significant.

*Modified Project*

Similar to the Approved Project, the Modified Project would include the routine transportation and use of hazardous materials for both construction and operation, and would have a similar potential to result in release of hazardous materials through reasonably foreseeable upset or accident conditions during both construction and operation. The Modified Project shall implement **Mitigation Measure MM 3.10-1b**, which was previously adopted as part of the EIR, to minimize the risk of hazardous material exposure during construction. The Modified Project would require the development of each preventative plans that would apply to the Approved Project and comply with the same existing regulations. During operation, the same safety measures would be put in place. Therefore, no new impact would occur, and no new mitigation would be necessary.

3.10-3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

*Approved Project*

The EIR found there are six public elementary, middle, and high schools located within the Study Area, and three pre-schools. As shown in Table 3.10-1 and Figure 3.10-1 of



the EIR, these nine schools are all located within one-quarter mile of the Approved Project. Although construction activities for the Approved Project would be conducted in compliance with all applicable regulations for the transport, storage, use, and disposal of hazardous materials and precautions would be taken to reduce potential risks, there is potential for an accidental release of hazardous materials, as discussed under Impact 3.10-2. Given the proximity of these schools to the Approved Project, there is potential that such an accidental release could occur within one-quarter mile (1,320 feet) of an existing or proposed school. **Mitigation Measures MM 3.10-1a** (Preparation of Hazardous Materials Business Plan) and **MM 3.10-1b** (Hazardous Materials Management and Spill Prevention and Control Plan) shall apply to construction and operation of the Approved Project. These mitigation measures require developing and implementing onsite policies and procedures for minimizing risks associated with accidental release of hazardous materials, including in proximity of existing or proposed schools. Implementation of these mitigation measures would reduce impacts to less than significant.

#### *Modified Project*

The Modified Project expands the area in which the monitoring wells and injection wells could potentially be located. The nine schools already described in the EIR remain the only schools within a 0.25 mile radius of the Modified Project area. The Modified Project therefore would not create a new impact. Previously adopted **Mitigation Measures MM 3.10a** and **MM 3.10b** would be implemented as part of the Modified Project, reducing impacts to less than significant. Therefore, there would be no new impacts as a result of the Modified Project and no new mitigation would be required.

3.10-4) 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

*Approved Project*

The EIR identified 23 hazardous waste sites, including three active sites and four closed cases at the WWTP site, present within a quarter mile radius of the Approved Project's Study Area using records searches of the State Water Resources Control Board's GeoTracker and the Department of Toxic Substances Control's EnviroStor. These sites are detailed in the EIR. Well Site #6 and the Southern Potential Pipeline Alignment along 6th Street at Linden Avenue are located adjacent to two of the active sites. If Well Site #6 or the Southern Potential Pipeline Alignment along 6th Street at Linden Avenue are selected for the project, impacts would be potentially significant and mitigation to reduce exposure impacts to construction workers and the adjacent population, including a Phase I Environmental Site Assessment, may be required. **Mitigation Measure MM 3.10-4** (Contingency Plan for Contaminated Soil and/or Groundwater) was adopted as part of the Approved Project to reduce the potential to expose people or the environment to hazardous materials through excavation and earth-disturbing activities on or adjacent to hazardous materials sites. With the implementation of **Mitigation Measure MM 3.10-4**, impacts would be less than significant.

*Modified Project*

All expansions to possible monitoring and injection well sites occur on land already accounted for as potential project sites found in the EIR, or immediately adjacent to the Approved Project. No changes would be made to potential Well Site #6 or the Southern Potential Pipeline Alignment along 6th Street at Linden Avenue under the Modified Project. **Mitigation Measure MM 3.10-4** still applies and would be implemented as part of the Modified Project if either or both of these sites are selected as final project locations and would thus reduce potential impacts to less than significant. No other Modified Project facilities would be located on a clean-up site undergoing or awaiting remediation. Therefore, no new impacts would occur as part of the Modified Project and no new mitigation would be required.

3.10-6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

*Approved Project*

The EIR determined construction of the Project components would temporarily alter, block, or impair roads such that they would conflict with the adopted emergency response plan and emergency evacuation plan. Coordination with local emergency responders would be required regarding lane closures. Implementation of **Mitigation Measure MM 3.18-1** (Transportation Management Plan) would require preparation of a Transportation Management Plan and would address how the City would communicate with emergency response agencies to develop emergency access strategies. With the implementation of

**Mitigation Measure MM 3.18-1**, potential impacts would be reduced to less than significant levels. Over the long term, the Approved Project does not have any characteristics that would physically impair or otherwise interfere with emergency response or evacuation in the Study Area. Therefore, with implementation of mitigation measures, impacts would be less than significant.

*Modified Project*

The Modified Project would increase the duration of road closures along Linden Avenue and Meadow View Lane compared to Approved Project because well drilling would take longer than only installing pipelines in these roadway ROWs. The Modified Project adds potential new locations for monitoring wells, which expands which roadways may be affected by lane closures during monitoring well construction. However, it would not change the overall number of roads that could experience closures. As with the Approved Project, any lane or road closures would temporarily alter, block, or impair roads such that they would conflict with the adopted emergency response plan and emergency evacuation plan. Coordination with local emergency responders would be required regarding lane closures. Similarly, **Mitigation Measure MM 3.18-1** shall be required for the Modified Project. As with the Approved Project, all disturbances associated with the Modified Project would be assessed for potential to interfere with an adopted emergency response or emergency evacuation plan (and with traffic generally). CVWD would be responsible for coordinating with emergency services, creating a Transportation Management Plan, and minimizing the duration of closures to roadways and critical access points for emergency services under the adopted **Mitigation Measure MM 3.18-1**. As with the Approved Project, impacts would be reduced to less than significant with implementation of the described mitigation measure. Therefore, there would be no new impacts, and no further mitigation measures would be required.

3.10-7) Expose people or structures either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

*Approved Project*

The majority of the City of Carpinteria is located within a Very High Fire Hazard Safety Zone under the CalFire Fire Hazard Severity Zone Mapping, though the City's *General Plan/Local Coastal Land Use Plan Safety Element* designates the portion of the City that includes the Study Area as a Low Fire Hazard Zone. To minimize the risk of wildfire from construction activities, **Mitigation Measure MM 3.10-7** (Construction Equipment and Staging Area BMPs) would be implemented under the Approved Project, which includes BMPs for construction equipment and staging areas that would minimize the risk of wildfire to less than significant. The AWPf is within a debris flow risk area with indirect fire-related impacts possible. The EIR found, however, that constructing the facility and associated appurtenances in compliance with applicable building and design standards and maintaining the walled structure around the WWTP site that houses the AWPf would reduce potential impacts from indirect wildfire risks to less than significant without further mitigation.

### *Modified Project*

The Modified Project would be located within the Study Area of the Approved Project, and would be subject to the same wildfire related risks as the Approved Project. No part of the Modified Project changes the determinations made in the EIR regarding risk of direct or indirect impact from wildfire as all portions of the project remain in the same localities designated as Low Fire Hazard Zone and debris flow risk areas. The Modified Project would maintain compliance with applicable building and design standards, a wall around the AWPf would remain, and **Mitigation Measure MM 3.10-7** would be implemented as part of the Modified Project reducing potential impacts would be less than significant. Therefore, no new impact would occur, and no new mitigation would be required.

### Mitigation Measures:

To mitigate unanticipated exposure to hazards, hazardous materials, and physical interference with evacuations and emergencies during construction and operation, CVWD shall implement **Mitigation Measures MM 3.10-1a, MM 3.10-1b, MM 3.10-4, and MM 3.10-7** (listed below), and **Mitigation Measure MM 3.18-1** (listed in *Section 3.18 Transportation*) which were previously adopted in the EIR for the Approved Project. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

- **MM 3.10-1a Preparation of Hazardous Materials Business Plan.** CSD shall amend its existing Hazardous Materials Business Plan (HMBP) for the WWTP to address the addition of the AWPf and pump station. The HMBP shall include, at a minimum, an updated hazardous materials inventory, site plan, emergency response plan, and requirements for employee training. The HMBP shall be amended prior to the use and storage of chemicals during construction or operation of the Proposed Project. The HMBP shall inform staff and contractors of the chemicals that may be used at the site and how to respond to potential hazardous material emergencies or exposure. CSD shall confirm training and signage included in the HMBP are completed and posted at the AWPf and associated chemical storage. CSD shall confirm that the hazardous materials inventory is consistent with chemicals ordered by contractors during construction and by CSD for operation and maintenance of the AWPf, pump station, and associated facilities.
- **MM 3.10-1b Hazardous Materials Management and Spill Prevention and Control Plan.** Before construction begins, CVWD and/or CSD shall require its construction contractor to prepare a Hazardous Materials Management Spill Prevention and Control Plan that includes a project-specific contingency plan for hazardous materials and waste operations. The Plan will be applicable to construction activities and will establish policies and procedures according to applicable codes and regulations, including but not limited to the California Building and Fire Codes, and federal and California Occupational Safety and Health

Administration (Cal/OSHA) regulations, to minimize risks associated with hazardous materials spills. Elements of the Plan will include, but not be limited to the following:

- A discussion of hazardous materials management, including delineation of hazardous material storage areas, access and egress routes, waterways, emergency assembly areas, and temporary hazardous waste storage areas;
  - Notification and documentation of procedures; and
  - Spill control and countermeasures, including employee spill prevention/response training.
- **MM 3.10-4 Contingency Plan for Contaminated Soil and/or Groundwater.** If Well Site #6 or the Southern Potential Pipeline Alignment along 6th Street at Linden Avenue are selected as components of the Proposed Project, CVWD shall conduct a Phase I Environmental Site Assessment to evaluate the potential for contaminated soils within the Project footprint. If the Phase I Environmental Site Assessment is positive, CVWD shall conduct soils testing prior to excavation activities in those sites to evaluate the risk of encountering contaminated soils. If soils testing finds contaminated soils or groundwater, construction will be halted in the area and the type and extent of the contamination shall be evaluated. CVWD will develop a contingency plan to dispose of contaminated soils or groundwater through consultation with appropriate regulatory agencies prior to continuation of work. The contingency plan may include, but not be limited to, a plan for safe handling of contaminated soils, a description of the required personal protective equipment for workers during excavation of contaminated soils, and identification of proper disposal sites and methods. CVWD will designate a monitor to confirm compliance with the contingency plan during excavation activities in the contaminated area.
  - **MM 3.10-7 Implement Construction Equipment and Staging Area BMPs.** CVWD and CSD contractors shall be required to clear construction staging areas of dried vegetation and other material that could ignite, and store equipment that heats up only in cleared areas. CVWD and CSD contractors shall be required to keep all construction equipment in good working order and equipped with spark arrestors to prevent potential sparks. CVWD and CSD shall require its contractors to use a spotter during welding activities, and fire extinguishers would be made available at all construction sites. Confirmation of these practices will be made by CVWD or CSD staff or their designated representative through periodic site visits.

### 3.11 Hydrology and Water Quality

As explained in in Section 1.4 Evaluation of Environmental Impacts, this analysis only discusses checklist question 3.11-1, because the other topics under Hydrology and Water Quality were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

3.11-1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality

*Approved Project*

The EIR found that there was potential for water quality impacts to occur under the Approved Project should HDD be used for the pipeline crossing of Franklin Creek due to the risk of frac-out. If HDD were used, **Mitigation Measure 3.11-1a** (Frac-Out Plan) would be implemented which requires the development of a Frac-Out Plan to reduce potential impacts to Franklin Creek to less than significant. Construction of the Approved Project would comply with the SWRCB's NPDES General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) (Order 2009-0009-DWQ) which requires preparation and implementation of a SWPPP to control erosion, sediment and other construction-related pollutants in storm water discharges during project construction. Discharges of treated water from the WWTP are covered under the CSD's NPDES permit for the CSD WWTP (Order R3-2017-0032, Permit CA0047364). Compliance with this permit reduces water quality impacts resulting from discharge of recycled water by setting effluent limitations and discharge specifications for the CSD WWTP and requiring CSD to comply with the Monitoring and Reporting Program and to visually inspect the ocean outfall and diffuser structure at least once per year. This permit would be updated to reflect the new CAPP components. Compliance with this permit would ensure potential water quality impacts at the ocean outfall from operation of the AWPf would be less than significant. The post-construction stormwater runoff requirements of the Municipal Separate Storm Sewer System (MS4) permit (Order R3-203-0032) would apply to the injection well sites and work completed at the WWTP site, both of which would exceed the impervious surface thresholds that trigger the policy.

The Approved Project would be issued a WDR for injection of advanced treated wastewater into the Carpinteria Groundwater Basin. The permit would be based on Title 22 CCR Division 4, Chapter 3, *Water Recycling Criteria*, which establishes regulations for groundwater replenishment reuse projects, and specifically Article 5.2, *Indirect Potable Reuse: Groundwater Replenishment – Subsurface Application*. Compliance with these requirements would result in less than significant impacts to groundwater quality.

The Approved Project would alter the quality and volume of water discharged through the ocean outfall, releasing a higher concentration of salinity than is currently discharged by the WWTP. A Dilution Study, included as Appendix J to the EIR, found that changes to the brine discharge would have a less than significant impact to water quality related to salinity of the water column.

The Approved Project would not adversely affect drinking water sources because it would not be constructed near existing water supply sources or storage facilities, other than groundwater, and the use of advanced purified water would not degrade groundwater quality as discussed above.

The City's Environmental Compliance Guidelines also consider a water quality impact significant if it would significantly impact biological communities. As discussed in *Section*

3.4, *Biological Resources*, construction activities could result in potential impacts to water quality in Franklin Creek and Carpinteria Creek, and **Mitigation Measures MM 3.4-3a** (Disturbance Area and Staging), **MM 3.4-3b** (Material Storage), **MM 3.4-3c** (Construction Best Management Practices) would be implemented to minimize disturbances that could result in sediments in the creeks, trash entering waterways, and water quality impacts from runoff and spills/leakage. Impacts would be less than significant with mitigation incorporated.

#### *Modified Project*

The Modified Project would be constructed using the same or substantially similar construction methods as the Approved Project, be located in similar areas as the Approved Project, would reduce the overall number of injection and monitoring wells, and would have the same operations and maintenance activities as the Approved Project. The Modified Project would generate the same average volume of water as the Approved Project and be operated in the same manner, and would have the same less-than-significant impact on groundwater as the Approved Project. As with the Approved Project, no mitigation would be required related to potential groundwater quality impacts. Under the Modified Project, there would be no changes to ocean outfall elements of the Approved Project, as they have already been completed, and thus no changes in impacts or mitigation.

Potential construction impacts on water quality in Franklin Creek and Carpinteria Creek would be similar to the Approved Project, with the exception of the potential impacts associated with HDD because no pipeline crossing of Franklin Creek would be required under the Modified Project. Therefore, the approved **Mitigation Measures MM 3.4-3a**, **MM 3.4-3b**, and **MM 3.4-3c** would be required for the Modified Project, but **Mitigation Measure MM 3.11-1** (requiring a Frac-Out Plan) would not. As with the Approved Project, the Modified Project would have a less than significant impact with incorporation of mitigation, though **Mitigation Measure 3.11-1** from the Approved Project would not apply to the Modified Project and the overall potential impacts would be to a lesser degree. Therefore, no new impact would occur, and no new mitigation would be required.

#### *Mitigation Measures:*

To mitigate potential impacts to hydrology and water quality, CVWD shall implement **Mitigation Measures MM 3.4-3a**, **MM 3.4-3b**, and **MM 3.4-3c** (listed in Section 3.4 Biological Resources) which were previously adopted in the EIR for the Approved Project. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

### **3.12 Land Use and Planning**

As explained in in Section 1.4 Evaluation of Environmental Impacts, this analysis only discusses checklist question 3.12-2, because the other topics under Land Use and

Planning were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

3.12-2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect

*Approved Project*

The EIR found that the Approved Project would not conflict with any applicable policies, plans, or regulations. The AWPf is subject to a height restriction of 30 feet which the City implements on structures in areas zoned for utilities, and the maximum height of the facilities would reach 27 feet (equalization tank), with the AWPf process building having a height of 20 feet. All Approved Project facilities are designed to remain outside of the 50-foot setback from creeks per City and County policy, and any activities occurring within 50 feet of the creek are recognized in the EIR as requiring a Coastal Commission exemption and/or amendment to the City's Local Coastal Program. The Approved Project would additionally obtain a Coastal Development Permit from the City as the entire City is within the Coastal Zone.

The conveyance and backflush pipelines would be located underground, and generally within the roadway ROWs and in locations designated for public infrastructure. They would therefore be consistent with applicable land use plans, policies, and regulations of agencies with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. Easements would be acquired as necessary, and once installed, conveyance and backflush pipelines would not affect aboveground land use, nor would they conflict with applicable land use plans, policies, or regulations.

CVWD would schedule construction to reduce interference with community needs, including timing construction to avoid disruption of church services, community events, and school schedules. Coordination with property owners would occur, and although some parking may be temporarily unavailable during construction, the Approved Project would not result in a violation of the parking requirements for the properties. Ocean outfall modifications would be undertaken with hand tools and are not expected to create substantial disturbance to the surrounding area or seafloor during construction. All of the above-described aspects of the Approved Project would avoid any impacts and conflicts to applicable policies and plans through proper planning and design. Impacts would therefore be less than significant. Construction of injection wells would create temporary noise and transportation impacts that could temporarily interfere with existing land uses, but implementation of **Mitigation Measures MM 3.14-1** (Noise Control Measures to Reduce Construction Noise), and **MM 3.18-1** (Transportation Management Plan) would reduce these temporary impacts to less than significant.

*Modified Project*

The height of the AWPf would be increased to 30 feet in the Modified Project, which will not result in a violation of the 30-foot maximum height restriction set by the City in areas



zoned for utilities. Similar to the Approved Project, the Modified Project would avoid construction of facilities within the 50-foot creek setback; facilities are designed to remain outside of the 50-foot setback from creeks per City and County policy, though staging and sound walls may be located within the 50-foot buffer. As noted in the City's OSC-6 policy, the set-back applies to development, and the County's Policy 9-37 allows for the buffer to be decreased on a case-by-case basis. Because the staging would be done within existing paved areas, and environmental commitments including compliance with permits (including the General Construction SWPPP requirements and applicable City and County permits) and trash management would be implemented, the Modified Project anticipates receiving approval for a reduced buffer for staging. As with the Approved Project, the Modified Project would additionally obtain a Coastal Development Permit from the City as the entire City is within the Coastal Zone. Therefore, there would be no conflict with any land use plan, policy, or regulation at the AWPf under the Modified Project.

Similar to the Approved Project, the new well sites of the Modified Project would be located within the City on land zoned for utilities, recreation, and public infrastructure, and easements would be acquired as necessary. The new injection well and monitoring well sites would be within the roadway ROW or parcels already evaluated under the Approved Project. Coordination with adjacent landowners would occur as part of the Modified Project, in the same manner as the Approved Project, and disruption of community events and needs would be similarly avoided by timing construction appropriately. No changes to ocean outfall construction would occur under the Modified Project. Because the Modified Project would use the same or substantially similar construction methods as the Approved Project, construction would create temporary noise and transportation impacts that could temporarily interfere with existing land uses, but implementation of approved **Mitigation Measures MM 3.14-1** (Noise Control Measures to Reduce Construction Noise), and **MM 3.18-1** (Transportation Management Plan) would reduce these temporary impacts to less than significant. Therefore, there would be no new impacts as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures:

**Mitigation Measures MM 3.14-1a** relating to noise (and listed in *Section 3.14, Noise*), and **Mitigation Measure MM 3.18-1** relating to transportation (and listed in *Section 3.18 Transportation*) shall apply to construction of injection and monitoring wells that generate noise, vibration, or transportation impacts that substantially interfere with existing residential uses. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

### 3.13 Mineral Resources

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Mineral Resources were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

### Mitigation Measures

None required or recommended.

#### **3.14 Noise**

As explained in in Section 1.4 Evaluation of Environmental Impacts, this analysis only discusses checklist questions 3.14-1 and 3.14-2, because the other topics under Noise were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

##### 3.14-1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies

###### *Approved Project*

The EIR analyzed the potential for temporary noise impacts from construction of the wells, pipelines, and AWPF facility. As discussed in the EIR, most of the well construction, pipeline construction, and AWPF construction would occur during daytime hours as allowable per City noise standards. Twenty-four-hour drilling would be needed for injection wells, however, which would primarily involve the use of a rotary drill rig. Drilling of the injection wells could span up to three weeks of 24-hour construction. The nearest residential receptors could be as close as 25 feet away from the rotary drill rig during 24-hour well construction and would exceed the temporary construction noise standards. Impacts from well drilling would thus be potentially significant before mitigation.

Similar to injection wells, monitoring well construction, which would involve the use of a rotary drill rig, flat-bed trucks, jackhammers, and forklifts, may require 24-hour drilling and may be located within residential roadways, near other residential properties, or near other sensitive receptors. Some equipment likely to be used during construction of the AWPF and associated facilities at the WWTP site would also have short-term noise levels that exceed standards, such as jack hammers or compactors, both of which generate noise levels over 80 dBA at 50 feet.

These impacts would be reduced to a less-than-significant level with the implementation of **Mitigation Measure MM 3.14-1** (Noise Control Measures to Reduce Construction Noise), which requires that CVWD and its contractor implement construction noise reduction measures. Under **Mitigation Measure MM 3.14-1**, the use of sound walls and sound blankets would be required as necessary so that construction activity noise can stay within the City's allowable noise thresholds, and residents that are located within 500 feet of construction activities would be notified. This mitigation measure also prohibits truck and equipment idling, requires that accommodations be provided to residents living within 100 feet of nighttime drilling where noise levels cannot be feasibly limited to 75 dBA at the property line, and requires special scheduling around school and church events, among other measures.

Operational noise from the Approved Project would be generated by the pump station, and equipment at the injection wells and AWPf. The EIR found permanent noise from operation of the wells would be naturally reduced given the facility's location and design as well as distance from noise-sensitive receptors. Operational noise from the pump station at the AWPf would be reduced because it would be completely enclosed within a building as well as further shielded from residences by other buildings on the WWTP site. Therefore, operation-related impacts to ambient noise levels would be less than significant.

The Approved Project's pipelines would be underground and are therefore not anticipated to result in significant noise impacts during operation. The only noise generating activity at the injection well sites would be the backflush pumps. The EIR determined the noise from the backflush pumps would be a maximum of 69 dBA Leq due to their location within the underground portion of the injection well vault but noted that noise from the pumps is expected to be imperceptible. Ambient noise levels adjacent to the injection well sites are not expected to substantially increase as a result of project operations. As described above, operational noise levels are not anticipated to create a significant noise impact for neighboring properties and sensitive receptors. The location of noise-generating equipment is such that noise would be attenuated by their enclosures and any slight increase in ambient noise levels would be less than significant.

The ocean outfall modifications would generate noise during construction. However, impacts to marine species were not anticipated, though **Mitigation Measures MM 3.4-1a** (Worker Environmental Awareness Program), discussed in *Section 3.5 Biological Resources*, **MM 3.5-1a** (Avoidance Measures for Marine Mammal and Sea Turtle Species) and **MM 3.5-1b** (Subtidal Biological Survey), discussed in *Section 3.6 Marine Biological Resources* in the EIR, would reduce any potential impacts, including noise impacts, to marine mammals and sea turtles to less than significant levels by training workers on identification of sensitive species (including marine mammals), requiring avoidance measures for marine mammals and sea turtles, and conducting marine biological surveys prior to construction to identify and where feasible avoid, special status species.

### *Modified Project*

The Modified Project would include the same sources of noise generation as the Approved Project for both construction and operation because the Modified Project would construct the same number of injection and monitoring wells as the Approved Project using the same or substantially similar methods, though injection well construction would take up to four weeks per well instead of three weeks as in the Approved Project. The increase in duration of potential 24-hour drilling would not represent a substantial change from the Modified Project because it would be 2 additional weeks of 24-hour drilling (one additional week per injection well) out of an overall construction schedule of 156 weeks (36 months, or three years), or approximately 1% of the total schedule, and would not change the potential impacts associated with 24-hour drilling. The Modified Project would expand the potential injection and monitoring well locations, including to the roadway

ROW along Linden Avenue and Meadow View Lane for the injection wells. The proposed location on Meadow View Lane would be approximately 50 feet from the nearest residence, while the proposed location on Linden Avenue would be approximately 55 feet from the nearest residence. Because the Modified Project would generate substantial noise during 24-hour drilling of the injection wells, **Mitigation Measure MM 3.14-1** (Noise Control Measures to Reduce Construction Noise) would apply, including offering temporary housing for residents located less than 100 feet from the drilling activities to ensure no residents are exposed to noise levels in excess of 75 dBA CNEL.

Because the Modified Project requires no changes to the ocean outfall improvements that were previously completed, **Mitigation Measures MM 3.4-1a, MM 3.5-1a, and MM 3.5-1b** would not be required for the Modified Project in relation to potential noise generation.

With implementation of **Mitigation Measure MM 3.14-1**, noise impacts of the Modified Project would be reduced to less than significant. Therefore, no new impact would occur, and no new mitigation would be required.

### 3.14-2) Generation of excessive groundborne vibration or groundborne noise levels

#### *Approved Project*

The Approved Project would use construction equipment that would generate vibration. As noted in the EIR, Caltrans' Transportation and Construction Vibration Guidance Manual indicates vibrations at 0.035 PPV and higher are distinctly perceptible by humans, and become disturbing at 0.17 PPV. The majority of construction equipment would generate vibration that would be perceptible at 25 feet, though only the vibratory roller and impact pile driver would be "disturbing" at 25 feet. The EIR found the Approved Project has the potential to generate temporary groundborne vibration during construction that could be perceptible to humans, and required **Mitigation Measure MM 3.14-1** (Noise Control Measures to Reduce Construction Noise) be implemented to ensure that construction-related vibration does not exceed applicable thresholds. With implementation of **Mitigation Measure MM 3.14-1**, the Approved Project would not expose persons to or generate excessive groundborne vibration or groundborne noise levels and impacts would be reduced to a less than significant level.

#### *Modified Project*

The Modified Project would use mainly the same construction equipment as the Approved Project, except it would not include the use of a pile driver or trenchless auger. Because it would use generally the same equipment, it would therefore generate similar vibrations. Although the Modified Project does not require the use of a pile driver, it would use a vibratory roller as well as the remaining equipment identified in the EIR. The Modified Project would move the Meadow View Well closer to residences (approximately 50 feet away), as well as the Linden Injection Well (approximately 55 feet away). However, groundborne vibration attenuates quickly, and none of the equipment used for the construction of injection wells would exceed the threshold for being "disturbing" at 25 feet, and therefore would not be disturbing at 50 or 55 feet. Because vibrations have the

potential to be at a perceptible level, **Mitigation Measure MM 3.14-1** would be implemented to ensure that construction-related vibration does not exceed applicable thresholds. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures:

To mitigate impacts related to noise, CVWD shall implement **Mitigation Measures MM 3.14-1** (listed below) which were previously adopted in the EIR for the Approved Project. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

- **MM 3.14-1a. Noise Control Measures to Reduce Construction Noise.** In order to comply with the affected City and County Municipal Codes and noise ordinances, CVWD's and CSD's construction contractors shall implement the following measures:
  - **Limit Construction Hours:** Construction hours shall be limited to times authorized under the City and County Municipal Codes and as allowed by applicable permits. Within For the City of Carpinteria, noise-generating construction will be is limited to the hours of 7:00 a.m. to 8:00 p.m. 5:00 p.m. Monday through Friday, and prohibited on Saturday and Sunday, unless otherwise necessary. 8:00 a.m. to 8:00 p.m. on Saturday, and 10:00 a.m. to 8:00 p.m. on Sunday. Non-noise generating project activities, including but not limited to equipment maintenance, refueling, preparations, and on-site meetings, would not be subject to these time limits unless otherwise specified in applicable permits. After-hours permits may be acquired if determined that it is required and serves the public interest. For the County of Santa Barbara, construction-related noise is restricted between 10:00 p.m. and 7:00 a.m. Sunday through Thursday, and midnight and 7:00 a.m. Friday and Saturday to levels less than 60 dB at the edge of the property line, or those that are not clearly discernable 100 feet from the property line.
  - **After-Hours Construction:** If construction outside of the City and County restricted hours is required, CVWD and CSD shall obtain CUP approval for such activities prior to initiation of construction. For each site requiring after-hours construction within 1,000 feet of residential areas, CVWD or its contractor shall install a temporary sound wall barrier around the site of construction activities. The sound wall barrier shall be 24 feet in nominal height with blanketed wall panels having a minimum sound transmission class rating of 25 to mitigate noise levels to less than 75 dBA CNEL at the property line of the receptor. Sound levels shall be continuously monitored throughout construction activities to ensure adequate noise reduction.

- **Construction at St. Joseph's Church:** Where construction permits allow construction on Sundays, drilling of the injection well at Well Site #3 shall be temporarily halted during Mass on Sundays. Drilling may resume between mass times as determined necessary by the drilling contractor to maintain integrity of the borehole. Sunday Mass times are scheduled at 7:00 a.m., 9:00 a.m., 11:00 a.m., and 5:30 p.m. and last for approximately 1 hour. Construction contractor shall coordinate with St. Joseph's Church staff on specific times drilling will stop and recommence on Sundays to avoid drilling during Sunday Mass. Specific Sunday Mass hours provided by St. Joseph's Church staff shall take precedence over the times listed here.
- **Equipment Location and Shielding:** CVWD and CSD shall require its contractors to locate stationary noise-generating construction equipment such as air compressors and generators as far as possible from homes and businesses within the City of Carpinteria. At the well sites, the contractor shall install a temporary sound barrier between the construction site and potential sensitive receptors such as residential areas or schools during construction to mitigate elevated noise levels. Sound barriers may include sound blankets or sound walls, or other appropriate features. The final selection of noise barriers will be reviewed and approved by CVWD and the City during the CUP approval process.
- **Temporary Housing during After-Hours Construction:** For residences within 100 feet of nighttime drilling where sound attenuation may be unable to reduce noise levels to 75 dBA at the property line, CVWD may temporarily provide alternative housing (e.g., hotel accommodations) for those residents who request such accommodations and whose properties fall within areas where after-hours construction noises cannot feasibly be mitigated to less than 75 dBA
- **Locate Staging Areas away from Sensitive Receptors:** The contractor shall select construction staging areas as far as feasibly possible from sensitive receptors. Prior to construction, the construction contractor shall identify and receive approval of the construction staging areas from the City of Carpinteria Public Works Department via written approval from a City engineer.
- **Install and Maintain Mufflers on Construction Equipment in Excess of 85 dBA:** Construction equipment that generates noise in excess of 85 dBA at 100 feet shall be fitted with mufflers to reduce noise to less than 85 dBA when measured 100 feet from the equipment. CVWD and CSD shall require the contractor to maintain construction equipment with specified noise-muffling devices to achieve stated performance measures. Noise testing shall be required to demonstrate the equipment has been installed and is properly reducing noise levels.

- **Idling Prohibition and Enforcement:** CVWD and CSD shall prohibit unnecessary idling of internal combustion engines. In practice, this would mean turning off equipment if it would not be used for five or more minutes.
- **Install Measures to Reduce Vibration:** Should pile driving or a vibratory roller be required for Proposed Project construction, the contractor shall conduct vibration monitoring at any residences or buildings located less than 50 feet from construction activities using such equipment. Ground vibration levels at the nearest residential structure to the construction site shall be monitored using vibration sensor(s) or velocity transducer with adequate sensitivity capable of measuring peak particle velocity level in the frequency range of 1 Hz to 100 Hz. If the vibration level due to construction activities exceeds the Proposed Project's criteria of 0.2 inch/second, the contractor shall make modifications/revisions to construction methods for approval by CVWD and CSD. Measures may include features such as use of roller compactor in lieu of vibratory compactors to ensure that the PPV remains at less than the 0.2 inch/second threshold.
- **Pre-Construction Notification:** At least two weeks prior to construction, written notifications to residents within 500 feet of the Proposed Project shall be sent, identifying the type, duration, and frequency of construction activities. For sensitive receptors, written notification shall either be hand-delivered or sent via certified mail. Signage shall also be posted at the construction site. Notifications shall also identify a mechanism for residents to complain to CVWD for construction related noise. As required by the California Coastal Commission, noticing to mariners will be provided in advance of work on the ocean outfall.
- **Schedule Construction on School Property Outside the School Year:** If Well Site #1 is selected for an injection well, construction at Well Site #1 shall be limited to school holidays (summer, winter, or spring break) as appropriate for the required construction timeframe.
- **Appoint a Primary Point of Contact:** CVWD and CSD will appoint a staff member or a third-party public information officer to act as primary point of contact for their respective components of the Proposed Project. This point of contact shall serve as a public information officer to receive comments from the public, as well as provide updated project information as appropriate during the project planning, design, and construction stages.

### 3.15 Population and Housing

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Population and Housing were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

The Modified Project would be constructed using the same or substantially similar construction methods as the Approved Project, would have the same overall number of wells and components, be located in the same general vicinity, and would have the same operations and maintenance activities as the Approved Project. Therefore, the Modified Project would have the same findings of No Impact or Less than Significant Impacts for Population and Housing as the Approved Project.

Mitigation Measures

None required or recommended.

**3.16 Public Services**

The EIR identified the potential for impacts to Public Services, therefore environmental checklist question 3.16-1 is evaluated here for the Modified Project.

3.16-1) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Fire protection

Police protection

Schools

Parks

Other public facilities

*Approved Project*

The Approved Project would be constructed within roadway ROWs and may be constructed on public park sites, school property, or other public or semi-public sites. Construction activities could temporarily disrupt portions of these properties, and consistent with **Mitigation Measure MM 3.1-1** (Minimize Tank Size and Install Screening) aboveground facilities would be secured with fencing and visually screened to reduce potential impacts to the aesthetic character of the well sites. Construction activities could result in delayed response times for emergency services due to construction-related traffic delays and/or detours. **Mitigation Measure 3.18-1** (Transportation Management Plan) requires a Transportation Management Plan that considers the needs of emergency services and would reduce impacts to less than significant.

*Modified Project*

Moving the Linden Injection Well and the Meadow View Well into the roadway ROW would reduce the potential impacts to semi-public sites (the two church properties) compared to



the Approved Project. As with the Approved Project, the Modified Project would have some aboveground facilities for the injection wells, that would be screened with vegetation and/or fencing to reduce potential visual impacts to less than significant, though the backflush tank would be eliminated and replaced with 48-inch below ground pipeline, eliminating the potential for impacts from the aboveground backwash tank as well as eliminating the need for **Mitigation Measure 3.1-1**. The Modified Project would result in the same types of potential impacts to emergency services as the Approved Project because it would also include lane closures during construction. **Mitigation Measure 3.18-1** would also be required to reduce potential impacts to emergency services to less than significant. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures:

To mitigate impacts related to public services, CVWD shall implement **Mitigation Measure MM 3.18-1** (listed in *Section 3.18 Transportation*) which were previously adopted in the EIR for the Approved Project. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

### 3.17 Recreation

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Recreation were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

The Modified Project would not change the overall type or size of facilities constructed under the Approved Project. Therefore, similar to the Approved Project, the Modified Project would not require the construction or expansion of recreation facilities, nor would it result in the need to expand or construct recreational facilities.

Mitigation Measures

None required or recommended.

### 3.18 Transportation

As explained in in *Section 1.4 Evaluation of Environmental Impacts*, this analysis only discusses checklist questions 3.18-1, 3.18-3, and 3.18-4, because the other topics under Transportation were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

3.18-1) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities

*Approved Project*

The Approved Project would have temporary impacts during construction by temporarily changing the provision of roadways, public transit, bicycle and/or pedestrian facilities within the Study Area. Specifically, lane and/or road closures may be required where pipelines would be installed in roadway ROW. Construction equipment and materials would be staged temporarily either within the construction zone on roads or vacant parcels near the construction area which may temporarily impact transit stops, bicycle and/or pedestrian facilities. The pipeline may be constructed along Linden and Carpinteria Avenues, both of which are high-traffic, arterial roadways. **Mitigation Measure MM 3.18-1** would be required to reduce impacts to less than significant. Under **Mitigation Measures MM 3.18-1**, a Transportation Management Plan would be developed. The Transportation Management Plan would include applicable measures, such as the use of flaggers, signage, cones, and other traffic control measures, to reduce construction-related traffic congestion as well as clearly define temporary detour routes.

*Modified Project*

The Modified Project would result in similar road or lane closures as the Approved Project. Though the specific locations of the injection wells and monitoring wells may be different than the Approved Project, the pipelines would be constructed in the same roadways as the Approved Project, including along Linden and Carpinteria Avenues, and **Mitigation Measure MM 3.18-1** would be required to reduce impacts to less than significant. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new transportation impacts would occur as a result of the Modified Project and no new mitigation would be required.

3.18-3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)

*Approved Project*

The Approved Project could temporarily change the configuration of intersections and roadways within the Study Area due to the potential lane or roadway closures or detours where pipelines would be installed within roadway ROWs, or if construction equipment or materials are staged in the roadway shoulders. Because lane detours or closures could increase conflicts between vehicles, bicyclists, and pedestrians, potential impacts would be considered significant, and however, with implementation of **Mitigation Measure MM 3.18-1** impacts would be reduced to less than significant. **Mitigation Measure MM 3.18-1** requires a Transportation Management Plan that would include measures to reduce potential transportation hazards caused by a changed roadway configuration or design feature to less than significant.

*Modified Project*

The Modified Project would result in similar land and roadway closures or detours as the Approved Project, and would therefore result in similar potential for impacts. Consistent with the Approved Project, implementation of **Mitigation Measure MM 3.18-1** (Transportation Management Plan) would be required to reduce impacts to less than

significant. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

3.18-4) Result in inadequate emergency access

*Approved Project*

Construction activities for the Approved Project would have temporary effects on traffic flow and lane configurations at specific intersections and roadways, which could similarly affect emergency access and response times in the Study Area. **Mitigation Measure MM 3.18-1** would require the development and implementation of a Transportation Management Plan which would outline temporary detour routes and alternative emergency access routes. CVWD would coordinate with local emergency response agencies such as police and fire to alert these entities about potential construction delays and detours. CVWD would minimize the duration of disruptions/closures to roadways and critical access points for emergency services to the extent feasible. With implementation of **Mitigation Measure MM 3.18-1**, impacts to emergency access would be reduced to less than significant levels.

*Modified Project*

As with the Approved Project, the Modified Project would have temporary effects on traffic flow and lane configurations at specific intersections and roadways during construction due to the roadway and lane closures or detours during construction. To reduce potential impacts, **Mitigation Measure MM 3.18-1** (Transportation Management Plan) would be implemented under the Modified Project. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new transportation impact would occur as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures:

To mitigate impacts related to transportation, CVWD shall implement **Mitigation Measure MM 3.18-1** (listed below) which was previously adopted in the EIR for the Approved Project. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

- **MM 3.18-1 Develop and Implement a Transportation Management Plan.** Prior to construction, a Transportation Management Plan shall be developed by CVWD. Prior to construction, a Transportation Management Plan shall be developed by CVWD. The Transportation Management Plan shall be implemented by CVWD and/or its construction contractor during construction of the Proposed Project and shall conform to Caltrans' Transportation Management Plan Guidelines. Such a plan shall include, but is not limited to:

- **Transportation Routes:** CVWD shall determine construction staging site locations and potential road closures, alternate routes for detours, and planned routes for construction-related vehicle traffic. It shall also identify alternative safe routes and policies to maintain safety along bike and pedestrian routes during construction.
- **Coordination with Emergency Services:** CVWD shall coordinate with the police, fire, and other emergency services to alert these entities about potential construction delays and alternate emergency access routes if necessary. To the extent possible, CVWD shall minimize the duration of disruptions/closures to roadways and critical access points for emergency services.
- **Coordination with Recreation Facilities:** CVWD shall also coordinate with any affected recreational facilities owners/operators to minimize the duration of disruptions/closures to recreational facilities and adjacent access points.
- **Coordination with Metropolitan Transit District (MTD):** If the Proposed Project will affect access to existing MTD bus stops, the Transportation Management Plan shall also include temporary, alternative bus stops, as determined in coordination with MTD.
- **Coordination with Caltrans:** CVWD shall coordinate with Caltrans on its construction schedule, potential road or lane closures, and alternate routes that may affect Caltrans-owned or operated facilities and to confirm the Transportation Management Plan conforms with Caltrans' Transportation Management Plan Guidelines.
- **Coordination with Schools:** CVWD shall coordinate timing of construction with the nine schools in the vicinity of the Proposed Project to minimize construction impacts during the regular school year.
- **Transportation Control and Safety:** The Transportation Management Plan shall provide for traffic control measures including flag persons, warning signs, lights, barricades, cones, and/or detour routes to provide safe passage of vehicular, bicycle and pedestrian traffic and access by emergency responders.
- **Plan Approval:** This plan shall be submitted to the City's planning or public works departments for review and acceptance by the City Transportation Safety Committee, Transportation Committee, and City Public Works Director/City Engineer, as well as any necessary permits acquired prior to construction.
- **Public Notification:** Prior to beginning construction, written notice shall be provided regarding potential road closures as described in the Transportation Management Plan. Notice shall be delivered to potentially affected properties within a 500-foot radius, as determined by the City's Public Works Director/City Engineer. The notice shall contain a brief description of the work, work dates,

and contact information of the Contractor's superintendent and the Engineer. The notice shall be delivered at ten (10) calendar days and again at two (2) working days prior to beginning the work. The notice shall be in the form of a door hanger made of index paper with the size of 14 inches by 4.5 inches. The notice shall be in English with translation in Spanish. A revised notice will be delivered in the event of delays in schedule, as soon as reasonably possible after a delay is identified and revised schedule known.

- **Resurfacing Standards:** Where impervious surfaces such as roadway ROWs or sidewalks, are disturbed by construction activities (e.g., excavation, staging, etc.), these surfaces shall be restored to pre-construction conditions and in accordance with applicable City and County standards.

### 3.19 Tribal Cultural Resources

The EIR identified the potential for impacts to Tribal Cultural Resources, therefore environmental checklist questions 3.19-1 and 3.19-2 are evaluated here for the Modified Project.

3.19-1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)

#### *Approved Project*

The Cultural Resources Assessment Report conducted for the Approved Project (included as Appendix E to the EIR) identified one previously-recorded cultural resource within the Study Area. This was prehistoric archaeological site CA-SBA-7, a large prehistoric/ethnohistoric village site that is thought to represent the remains of the Chumash village of Mishopshow. Although previous archaeological investigations found fragments of shells west of Carpinteria Creek, evidence for the presence of CA-SBA-7 in the vicinity of the current Study Area is minimal and the site's substantial cultural deposits are concentrated on the east side of Carpinteria Creek outside of the Study Area. Because of cultural sensitivity of the area, the presence of prehistoric archaeological site CA-SBA-7, and the grading and excavation activities that would occur during construction, the EIR found that there would be potential to uncover archaeological or other significant tribal cultural resources during construction, and mitigation was required.

**Mitigation Measures MM 3.6-2a** (Archaeological and Native American Monitoring), **MM 3.6-2b** (Unanticipated Discovery of Cultural Resources) and **MM 3.6-3** (Unanticipated Discovery of Human Remains) would reduce impacts to less than significant by implementing archaeological and Native American monitoring, halting construction activities if unanticipated discovery of cultural resources occurs, and compliance with the State of California Health and Safety Code 7050.5, including immediately halting construction activities and notifying the County Coroner's office upon discovery of human remains. Additionally, CVWD would implement cultural resources training for construction workers, including archaeological and tribal resource identification

### *Modified Project*

The Modified Project would be constructed within the 0.5 mile Study Area evaluated in the Cultural Resources Assessment. It would construct the same types of facilities as the Approved Project, and a reduced number of injection and monitoring wells, using the same or substantially similar construction methods, including excavation. It would not move any project facilities to the east side of Carpinteria Creek where CA-SBA-7's substantial cultural deposits are concentrated. As such, the Modified Project would have the same potential for impacts on Tribal Cultural Resources as the Approved Project, and **Mitigation Measures MM 3.6-2a, MM 3.6-2b, and MM 3.6-3** would be implemented to reduce impacts to less than significant. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

3.19-2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe

### *Approved Project*

The EIR identified one site of one previously-recorded cultural resource within the Study Area - prehistoric archaeological site CA-SBA-7. This site is an important tribal cultural resource mapped within the Study Area. Although it is not anticipated that construction of the Approved Project would substantially impact this resource, there is potential to encounter other previously uncovered tribal cultural resources during ground-disturbing construction activities. As a result, **Mitigation Measures MM 3.6-2a** (Archaeological and Native American Monitoring), **MM 3.6-2b** (Unanticipated Discovery of Cultural Resources) and **MM 3.6-3** (Unanticipated Discovery of Human Remains) would be required to reduce impacts to less than significant by implementing archaeological and Native American monitoring, halting construction activities if unanticipated discovery of cultural resources occurs, and compliance with the State of California Health and Safety Code 7050.5, including immediately halting construction activities and notifying the County Coroner's office upon discovery of human remains.

### *Modified Project*

The Modified Project would be constructed within the 0.5 mile Study Area evaluated in the Cultural Resources Assessment. It would construct the same number and types of facilities as the Approved Project, using the same or substantially similar construction methods, including excavation. As such, the Modified Project would have the same potential for impacts on Tribal Cultural Resources as the Approved Project, and **Mitigation Measures MM 3.6-2a, MM 3.6-2b, and MM 3.6-3** would be implemented to reduce impacts to less than significant. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore,

no new impact would occur as a result of the Modified Project and no new mitigation would be required.

Mitigation Measures:

To mitigate impacts related to tribal cultural resources, CVWD shall implement **Mitigation Measures MM 3.6-2a** (Archaeological and Native American Monitoring), **MM 3.6-2b** (Unanticipated Discovery of Cultural Resources) and **MM 3.6-3** (Unanticipated Discovery of Human Remains) (listed in *Section 3.6, Cultural Resources*), which were previously adopted in the EIR for the Approved Project. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

### **3.20 Utilities and Service Systems**

As explained in *Section 1.4 Evaluation of Environmental Impacts*, all topics under Utilities and Service Systems were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

The Modified Project would not change the overall types of facilities constructed or the volume of water produced. It would move the location of two injection wells and some of the monitoring wells, but would not move them to a location that could impact utilities or service systems in a different manner than the Approved Project. Therefore, similar to the Approved Project, the Modified Project would not impact utilities or service systems.

### **3.21 Wildfire**

As explained in in *Section 1.4 Evaluation of Environmental Impacts*, this analysis only discusses checklist questions 3.21-1, 3.21-2, and 3.21-3, because the other topics under Wildfire were found to be No Impact or Less than Significant Impact in the EIR and the finding would not change under the Modified Project.

3.21-1) Substantially impair an adopted emergency response plan or emergency evacuation plan

*Approved Project*

Construction activities for the Approved Project would have temporary effects on traffic flow and lane configurations at specific intersections and roadways, which could similarly affect emergency access and response times in the Study Area. Construction activities could temporarily block access to some roadways and driveways that are currently used by emergency response vehicles or in emergency evacuations. **Mitigation Measure MM 3.18-1** (Transportation Management Plan) would require the development and implementation of a Transportation Management Plan which would outline temporary detour routes and alternative emergency access and evacuation routes. Implementation of **Mitigation Measure MM 3.18-1** would reduce impacts to less than significant.

*Modified Project*

The Modified Project would have similar impacts on traffic flow and land configurations as the Approved Project, and would have similar potential to affect emergency access and response times in the Study Area. As such, **Mitigation Measure MM 3.18-1** (Transportation Management Plan) would be required for Transportation Management Plan which would outline temporary detour routes and alternative emergency access and evacuation routes. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

3.21-2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire

*Approved Project*

The EIR notes that there are no areas within the City or Study Area that are within a designated very high fire hazard safety zone, and that the City's *General Plan Safety Element* designates the portion of the City that includes the Study Area as a Low Fire Hazard Zone. It further notes that the Approved Project would not construct housing and would not expose residents to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. However, as a precautionary measure against wildfire risk, the EIR requires that **Mitigation Measure MM 3.10-7** (Implement Construction Equipment and Staging Area BMPs) be implemented. This mitigation measure requires construction staging areas be cleared of dried vegetation and other material that could ignite, and equipment that heats up to be stored only in cleared areas. Additionally, **Mitigation Measure MM 3.10-7** would require all construction equipment be kept in good working order and equipped with spark arrestors to prevent potential sparks, a spotter be utilized during welding activities, and fire extinguishers be made available at all construction sites. With implementation of **Mitigation Measure MM 3.10-7**, impacts would be less than significant.

*Modified Project*

The Modified Project would be located within the same general area as the Study Area and would construct the same number and types of facilities as the Approved Project, using the same or substantially similar construction methods. As such, the Modified Project would have the same potential to exacerbate wildfire risk, and **Mitigation Measure MM 3.10-7** would be required. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

3.21-3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment

*Approved Project*



No new roads or utility service in previously-undeveloped areas would be needed, as all Approved Project facilities are located in urbanized areas of the City of Carpinteria. Maintenance of Approved Project facilities would include daily or periodic inspections inspection and maintenance of the various AWPF, pump stations, pipelines, and injection wells, routine maintenance of the facilities and infrastructure, and chemical deliveries, none of which are expected to exacerbate risk of fire. Potential risk of fire associated with construction of the Approved Project would be reduced to less than significant levels with implementation of **Mitigation Measure MM 3.10-7** (Implement Construction Equipment and Staging Area BMPs), which would require clearing construction staging areas of dried vegetation and other material that could ignite and storing equipment that heats up only in cleared areas and that all construction equipment be kept in good working order and equipped with spark arrestors to prevent potential sparks, a spotter be utilized during welding activities, and fire extinguishers be made available at all construction sites.

#### *Modified Project*

The Modified Project would be located within the same general area as the Study Area and would construct the same number and types of facilities as the Approved Project, using the same or substantially similar construction methods. As such, the Modified Project would have the same potential to exacerbate wildfire risk, and **Mitigation Measure MM 3.10-7** would be required. With incorporation of the previously adopted Mitigation Measures from the EIR, impacts would remain less than significant. Therefore, no new impact would occur as a result of the Modified Project and no new mitigation would be required.

#### Mitigation Measures:

To mitigate impacts related to wildfire , CVWD shall implement **Mitigation Measure MM 3.10-7** (listed in Section 3.10, Hazards and Hazardous Materials) and **Mitigation Measure MM 3.18-1** (listed in Section 3.18 Transportation), which was previously adopted in the EIR for the Approved Project. Impacts of the Modified Project are the same as the Approved Project: less than significant with mitigation incorporated. No new mitigation is required for the Modified Project.

### **3.22 Environmental Justice**

As explained in Section 1.4 Evaluation of Environmental Impacts, all topics under Environmental Justice were found to have No Impact or Less than Significant Impact in the EIR, and the finding would not change under the Modified Project.

No part of the Study Area, under either the Approved Project or Modified Project, is defined as a community experiencing environmental justice issues. Therefore, similar to the Approved Project, the Modified Project would not result in environmental justice impacts.

#### Mitigation Measures

None required or recommended.

### **3.23 Federal Crosscutters**

The Modified Project, as with the Approved Project, may receive funding under a state program that also has a federal funding component and/or from a federal program. Therefore, to assist in compliance with the federal environmental requirements for the funding program, this Addendum includes analyses pertinent to several federal cross-cutting regulations (also referred to as federal cross-cutters, CEQA-Plus, or Tier 2). The EIR included analysis of Federal Crosscutters within each resource area's analysis. This Addendum therefore also included review of federal crosscutters in each resource area analysis above. The federal cross-cutters considered in the analysis above include the Archaeological and Historic Preservation Act (AHPA), Clean Air Act, Coastal Zone Management Act, Environmental Justice, Executive Order 11988 - Floodplain Management, as amended by Executive Orders 12148 and 13690, Executive Order 11990 - Protection of Wetlands, Executive Order 13007 – Indian Sacred Sites, Executive Order 13195 – Trails for America in the 21st Century, Farmland Protection Policy Act, Federal Endangered Species Act (ESA), Federal Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Executive Order 13168, Fish and Wildlife Coordination Act (FWCA), Magnuson-Stevens Fishery Conservation and Management Act, National Historic Preservation Act (NHPA), Rivers and Harbors Act, Section 10, Safe Drinking Water Act, Sole Source Aquifer Protection, and Wild and Scenic Rivers Act Executive Order 13122 – Invasive Species.

## 4. CONCLUSIONS

Based on the information provided in *Section 3, Evaluation of Environmental Impacts*, the newly evaluated impacts of the Modified Project would not substantially alter impacts previously identified in the EIR for the Approved Project. **Mitigation Measures MM 3.1-4, MM 3.4-1a, MM 3.4-1b, MM 3.4-1c, MM 3.4-1c, MM 3.4-2, MM 3.4-3a, MM 3.4-3b, MM 3.4-3c, MM 3.4-5, MM 3.6-2a, MM 3.6-2b, MM 3.6-3, MM 3.8-1, MM 3.8-6, MM 3.10-1a, MM 3.10-1b, MM 3.10-4, MM 3.10-7, MM 3.14-1a, MM 3.14-1b, MM 3.14-1c, and MM 3.18-1**, included in the EIR would also apply to the Modified Project as identified in this Addendum and would reduce impacts of the Modified Project to less-than-significant levels. Therefore, the conclusions of this Addendum remain consistent with those made in the EIR. No new significant impacts have been identified, nor is the severity of newly identified impacts substantially greater than impacts identified in the EIR. No additional CEQA review is required.

# Addendum No. 1 - Mitigation Monitoring and Reporting Program

## Carpinteria Advanced Purification Project

SCH# 2019011016

Prepared for:



Carpinteria Valley Water District  
1301 Santa Ynez Avenue  
Carpinteria, CA 93013

With Assistance From:



9665 Chesapeake Drive, Suite 320  
San Diego, CA 92123  
858.875.7400

October 2024

This page intentionally left blank.

## 1. MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation measures have been identified in the Environmental Impact Report (EIR) for the *Carpinteria Advanced Purification Project* (Proposed Project or CAPP) to reduce potential environmental impacts of the Proposed Project to less than significant levels, and minor modifications made under Addendum No. 1 to the EIR, in October 2024. Carpinteria Valley Water District (CVWD), its partner Carpinteria Sanitary District (CSD), and their contractors are required to implement the adopted mitigation measures for the Proposed Project in accordance with the EIR and Addendum No. 1. This Mitigation Monitoring and Reporting Program (MMRP) contains a checklist and description of all adopted mitigation measures, including the responsible parties, timing, and completion criteria. This MMRP also includes the environmental commitments described in the *Section 2.10 Environmental Commitments* in the Draft EIR (page 2-27 of the Draft EIR), as revised by *Section 3 Errata* in the Final EIR (pages 3-19 and 3-20 of the Final EIR), and as revised in Addendum No. 1 to the EIR.

### 1.1 Program Administration

The MMRP will be administered by CVWD. Mitigation measures will be incorporated into design and construction contracts, as appropriate, to ensure full implementation.

### 1.2 Project Description

#### 1.2.1 Approved Project in the EIR

The CAPP is located in the City of Carpinteria and unincorporated Santa Barbara County, California. The purpose of the CAPP is to create a new drought-resistant and reliable supply of local water, produce water suitable for groundwater recharge and potable reuse, and reduce CVWD's reliance on imported water and surface water storage at Lake Cachuma. The Project is being developed in partnership with CSD, the owner/operator of the Carpinteria Wastewater Treatment Plant (WWTP). The Proposed Project involves construction and operation of a new advanced water purification facility, up to three new injection wells, pipelines to convey advanced treated water to the injection wells for recharge to the Carpinteria Groundwater Basin, and up to six monitoring wells to monitor potential changes in groundwater levels and quality.

The Proposed Project would produce approximately 1,100 acre-feet per year (AFY) (1.0 million gallons per day [MGD]) of purified water from the AWPf for injection into the local groundwater basin, where it ultimately would be used for CVWD potable water supply. Source influent for the AWPf treatment train would be provided by CSD's WWTP. Existing CVWD production wells would be used to recover treated water from the groundwater basin. The ultimate project assumes an expansion from 1.0 MGD to 1.2 MGD based on projected future increases in WWTP flows. The ultimate Project includes the following facilities:

- AWPf consisting of equalization tank, microfiltration, reverse osmosis, and an advanced oxidation process, to be located on the WWTP site
- Purified water pump station, to be located on the WWTP site
- 6,100 linear feet (LF) of 12-inch conveyance pipeline from the PWPS to a well lateral split point, including Caltrans installation for the Linden Avenue overpass over US Highway 101
- 2,000 LF of 8-inch conveyance pipeline from the well lateral split point to individual injection wells
- Up to three 14-inch injection wells with backwash pumps and one 42,000 gallon tank
- Either 1,400 LF of 12-inch well backwash discharge piping to existing sanitary sewers, or 600 LF of 12-inch to existing storm drain culverts.

- Up to six monitoring wells
- Modifications to the CSD WWTP ocean outfall

### 1.2.2 Modified Project in Addendum No. 1

### 1.2.3 Modified Project

The following are summaries of new project elements that modify the Approved Project. These modified elements, together with the Approved Project, constitute the “Modified Project.” A detailed listing of the new elements can be found in *Section 2 Error! Reference source not found.*

#### ***Alternative Location for Well Site #3 - Linden Injection Well***

The Modified Project is considering alternative locations for the injection well proposed for Well Site #3, which is now referred to as the Linden Injection Well under the Modified Project. The Modified Project maintains the potential placement of the well at the corner of the parcel near Linden Avenue as described in the EIR, but includes a new potential location for the well in the roadway ROW on Linden Avenue, approximately 250 feet north of the intersection of Linden Avenue and El Carro Lane. This well would have a similar size and depth as originally described in the Approved Project and would be constructed in the same manner as originally approved, though the wellhead would be located below-ground in a manhole instead of a below-ground vault. Above-grade appurtenances and electrical controls will be located inside a fenced enclosure within the ROW along the sidewalk or within the parcel.

#### ***Alternative Location for Well Site #4 - Meadow View Injection Well***

The Modified Project includes an alternative location for the injection well at Well Site #4. The new location would be the roadway ROW on Meadow View Lane adjacent to the Well Site #4 parcel, owned by the Church of Latter-day Saints. The new location would be located approximately 350 feet west of the intersection of Meadow View Lane and Linden Avenue. This well would have a similar size and depth as originally described in the Approved Project and would be constructed in the same manner as originally approved, though the wellhead would be located below-ground in a manhole with above-grade appurtenances and electrical controls located behind the sidewalk in the roadway ROW. Above-grade equipment will be inside a fenced enclosure within the ROW along the sidewalk. Restoration to sidewalk and paving is subject to City permitting. The addition of the Meadow View Lane ROW as a proposed location for the injection well does not change the total number of injection wells planned for the project. Under the Modified Project, there would no longer be a backwash storage tank constructed at Well Site #4. Instead, a buried pipeline is proposed that will be sufficient in size to convey the injection well backwash to the sewer collection system, eliminating the need for the above-ground storage tank. This buried 48-inch pipeline in Meadow View Lane will allow for the backwash would be conveyed to the sewer system along Linden Avenue and returned to CSD’s water reclamation plant for advanced water purification back into the groundwater system. Staging and soundwalls may be located on existing paved surfaces within 50 feet of the Franklin Creek embankment, though the environmental commitments included in the EIR, including compliance with permit requirements (including implementation of a Stormwater Pollution Prevention Plan) and keeping the areas clean of trash and debris, would be implemented to avoid potential impacts to the creek.

#### ***Expansion of Monitoring Well Locations***

The Modified Project would expand the potential locations for monitoring well clusters to include injection Well Site #2 and injection Well Site #3 of the Approved Project, the roadway ROW at the western end of Meadow View Lane (adjacent to injection Well Site #4), as well as to CVWD headquarters at 1301 Santa Ynez Road and the adjacent

roadway ROWs. The total number of monitoring wells, size, depth, and construction methods would remain the same as the Approved Project, with up to four monitoring well clusters being constructed for the Project, though one monitoring well cluster at El Carro Park has already been constructed and is not included in this analysis. Error! Reference source not found. shows the expanded locations to be considered for monitoring wells based on final design, modeling, and permitting requirements.

### **Modifications to the AWWP Layout**

The Modified Project includes changes to the AWWP layout, although all facilities would remain within the CSD WWTP site. Layout changes have resulted in an increase in total building height from 20 feet above grade to 30 feet above grade, and increased the total footprint of the AWWP Process Building from 8,900 square feet to approximately 12,000 square feet with the Process Building at 8,300 square feet and the exterior canopy over the chemical and ultra-violet (UV) reactor at 3,700 square feet. The 200,000 gallon equalization tank will be completely buried, increasing the excavation depth to approximately 21 feet, and eliminating the 27-foot tall above-ground equalization tank that was included in the Approved Project. The AWWP treatment train would remain the same as described in the Approved Project, and include ultrafiltration (UF), reverse osmosis (RO), advanced oxidation process (AOP) with UV and free chlorine, with a slight increase in overall treatment capacity from 1.2 MGD in the Approved Project to up to 1.3 MGD in peak conditions under the Modified Project. The Modified Project would average 1.0 MGD for an estimated total average purified effluent of 1,100 AFY, consistent with the Approved Project. The foundation for the building will be supported by deep-soil cement-mixing, instead of driven or drilled piles. Staging would occur within the paved areas of the AWWP site, including within 50 feet of the wall bordering Carpinteria Creek.

In summary, the Modified Project's facilities consist of the following elements, with modifications addressed in this Addendum shown in **bold**:

- Advanced Water Purification Facility consisting of below grade equalization tank, below grade waste tank, UF, RO, and an AOP), systems, to be located on the WWTP site, **with an expanded building height, buried equalization tank, increased treatment capacity and supported on stabilized soils via deep-soil cement mixing ground improvements.**
- Purified Water Pump Station (PWPS) and 10,000 gallon below grade clearwell, to be located on the WWTP site
- 6,100 linear feet (LF) of 10-inch conveyance pipeline from the PWPS to a well lateral split point, including Caltrans installation for the Linden Avenue overpass over U.S. Highway 101
- 1,000 LF of 8-inch conveyance pipeline from the well lateral split point to two individual injection wells (**a reduction of 1,000 LF of pipeline**)
- Up to two 14-inch diameter injection wells with backwash pumps **including a change in the potential location of two previously planned injection wells from parcels to the roadway ROW, the elimination of one injection well, and elimination of a 42,000 gallon storage tank.**
- 600 LF of pressurized 12-inch piping and **400 LF of gravity 48-inch well backwash discharge piping** to existing sanitary sewers; including associated sewer manholes and air-gap discharge to sewer near wellheads; **a reduction of 400 total LF of backwash piping and avoidance of backwash discharge to the storm system.**
- Up to three monitoring well clusters, **including expanded potential locations and representing a reduction in total number of monitoring well clusters from the Approved Project.**



Modifications to the ocean outfall have already been completed, consistent with the EIR. One monitoring well cluster (El Carro monitoring wells) were completed as a separate project and were addressed via an MND, because they are part of the Carpinteria Groundwater Sustainability Agency's groundwater monitoring program and not specific to the Approved or Modified Project. For these reasons, neither the ocean outfall modifications nor the El Carro monitoring wells are part of the Modified Project. Additionally, the Modified Project eliminates the need for the Franklin Creek crossing included in the Approved Project.

## 2. MITIGATION MONITORING REQUIREMENTS

A MMRP checklist has been developed for the Proposed Project and is intended for use by CVWD, as lead agency and designated monitoring entity for the Proposed Project. The checklist, presented as **Table 1**, summarizes the mitigation requirements for the Proposed Project, anticipates timing, and identifies responsible parties for ensuring implementation of each mitigation measure. These mitigation measures are presented using the naming conventions and categories in the EIR. Changes to the Environmental Commitments and Mitigation Measures from the EIR to Addendum No. 1 are noted in ~~strikeout~~.

### 2.1 Environmental Commitments

In addition to the mitigation measures included in Table 1, CVWD will include the following environmental commitments in its contracting documents:

- **Time construction to reduce interference with community needs.** Construction timing shall avoid construction near schools during the school year to the extent feasible and avoid construction on the portion of Linden Avenue south of Highway 101 that runs through the downtown core during high tourism and shopping periods (e.g., summer and the Christmas holiday season). Timing construction in this way would reduce impacts to students and schools, as well as reduce potential impacts to the commercial corridor on Linden Avenue, supporting the local economy.
- **Avoid nighttime activities where possible during construction and operation.** To the extent reasonable, CVWD and CSD shall comply with the timing of construction as outlined in the City's Municipal Code and shall obtain permits for any nighttime construction. During operation, CVWD and CSD shall avoid truck trips, deliveries, and maintenance activities during nighttime hours, except in the case of emergencies or where avoidance of nighttime hours are infeasible.
- **Provide biological and cultural resource training to workers.** CVWD shall provide biological sensitivity and cultural resource awareness training. These trainings shall be conducted by a certified biologist and archaeologist, respectively. Workers shall be trained to identify sensitive species and to halt work and consult with a biologist if sensitive species are encountered unexpectedly. ~~Workers who will be present for ocean-based work shall be trained to serve as vessel-based monitors for marine mammals, unless another, appropriately trained monitor will be present. Divers shall also be trained to identify *Caulerpa taxifolia* and to avoid it during outfall modification.~~ Workers involved with excavation and ground disturbing activities shall be trained to identify potential cultural resources and to halt work and call in a qualified archaeologist if they believe cultural resources have been encountered. Workers shall also be trained to stop work and call the County Coroner if they encounter human remains.
- **Keep construction areas clean of trash and debris.** Workers shall also be required to comply with worker cleanliness guidelines that are designed to reduce the potential for trash or debris to leave the construction sites. These guidelines may include: disposal of food related trash in closed containers and removed from the project site each day during the construction period, prohibition on feeding wildlife at or near the construction area, and

upon project completion, removal of all project-generated debris, vehicles, building materials, and rubbish from the project footprint.

- **Implement Santa Barbara County Air Pollution Control District (SBCAPCD) and California Air Resources Board (CARB) Construction Best Management Practices.** Contractors shall be required to comply with the SBCAPCD's construction best management practices, which include diesel equipment and vehicle regulations and dust control measures. These construction best management practices are detailed in Section 2.1.7 of Appendix C. Additionally, contractors shall comply with CARB In-Use Off-Road Diesel-Fueled Fleets Regulations, which would limit vehicle idling time to 5 minutes, restrict adding vehicles to construction fleets with older-tier engines, and establish a schedule for retiring older, less fuel-efficient engines from the construction fleet.
- **Compliance with Permit Requirements.** CVWD and/or CSD shall acquire and comply with necessary permits, depending on which facility locations are selected in final project design. Potential permits are shown in **Error! Reference source not found.**, may reflect the mitigation measures proposed in this EIR, and may include additional environmental commitments suggested by the permitting entity. CVWD shall obtain and comply with the SWRCB's General Construction Permit, including preparation of a Storm Water Pollution Prevention Plan (SWPPP), for all Project facilities. CVWD and/or CSD shall prepare appropriate noticing as required for permits, such as may be required for the California Coastal Commission Coastal Development Permit.
- **Coordinate with Caltrans.** CVWD shall coordinate with Caltrans to secure an encroachment permit for any work within the State's right-of-way. CVWD shall submit its design drawings to Caltrans for confirmation that work within the State's right-of-way complies with Caltrans standards. CVWD shall implement any conditionals of approval and requirements of the encroachment permit as determined by Caltrans' Permits office.
- **Post-Construction Restoration:** CVWD shall restore areas disturbed by construction to pre-construction conditions, such as replanting vegetation cleared for construction activities or patching/repaving roadways where open trenching was used for pipeline construction.

## 2.2 Mitigation Measures

**Table 1** summarizes the mitigation requirements for the Proposed Project, anticipates timing, and identifies responsible parties for ensuring implementation of each mitigation measure. These mitigation measures are presented using the naming conventions and categories in the EIR, and modifications made under Addendum No. 1 are noted in ~~strikeout~~.

**Table 1: Mitigation Measures and Responsible Entities**

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p><b>Impact 3.1-1:</b> Potential to have a substantial adverse effect on a scenic vista?</p> <p><b>Impact 3.1-3:</b> Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?</p> <p><b>Impact 3.16-1:</b> Potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: fire protection, police protection, schools, parks, other public facilities?</p>	<p><b>MM 3.1-1 Minimize Tank Size and Install Screening.</b> CVWD shall initially install a temporary backflush tank as part of the Proposed Project. This temporary backflush tank shall be used to determine the minimum size requirement for a permanent backflush tank necessary to serve the Proposed Project. The temporary backflush tank shall be screened with fencing or vegetation. Once a minimum tank size is determined (anticipated up to five years of CAPP operation), a permanent backflush tank would be constructed that reflects the determined minimum size. Once construction on the permanent tank is completed, CVWD shall install vegetation screening to reduce the visual impact of the backflush tank. Landscaping shall be selected as determined appropriate and feasible for its compatibility with the surroundings and subject to review and approval by the City of Carpinteria's Architectural Review Board. Large container-size plantings and/or fast-growing vegetation shall be used for screening around the backflush tanks. Lighting shall be low intensity and located and designed to minimize direct view of light sources and diffusers, and to minimize halo and spillover effects. After construction is complete, CVWD shall restore all landscaped areas affected by construction, access, and equipment staging.</p> <p><b>DOES NOT APPLY TO THE MODIFIED PROJECT</b></p>	<p><b>Mitigation Measure MM 3.1-1</b> shall apply to the injection wells and backflush tank (temporary and permanent).</p>	<p>CVWD</p>	<p>City of Carpinteria's Architectural Review Board</p> <p>CVWD</p>	<ol style="list-style-type: none"> <li>1. Include measure in contract documents.</li> <li>2. Confirm that vegetative screening and low-intensity lighting measures are incorporated into design of backflush tank site.</li> <li>3. Verify permanent backflush tank is the minimum size required based on results from the temporary backflush tank during initial operation of the CAPP.</li> <li>4. Verify that approved screening measures were implemented and construction areas restored to pre-project conditions.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Design</li> <li>3. Post-Construction/ Operation</li> <li>4. Post-Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> <li>4. _____</li> </ol>
<p><b>Impact 3.1-4:</b> Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</p> <p><b>Impact 3.4-1:</b> 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 Wildlife or U.S. Fish and Wildlife Service (USFWS)?</p> <p><b>Impact 3.5-1:</b> 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</p>	<p><b>MM 3.1-4 Minimize Light and Glare.</b> CVWD shall ensure that all construction and operational lighting is the lowest intensity necessary for public safety purposes. Lighting shall be of low intensity, shall be directed downward and at the immediate work area, and shall be shielded to minimize halo and spillover effects. Lighting shall also be directed away from sensitive habitats and receptors, and away from neighboring residential areas. Additional protective measures, such as light glare shields, may be used if light sources are still directly visible from neighboring residential areas or interferes with scenic views after lighting is installed and oriented as described in this mitigation measure.</p>	<p><b>Mitigation Measure MM 3.1-4</b> shall apply to all construction and operational activities in the Proposed Project.</p>	<p>CVWD</p>	<p>CVWD</p> <p>CSD</p>	<ol style="list-style-type: none"> <li>1. Include measure in contract documents.</li> <li>2. Confirm that design of aboveground facilities includes lighting consistent with measures for operational lights.</li> <li>3. Monitor construction activities to verify that measures are implemented during construction.</li> <li>4. Verify that permanent lighting features are installed consistent with measure, as applicable.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Design</li> <li>3. Construction</li> <li>4. Post-Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> <li>4. _____</li> </ol>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
Department of Fish and Wildlife or USFWS?							
<p><b>Impact 3.4-1:</b> 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 Wildlife or U.S. Fish and Wildlife Service (USFWS)?</p> <p><b>Impact 3.4-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><b>Impact 3.5-1:</b> 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 Wildlife or USFWS?</p> <p><b>Impact 3.5-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.5-4:</b> 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?</p> <p><b>Impact 3.5-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<p><b>MM 3.4-1a Worker Environmental Awareness Program.</b> Prior to initiation of all construction activities (including staging and mobilization), all personnel associated with project construction shall attend a Worker Environmental Awareness Program training, conducted by a qualified biologist, to assist workers in recognizing special status biological resources that may occur in the Area of Potential Effect (APE). This training will include information about southern California steelhead, tidewater goby, protected nesting birds, marine mammals, as well as other special status species potentially occurring in the APE.</p> <p>The specifics of this program shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts to biological resources within the work area. Training for workers who will be involved with the ocean outfall improvements will also include vessel-based monitoring training for identification of marine mammals. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the Proposed Project. All employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them. The crew foreman shall be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species. If new construction personnel are added to the project, the crew foreman shall ensure that the new personnel receive the WEAP training before starting work. The subsequent training of personnel can include videotape of the initial training and/or the use of written materials rather than in-person training by a biologist.</p>	<p><b>Mitigation Measure MM 3.4-1a</b> shall apply to all construction activities.</p>	CVWD	CVWD CSD	<p>1. Include measure in contract documents.</p> <p>2. Confirm all personnel attended a Worker Environmental Awareness Program training.</p> <p>2. Verify guidelines and restrictions are followed.</p>	<p>1. Contracting</p> <p>2. Pre-Construction</p> <p>2. Construction</p>	<p>1. _____</p> <p>2. _____</p> <p>2. _____</p>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p><b>Impact 3.14.1:</b> Temporary or permanent increase in ambient noise levels in excess of applicable standards?</p>							
<p><b>Impact 3.4-1:</b> 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 Wildlife or U.S. Fish and Wildlife Service (USFWS)?</p> <p><b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><b>Impact 3.5-1:</b> 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 Wildlife or USFWS?</p>	<p><b>MM 3.4-1b Nesting Bird Surveys.</b> To avoid disturbance of nesting and special status birds, including raptor species protected by the Migratory Bird Treaty Act of 1918 (MBTA) and CFGC 3503, activities related to the project including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season for migratory birds (February 1 through August 31), if practicable.</p> <p>If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than seven days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100-foot buffer (300-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practicable. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur inside this buffer until the avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist</p>	<p><b>Mitigation Measure MM 3.4-1b</b>, shall apply to all construction activities occurring on land.</p>	CVWD	CVWD CSD	<p>1. Include measure in contract documents.</p> <p>2. Confirm construction schedule occurs outside of February 1 – August 31.</p> <p>OR</p> <p>3. Confirm pre-construction nesting bird survey completed if construction must occur during bird breeding season.</p> <p>4. Verify avoidance buffer created if nests found.</p> <p>5. Verify ground-disturbing activities do not occur in nest buffer zone until breeding/nesting completed, if applicable.</p>	<p>1. Contracting</p> <p>2. Design</p> <p>OR</p> <p>3. Pre-Construction</p> <p>4. Pre-Construction</p> <p>5. Construction</p>	<p>1. ____</p> <p>2. ____</p> <p>OR</p> <p>3. ____</p> <p>4. ____</p> <p>5. ____</p>
<p><b>Impact 3.4-1:</b> 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 Wildlife or U.S. Fish and Wildlife Service (USFWS)?</p> <p><b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<p><b>MM 3.4-1c Avoidance of Monarch Butterfly Winter Roost Sites.</b> To minimize indirect project impacts to potential monarch butterfly roosts, monarch butterfly roosts shall be avoided during all construction activities related to project activities, tree removal/trimming, vegetation clearing, and grading activities (collectively, "land clearing activities"). This can be accomplished by implementing either one of the following options:</p> <ol style="list-style-type: none"> <li>1. Prohibit land clearing activities during the monarch wintering season (October 1 through March 1); or,</li> <li>2. Conduct site-specific surveys prior to land clearing activities during the monarch wintering season (October 1 through March 1) and</li> </ol>	<p><b>Mitigation Measure MM 3.4-1c</b> shall apply to all construction activities occurring on land.</p>	CVWD	CVWD CSD	<p>1. Include measure in contract documents.</p> <p>2. Verify monarch butterfly roosts avoided during all construction activities through either:</p> <ul style="list-style-type: none"> <li>• 2a: Confirm land clearing activities within 50 feet of monarch butterfly roosting sites prohibited from October 1 through March 1, if</li> </ul>	<p>1. Contracting</p> <p>2. Construction</p> <p>3. Construction</p>	<p>1. ____</p> <p>2. ____</p> <p>3. ____</p>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
	<p>avoid monarch roosts.</p> <p>If Option 2 is selected, surveys (described below) shall be conducted to identify any monarch roosts in the area proposed for disturbance. Monarch roosts shall be avoided during the wintering season by establishing a 50-foot buffer between land clearing activity and the roost.</p> <p>An initial monarch survey shall be conducted of all potentially suitable habitat areas within the APE 30-days prior to the initiation of land clearing activities. The project site must continue to be surveyed on a weekly basis with the last survey completed no more than 7 days prior to the initiation of land clearing activities. The monarch butterfly survey must cover monarch wintering habitat within the APE. If monarch roosts are found, land clearing activities within 50 feet surrounding the roost shall be postponed or halted while the monarchs are present (typically October 1 through March 1). Construction activities may occur outside of the 50-foot setback areas during this time.</p>				<p>applicable.</p> <ul style="list-style-type: none"> <li>• 2b: Confirm site-specific surveys were completed prior to land clearing activities</li> </ul> <p>3. If 2b is implemented, verify project site re-surveyed on a weekly basis and confirm construction activities occur outside of the 50-foot setback areas.</p>		
<p><b>Impact 3.4-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<p><b>Mitigation Measure MM 3.4-2 Sensitive Habitat Fencing.</b> Prior to project mobilization, where the project is adjacent to native habitat (i.e., environmentally sensitive habitat area [ESHA], riparian habitat, wetland, sensitive natural communities), a certified biologist would identify native habitat to avoid, and temporary construction fencing shall be erected by the contractor at the edge of the temporary construction easement to avoid impacts to the habitat throughout the duration of construction.</p>	<p><b>Mitigation Measure MM 3.4-2a</b> shall apply to open cut trenching along Olive Avenue in the vicinity of the arroyo willow thicket.</p>	CVWD	CVWD CSD	<ol style="list-style-type: none"> <li>1. Include measure in contract documents.</li> <li>2. Verify certified biologist identified habitat area to avoid.</li> <li>3. Confirm temporary construction fencing installed to avoid habitat areas.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Pre-Construction</li> <li>3. Pre-Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. ____</li> <li>2. ____</li> <li>3. ____</li> </ol>
<p><b>Impact 3.4-3:</b> Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> <p><b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><b>Impact 3.11-1:</b> Potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p>	<p><b>Mitigation Measure MM 3.4-3a Disturbance Area and Staging.</b> Areas of temporary disturbance shall be minimized to the extent practicable. Staging and laydown areas shall be limited to sites unvegetated, previously disturbed (e.g., rights-of-way [ROWs], parking lots), and community parks (areas consisting of ruderal vegetation, ornamental landscaping, and outside of the Tree Protection Zone [TPZ; dripline plus 6 feet] of protected trees).</p>	<p><b>Mitigation Measure MM 3.4-3a</b> shall apply to all components of the Proposed Project.</p>	CVWD	CVWD CSD	<ol style="list-style-type: none"> <li>1. Include measure in contract documents.</li> <li>2. Verify that staging and laydown areas were limited to unvegetated, previously disturbed, and/or community park sites.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. ____</li> <li>2. ____</li> </ol>
<p><b>Impact 3.4-3:</b> Have a substantial adverse effect on state or federally protected wetlands (including, but</p>	<p><b>Mitigation Measure MM 3.4-3b Material Storage.</b> Materials shall be stored on impervious surfaces or plastic ground covers to prevent any</p>	<p><b>Mitigation Measure MM 3.4-3b</b> shall</p>	CVWD	CVWD	<ol style="list-style-type: none"> <li>1. Confirm construction contracts require materials be stored as</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> </ol>	<ol style="list-style-type: none"> <li>1. ____</li> </ol>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p>not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> <p><b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><b>Impact 3.11-1:</b> Potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p>	<p>spills or leakage. Material storage shall be at least 50 feet from Franklin Creek, Carpinteria Creek, and Carpinteria State Beach <u>unless otherwise allowed under applicable permits</u>. Any material/spoils from project activities shall be located and stored 50 feet from potential jurisdictional areas (Franklin Creek, Carpinteria Creek, and Carpinteria State Beach), <u>unless otherwise allowed under applicable permits</u>. Construction materials and spoils shall be protected from stormwater runoff using temporary perimeter sediment barriers such as berms, silt fences, fiber rolls, covers, sand/gravel bags, and straw bale barriers, as appropriate.</p>	<p>apply to all components of the Proposed Project, except within the floodwall boundary of the CSD WWTP site.</p>			<p>described.</p> <p>2. Verify materials and spoils are stored as described, as applicable:</p> <ul style="list-style-type: none"> <li>• On impervious surfaces or plastic ground covers.</li> <li>• At least 50 feet from creeks and beach.</li> <li>• 50 feet from potential jurisdictional areas.</li> <li>• Protected from stormwater runoff.</li> </ul>	<p>2. Construction</p>	<p>2. _____</p>
<p><b>Impact 3.4-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.4-3:</b> Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> <p><b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><b>Impact 3.5-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.5-3:</b> Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> <p><b>Impact 3.11-1:</b> Potential to violate any water quality</p>	<p><b>Mitigation Measure MM 3.4-3c Construction Best Management Practices.</b> To avoid and/or minimize potential indirect impacts to jurisdictional waters and water quality, the following Best Management Practices shall be implemented within 50 feet of Franklin Creek, Carpinteria Creek, and the stormwater drain:</p> <ol style="list-style-type: none"> <li>a. Prevent the off-site tracking of loose construction and landscape materials by implementing street sweeping, vacuuming, and rumble plates, as appropriate.</li> <li>b. Prevent the discharge of silt or pollutants off of the site when working adjacent to potentially jurisdictional waters. Install best management practices (BMPs) (i.e., silt barriers, sand bags, straw bales) as appropriate.</li> <li>c. Work adjacent to Franklin and Carpinteria Creeks shall ensure no wash water enters the receiving water bodies, through measures that may include locating site washout areas at least 50 feet from a storm drain, open ditch or surface water or implementation of barriers to control runoff, such that runoff flows from such activities do not enter receiving water bodies.</li> <li>d. All vehicles and equipment shall be in good working condition and free of leaks. The contractor shall prevent oil, petroleum products, or any other pollutants from contaminating the soil or entering a watercourse (dry or otherwise). When vehicles or equipment are stationary, mats or drip pans shall be placed below vehicles to contain fluid leaks.</li> <li>e. All re-fueling, cleaning, and maintenance of equipment will occur at least 50 feet from potentially jurisdictional waters (Franklin Creek, Carpinteria Creek, and the roadside storm water drain).</li> <li>f. Any spillage of material will be stopped if it can be done safely. The</li> </ol>	<p><b>Mitigation Measure MM 3.4-3c</b> shall apply to all components of the Proposed Project.</p>	<p>CVWD</p>	<p>CVWD CSD</p>	<ol style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. Identify the 50-foot buffer for Franklin Creek, Carpinteria Creek, and the stormwater drain on design drawings.</li> <li>3. Confirm best management practices listed in items (a), (b), (c), (d), (e), (f), and (g) of the measure are implemented within 50 feet of Franklin Creek, Carpinteria Creek, and the stormwater drain.</li> <li>4. Notify CVWD of spills, if applicable</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Design</li> <li>3. Construction</li> <li>4. Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> <li>4. _____</li> </ol>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	contaminated area will be cleaned, and any contaminated materials properly disposed. For all spills, the project foreman or other designated liaison will notify CVWD immediately. g. Adequate spill prevention and response equipment shall be maintained on site and readily available to implement to ensure minimal impacts to the aquatic and marine environments.						
<b>Impact 3.4-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<b>Mitigation Measure MM 3.4-5 Tree Protection Zone Restrictions.</b> Components of the project footprint that occur within 20 feet of the canopy drip line of protected trees shall be subject to the following: a. No ground disturbance, grading, trenching, construction activities or structural development shall occur within the tree protection zone (TPZ; dripline plus 6 feet). b. No equipment, soil, or construction materials shall be placed within the TPZ. No oil, gasoline, chemicals, paints, solvents, or other damaging materials may be deposited within the TPZ or in drainage channels, swales or areas that may lead to the TPZ. c. If work within the TPZ cannot be avoided, a qualified arborist shall monitor all activities within the TPZ of protected trees. d. Unless otherwise directed by the arborist, all work within the TPZ, including brush clearance, digging, trenching and planting, shall be done with hand tools or small hand-held power tools that are of a depth and design that will not cause root damage. e. Where trenching or digging within the TPZ is specifically permitted, the work shall be conducted in a manner that minimizes root damage, as directed by an arborist. f. Grade changes outside of the TPZ shall not significantly alter drainage to protected trees. Grading within the TPZ shall use methods that minimize root damage and ensure that roots are not cut off from air. Where erosion may be a factor return and protect the original grade or otherwise stabilize the soil. g. Protected trees shall not be used for posting signs, electrical wires or pulleys; for supporting structures; and shall be kept free of nails, screws, rope, wires, stakes and other unauthorized fastening devices or attachments.	<b>Mitigation Measures MM 3.4-5</b> shall apply to all terrestrial components of the Proposed Project.	CVWD	CVWD	1. Include in contracting documents. 2. Identify tree protection zone (TPZ) for protected trees whose canopy drip lines fall within 20 feet of disturbance areas and staging areas on design drawings. 3. Mark off tree protection zone (canopy drip line plus 6 feet) prior to construction as an area to avoid. 4. Verify disturbance and activities in or that may affect the TPZ are avoided, consistent with items (a), (b), (f), and (g) of the measure. 5. If work occurs within the TPZ, confirm a qualified arborist monitors and directs activities consistent with items (c), (d), and (e) of the measure.	1. Contracting 2. Design 3. Pre-Construction 4. Construction 5. Construction	1. ____ 2. ____ 3. ____ 4. ____ 5. ____
<b>Impact 3.5-1:</b> 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 Wildlife or USFWS?	<b>Mitigation Measure MM 3.5-1a Avoidance Measures for Marine Mammal and Sea Turtle Species.</b> To minimize disturbance to species status marine mammal and sea turtle species, general guidelines set forth in the Marine Mammal Protection Act shall be implemented. Vessels under power shall remain at least 100 yards (300 feet) away from whales and 50 yards (150 feet) from dolphins, porpoises, seals,	<b>Mitigation Measure MM 3.5-1a</b> shall apply to the Proposed Project activities associated with the ocean	CVWD	CSD	1. Include measure in contracting documents. 2. Verify vessel logs confirmed compliance with measure such that under power they remained	1. Contracting 2. Construction	1. ____ 2. ____



Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p><b>Impact 3.5-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.5-4:</b> 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?</p> <p><b>Impact 3.5-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><b>Impact 3.14.1:</b> Temporary or permanent increase in ambient noise levels in excess of applicable standards?</p>	<p>sea lions and sea turtles. When encountering marine mammals, the vessel shall slow down, operate at no-wake speed and the vessel shall be put in neutral to let the individual pass.</p> <p><b>DOES NOT APPLY TO THE MODIFIED PROJECT</b></p>	<p>outfall improvements.</p>			<p>at least 100 yards away from whales and 50 yards from dolphins, porpoises, seals, sea lions and sea turtles and allowed marine mammals to pass as described in the measure.</p>		
<p><b>Impact 3.5-1:</b> 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 Wildlife or USFWS?</p> <p><b>Impact 3.5-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.5-5:</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p> <p><b>Impact 3.14.1:</b> Temporary or permanent increase in ambient noise levels in excess of applicable standards?</p>	<p><b>Mitigation Measure MM 3.5-1b Subtidal Biological Survey.</b> To minimize direct project impacts to special status abalone species and offshore ESHA including rocky points, intertidal areas, subtidal reefs and kelp beds, at least 45 days prior to the start of in-water project activities, a subtidal biological survey shall be completed by a qualified biologist to document areas of kelp, special status species, and rocky reef within the Marine APE and a 100-foot buffer. Results of this survey, specifically of the kelp survey, shall be provided to the California Coastal Commission if requested. If the survey identifies rocky reefs, kelp bed, or special status species, project activities shall avoid and anchor project-related vessels at least 50 feet away from special status species and habitat, if feasible. If the area cannot be avoided, the project shall utilize techniques that minimize turbidity (i.e. installation of a turbidity curtain), scarring on rocky habitat, and down cast sand excavated at or near the outfall into sand channels away from rocky habitat. For consistency with Policy OSC-4 of the City's General Plan/Local Coastal Land Use Plan, a post construction survey shall be completed by a qualified biologist to document final conditions.</p> <p><b>DOES NOT APPLY TO THE MODIFIED PROJECT</b></p>	<p><b>Mitigation Measure MM 3.5-1b</b> shall apply to the Proposed Project activities associated with the ocean outfall improvements.</p>	<p>CVWD</p>	<p>CSD</p>	<ol style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. Confirm subtidal biological survey was completed by qualified biologist.</li> <li>3. Identify 50-foot buffer to avoid during vessel anchoring, as applicable, and include on appropriate mapping and design drawings.</li> <li>4. Verify project-related vessels were kept at least 50 feet away from special status species and habitat OR confirm techniques were utilized to minimize impact to habitat if special status habitat could not be avoided.</li> <li>5. Verify post construction</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Pre-Construction</li> <li>3. Pre-Construction</li> <li>3. Construction</li> <li>4. Construction</li> <li>5. Post-Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. ____</li> <li>2. ____</li> <li>3. ____</li> <li>4. ____</li> <li>5. ____</li> </ol>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
					survey completed by a qualified biologist.		
<p><b>Impact 3.6-2:</b> Cause a substantial adverse change in the significance of a unique archeological resource pursuant to Section 15064.5?</p> <p><b>Impact 3.19-1:</b> Potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</p> <p><b>Impact 3.19-2:</b> Potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?</p>	<p><b>MM 3.6-2a Archaeological and Native American Monitoring.</b> CVWD shall retain a qualified archaeological and Native American monitor to be present during ground disturbing activities such as grading, trenching, or excavation within the vicinity of Prehistoric Archeological Site CA-SBA-7 (CA-SBA-7) (the AWP and directly adjacent conveyance pipelines). Archeological monitoring shall be performed during initial ground disturbance only (not entire construction timeframe) under the direction of an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards for archeology (National Park Service, 1983). Native American monitoring should be provided by a locally affiliated tribal member. Monitors shall have the authority to halt and redirect work should any archaeological resources be identified during monitoring. If archaeological resources are encountered during ground-disturbing activities, work in the immediate vicinity area must halt and the find evaluated for listing in the California Register of Historical Resources (California Register) and the National Register of Historic Places. Archeological or Native American monitoring or both may be reduced or halted at the discretion of the monitors, in consultation with CVWD, as warranted by conditions such as encountering bedrock, sediments being excavated are fill, or negative findings during the first 60% of rough grading. If monitoring is reduced to spot-checking, spot-checking shall occur when ground-disturbances moves to a new location within the project site and when ground disturbance will extend to depths not previously reached (unless those depths are within bedrock)</p>	<p><b>Mitigation Measure MM 3.6-2a</b> shall apply to initial ground disturbance up to a depth of 10 feet within the vicinity of CA-SBA-7</p>	CVWD	CVWD CSD	<ol style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. Require qualified archaeological monitor be present during initial ground disturbing areas within the vicinity of Prehistoric Archeological Site CA-SBA-7 and a locally-affiliated Native American monitor was present during ground disturbing activities within the vicinity of Prehistoric Archeological Site CA-SBA-7.</li> <li>3. If resources are unearthed, halt work and consult with the find evaluated and reported by archaeologist and/or Native American monitor, as appropriate.</li> <li>4. Conduct spot-checking during ground-disturbances at new locations or when extended to new depths, if monitoring is reduced on the recommendation of the qualified monitors.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Construction</li> <li>3. Construction</li> <li>4. Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> <li>4. _____</li> </ol>
<p><b>Impact 3.6-2:</b> Cause a substantial adverse change in the significance of a unique archeological resource pursuant to Section 15064.5?</p> <p><b>Impact 3.19-1:</b> Potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural</p>	<p><b>MM 3.6-2b Unanticipated Discovery of Cultural Resources.</b> If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior’s Professional Qualification Standards for archaeology (National Park Service 1983) shall be contacted immediately to evaluate the find. If the discovery proves to be significant under the National Historic Preservation Act of 1966 (NHPA) and/or</p>	<p><b>Mitigation Measure MM 3.6-2b</b> shall apply to all Proposed Project-related ground disturbing activities.</p>	CVWD	CVWD CSD	<ol style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. If resources are unearthed during construction, halt work and consult with archaeologist to evaluate find and identify appropriate treatment measures.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Construction</li> <li>3. Construction</li> <li>4. Post-Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> <li>4. _____</li> </ol>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p>landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</p> <p><b>Impact 3.19-2:</b> Potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?</p>	<p>CEQA, additional work such as data recovery excavation and Native American consultation shall occur, as necessary, to mitigate any significant impacts or adverse effects.</p>				<p>3. If resources are determined to be significant, implement data recovery excavation and Native American consultation.</p> <p>4. Verify treatment of cultural resources was completed appropriately, if necessary.</p>		
<p><b>Impact 3.6-3:</b> Disturb any human remains, including those interred outside of formal cemeteries.</p> <p><b>Impact 3.19-1:</b> Potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?</p> <p><b>Impact 3.19-2:</b> Potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section</p>	<p><b>MM 3.6-3 Unanticipated Discovery of Human Remains.</b> In the event of an unanticipated discovery of human remains, the County Coroner shall be notified immediately, and no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98 in accordance with the State of California Health and Safety Code Section 7050.5. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant. The most likely descendant has 48 hours from being granted access to the site to make recommendations for the disposition of the remains. If the most likely descendant does not make recommendations within 48 hours, the landowner shall reinter the remains in an area of the property secure from subsequent disturbance.</p>	<p><b>Mitigation Measure MM 3.6-3</b> shall apply to all Proposed Project-related ground disturbing activities.</p>	<p>CVWD</p>	<p>CVWD CSD County Coroner NAHC</p>	<p>1. Include measure in contract documents.</p> <p>2. Confirm County Coroner notified immediately if unanticipated human remains discovered.</p> <p>3. Verify adequate consultation with Native American Heritage Commission has occurred, if applicable.</p> <p>4. Verify reburial has occurred in an appropriate area and manner, if applicable.</p>	<p>1. Contracting 2. Construction 3. Construction 4. Post-Construction</p>	<p>1. ____ 2. ____ 3. ____ 4. ____</p>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p>21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?</p>							
<p><b>Impact 3.8-1:</b> Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> <li>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?</li> <li>ii) Strong seismic ground shaking?</li> <li>iii) Seismic-related ground failure, including liquefaction?</li> <li>iv) Landslides?</li> </ul> <p><b>Impact 3.8-3:</b> Be located on 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?</p> <p><b>Impact 3.8-4:</b> Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</p>	<p><b>MM 3.8-1 Complete a Geotechnical Analysis, Assess Potential for Liquefaction and Expansive Soils and Incorporate Protective Measures.</b> All of the Proposed Project's components would be located within an area of high expansive soils or an area at risk for liquefaction. During design for all project components, CVWD shall complete an engineering geotechnical and soils report that assesses potential for seismic-related risks and liquefaction. CVWD shall incorporate protective measures as necessary, based on the findings of the geotechnical and soils report. Pipelines shall be installed within consolidated engineered backfill. Protective measures may include the use of specific materials (e.g., pvc instead of cement pipes), design features such as thickness of pipes or foundations, methods that comply with standards and regulations for areas with potential for liquefaction, or selection of materials resistant to the effects of liquefaction.</p>	<p><b>Mitigation Measure 3.8-1</b> shall apply to all components of the Proposed Project.</p>	CVWD	CVWD CSD	<ul style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. Complete engineering geotechnical and soils report and include protective measures in design drawing, plans, and specifications, as appropriate.</li> <li>3. Verify that pipelines are installed within consolidated engineered backfill and protective measures identified in design drawings, plans, and specifications were implemented.</li> </ul>	<ul style="list-style-type: none"> <li>1. Contracting</li> <li>2. Design</li> <li>3. Post-Construction</li> </ul>	<ul style="list-style-type: none"> <li>1. ____</li> <li>2. ____</li> <li>3. ____</li> </ul>
<p><b>Impact 3.8-6:</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p><b>MM 3.8-6 Fossil Discovery, Preparation, and Curation.</b> In the event an unanticipated fossil discovery is made during the course of the project development, then in accordance with SVP (2010) guidelines, a qualified professional paleontologist should be retained in order to</p>	<p><b>Mitigation Measure MM 3.8-6</b> shall apply if paleontological resources are</p>	CVWD	CSD	<ul style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. Consult with qualified</li> </ul>	<ul style="list-style-type: none"> <li>1. Contracting</li> <li>2. Construction</li> </ul>	<ul style="list-style-type: none"> <li>1. ____</li> <li>2. ____</li> </ul>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
	<p>examine the find and to determine if further paleontological resources mitigation is warranted. The paleontologist shall have the authority to temporarily direct, divert or halt construction activity to ensure fossil(s) can be assessed for scientific significance and if necessary, removed in a safe and timely manner. Once salvaged, significant fossils shall be identified to the lowest possible taxonomic level, prepared to a curation-ready condition and curated in a scientific institution with a permanent paleontological collection (such as the Natural History Museum of Los Angeles County) along with all pertinent field notes, photos, data, and maps.</p>	<p>encountered during construction of the AWPf.</p>			<p>professional paleontologist if fossil discovery is made during construction.</p> <p>3. Confirm that fossil discoveries are recorded and treated in accordance with direction provided by paleontologist, as applicable.</p>	<p>3. Post-Construction</p>	<p>3. _____</p>
<p><b>Impact 3.10-1:</b> Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p> <p><b>Impact 3.10-3:</b> Potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>	<p><b>MM 3.10-1a Preparation of Hazardous Materials Business Plan.</b> CSD shall amend its existing Hazardous Materials Business Plan (HMBP) for the WWTP to address the addition of the AWPf and pump station. The HMBP shall include, at a minimum, a hazardous materials inventory, site plan, emergency response plan, and requirements for employee training. The HMBP shall be amended prior to the use and storage of chemicals during construction or operation of the Proposed Project. The HMBP shall inform staff and contractors of the chemicals that may be used at the site and how to respond to potential hazardous material emergencies or exposure. CSD shall confirm training and signage included in the HMBP are completed and posted at the AWPf and associated chemical storage. CSD shall confirm that the hazardous materials inventory is consistent with chemicals ordered by contractors during construction and by CSD for operation and maintenance of the AWPf, pump station, and associated facilities.</p>	<p><b>Mitigation Measure MM 3.10-1a</b> shall apply to the routine use and storage of hazardous materials and chemicals required for operation of the AWPf and associated facilities.</p>	<p>CSD CVWD</p>	<p>CSD CVWD</p>	<p>1. Include measure in contracting documents, as applicable.</p> <p>2. Amend WWTP's HMBP to include AWPf and pump station.</p> <p>3. Conduct HMBP training and erect signage, as appropriate.</p> <p>3. Verify hazardous material inventory is consistent.</p>	<p>1. Contracting 2. Pre-Construction 3. Pre-Construction 4. Construction</p>	<p>1. _____ 2. _____ 3. _____ 4. _____</p>
<p><b>Impact 3.4-2:</b> Have a substantial adverse impact 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 Wildlife or USFWS?</p> <p><b>Impact 3.10-1:</b> Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p> <p><b>Impact 3.10-2:</b> Potential to 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?</p>	<p><b>MM 3.10-1b Hazardous Materials Management and Spill Prevention and Control Plan.</b> Before construction begins, CVWD and CSD shall require its construction contractor to prepare a Hazardous Materials Management Spill Prevention and Control Plan that includes a project-specific contingency plan for hazardous materials and waste operations. The Plan will be applicable to construction activities and will establish policies and procedures according to applicable codes and regulations, including but not limited to the California Building and Fire Codes, and federal and California Occupational Safety and Health Administration (Cal/OSHA) regulations, to minimize risks associated with hazardous materials spills. Elements of the Plan will include, but not be limited to the following:</p> <ul style="list-style-type: none"> <li>A discussion of hazardous materials management, including delineation of hazardous material storage areas, access and egress routes, waterways, emergency assembly areas, and temporary hazardous waste storage areas;</li> </ul>	<p><b>Mitigation Measure MM 3.10-1b</b> shall apply to construction of the Proposed Project, as it relates to routine use and transport of hazardous materials.</p>	<p>CSD CVWD</p>	<p>CSD CVWD</p>	<p>1. Include measures in contracting documents, as applicable.</p> <p>2. Confirm Hazardous Material Management Spill Prevention and Control Plan is prepared that includes, at minimum, the elements identified in the measure.</p>	<p>1. Contracting 2. Pre-Construction</p>	<p>1. _____ 2. _____</p>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p><b>Impact 3.10-3:</b> Potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p>	<ul style="list-style-type: none"> <li>Notification and documentation of procedures; and</li> <li>Spill control and countermeasures, including employee spill prevention/response training.</li> </ul>						
<p><b>Impact 3.10-4:</b> Potential to 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?</p>	<p><b>MM 3.10-4 Contingency Plan for Contaminated Soil and/or Groundwater.</b> If Well Site #6 or the Southern Potential Pipeline Alignment along 6th Street at Linden Avenue are selected as components of the Proposed Project, CVWD shall conduct a Phase I Environmental Site Assessment to evaluate the potential for contaminated soils within the Proposed Project footprint. If the Phase I Environmental Site Assessment is positive, CVWD shall conduct soils testing prior to excavation activities in those sites to evaluate the risk of encountering contaminated soils. If soils testing finds contaminated soils or groundwater, construction will be halted in the area and the type and extent of the contamination shall be evaluated. CVWD will develop a contingency plan to dispose of contaminated soils or groundwater through consultation with appropriate regulatory agencies prior to continuation of work. The contingency plan may include, but not be limited to, a plan for safe handling of contaminated soils, a description of the required personal protective equipment for workers during excavation of contaminated soils, and identification of proper disposal sites and methods. CVWD will designate a monitor to confirm compliance with the contingency plan during excavation activities in the contaminated area.</p>	<p><b>Mitigation Measure MM 3.10-4</b> shall apply to construction of Well Site #6 and the Southern Potential Pipeline Alignment along 6th Street at Linden Avenue.</p>	CVWD	CVWD	<ol style="list-style-type: none"> <li>1. Include measure in contract documents.</li> <li>2. Verify Phase I Environmental Site Assessment was conducted if Well Site #6 or the Southern Potential Pipeline Alignment along 6<sup>th</sup> Street at Linden Avenue were selected.</li> <li>3. If Phase I Environmental Site Assessment is positive, conduct soil testing.</li> <li>4. Confirm construction halted and soil contamination identified if soil testing finds contaminated soils or groundwater.</li> <li>5. If found, consult with appropriate regulatory agencies, prepare contingency plan for contaminated soil or groundwater disposal, and confirm any necessary monitoring was completed.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Pre-Construction</li> <li>3. Pre-Construction</li> <li>4. Construction</li> <li>5. Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> <li>4. _____</li> <li>5. _____</li> </ol>
<p><b>Impact 3.10-7:</b> Potential to expose people or structures either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?</p> <p><b>Impact 3.21-2:</b> Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p> <p><b>Impact 3.21-3:</b> Require the installation or</p>	<p><b>MM 3.10-7 Implement Construction Equipment and Staging Area BMPs.</b> CVWD and CSD contractors shall be required to clear construction staging areas of dried vegetation and other material that could ignite, and store equipment that heats up only in cleared areas. CVWD and CSD contractors shall be required to keep all construction equipment in good working order and equipped with spark arrestors to prevent potential sparks. CVWD and CSD shall require its contractor to use a spotter during welding activities, and shall require that fire extinguishers are available at all construction sites. Confirmation of these practices will be made by CVWD or CSD staff or their designated representative through periodic site visits.</p>	<p><b>Mitigation Measure MM 3.10-7</b> shall apply to construction of all components of the Proposed Project.</p>	CVWD CSD	CVWD CSD	<ol style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. Verify fire safety measures as described the mitigation measure are implemented.</li> <li>3. Confirm fire extinguishers available and verify a spotter is used during welding activities.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Construction</li> <li>3. Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> </ol>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p>maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p>							
<p><b>Impact 3.4-3:</b> Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</p> <p><b>Impact 3.11-1:</b> Potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p>	<p><b>MM 3.11-1 Frac-Out Prevention and Contingency Plan.</b> Prior to constructing a trenchless crossing of Franklin Creek, a <i>Frac-Out Prevention and Contingency Plan</i> shall be developed. At minimum the plan shall prescribe the following measures to ensure protection of aquatic resources, special status plants and wildlife:</p> <ul style="list-style-type: none"> <li>Procedures to minimize the potential for a frac-out associated with horizontal directional drilling;</li> <li>Procedures for timely detection of frac-outs;</li> <li>Procedures for timely response and remediation in the event a frac-out; and</li> <li>Monitoring of drilling and frac-out response activities by a qualified biologist</li> </ul> <p><b>DOES NOT APPLY TO THE MODIFIED PROJECT</b></p>	<p><b>Mitigation Measure MM 3.11-1</b> shall apply to all trenchless crossings.</p>	CVWD	CVWD	<p>1. Include measure in contracting documents, if HDD is utilized.</p> <p>2. Verify Frac-Out Prevention and Contingency Plan developed and at minimum meets the requirements in the measure, if HDD is utilized.</p>	<p>1. Contracting</p> <p>2. Pre-construction</p>	<p>1. _____</p> <p>2. _____</p>
<p><b>Impact 3.12-2.</b> Potential to cause a significant environmental impact due to a 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 [LCP], or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p><b>Impact 3.14.1:</b> Temporary or permanent increase in ambient noise levels in excess of applicable standards?</p> <p><b>Impact 3.14.2:</b> Generation of excessive groundborne vibration or groundborne noise?</p>	<p><b>MM 3.14-1a. Noise Control Measures to Reduce Construction Noise.</b> In order to comply with the affected City and County Municipal Codes and noise ordinances, CVWD's and CSD's construction contractors shall implement the following measures:</p> <ul style="list-style-type: none"> <li><b>Limit Construction Hours:</b> Construction hours shall be limited to times authorized under the City and County Municipal Codes and as allowed by applicable permits. Within the City of Carpinteria, noise-generating construction will be limited to the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday, and prohibited on Saturday and Sunday, unless otherwise necessary. Non-noise generating project activities, including but not limited to equipment maintenance, refueling, preparations, and on-site meetings, would not be subject to these time limits unless otherwise specified in applicable permits. After-hours permits may be acquired if determined that it is required and serves the public interest. For the County of Santa Barbara, construction-related noise is restricted between 10:00 p.m. and 7:00 a.m. Sunday through Thursday, and midnight and 7:00 a.m. Friday and Saturday to levels less than 60 dB at the edge of the property line, or those that are not clearly discernable 100 feet from the property line.</li> <li><b>After-Hours Construction:</b> If construction outside of the City and</li> </ul>	<p><b>Mitigation Measure MM 3.14-1a</b> shall apply to all Proposed Project construction activities.</p>	CVWD	CVWD CSD	<p>1. Include measure in contract documents.</p> <p>2. Notify residents that may experience after-hours construction noise that cannot be reduced to 75 dBA at the property line that they are eligible for temporary housing during the period of construction where noise levels exceed applicable thresholds and permits.</p> <p>3. Confirm appropriate notifications are provided to relevant sectors of the community as described in the measure.</p> <p>4. Verify construction occurs</p>	<p>1. Contracting</p> <p>2. Pre-construction</p> <p>3. Pre-construction</p> <p>4. Construction</p> <p>5. Construction</p> <p>6. Construction</p>	<p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p> <p>6. _____</p>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
	<p>County restricted hours is required, CVWD and CSD shall obtain CUP approval for such activities prior to initiation of construction. For each site requiring after-hours construction within 1,000 feet of residential areas, CVWD or its contractor shall install a temporary sound wall barrier around the site of construction activities. The sound wall barrier shall be 24 feet in nominal height with blanketed wall panels having a minimum sound transmission class rating of 25 to mitigate noise levels to less than 75 dBA CNEL at the property line of the receptor. Sound levels shall be continuously monitored throughout construction activities to ensure adequate noise reduction.</p> <ul style="list-style-type: none"> <li>• <b>Construction at St. Joseph's Church:</b> Where construction permits allow construction on Sundays, drilling of the injection well at Well Site #3 shall be temporarily halted during Mass on Sundays. Drilling may resume between mass times as determined necessary by the drilling contractor to maintain integrity of the borehole. Sunday Mass times are scheduled at 7:00 a.m., 9:00 a.m., 11:00 a.m., and 5:30 p.m. and last for approximately 1 hour. Construction contractor shall coordinate with St. Joseph's Church staff on specific times drilling will stop and recommence on Sundays to avoid drilling during Sunday Mass. Specific Sunday Mass hours provided by St. Joseph's Church staff shall take precedence over the times listed here.</li> <li>• <b>Equipment Location and Shielding:</b> CVWD and CSD shall require its contractors to locate stationary noise-generating construction equipment such as air compressors and generators as far as possible from homes and businesses within the City of Carpinteria. At the well sites, the contractor shall install a temporary sound barrier between the construction site and potential sensitive receptors such as residential areas or schools during construction to mitigate elevated noise levels. Sound barriers may include sound blankets or sound walls, or other appropriate features. The final selection of noise barriers will be reviewed and approved by CVWD and the City during the CUP approval process.</li> <li>• <b>Temporary Housing during After-Hours Construction:</b> For residences within 100 feet of nighttime drilling where sound attenuation may be unable to reduce noise levels to 75 dBA at the property line, CVWD may temporarily provide alternative housing (e.g., hotel accommodations) for those residents who request such accommodations and whose properties fall within areas where after-hours construction noises cannot feasibly be mitigated to less than 75 dBA</li> <li>• <b>Locate Staging Areas away from Sensitive Receptors:</b> The</li> </ul>				<p>during approved hours and seasons as listed in the measure or as allowed by applicable permits.</p> <p>5. Confirm noise dampening measures are implemented during construction, consistent with the measure.</p> <p>6. Conduct noise and vibration monitoring and adjust construction methods or noise dampening measures as necessary.</p>		



Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
	<p>contractor shall select construction staging areas as far as feasibly possible from sensitive receptors. Prior to construction, the construction contractor shall identify and receive approval of the construction staging areas from the City of Carpinteria Public Works Department via written approval from a City engineer.</p> <ul style="list-style-type: none"> <li>• <b>Install and Maintain Mufflers on Construction Equipment in Excess of 85 dBA:</b> Construction equipment that generates noise in excess of 85 dBA at 100 feet shall be fitted with mufflers to reduce noise to less than 85 dBA when measured 100 feet from the equipment. CVWD and CSD shall require the contractor to maintain construction equipment with specified noise-muffling devices to achieve stated performance measures. Noise testing shall be required to demonstrate the equipment has been installed and is properly reducing noise levels.</li> <li>• <b>Idling Prohibition and Enforcement:</b> CVWD and CSD shall prohibit unnecessary idling of internal combustion engines. In practice, this would mean turning off equipment if it would not be used for five or more minutes.</li> <li>• <b>Install Measures to Reduce Vibration:</b> Should pile driving or a vibratory roller be required for Proposed Project construction, the contractor shall conduct vibration monitoring at any residences or buildings located less than 50 feet from construction activities using such equipment. Ground vibration levels at the nearest residential structure to the construction site shall be monitored using vibration sensor(s) or velocity transducer with adequate sensitivity capable of measuring peak particle velocity level in the frequency range of 1 Hz to 100 Hz. If the vibration level due to construction activities exceeds the Proposed Project's criteria of 0.2 inch/second, the contractor shall make modifications/revisions to construction methods for approval by CVWD and CSD. Measures may include features such as use of roller compactor in lieu of vibratory compactors to ensure that the PPV remains at less than the 0.2 inch/second threshold.</li> <li>• <b>Pre-Construction Notification:</b> At least two weeks prior to construction, written notifications to residents within 500 feet of the Proposed Project shall be sent, identifying the type, duration, and frequency of construction activities. For sensitive receptors, written notification shall either be hand-delivered or sent via certified mail. Signage shall also be posted at the construction site. Notifications shall also identify a mechanism for residents to complain to CVWD for construction related noise. As required by the California Coastal Commission, noticing to mariners will be provided in advance of work on the ocean outfall.</li> </ul>						

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
	<ul style="list-style-type: none"> <li>• <b>Schedule Construction on School Property Outside the School Year:</b> If Well Site #1 is selected for an injection well, construction at Well Site #1 shall be limited to school holidays (summer, winter, or spring break) as appropriate for the required construction timeframe.</li> <li>• <b>Appoint a Primary Point of Contact:</b> CVWD and CSD will appoint a staff member or a third-party public information officer to act as primary point of contact for their respective components of the Proposed Project. This point of contact shall serve as a public information officer to receive comments from the public, as well as provide updated project information as appropriate during the project planning, design, and construction stages.</li> </ul>						
<p><b>Impact 3.10-6:</b> Potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?</p> <p><b>Impact 3.12-2:</b> Potential to cause a significant environmental impact due to a 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 [LCP], or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p><b>Impact 3.16-1:</b> Potential to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: fire protection, police protection, schools, parks, other public facilities?</p> <p><b>Impact 3.18-1:</b> Potential to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?</p> <p><b>Impact 3.18-3:</b> Potential to substantially increase hazards due to a geometric design feature (e.g.,</p>	<p><b>MM 3.18-1 Develop and Implement a Transportation Management Plan.</b> Prior to construction, a Transportation Management Plan shall be developed by CVWD. The Transportation Management Plan shall be implemented by CVWD's and CSD's construction contractor during construction of the Proposed Project and shall conform to California Department of Transportation's (Caltrans') Transportation Management Plan Guidelines. Such a plan shall include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• <b>Transportation Routes:</b> CVWD shall determine construction staging site locations and potential road closures, alternate routes for detours, and planned routes for construction-related vehicle traffic. It shall also identify alternative safe routes and policies to maintain safety along bike and pedestrian routes during construction.</li> <li>• <b>Coordination with Emergency Services:</b> CVWD shall coordinate with the police, fire, and other emergency services to alert these entities about potential construction delays and alternate emergency access routes if necessary. To the extent possible, CVWD shall minimize the duration of disruptions/closures to roadways and critical access points for emergency services.</li> <li>• <b>Coordination with Recreation Facilities:</b> CVWD shall also coordinate with any affected recreational facilities owners/operators to minimize the duration of disruptions/closures to recreational facilities and adjacent access points.</li> <li>• <b>Coordination with MTD:</b> If the Proposed Project will affect access to existing MTD bus stops, the Transportation Management Plan shall also include temporary, alternative bus stops, as determined in coordination with MTD.</li> <li>• <b>Coordination with Caltrans:</b> CVWD shall coordinate with Caltrans on its construction schedule, potential road or lane closures, and alternate routes that may affect Caltrans-owned or operated facilities</li> </ul>	<p><b>Mitigation Measure MM 3.18-1</b> shall apply to construction activities requiring lane or road closures or detours that would impact any mode of transportation including mass transit, roadway, bicycle and pedestrian facilities.</p>	<p>CVWD CSD</p>	<p>City Transportation Safety Committee, Transportation Committee, and City Public Works Director/City Engineer  CVWD CSD</p>	<ol style="list-style-type: none"> <li>1. Include measure in contracting documents.</li> <li>2. Confirm Transportation Management Plan developed and includes the elements listed in the measure.</li> <li>3. Confirm appropriate coordination and noticing has occurred consistent with the approved Transportation Management Plan.</li> <li>4. Verify Transportation Management Plan implemented.</li> <li>5. Confirm impervious surfaces restored to pre-construction conditions.</li> </ol>	<ol style="list-style-type: none"> <li>1. Contracting</li> <li>2. Pre-Construction</li> <li>3. Pre-construction</li> <li>4. Construction</li> <li>5. Post-Construction</li> </ol>	<ol style="list-style-type: none"> <li>1. _____</li> <li>2. _____</li> <li>3. _____</li> <li>4. _____</li> <li>5. _____</li> </ol>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
<p>sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p> <p><b>Impact 3.18-4:</b> Potential to result in inadequate emergency access?</p> <p><b>Impact 3.21-1:</b> Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<p>and to confirm the Transportation Management Plan conforms with Caltrans' Transportation Management Plan Guidelines.</p> <ul style="list-style-type: none"> <li>• <b>Coordination with Schools:</b> CVWD shall coordinate timing of construction with the nine schools in the vicinity of the Proposed Project to minimize construction impacts during the regular school year.</li> <li>• <b>Transportation Control and Safety:</b> The Transportation Management Plan shall provide for traffic control measures including flag persons, warning signs, lights, barricades, cones, and/or detour routes to provide safe passage of vehicular, bicycle and pedestrian traffic and access by emergency responders.</li> <li>• <b>Plan Approval:</b> This plan shall be submitted to the City's planning or public works departments for review and acceptance by the City Transportation Safety Committee, Transportation Committee, and City Public Works Director/City Engineer, as well as any necessary permits acquired prior to construction.</li> <li>• <b>Public Notification:</b> Prior to beginning construction, written notice shall be provided regarding potential road closures as described in the Transportation Management Plan. Notice shall be delivered to potentially affected properties within a 500-foot radius, as determined by the City's Public Works Director/City Engineer. The notice shall contain a brief description of the work, work dates, and contact information of the Contractor's superintendent and the Engineer. The notice shall be delivered at ten (10) calendar days and again at two (2) working days prior to beginning the work. The notice shall be in the form of a door hanger made of index paper with the size of 14 inches by 4.5 inches. The notice shall be in English with translation in Spanish. A revised notice will be delivered in the event of delays in schedule, as soon as reasonably possible after a delay is identified and revised schedule known.</li> <li>• <b>Resurfacing Standards:</b> Where impervious surfaces such as roadway ROWs or sidewalks, are disturbed by construction activities (e.g., excavation, staging, etc.), these surfaces shall be restored to pre-construction conditions and in accordance with applicable City and County standards.</li> </ul>						
<p><b>Cumulative Impacts Analysis:</b> Evaluation of the Proposed Project's potential contribution to a cumulative environmental impact when considered with all closely related past, present, or reasonably foreseeable future projects.</p>	<p><b>Mitigation Measure CUM-1:</b> CVWD and/or its Contractor shall coordinate with the City of Carpinteria, Santa Barbara County and CSD and their contractor, as applicable, to coordinate construction schedules and construction materials delivery routes to ensure that roadway impacts are minimized during Proposed Project construction, either through the use of different haul routes or through timing of construction.</p>	<p><b>Mitigation Measure CUM-1</b> shall apply to all Proposed Project components.</p>	<p>CVWD</p>	<p>CVWD CSD</p>	<p>1. Include measure in contract documents. 2. Verify appropriate coordination of construction schedules and delivery routes</p>	<p>1. Contracting 2. Pre-construction</p>	<p>1. ____ 2. ____</p>

Impact Statement	Mitigation Measure	Relevant CAPP Components	Party Responsible for Implementation and Reporting	Review and Approval by:	Monitoring and Reporting Actions	Implementation Schedule	Verification: Status/ Date Completed/ Initials
	In the event that construction of the Proposed Project occurs concurrently with Caltrans construction on U.S. Highway 101 in Carpinteria, coordination with Caltrans on construction schedule will also be required.				has occurred with City of Carpinteria, Santa Barbara County, Caltrans, CSD, CVWD, and other entities as appropriate.		



## AGENDA

### RECYCLED WATER MANAGEMENT COMMITTEE

At

**CARPINTERIA VALLEY WATER DISTRICT  
1301 SANTA YNEZ AVENUE  
CARPINTERIA, CALIFORNIA**

**November 11, 2024 at 12:15 p.m.**

BOARD OF DIRECTORS

*Case Van Wingerden  
President  
Shirley L. Johnson  
Vice President*

*Casey Balch  
Polly Holcombe  
Matthew Roberts*

GENERAL MANAGER

*Robert McDonald, P.E. MPA*

If interested in participating in a matter before the Committee, you are strongly encouraged to provide the Committee with public comment in one of the following ways:

1. Submitting a Written Comment. If you wish to submit a written comment, please email your comment to the Board Secretary at [Public\\_Comment@cvwd.net](mailto:Public_Comment@cvwd.net) by **11:00 A.M. on the day of the meeting**. Please limit your comments to 250 words. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations.

2. Providing Verbal Comment Telephonically. If you wish to make either a general public comment or to comment on a specific agenda item as it is being heard please send an email to the Board Secretary at [Public\\_Comment@cvwd.net](mailto:Public_Comment@cvwd.net) by **11:00 A.M. on the day of the meeting** and include the following information in your email: (a) meeting date, (b) agenda item number, (c) subject or title of the item, (d) your full name, (e) your call back number including area code. During public comment on the agenda item specified in your email, District staff will make every effort to contact you via your provided telephone number so that you can provide public comment to the Committee electronically.

Please note the President has the discretion to limit the speaker's time for any meeting or agenda matter.

**I. CALL TO ORDER**

**II. PUBLIC FORUM** (Any person may address the Recycled Water Management Committee on any matter within its jurisdiction which is not on the agenda)

**III. OLD BUSINESS** – None

**IV. NEW BUSINESS**

**A. Consider CAPP JEP A & Ground Lease**

**B. Consider CAPP EIR Addendum**

**C. Consider Update on CAPP Land Rights Acquisition**

**V. ADJOURNMENT**

Note: The above Agenda was posted at Carpinteria Valley Water District Administrative Office in view of the public no later than 12:00 p.m., November 8, 2024. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied benefits of, the District's programs, services, or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at (805) 684-2816. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.

Materials related to an item on this Agenda submitted to the Board of Directors after distribution of the agenda packet are available for public inspection in the Carpinteria Valley Water district offices located at 1301 Santa Ynez Avenue, Carpinteria during normal business hours, from 8 am to 5 pm.

\*\*Indicates attachment of document to agenda packet.



A Meeting of the  
**BOARD OF DIRECTORS  
 OF THE  
 CENTRAL COAST WATER AUTHORITY**

will be held at 9:00 a.m., on Thursday, October 24, 2024  
 at 255 Industrial Way, Buellton, California 93427

Members of the public may participate by video call or telephone via  
[Microsoft Teams](#) Meeting ID: 267 842 541 007 Passcode: B69fFG  
 or by dialing (323) 484-5095 and entering access Code/Meeting ID: 641 462 636#

Eric Friedman  
 Chairman  
 Jeff Clay  
 Vice Chairman  
 Ray A. Stokes  
 Executive Director

Brownstein Hyatt  
 Farber Schreck  
 General Counsel  
 Member Agencies

City of Buellton  
 Carpinteria Valley  
 Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water  
 Conservation District,  
 Improvement District #1

Associate Member

La Cumbre Mutual  
 Water Company

Public Comment on agenda items may occur via video call or telephonically, or by submission to the Board Secretary via email at [lfw@ccwa.com](mailto:lfw@ccwa.com) no later than 8:00 a.m. on the day of the meeting. In your email, please specify (1) the meeting date and agenda item (number and title) on which you are providing a comment and (2) that you would like your comment read into the record during the meeting. If you would like your comment read into the record during the meeting (as either general public comment or on a specific agenda item), please limit your comments to no more than 250 words.

Every effort will be made to read comments into the record, but some comments may not be read due to time limitations. Please also note that if you submit a written comment and do not specify that you would like this comment read into the record during the meeting, your comment will be forwarded to Board members for their consideration.

Pursuant to Government Code section 54957.5, non-exempt public records that relate to open session agenda items and are distributed to a majority of the Board less than seventy-two (72) hours prior to the meeting will be available on the CCWA internet website, accessible at <https://www.ccwa.com>.

**I. Call to Order and Roll Call**

**II. Public Comment – (Any member of the public may address the Board relating to any matter within the Board’s jurisdiction. Individual Speakers may be limited to five minutes; all speakers to a total of fifteen minutes.)**

**III. Consent Calendar**

- \* A. Minutes of the July 25, 2024 Regular Meeting
  - \* B. Minutes of the September 13, 2024 Special Meeting
  - \* C. Bills
  - \* D. Controller’s Report
  - \* E. Operations Report
- Staff Recommendation:* Approve the Consent Calendar

**IV. Executive Director’s Report**

- A. State Water Project Water Supply Issues Overview  
*Staff Recommendation:* Informational item only.
- \* B. Consider Amendment of the Minutes of April 25, 2024 Board Meeting  
*Staff Recommendation:* Approve Amendment to Minutes of April 25, 2024 CCWA Board of Directors Meeting as recommended.
- C. CCWA Water Supply Situation  
*Staff Recommendation:* Informational item only.
- \* D. Request for Approval of Carryover of Project Funds from FY 23/24 to FY 24/25 - \$2,510,121.53  
*Staff Recommendation:* Approve carryover of Project Funds from FY 23/24 to FY 24/25 in the total amount of \$2,510,121.53
- \* E. CCWA FY 2024/25 First Quarter Investment Report  
*Staff Recommendation:* For discussion.

\* Indicates attachment of document to original agenda packet.

Continued

255 Industrial Way  
 Buellton, CA 93427  
 (805) 688-2292  
 Fax (805) 686-4700  
 www.ccwa.com

- IV. **Executive Director's Report** (continued)
  - \* F. CCWA Meeting Dates for 2025  
*Staff Recommendation:* Informational item only.
  - G. State Water Contractors Update  
*Staff Recommendation:* Informational item only.
  - \* H. Legislative Report  
*Staff Recommendation:* Informational item only.
  
- V. **CLOSED SESSION**
  - A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code section 54956.9(d) (4): 1 case
  - B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Government Code section 54956.9(d) (1)  
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al. (Case No. 21CV02432)
  
- VI. **Return to Open Session**
  - A. Report on Closed Session Actions (if any)
  
- VII. **Reports from Board Members for Information Only**
  
- VIII. **Items for Next Regular Meeting Agenda**
  
- IX. **Date of Next Regular Meeting: January 23, 2025**
  
- X. **Adjournment**