

MINUTE ITEM

This Calendar Item No. 32
was approved as Minute Item
No. 32 by the State Lands
Commission by a vote of 3
to 0 at its 4/6/94
meeting.

CALENDAR ITEM

C32

A 33, 35

S 18

04/06/94

W 25000

Lynch

Pelkofer

Jacobs

PRC7762

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

Central Coast Water Authority
c/o Susan Petrovich,
Attorney at Law
Hatch & Parent
21 East Cabrillo Street
Santa Barbara, California 93101

AREA, TYPE LAND AND LOCATION:

5.552 acres of sovereign land located near Vandenberg
Village, Santa Barbara County.

LAND USE:

Construction, operation, and maintenance of an extension of
the State water project aqueduct to deliver treated water
within Santa Barbara County.

PROPOSED LEASE TERMS:

Lease period:

Forty-nine (49) years beginning April 6, 1994.

Consideration:

The public use and benefit; with the State reserving
the right at any time to set a monetary rental if the
Commission finds such action to be in the State's best
interest and compensation for environmental impacts.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

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AB 884:

N/A

BACKGROUND:

In 1991, after several years of dry conditions, the majority of Santa Barbara residents voted to import State water by building an aqueduct to Santa Barbara. These votes were on a area by area basis, with 3 areas of the County voting to defeat the bond measures on the ballot and thereby voting to not pay for or take State water. The districts (members) voting to fund State water created the Central Coast Water Authority ("CCWA") to construct and operate the portion in Santa Barbara County. The aqueduct will run from northwest Kern County through San Luis Obispo County and into Santa Barbara County, culminating at Lake Cachuma, northerly of the City of Santa Barbara. From Lake Cachuma the water will be delivered through existing facilities to the south coast of Santa Barbara County. A portion of the proposed aqueduct will cross land under the jurisdiction of State Lands Commission. These lands were acquired in 1991 as sovereign land. The total aqueduct is 144 miles long. The Department of Water Resources will construct and operate 102 miles of the project, while CCWA will operate and construct 42 miles. The total cost of the entire project is \$502 million with CCWA's portion totalling \$129 million.

THE STATE PARCEL:

The property (State Parcel) acquired by the State in 1991 is approximately 5125 acres in size and essentially surrounds the community of Vandenberg Village. The proposed route for the project will cross State owned land utilized for cattle grazing, cultivated agricultural fields, as well as State lands containing a number of natural biological communities, including Burton Mesa Chaparral. Burton Mesa Chaparral is a unique scrubland plant community of exceptional biological diversity. There are over 150 plant species found in Burton Mesa Chaparral, including at least 10 varieties which occur nowhere else in the world. Other native plant life in the proposed project area includes grasslands, oak forest, isolated oak trees and chaparral shrubs, and coastal scrub vegetation. Wildlife includes the common residents of such habitats, including various birds, rabbits, lizards, snakes, and rodents. Larger mammals such as deer, mountain lion, bobcat, and coyotes are also found. It is possible that the American badger and the California horned lizard, California state species of concern, occupy

the area. The topography varies from flat to gentle slopes. The soil generally is sandy, being comprised of consolidated to unconsolidated sands.

The application submitted by CCWA on December 12, 1993, involved approximately 2.3 miles of land under the Commissions jurisdiction. Of the 2.3 miles, approximately 3,480 feet abutted residential parcels within Vandenberg Village. Approximately 13 homes abut the State parcel while an additional 15 homes abut non-state owned land along the route of the proposed pipeline in the vicinity. These homeowners expressed opposition to the placement of the line behind their homes. Construction of the pipeline would require the clearing of up to a 120-foot wide swath behind their homes, with the resulting loss of a significant number of native oak trees, Burton Mesa Chaparral, and other vegetation.

The homeowners filed suit challenging the adequacy of the environmental process conducted by CCWA. (Vandenberg Village Concerned Citizens v. Central Coast Water Authority, Case No. 198884, Superior Court of the State of California for the County of Santa Barbara, Case No. 198884.)

The Petitioner contended generally that the environmental review was inadequate with respect to approximately 18 miles of pipeline that was realigned from the original planned route. The court agreed with the Plaintiff that appropriate consideration to alternative realignments including the proposed route behind the homes was inadequate, and additional review should be completed with specific discussion and analysis of conditions and impacts relating to the proximity of residential development, oak trees and other vegetation, and riparian problems associated with the stream crossing and analysis regarding the nature and extent of the so called "fire break".

The CCWA has commenced the additional environmental review as required. The CCWA has requested that the portion of the lease area not affecting the proposed alignment near the residences be granted. It is staffs understanding the plaintiff has no objection to the granting of the lease as proposed herein.

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Granting of the lease would not affect any of the alternative proposals being addressed under the current environmental review.

It is believed that most of the alternatives being analyzed would also involve Commission lands, and that CCWA would apply to amend the lease to include additional area in the immediate future.

The proposed lease and temporary easement area will require the destruction of approximately 0.26 acres of Burton Mesa and 21 Oak trees.

In addition to the biological resources loss due to the construction, the preserve will suffer scenic degradation, loss of aesthetic values, noise, dust and other disturbances, which will occur because of construction.

CONSTRUCTION:

The project includes construction, operation, and maintenance of an underground water pipeline, with appurtenances thereto, some of which (such as sensors, valves, and the like) will be located at above ground level. Within the construction corridor, to the greatest extent feasible, every effort will be taken to ensure the least damage to the pristine habitat. Where feasible, the corridor will be narrowed to avoid sensitive biological resources.

A detailed Final Biological Resources Mitigation Plan and Final Mitigation Program have been incorporated into the project (see Exhibit "D"). A revegetation plan for the rehabilitation of disturbed areas is being prepared by CCWA environmental consultants and will be completed prior to construction.

The environmental mitigation measures identified through an environmental analysis which will be performed by the construction contractor will be implemented as specified in the CCWA contract bidding documents, Section 01030, Environmental Mitigation, attached as Exhibit "J". These measures and the measures identified in the Final Biological Resources Mitigation Plan and Final Mitigation Program are hereby incorporated into the proposed project on State lands, with the following exceptions:

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- A. The final preconstruction surveys on State lands shall include a representative from the State Lands Commission.
- B. A biological environmental compliance monitor to be present at all times during any construction activities on State lands. At the option of the SLC, an SLC staff representative will also be present as deemed necessary by the SLC.
- C. Any deviations from construction as planned, including, but not limited to any activities outside of the established temporary construction ROW, or alterations of previously identified clearing and grading exclusion zones, shall be subject to prior approval by SLC.

Construction on the State Parcel is scheduled to commence on or about April 11, 1994 and be completed by April 11, 1995. Construction along the entire pipeline alignment (from Vandenberg Air Force Base to Lake Cachuma) will be timed to avoid construction activities proximate to bird nesting areas during nesting season, to avoid construction within live streams, and to otherwise minimize disturbance of sensitive species during times when they are most vulnerable to injury from such a disturbance. For that reason, the precise timing of construction through the State Parcel cannot be pinpointed.

The clearing of the land and construction of the pipeline and appurtenances will temporarily change the ground contours because it involves trenching. The contours will be restored and the corridor revegetated upon completion of construction. Prior to construction, the revegetation plan for State lands will be submitted to the SLC for review and approval.

PUBLIC BENEFIT:

The project will provide a supplemental water supply to the water purveyors who have contracted with the Central Coast Water Authority to extend the Coastal Branch, Phase II, of the State Water Project aqueduct into Santa Barbara County. The present groundwater overdraft in water basins within the County exceeds 60,000 acre feet per year. At present, water purveyors within the County are reliant on purely local supplies, primarily groundwater, river and stream flow, and local reservoirs. Prolonged drought and siltation, among

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other threats to the long-term viability of these supplies, lead the participants in CCWA to seek an affordable supplemental water supply. The proposed project provides such a supplemental supply and has County-wide benefits. These benefits also extend to San Luis Obispo County, since contractors within that county also are participating in the extension of the Coastal Branch. Without participation by CCWA, such an extension would not be economically viable for San Luis Obispo County. San Luis Obispo County groundwater basins also are experiencing an overdraft in excess of 60,000 acre feet per year.

The proposed lease includes provisions in addition to those found in the attached documents to ensure the preservation of the State's resources.

The proposed lease includes only that portion of the project as agreed to by the Plaintiff and Defendant in Case No. 198884. Additional lease area if any will require additional SLC approval.

OTHER PERTINENT INFORMATION:

1. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Code Regs. 2954 is not applicable.
2. The United States Army Corps of Engineers has authorized of this project under Nationwide Permit.
3. The State Water Resources Control Board granted for the project a waiver of certification and conditional certification under Clean Water Act Section 401, a copy of which is attached.

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4. United States Fish and Wildlife Service has consulted with the United States Army Corps of Engineers under Section 7 of the Endangered Species Act and has issued a Biological Opinion, upon which the Corps of Engineers has issued its authorization to proceed.
5. The California Department of Fish and Game has executed a Memorandum of Agreement with the Central Coast Water Authority addressing potential "takes" of State-listed and candidate species and their habitats under the California Endangered Species Act (Fish and Game Code Section 2081) and the two agencies have reached mutual agreement as to mitigation of impacts to listed and candidate species. A copy of the Memorandum of Understanding is attached as Exhibit "H". The California Department of Fish and Game Stream Alteration Agreement for stream crossing included in the project is attached as Exhibit "F".
6. The project is exempt from County zoning and building codes under Government Code Section 53091 and 53096.
7. The County of Santa Barbara Planning Commission has found the project to be consistent with the County's Comprehensive General Plan.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

State Lands Commission.

ENVIRONMENTAL COMPENSATIONS:

As compensation for loss of native oak trees, Burton Mesa Chaparral scenic degradation, aesthetic value, noise, dust and other disturbances which will occur because of construction.

EXHIBITS:

- A. Land Description - 49-year lease.
- A-1 Land Description - Temporary Easements
- B. Location Map
- B-1 Site Map
- C. Central Coast Water Authority Resolutions & CEQA Findings

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- D. Final Biological Resources Mitigation Plan and Final Mitigation Program
- E. Notice of Determination
- F. Streambed Alteration Agreement 5-012-94
- G. CCWA Major Projects Milestones
- H. California Endangered Species Act Memorandum of Understanding between CCWA and California Dept. of Fish and Game
- I. Mitigation Monitoring Program
- J. CCWA Contract Documents - Volume I

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR WAS PREPARED AND CERTIFIED FOR THIS PORTION OF THE PROJECT BY THE CENTRAL COAST WATER AUTHORITY, SCH 91031071, INCLUDING A FINAL BIOLOGICAL RESOURCES MITIGATION PLAN AND FINAL MITIGATION PROGRAM, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS MADE IN CONFORMANCE WITH SECTION 15096(h) OF THE STATE CEQA GUIDELINES FOR THIS PORTION OF THE PROJECT, AS CONTAINED IN EXHIBIT "C", ATTACHED HERETO.
3. ADOPT THE MITIGATION MONITORING PLAN FOR THIS PORTION OF THE PROJECT, AS CONTAINED IN EXHIBIT "I", ATTACHED HERETO.
4. AUTHORIZE ISSUANCE TO CENTRAL COAST WATER AUTHORITY OF A 49-YEAR GENERAL LEASE - PUBLIC AGENCY RIGHT OF WAY LEASE BEGINNING APRIL 6, 1994; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE CONSTRUCTION OPERATION AND MAINTENANCE OF AN UNDERGROUND WATER PIPELINE AND APPURTENANCES FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"
60 Foot Forty Nine Year Lease

A strip of land 60 feet wide, across State owned lands, within a portion of the Rancho Mission de la Purisima and the Rancho Jesus Maria and portions of Sections 21, 28, 29, 32, 33 in Township 8 North, Range 34 West, San Bernardino Base and Meridian, in the County of Santa Barbara, State of California, as shown on the Maps recorded in Book 21, Pages 153 and 154 of Records of Survey and described in a Deed to the State of California recorded June 20, 1991, as Instrument No. 91-038941 of Official Records, both recorded in the Office of the County Recorder of said County, and 30 feet on each side of the following described centerline:

BEGINNING at a point being located at California Coordinate System of 1983 (CCS 83), Zone 5, Position N 2 102 127.34, E 5 817 485.76, said point being N 48°02'21" W, a distance of 86.09 feet, more or less, from a point in a line shown on a Record of Survey, recorded in Book 115, Page 62 of Records of Survey, as having a bearing of N 28°25'46"E, and a length of 2208.88 feet, said last mentioned point being distant, S 28°26'05"W, 142.76 feet, more or less, along said line from the northeasterly terminus of said line;

Thence S 48°02'21"E, a distance of 80.54 feet;
 Thence S 34°56'36"E, a distance of 347.19 feet;
 Thence S 42°55'45"E, a distance of 855.26 feet;
 Thence S 17°27'00"E, a distance of 435.62 feet;
 Thence S 24°58'59"E, a distance of 912.93 feet;
 Thence S 61°13'32"E, a distance of 735.39 feet;
 Thence S 26°10'52"E, a distance of 204.31 feet;
 Thence S 07°53'18"E, a distance of 352.29 feet;
 Thence S 47°02'29"E, a distance of 652.98 feet;
 Thence S 53°00'13"E, a distance of 779.45 feet;
 Thence S 44°25'27"E, a distance of 510.34 feet;
 Thence S 48°23'28"E, a distance of 314.75 feet;
 Thence S 35°12'22"E, a distance of 98.48 feet;
 Thence S 26°33'19"E, a distance of 211.67 feet;
 Thence S 49°45'06"E, a distance of 161.17 feet;
 Thence S 78°59'31"E, a distance of 260.28 feet;
 Thence S 73°27'01"E, a distance of 249.26 feet;

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Thence S 49°01'38"E, a distance of 213.34 feet;
Thence S 40°13'27"E, a distance of 160.85 feet;
Thence S 30°57'32"E, a distance of 249.58 feet;
Thence S 37°38'38"E, a distance of 246.66 feet;
Thence S 18°48'49"E, a distance of 414.81 feet;
Thence S 09°13'57"E, a distance of 446.53 feet;
Thence S 48°52'33"E, a distance of 144.80 feet;
Thence S 55°24'46"E, a distance of 452.57 feet;
Thence S 74°06'56"E, a distance of 444.92 feet;
Thence S 72°11'01"E, a distance of 525.63 feet;
Thence S 58°07'50"E, a distance of 754.59 feet;
Thence S 58°07'50"E, a distance of 410.60 feet;
Thence S 35°37'50"E, a distance of 123.77 feet;
Thence S 59°30'36"E, to Station 481 + 50 and the end of the herein described centerline.

The sidelines of said sixty (60.00) foot wide strip shall be lengthened or shortened as necessary to meet at angle points, and to begin and terminate on the boundary lines of the land granted to the State of California in said Deed.

EXCEPTING THEREFROM any portion of said 60 foot wide strip, lying outside the boundaries of said land belonging to the State of California, as described in said Deed to the State of California recorded June 20, 1991, as Instrument No. 91-038941 of Official Records, recorded in the Office of the County Recorder of Santa Barbara County, State of California.

Coordinate positions recited herein are expressed in feet converted from meters. Bearings and distances recited herein are based on the California Coordinate System of 1983 (CCS 83), Zone 5.

END DESCRIPTION

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EXHIBIT "A-1"
TEMPORARY CONSTRUCTION EASEMENT

Nine strips of land, of varying width, within portions of the Rancho Mission de la Purisima and the Rancho Jesus Maria and portions of Sections 21, 28, 29, 32 and 33 in Township 8 North, Range 34 West, San Bernardino Base and Meridian, in the County of Santa Barbara, State of California, as shown on the Maps recorded in Book 21, Pages 153 and 154 of Records of Survey and described in a Deed to the State of California recorded June 20, 1991, as Instrument No. 91-038941 of Official Records, both recorded in the Office of the County Recorder of said County, and more particularly described within the following parcels:

PARCEL ONE

A thirty (30.00) foot wide strip of land, the northeasterly line of which is parallel and concentric with and 30.00 feet southwesterly of the following described line:

BEGINNING at a point being located at California Coordinate System of 1983 (CCS 83), Zone 5, Position N 2 102 127.34, E 5 817 485.76, said point being N 48°02'21" W, a distance of 86.09 feet, more or less, from a point in a line shown on a Record of Survey, recorded in Book 115, Page 62 of Records of Survey, as having a bearing of N 28°25'46"E, and a length of 2208.88 feet, said last mentioned point being distant, S 28°26'05" W, 142.76 feet, more or less, along said line from the northeasterly terminus of said line;

Thence S 48°02'21" E, a distance of 80.54 feet;

Thence S 34°56'36" E, a distance of 347.19 feet;

Thence S 42°55'45" E, a distance of 855.26 feet;

Thence S 17°27'00" E, a distance of 435.62 feet;

Thence S 24°58'59" E, a distance of 912.93 feet.

The sidelines of said thirty (30.00) foot wide strip shall be lengthened or shortened as necessary to meet at angle points, and to begin and terminate on the boundary lines of the land granted to the State of California in said Deed.

PARCEL TWO

A thirty (30.00) foot wide strip of land, the northeasterly line of which is described as follows:

COMMENCING at a point being located at California Coordinate System of 1983 (CCS 83), Zone 5, Position N 2 102 127.34, E 5 817 485.76, said point being N 48°02'21" W, a distance of 86.09 feet, more or less, from a point in a line shown on a Record of Survey, recorded in Book 115, Page 62 of Records of Survey, as having a bearing of N 28°25'46" E, and a length of 2208.88 feet, said last mentioned point being distant, S 28°26'05" W, 142.76 feet, more or less, along said line from the northeasterly terminus of said line;

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Thence S 48°02'21"E, a distance of 80.54 feet;

Thence S 34°56'36"E, a distance of 347.19 feet;

Thence S 42°55'45"E, a distance of 855.26 feet;

Thence S 17°27'00"E, a distance of 435.62 feet;

Thence S 24°58'59"E, a distance of 912.93 feet;

Thence S 61°13'32"E, a distance of 735.39 feet;

Thence S 26°10'52"E, a distance of 204.31 feet;

Thence S 07°53'18"E, a distance of 352.29 feet;

Thence S 62°32'07"W, a distance of 31.84 feet to an angle point in the southwesterly line of sixty (60.00) foot wide strip described hereinbefore in Exhibit "A" and the POINT OF BEGINNING of the herein described parcel;

Thence S 47°02'29" E, a distance of 665.21 feet;

Thence S 53°00'13" E, a distance of 778.76 feet.

The sidelines of said thirty (30.00) foot wide strip shall be lengthened or shortened as necessary to meet at angle points to begin on a line having a bearing of S 7°53'18" E, from the Point of Beginning and terminate on the boundary lines of the land granted to the State of California in said Deed.

PARCEL THREE

A thirty (30.00) foot wide strip of land, the easterly line of which is described as follows:

COMMENCING at a point being located at California Coordinate System of 1983 (CCS 83), Zone 5, Position N 2 102 127.34, E 5 817 485.76, said point being N 48°02'21" W, a distance of 86.09 feet, more or less, from a point in a line shown on a Record of Survey, recorded in Book 115, Page 62 of Records of Survey, as having a bearing of N 28°25'46" E, and a length of 2208.88 feet, said last mentioned point being distant, S 28°26'05" W, 142.76 feet, more or less, along said line from the northeasterly terminus of said line;

Thence S 48°02'21" E, a distance of 80.54 feet;

Thence S 34°56'36" E, a distance of 347.19 feet;

Thence S 42°55'45" E, a distance of 855.26 feet;

Thence S 17°27'00" E, a distance of 435.62 feet;

Thence S 24°58'59" E, a distance of 912.93 feet;

Thence S 61°13'32" E, a distance of 735.39 feet;

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Thence S 26°10'52" E, a distance of 204.31 feet;
Thence S 07°53'18" E, a distance of 352.29 feet;
Thence S 47°02'29" E, a distance of 652.98 feet;
Thence S 53°00'13" E, a distance of 779.45 feet;
Thence S 44°25'27" E, a distance of 510.34 feet;
Thence S 48°23'28" E, a distance of 314.75 feet;
Thence S 35°12'22" E, a distance of 98.48 feet;
Thence S 26°33'19" E, a distance of 211.67 feet;
Thence S 49°45'06" E, a distance of 161.17 feet;
Thence S 78°59'31" E, a distance of 260.28 feet;
Thence S 73°27'01" E, a distance of 249.26 feet;
Thence S 49°01'38" E, a distance of 213.34 feet;
Thence S 40°13'27" E, a distance of 160.85 feet;
Thence S 30°57'32" E, a distance of 249.58 feet;
Thence S 37°38'38" E, a distance of 246.66 feet;
Thence S 18°48'49" E, a distance of 414.81 feet;

Thence S 75°58'37" W, a distance of 30.11 feet to an angle point in the westerly line of the 60.00 foot wide strip of land described hereinbefore in Exhibit "A" and the POINT OF BEGINNING of the herein described parcel.

Thence along said westerly line, S 9°13'57" E, a distance of 454.83 feet.

The sidelines of said thirty (30.00) foot wide strip shall be lengthened or shortened as necessary to meet at angle points and to begin on a line having a bearing of S 35°46'04" W, from the Point of Beginning and terminate on the boundary lines of the land granted to the State of California in said Deed.

PARCEL FOUR

A fifteen (15.00) foot wide strip of land, the northeasterly line of which is parallel and concentric with and 30.00 feet southwesterly of the following described line:

COMMENCING at a point being located at California Coordinate System of 1983 (CCS 83), Zone 5, Position N 2 102 127.34, E 5 817 485.76, said point being N 48°02'21" W, a

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distance of 86.09 feet, more or less, from a point in a line shown on a Record of Survey, recorded in Book 115, Page 62 of Records of Survey, as having a bearing of N 28°25'46" E, and a length of 2208 .88 feet, said last mentioned point being distant, S 28°26'05" W, 142.76 feet, more or less, along said line from the northeasterly terminus of said line;

- Thence S 48°02'21" E, a distance of 80.54 feet;
- Thence S 34°56'36" E, a distance of 347.19 feet;
- Thence S 42°55'45" E, a distance of 855.26 feet;
- Thence S 17°27'00" E, a distance of 435.62 feet;
- Thence S 24°58'59" E, a distance of 912.93 feet;
- Thence S 61°13'32" E, a distance of 735.39 feet;
- Thence S 26°10'52" E, a distance of 204.31 feet;
- Thence S 07°53'18" E, a distance of 352.29 feet;
- Thence S 47°02'29" E, a distance of 652.98 feet;
- Thence S 53°00'13" E, a distance of 779.45 feet;
- Thence S 44°25'27" E, a distance of 510.34 feet;
- Thence S 48°23'28" E, a distance of 314.75 feet;
- Thence S 35°12'22" E, a distance of 98.48 feet;
- Thence S 26°33'19" E, a distance of 211.67 feet;
- Thence S 49°45'06" E, a distance of 161.17 feet;
- Thence S 78°59'31" E, a distance of 260.28 feet;
- Thence S 73°27'01" E, a distance of 249.26 feet;
- Thence S 49°01'38" E, a distance of 213.34 feet;
- Thence S 40°13'27" E, a distance of 160.85 feet;
- Thence S 30°57'32" E, a distance of 249.58 feet;
- Thence S 37°38'38" E, a distance of 246.66 feet;
- Thence S 18°48'49" E, a distance of 414.81 feet;
- Thence S 09°13'57" E, a distance of 446.53 feet;
- Thence S 48°52'33" E, a distance of 144.80 feet;

Thence S 55°24'46" E, a distance of 452.57 feet;

Thence S 74°06'56" E, a distance of 444.92 feet;

Thence S 72°11'01" E, a distance of 525.63 feet and the POINT OF BEGINNING of the herein described parcel;

Thence S 58°07'50" E, a distance of 1165.19 feet;

Thence S 35°37'50" E, a distance of 123.78 feet.

The sidelines of said fifteen (15.00) foot wide strip shall be lengthened or shortened as necessary to meet at angle points, begin on the southwesterly line of the sixty (60.00) foot wide strip of land described hereinbefore in Exhibit "A" and terminate on a line which bears N 59°30'36" W, from an angle point in said southwesterly line of Exhibit "A", said angle point being distant S 42°25'47" W, 30.66 feet from the southeasterly terminus of said hereinabove described line.

PARCEL FIVE

A thirty (30.00) foot wide strip of land, the southwesterly line of which is parallel and concentric with and 30.00 feet northeasterly of the following described line:

COMMENCING at a point being located at California Coordinate System Of 1983 (CCS 83), Zone 5, Position N 2 102 127.34, E 5 817 485.76, said point being N 48°02'21" W, a distance of 86.09 feet, more or less, from a point in a line shown on a Record of Survey, recorded in Book 115, Page 62 of Records of Survey, as having a bearing of N 28°25'46" E, and a length of 2208.88 feet, said last mentioned point being distant, S 28°26'05" W, 142.76 feet, more or less, along said line from the northeasterly terminus of said line;

Thence S 48°02'21" E, a distance of 80.54 feet;

Thence S 34°56'36" E, a distance of 347.19 feet;

Thence S 42°55'45" E, a distance of 855.26 feet;

Thence S 17°27'00" E, a distance of 435.62 feet;

Thence S 24°58'59" E, a distance of 912.93 feet;

Thence S 61°13'32" E, a distance of 735.39 feet;

Thence S 26°10'52" E, a distance of 204.31 feet;

Thence S 07°53'18" E, a distance of 352.29 feet;

Thence S 47°02'29" E, a distance of 652.98 feet;

Thence S 53°00'13" E, a distance of 779.45 feet;

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Thence S 44°25'27" E, a distance of 510.34 feet;
Thence S 48°23'28" E, a distance of 314.75 feet;
Thence S 35°12'22" E, a distance of 98.48 feet;
Thence S 26°33'19" E, a distance of 211.67 feet;
Thence S 49°45'06" E, a distance of 161.17 feet;
Thence S 78°59'31" E, a distance of 260.28 feet;
Thence S 73°27'01" E, a distance of 249.26 feet;
Thence S 49°01'38" E, a distance of 213.34 feet;
Thence S 40°13'27" E, a distance of 160.85 feet;
Thence S 30° 57'32" E, a distance of 249.58 feet;
Thence S 37°38'38" E, a distance of 246.66 feet;
Thence S 18°48'49" E, a distance of 414.81 feet;
Thence S 09°13'57" E, a distance of 446.53 feet;
Thence S 48°52'33" E, a distance of 144.80 feet;
Thence S 55°24'46" E, a distance of 452.57 feet;
Thence S 74°06'56" E, a distance of 444.92 feet;
Thence S 72°11'01" E, a distance of 525.63 feet;
Thence S 58°07'50" E, a distance of 1165.19 feet;
Thence S 35°37'50" E, a distance of 123.77 feet;
Thence S 59°30'36" E, a distance of 405.76 feet to the POINT OF BEGINNING of the herein described parcel;
Thence S 59°30'36" E, a distance of 147.53 feet.

The sidelines of said thirty (30.00) foot wide strip of land shall be lengthened or shortened as necessary to meet at angle points, to begin on a line having a bearing of N 52°59'24" E, from the Point of Beginning and terminate on a line having a bearing of N 7°59'24" E, from the southeasterly terminus of said hereinabove described line.

PARCEL SIX

A thirty (30.00) foot wide strip of land, the northeasterly and easterly lines of which are parallel and concentric with and 30.00 feet southwesterly and westerly of the following described line:

COMMENCING at a point being located at California Coordinate System of 1983 (CCS 83), Zone 5, Position N 2 102 127.34, E 5 817 485.76, said point being N 48°02'21" W, a distance of 86.09 feet, more or less, from a point in a line shown on a Record of Survey, recorded in Book 115, Page 62 of Records of Survey, as having a bearing of N 28°25'46" E, and a length of 2208.88 feet, said last mentioned point being distant, S 28°26'05" W, 142.76 feet, more or less, along said line from the northeasterly terminus of said line;

- Thence S 48°02'21"E, a distance of 80.54 feet;
- Thence S 34°56'36" E, a distance 347.19 feet;
- Thence S 42°55'45" E, a distance 855.26 feet;
- Thence S 17°27'00" E, a distance of 435.62 feet;
- Thence S 24°58'59" E, a distance of 912.93 feet;
- Thence S 61°13'32" E, a distance of 735.39 feet;
- Thence S 26°10'52" E, a distance of 204.31 feet;
- Thence S 07°53'18" E, a distance of 352.29 feet;
- Thence S 47°02'29" E, a distance of 652.98 feet;
- Thence S 53°00'13" E, a distance of 779.45 feet;
- Thence S 44°25'27" E, a distance of 510.34 feet;
- Thence S 48°23'28" E, a distance of 314.75 feet;
- Thence S 35°12'22" E, a distance of 98.48 feet;
- Thence S 26°33'19" E, a distance of 211.67 feet;
- Thence S 49°45'06" E, a distance of 161.17 feet;
- Thence S 78°59'31" E, a distance of 260.28 feet;
- Thence S 73°27'01" E, a distance of 249.26 feet;
- Thence S 49°01'38" E, a distance of 213.34 feet;
- Thence S 40°13'27" E, a distance of 160.85 feet;
- Thence S 30°57'32" E, a distance of 249.58 feet;

Thence S 37°38'38" E, a distance of 246.66 feet;
Thence S 18°48'49" E, a distance of 414.81 feet;
Thence S 09°13'57" E, a distance of 446.53 feet;
Thence S 48°52'33" E, a distance of 144.80 feet;
Thence S 55°24'46" E, a distance of 452.57 feet;
Thence S 74°06'56" E, a distance of 444.92 feet;
Thence S 72°11'01" E, a distance of 525.63 feet;
Thence S 58°07'50" E, a distance of 1165.19 feet;
Thence S 35°37'50" E, a distance of 123.77 feet;
Thence S 59°30'36" E, a distance of 512.98 feet to the POINT OF BEGINNING of the herein described parcel;

Thence the following course along said westerly line, S 59°30'36" E, a distance of 137.52 feet; to a point on the southerly line of the sixty (60) foot wide Permanent Easement described in Exhibit "A" at station 481+50.

The sidelines of said thirty (30.00) foot wide strip of land shall be lengthened or shortened as necessary to meet at angle points, to begin on a line having a bearing of S 30°29'24"W, from the Point of Beginning and terminate on a line having a bearing of S 30°29'24"W, from the southerly terminus of said course.

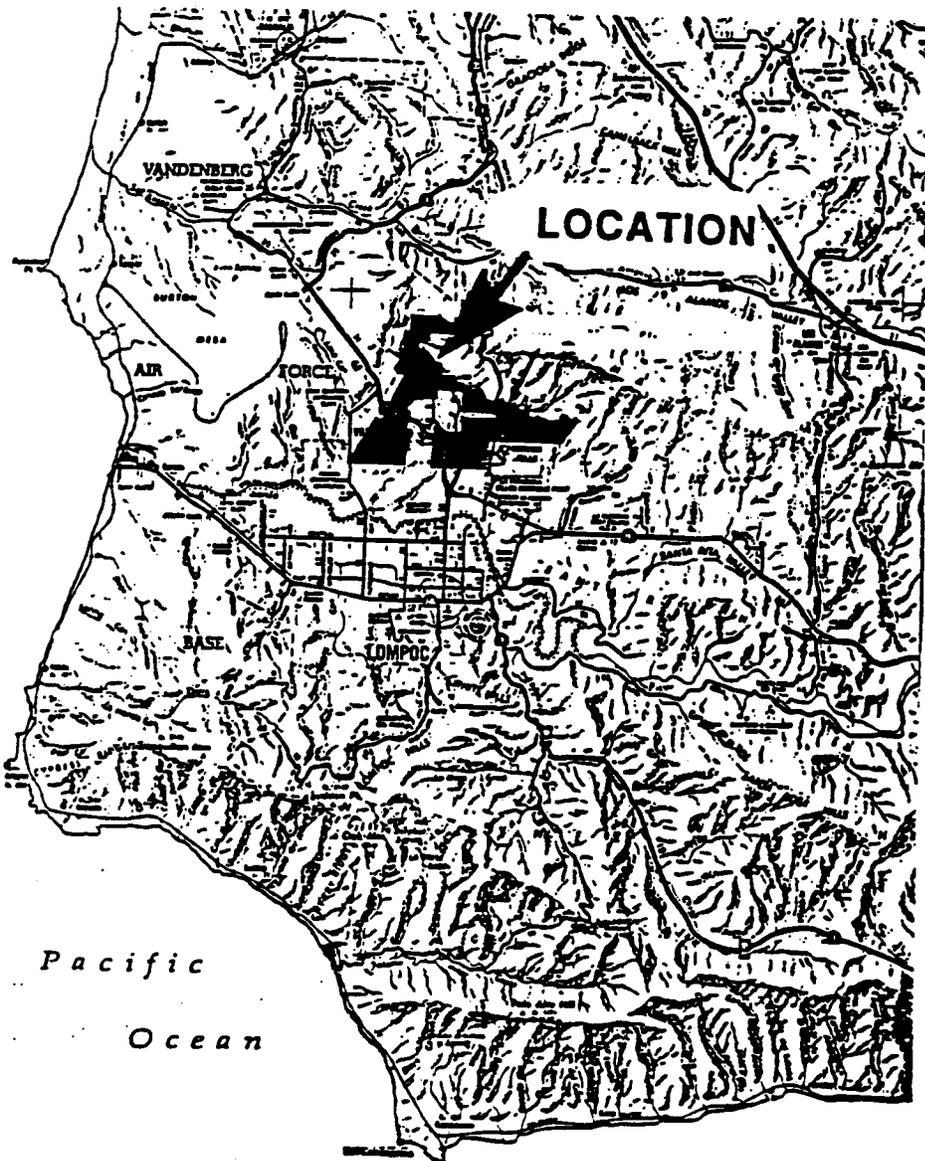
Coordinate positions recited herein are expressed in feet converted from meters. Bearings and distances recited herein are based on the California Coordinate System of 1983 (CCS 83), Zone 5.

Thence S 37°38'38" E, a distance of 246.66 feet;
Thence S 18°48'49" E, a distance of 414.81 feet;
Thence S 09°13'57" E, a distance of 446.53 feet;
Thence S 48°52'33" E, a distance of 144.80 feet;
Thence S 55°24'46" E, a distance of 452.57 feet;
Thence S 74°06'56" E, a distance of 444.92 feet;
Thence S 72°11'01" E, a distance of 525.63 feet;
Thence S 58°07'50" E, a distance of 1165.19 feet;
Thence S 35°37'50" E, a distance of 123.77 feet;
Thence S 59°30'36" E, a distance of 512.98 feet to the POINT OF BEGINNING of the herein described parcel;
Thence the following course along said westerly line, S 59°30'36" E, a distance of 137.52 feet; to a point on the southerly line of the sixty (60.00) foot wide Forty Nine Year lease described in Exhibit "A" at station 481+50.

The sidelines of said thirty (30.00) foot wide strip of land shall be lengthened or shortened as necessary to meet at angle points, to begin on a line having a bearing of S 30°29'24"W, from the Point of Beginning and terminate on a line having a bearing of S 30°29'24"W, from the southerly terminus of said course.

Coordinate positions recited herein are expressed in feet converted from meters. Bearings and distances recited herein are based on the California Coordinate System of 1983 (CCS 83), Zone 5.

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NO SCALE

EXHIBIT "B"
LOCATION MAP
 W25000
 CENTRAL COAST WATER
 AUTHORITY AQUEDUCT
 Vic. VANDENBERG VILLAGE
 SANTA BARBARA CO.



EXHIBIT "B-1"
SITE MAP W.25000

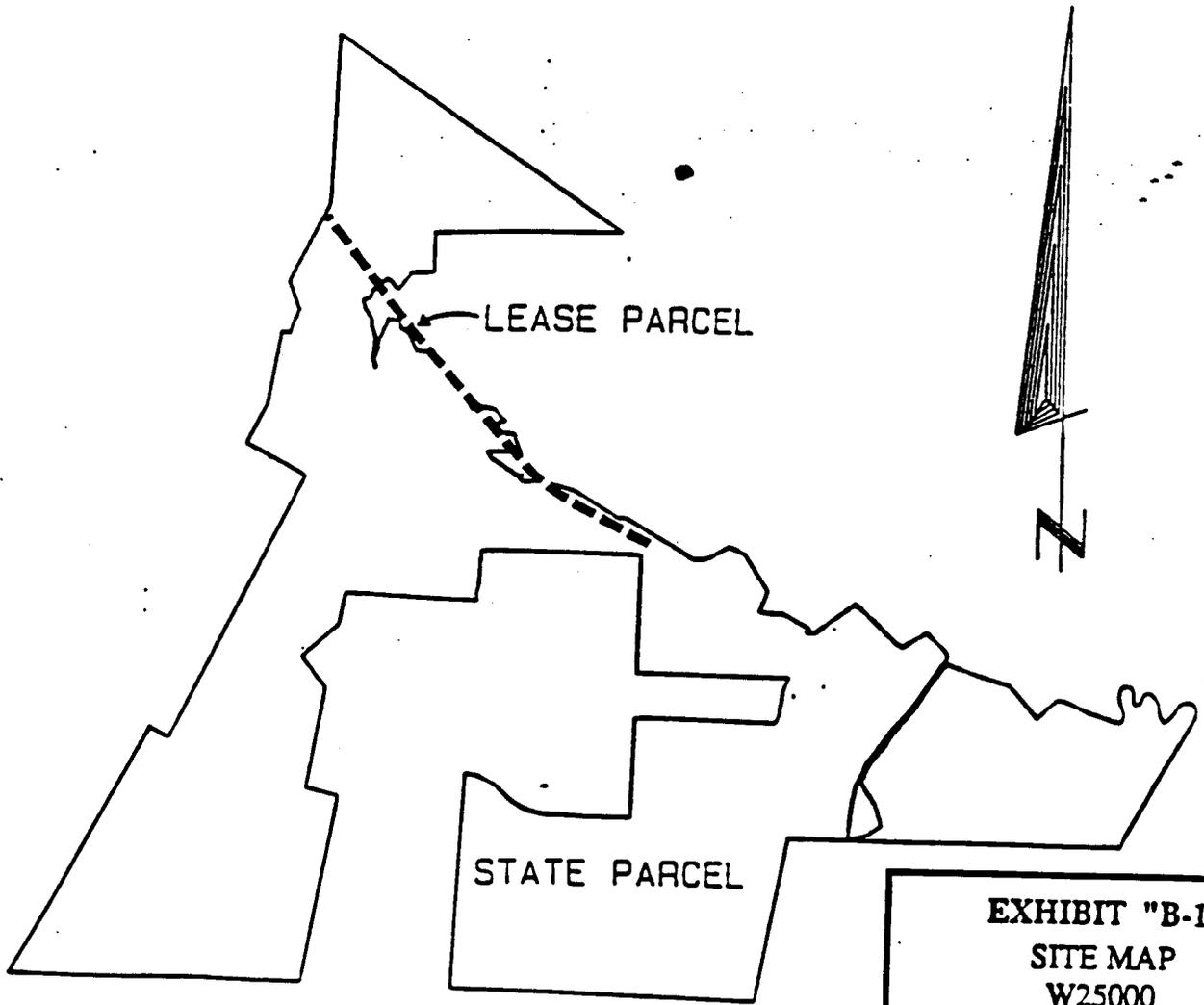


EXHIBIT "B-1"
SITE MAP
W25000

CENTRAL COAST WATER
AUTHORITY AQUEDUCT
Vic. VANDENBERG VILLAGE
SANTA BARBARA CO.



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1192.1

RESOLUTION NO. 92-1

**RESOLUTION OF THE CENTRAL COAST WATER AUTHORITY
MAKING CERTAIN FINDINGS REGARDING THE COASTAL
BRANCH (PHASE II) EXTENSION OF THE CALIFORNIA
AQUEDUCT**

WHEREAS, the Central Coast Water Authority ("the Authority") holds a majority of the Retained Rights under the Water Supply Retention Agreements ("WSRAs") with the Santa Barbara County Flood Control and Water Conservation District ("the District") and has entered into or intends to enter into Water Supply Agreements ("WSAs") assigning to the Authority entitlement rights of all WSRA Contractors who responded in a timely manner, prior to October 10, 1991, to a Notice of Intention to Request Construction of Described Project Facilities under the State Water Contract given by the City of Santa Maria on April 10, 1991, pursuant to Article 5 of the WSRAs; and

WHEREAS, a Final Environmental Impact Report, "State Water Project, Coastal Branch, Phase II, and Mission Hills Extension" ("Coastal Branch EIR") has been certified by the State of California, Department of Water Resources, and all requirements of the California Environmental Quality Act ("CEQA") have been satisfied by the Coastal Branch EIR.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby adopts and approves the certified Coastal Branch EIR and certifies that it has considered the Coastal Branch EIR and the environmental effects of the Facilities as shown therein in reaching its conclusions and in approving the Mission Hills Extension, the Santa Ynez Extension, and the Santa Maria Valley Water Treatment Plant; and

BE IT FURTHER RESOLVED, that the Findings set forth in Attachment 1 to this Resolution, are incorporated by reference herein, and are hereby adopted and determined to be true; and

BE IT FURTHER RESOLVED, pursuant to Article 10(b) of the State Contract that: (1) the location of the initial structure for delivery of project water to the Authority shall be the terminus of the Coastal Branch (Phase II) Extension, unless otherwise designated by the Authority and approved by DWR; (2) 1996 is the time when project water is first to be delivered through the delivery structure; (3) the maximum instantaneous flow capacity in cubic feet per second to be

provided in the delivery structure shall be 77 cfs; (4) the maximum amount of water in acre-feet to be delivered in any one month through such delivery structure shall be 4,632 acre-feet; (5) the Annual Entitlement and Maximum Annual Entitlement, pursuant to Article 7 of the State Contract, shall be 50,078 acre-feet per year. The amounts specified herein are subject to the following conditions:

The amount of entitlements and the flow capacities set forth in this Resolution shall be increased or reduced by any amount approved by the Authority prior to a date in 1992 to be set by DWR as the final date of determination prior to actual commencement of final design and only by the Authority and DWR after that date. Increases will only be approved by the Authority and DWR after all required environmental procedures have been determined by the Authority and DWR to have been complied with in regard to such increases.

BE IT FURTHER RESOLVED, that pursuant to Article 3 (c) of the WSRAs, the Authority agrees to reimburse the District for all costs and expenses which the District becomes obligated to pay under the State Contract regarding any action which the District may take pursuant to this request; and

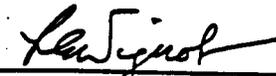
BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

I certify that the foregoing Resolution 92-1 was adopted by a vote of the Board of Directors of the Central Coast Water Authority at a regular meeting held January 23, 1992, as set forth below.


Chairman

[SEAL]

Attest:


Secretary of the Board
of Directors

	VOTING PERCENTAGE	AYE	NAY	ABSTAIN	ABSENT
Buellton Community Services District	<u>2.21%</u>	<u>X</u>	_____	_____	_____
Carpinteria County Water District	<u>7.64</u>	<u>X</u>	_____	_____	_____
Goleta Water District	<u>17.20</u>	<u>X</u>	_____	_____	_____
City of Guadalupe	<u>1.15</u>	<u>X</u>	_____	_____	_____
Montecito Water District	<u>8.35</u>	<u>X</u>	_____	_____	_____
City of Santa Barbara	<u>11.47</u>	<u>X</u>	_____	_____	_____
City of Santa Maria	<u>43.19</u>	<u>X</u>	_____	_____	_____
Santa Ynez River Water Conservation District, Improvement District No. 1	<u>7.64</u>	<u>X</u>	_____	_____	_____
Summerland County Water District	<u>1.15</u>	<u>X</u>	_____	_____	_____

FINDINGS

**DELIVERY OF STATE WATER PROJECT WATER
TO CENTRAL COAST WATER AUTHORITY --
COASTAL BRANCH, PHASE II**

1. CCWA has reviewed and considered the Final Environmental Impact Report, State Water Project, Coastal Branch, Phase II, and Mission Hills Extension ("Coastal Branch EIR") and finds that it complies with the California Environmental Quality Act.

2. CCWA finds that the construction of the Coastal Branch, Phase II, and the mitigation of the significant adverse environmental impacts associated with the Coastal Branch, Phase II, are the responsibility of the California Department of Water Resources, and are outside CCWA's jurisdiction and control. CCWA recommends that the mitigation measures identified in the Coastal Branch EIR should be adopted by DWR and, if adopted, would substantially lessen or avoid these impacts.

4269P
(1/15/92)

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EXHIBIT "C"

W 25000

RESOLUTION NO. 92-2

RESOLUTION OF THE CENTRAL COAST WATER AUTHORITY CERTIFYING ENVIRONMENTAL IMPACT REPORTS AND APPROVING A LOCAL FACILITIES PROJECT, INCLUDING THE MISSION HILLS EXTENSION AND SANTA YNEZ EXTENSION OF THE COASTAL BRANCH OF THE CALIFORNIA AQUEDUCT AND THE SANTA MARIA VALLEY WATER TREATMENT PLANT, AND MAKING REQUIRED FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS AND IMPOSING CERTAIN CONDITIONS OF APPROVAL

WHEREAS, the Central Coast Water Authority ("the Authority") holds a majority of the Retained Rights under the Water Supply Retention Agreements ("WSRAs") with the Santa Barbara County Flood Control and Water Conservation District ("the District") and has entered into or intends to enter into Water Supply Agreements ("WSAs") assigning to the Authority entitlement rights of all WSRA Contractors who responded in a timely manner, prior to October 10, 1991, to a Notice of Intention to Request Construction of Described Project Facilities under the State Water Contract given by the City of Santa Maria on April 10, 1991, pursuant to Article 5 of the WSRAs; and

WHEREAS, Preliminary Design and Final Environmental Impact Reports, including State Water Project, Coastal Branch, Phase II, and Mission Hills Extension ("Coastal Branch EIR"); the Santa Ynez Extension, a Local Facility of the Coastal Branch, Phase II ("SYE EIR"); and the Santa Maria Valley Water Treatment Plant ("SMVWTP EIR"), have been completed and all the requirements of the California Environmental Quality Act ("CEQA") have been satisfied relating to the construction of the Mission Hills Extension and the Santa Ynez Extension of the California Aqueduct and the Santa Maria Valley Water Treatment Plant ("the Local Facilities Project") and all related local turn-outs and distribution extensions; and

WHEREAS, it is the desire of the Authority to certify the EIRs, approve the Local Facilities Project, and commence the final design of the Mission Hills and Santa Ynez Extensions and the Santa Maria Valley Water Treatment Plant at this time.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby certifies that the Coastal Branch EIR, the SYE EIR and the SMVWTP EIR have been completed in compliance with the California Environmental Quality Act and have been presented to

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the Board of Directors of the Authority as the lead agency of the Local Facilities Project and that the Board of Directors of the Authority reviewed and considered the information contained therein in approving the Local Facilities Project.

BE IT FURTHER RESOLVED, that the Findings, Conditions, and Statement of Overriding Considerations, including the Alternate Routes, set forth in Attachment 1 to this Resolution, are incorporated by reference herein, and are hereby adopted and determined to be true; and

BE IT FURTHER RESOLVED, that the Mitigation Plan set forth in Attachment 2 to this Resolution is incorporated by reference herein, and is hereby adopted; and

BE IT FURTHER RESOLVED, that the Preliminary Design of the Local Facilities Project and the commencement of Final Design are hereby approved; and

BE IT FURTHER RESOLVED, that the total Project allotments for all entities which have entered or intend to enter into WSAs with the Authority and the maximum annual entitlement is 50,078 acre-feet, subject to the following conditions:

The amount of entitlement set forth in this Resolution shall be increased or reduced by any amount approved by the Authority prior to a date in 1992 to be set by the State of California, Department of Water Resources ("DWR"), as the final date of determination prior to actual commencement of final design of the Coastal Branch (Phase II) and only by the Authority and DWR after that date. Increases will only be approved by the Authority after all required environmental procedures have been determined by the Authority to have been complied with in regard to such increases.

BE IT FURTHER RESOLVED, that pursuant to Article 3 (c) of the WSRAs, the Authority agrees to reimburse the District for all costs and expenses which the District becomes obligated to pay under the State Contract regarding any action which the District may take pursuant to this request; and

BE IT FURTHER RESOLVED, that the Authority's Consulting Engineer and Executive Director are hereby authorized and directed to communicate and transmit this determination to any and all interested parties.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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DRAFT

FINDINGS, CONDITIONS, AND STATEMENT OF
OVERRIDING CONSIDERATIONS

DELIVERY OF STATE WATER PROJECT WATER
TO CENTRAL COAST WATER AUTHORITY --
MISSION HILLS EXTENSION, SANTA YNEZ EXTENSION,
AND SANTA MARIA VALLEY WATER TREATMENT PLANT

PROJECT DESCRIPTION

The project consists of a series of related projects intended to deliver water from the existing State Water Project terminus to the various participating water purveyors and users within Santa Barbara County.

The project presently under consideration by the Central Coast Water Authority ("CCWA") is comprised of the following potential components, one of which may not be constructed:

1. Mission Hills Extension -- a local distribution facility which commences at the terminus of the Coastal Branch, Phase II, and terminates within Santa Barbara County at the Mission Hills terminus.
2. Santa Maria Valley Water Treatment Plant ("SMVWTP") -- a treatment plant which would be designed to treat only water delivered to some or all of the Santa Barbara County water purveyors and users, in the event that the Polonio Pass water treatment facility either is not constructed or Santa Barbara County water purveyors and users elect not to use that facility.
3. Santa Ynez Extension -- a local distribution facility which would commence at the terminus of the Mission Hills Extension and would pass through the northern portion of Santa Barbara County, terminating at Lake Cachuma or at Tecolote Tunnel.

The project approved by CCWA is described in more detail in the Final Environmental Impact Report, State Water Project, Coastal Branch, Phase II, and Mission Hills Extension, and the Final Environmental Impact Report, Santa Ynez Extension, a Local Facility of the Coastal Branch, Phase II, and Addendum thereto, and the Final Santa Maria Valley Water

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Treatment Plant Environmental Impact Report; the project includes the mitigation measures described herein.

Individual purveyors also propose local projects designed to deliver water from the project to their existing distribution systems. These local projects are not part of the project approved by CCWA, but the environmental impacts of those local projects have been considered by CCWA in its decision to approve the project.

Pursuant to the requirements of the California Environmental Quality Act ("CEQA"), the Central Coast Water Authority, successor agency to the Santa Barbara Water Purveyors Agency ("SBWPA"), hereby adopts the following findings:

I. TIERED/PROGRAM ENVIRONMENTAL IMPACT REPORT

CEQA, and the Guidelines adopted to implement CEQA, describe the concept of a "program" or "tiered" environmental impact report, whereby a series of environmental documents, ultimately comprising a whole, are prepared for a series of actions which can be characterized as one large project and are related geographically or as a part of a chain of contemplated actions. The purpose of the program or tiered environmental impact report is to ensure complete analysis and disclosure of the environmental impacts of the related actions and the cumulative impacts of the whole of those actions. CEQA contemplates that the first environmental impact report discloses the impacts of the general program; that document is followed by narrower or site-specific environmental documents (either environmental impact reports or negative declarations or a combination of both) which incorporate by reference discussion of the impacts of the prior, general document. Subsequent environmental documents need not re-examine environmental impacts which have already been examined in a prior document within the tiered structure. Public Resources Code sections 21068.5, 21094; CEQA Guidelines section 15168.

The California Department of Water Resources ("DWR") prepared the first document of the program or tiers, entitled Final Environmental Impact Report, State Water Project, Coastal Branch, Phase II, and Mission Hills Extension, May 1991 ("Coastal Branch EIR"). The Coastal Branch EIR studied the overall program and the specific potential environmental impacts of construction of the Coastal Branch and Mission Hills Extension. This study included cumulative impacts and various growth inducement scenarios. DWR will construct the Coastal Branch extension to its terminus in Santa Barbara County as a

State-sponsored project. In May 1991, DWR certified that the Coastal Branch EIR complied with CEQA.

DWR and SBWPA jointly sponsored preparation of the Final Environmental Impact Report, Santa Ynez Extension, a Local Facility of the Coastal Branch, Phase II, October 1991, with an Addendum thereto, November 1991 ("SYE EIR"), which constitutes another tier within the program environmental impact report. This document addressed the environmental consequences of the Santa Ynez Extension and compared those impacts to the potential impacts of various project alternatives, and provided additional information regarding growth inducement not included in the Coastal Branch EIR.

SBWPA and CCWA (as its successor) sponsored preparation of the Final Santa Maria Valley Water Treatment Plant Environmental Impact Report, October, 1991 with an addendum thereto, November 1991 ("SMVWTP EIR"), which studied the impacts of the water treatment plant which, if constructed in lieu of or in addition to the Polonio Pass Water Treatment Plant, would provide treated water to water purveyors and users within Santa Barbara County only. The SMVWTP EIR also included supplemental information on growth inducement, gathered since publication of the Coastal Branch EIR.

Individual water purveyors within the County have had prepared through agreement with the CCWA, or have individually prepared, the following environmental documents studying the potential impacts of their local delivery facilities:

- a. Proposed Negative Declaration Guadalupe Connection, October 1991.
- b. Proposed Negative Declaration Santa Maria Connection, October 1991.
- c. Proposed Negative Declaration Mission Hills Connection, October 1991.
- d. Proposed Negative Declaration Vandenberg Village Connection, October 1991.
- e. Negative Declaration Local Santa Ynez and Solvang Turn-outs from Santa Ynez Extension Pipeline of the Coastal Aqueduct (Santa Ynez River Water Conservation District, Improvement District #1), October 1991.

The Buellton Community Services District has prepared a notice of exemption for its proposed local facilities

permitting it to connect to the Santa Ynez Extension. As such proposed facilities consist of a turn-out and pipeline of less than one mile in length located entirely within a public right-of-way, they are statutorily exempt from environmental review. (Cal. Pub. Resources Code § 21080.21 and CEQA Guidelines § 15303.)

II. CEQA FINDINGS -- GENERAL

1. The Board of Directors of CCWA has read and considered the following environmental documents, including any Appendices and Addenda:

Final Environmental Impact Report, State Water Project, Coastal Branch, Phase II, and Mission Hills Extension, May 1991 ("Coastal Branch EIR")

Final Environmental Impact Report, Santa Ynez Extension, a Local Facility of the Coastal Branch, Phase II, with an Addendum thereto, dated October 1991, ("SYE EIR")

Final Santa Maria Valley Water Treatment Plant Environmental Impact Report, October 1991, with an Addendum thereto dated November 1991 ("SMVWTP EIR")

Proposed Negative Declaration Guadalupe Connection, October 1991.

Proposed Negative Declaration Santa Maria Connection, October 1991.

Proposed Negative Declaration Mission Hills Connection, October 1991.

Proposed Negative Declaration Vandenberg Village Connection, October 1991.

Proposed Negative Declaration Santa Ynez and Solvang Turnouts from the Santa Ynez Extension Pipeline of the Coastal Aqueduct (Santa Ynez River Water Conservation District, Improvement District #1), October 1991.

Buellton CSD Notice of Exemption, October 1991.

2. CEQA requires analysis not only of direct or primary impacts, but also of indirect or secondary impacts which are caused by the project and are later in time or are further removed in distance, but are reasonably foreseeable. In light of these principles, each of the three (3) EIRs reviewed by CCWA analyzes the indirect, secondary impacts

arising from cumulative development which may occur as a result of the program and from other projects expected to occur in the vicinity at the same time that the program components are under construction.

3. CEQA requires analysis of the potential which the project may have to induce growth. Each of the three (3) EIRs reviewed by CCWA analyzes the potential for growth inducement from the project and the impacts which could result from growth related to the project.

4. CEQA requires the evaluation of reasonable and feasible alternatives to the project, as well as evaluation of the impacts which would result if the project were not implemented (the "No Action" alternative). The three EIRs, taken together, analyze the "No Action" alternative, various alternative pipeline routes, and various alternative water sources which might be considered in lieu of the project. In addition, the SMVWTP EIR examines alternate treatment plant locations, including the Polonio Pass site in San Luis Obispo County, and a scenario involving a series of individual treatment plants for individual purveyors. The project as mitigated pursuant to the recommendations in the EIRs includes mitigation of potentially significant impacts so that those impacts are avoided or substantially lessened as required by CEQA. The remaining significant environmental impacts are acceptable due to the overriding concerns described in the Statement of Overriding Considerations. It is this mitigated alternative which has become the project as approved by CCWA.

5. The revised project mitigates the potentially significant environmental impacts to an acceptable level. Changes and alterations have been incorporated into the project where feasible; and these changes and alterations to avoid and substantially lessen the significant environmental impacts, as identified in the EIR. These changes include adjustments in the route alignment to avoid or reduce impacts, design features to avoid or reduce impacts, and a mitigation monitoring program which mitigates potentially significant impacts to an acceptable level.

6. As part of its approval of the project, CCWA hereby adopts a mitigation and monitoring program pursuant to the requirements of Public Resources Code section 21081.6 for the Mission Hills Extension, the Santa Ynez Extension and the SMVWTP. As lead agency for the Coastal Branch, Phase II Extension, DWR will be required to adopt a mitigation and monitoring program for that Extension. It is too early in the design process to make more specific recommendations for mitigation, but the mitigation monitoring program incorporates

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the most specific information now available, and the principles upon which site-specific mitigation will be implemented. The mitigation monitoring program has been formulated based upon the premise that the earlier in the process environmental review occurs, the greater the potential for designing an environmentally sensitive project.

7. Formulation of mitigation measures which are more precise than those included in the mitigation monitoring program is infeasible and impractical at this time. CCWA commits itself to devising more specific mitigation measures prior to commencement of construction, which measures will incorporate the principles set forth in the mitigation monitoring program adopted herewith. The more specific mitigation measures will be formulated with input from the County of Santa Barbara, Department of Fish & Game, Fish & Wildlife Service, Department of Water Resources, and U.S. Corps of Engineers.

8. The revised project as proposed by the CCWA is in the interest of providing a safe and reliable water source to the users and customers of the individual purveyors who are members of CCWA, or have Water Supply Agreements with CCWA, for the following reasons:

a. Nearly every water purveyor within the County of Santa Barbara participates in overdrafting of groundwater basins within the county. If SWP water had been available beginning in 1990, water purveyors with SWP entitlements could presently be using SWP water to offset existing overdrafts and to meet drought emergency needs.

b. The overdrafting of some groundwater basins is causing the level of total dissolved solids (TDS) to increase in the groundwater basins. The increases in TDS levels translate into lower quality deliveries of water.

c. Because of the existing water shortage, four South Coast water districts (Goleta, Montecito, Carpinteria and Summerland) have imposed moratoria on new water connections. Other water purveyors are facing steady declines in the quality of their water supplies. In some cases, this decline is so dramatic that the purveyors anticipate not being able to meet applicable health standards in the foreseeable future.

d. All water purveyors within Santa Barbara County face the potential that their present water supplies could be reduced as a result of natural or legal limitations. For instance, all purveyors who use surface water (captured and stored in reservoirs) as part of their supplies face a steady

decline in storage capacity due to siltation. Under drought conditions, this could cause purveyors to rely so heavily on groundwater supplies that they "mine" their basins (extract more water than the safe yield), and thus risk damaging the aquifers which contain their groundwater if their extraction reduces the water bearing capacity of those aquifers. This type of damage cannot be readily detected and may take years to discover. Additionally, litigation has been threatened concerning watershed of origin, enhancement of habitat, groundwater basin rights, and various other water rights issues which could adversely affect the quantity of water being delivered from the Santa Ynez River to most, if not all, of the purveyors participating in this project.

e. In addition, because Santa Barbara County periodically suffers from drought, purveyors' long-term planning for the allocation of supplies often incorporates a drought buffer. This decreases the usable supply in normal to wet years by a set amount which is kept in reserve for use during droughts.

f. Some water purveyors base their planning upon the supply and demand during critical drought periods and, therefore, they need supplemental supplies in order to consider their total available supply to be adequate.

g. During the current drought period, several water purveyors have imposed severe restrictions on their customers' water usage. The City of Santa Barbara, County of Santa Barbara, and State of California have declared states of emergency because of the drought's impact upon local urban water supplies within the county. The restrictions during this drought emergency have resulted in shortages which have disrupted interior uses of water, have damaged landscaping, and have threatened the health, safety, and welfare of the water purveyors' customers. Droughts of this severity are expected to recur and to cause similar shortages if additional water supplies, such as the State Water Project, are not obtained to supplement existing supplies.

9. CCWA has considered water sources which potentially could provide additional water to the members of CCWA, in lieu of the project. CCWA finds that said alternative water sources, individually and cumulatively, do not provide sufficient water to satisfy the needs of CCWA contractors as a whole and therefore do not provide a acceptable alternative to the project:

a. No Action -- the water purveyors and users would continue to depend on existing water supplies. Under

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this alternative, the impacts of the project would be avoided, but the benefits of the project would be lost. Deficit water use, declining water quality, and potential damage to aquifers would result. In addition, customers would suffer constraints on their life style, particularly in drought years. Economic losses also would occur as a result of drought stress upon existing large trees and landscaping. The cost of removing and replacing dead or damaged vegetation would be borne by individual customers and, in the case of vegetation on public lands, by the taxpayers. Recent experience in Santa Barbara and Oakland urban and suburban neighborhoods, as well as others in Southern California, has shown that fire hazard in urban and suburban areas increases during drought periods as a result of residents reducing or ceasing irrigation of landscaping due to lack of available water. In addition, purveyors would have to take steps to protect the yield of their reservoirs by dredging or sluicing, both of which (when viable) are costly and have adverse environmental impacts. In some cases, neither approach is viable. The No Action alternative would leave purveyors with no offsetting water supply in the event that threatened legal challenges to their existing supplies result in reduction of existing supplies. For these reasons, this alternative is rejected.

b. Urban conservation -- in the short term (during drought periods), urban water demand reduction is very effective. In the long term, however, the members of CCWA estimate (based upon past experience locally and elsewhere in the State) that urban conservation is capable of reducing consumption by approximately 10%, the achievement of which is assumed. All members of CCWA routinely and historically encourage conservation and many offer financial incentive programs to their customers. CCWA will encourage its Water Supply Agreement Contractors to implement applicable and feasible urban conservation best management practices and policies similar to those developed in the Memorandum of Understanding regarding urban water conservation dated September 1991. Some of CCWA's members already have executed or otherwise approved the Memorandum of Understanding. The County of Santa Barbara has adopted the Memorandum of Understanding. As the cost of water rises, rates increase, further encouraging conservation. A long term 10% water savings, however, is not capable of offsetting predicted shortfalls. Urban conservation is expected to occur with or without the project. For this reason, urban conservation is not an acceptable alternative to the project. It is simply a supplement to the project.

c. Agricultural Conservation -- the project does not deliver water for agricultural use. Although Santa

Barbara County encourages agricultural water conservation, there is no program presently in place to enforce agricultural water conservation. Under existing laws, farmers are entitled to pump groundwater for reasonable use on their overlying property. Without a means to enforce agricultural conservation, this is not an acceptable alternative to the project.

d. Waste Water Reclamation -- most of the communities in Santa Barbara County which can feasibly implement waste water reclamation projects either have done so or are in the process of exploring this option. It is not feasible for many of the members of CCWA (e.g., in areas where the level of total dissolved solids in the groundwater already is high, the introduction of reclaimed water would increase these levels even further, threatening the water purveyor's ability to meet safe drinking water standards; in non-coastal communities, wastewater is returned to the groundwater rather than being discharged into the ocean, so it is part of the total water supply already). For this reason, it is considered to be a possible addition to, but not an alternative for, the project.

e. Desalination -- most of the communities in Santa Barbara County which can feasibly implement desalination projects either have done so, have considered and rejected this option as too expensive, or are in the process of exploring this option. It requires existing ocean intake and outfall lines, or construction of new, very expensive, intake and outfall lines, and consequently is not physically possible for many of the members of CCWA. It is considered to be a possible addition to, but not an alternative for, the project.

f. Cachuma Reservoir Enlargement -- this alternative would increase the yield of Lake Cachuma by raising the dam approximately 50 feet. A number of members of CCWA do not participate in the water supply from Lake Cachuma so, for them, this is not a feasible alternative to the project. In addition, the combination of the potential significant environmental impacts of enlargement of this reservoir and water rights concerns have caused processing of this project to be suspended. For this reason, Cachuma reservoir enlargement is not considered to be an acceptable alternative at this time to the project.

g. Other Reservoir Projects -- other reservoir projects considered by CCWA (and reviewed in the Coastal Branch EIR) include construction of a new Gibraltar Reservoir, construction of a new Round Corral Reservoir, construction of a new Hot Springs Reservoir, construction of a new Camuesa

Reservoir, and construction of a new Salsipuedes Reservoir. Each of these projects would serve only limited populations, would have adverse impacts on downstream users, and would have significant environmental impacts. For these reasons, they are not acceptable alternatives to the project.

h. Purchase of Agricultural Water Rights to Reduce Agricultural Water Usage -- because of the possibility of significant adverse economic and environmental impacts, legal issues pertaining to water rights, and the impacts upon third parties not involved in the transfer of these rights, this option is not an acceptable alternative to the project.

i. Conjunctive Use -- few, if any of the members of CCWA have the necessary physical conditions of surface and ground water supply necessary to implement conjunctive use effectively. Even for those who do, the difficulties associated with sharing the groundwater resources with other users, where those conditions exist, limits the utility of conjunctive use and limits the quantities of water available from this operational technique. It is, therefore, not an acceptable alternative to the water supplied by this project.

j. Importation by Tanker -- this option is potentially feasible only for purveyors located close to the ocean (certain inland communities could enjoy the benefits of tankered water by negotiating a water exchange agreement with a coastal water purveyor, but only a limited number of inland communities could benefit from such an agreement). In addition, tankering costs are high and tankers consume a substantial amount of fuel, causing energy and air quality impacts. For these reasons, this is not an acceptable alternative to the project.

k. South Coast Emergency Water Delivery System -- through a complex set of agreements between the Santa Barbara County Water Agency and a number of other purveyors, a temporary delivery of SWP entitlements held by those other purveyors was made. This was an emergency response to the shortages suffered by South Coast purveyors and, because it depends upon excess capacity in several other Southern California water systems, it is not available on a permanent basis in the future. As a result, it is not an acceptable alternative to the project.

Even considered together, the alternatives described above do not present an acceptable alternative to the project. Those alternatives which are physically and economically feasible and do not have significant environmental impacts

together cannot provide to all of the members of CCWA a water supply comparable to the project. The alternatives are incapable of providing the improved water quality which the project provides. Lake Cachuma does not serve the Santa Maria/San Antonio area. These same areas also cannot be served feasibly by desalination (the extreme cost of transporting and lifting the water from the coast to this area makes it economically infeasible), conjunctive use (these areas depend almost exclusively upon groundwater already, so they lack a supplemental supply to use conjunctively), conservation (conservation simply cannot generate enough savings to offset existing deficits), water tankers (the same cost issues as those mentioned for desalination render this option infeasible as well), reclamation (this will provide additional water only where the community is using ocean outfalls -- effluent in the Santa Maria/San Antonio area already is returned to the groundwater or used for agricultural irrigation), the South Coast Emergency Water Delivery System (this serves only the South Coast area), and other reservoirs (the only reservoir which would serve this area is Round Corral -- it would have environmental impacts, poor water quality, and technical difficulties in recharge conflicts with Twitchell Reservoir, so it is not an acceptable alternative).

10. The alternatives fail to satisfy an important project objective, that of providing a means by which the water systems serving major population centers within the County can be linked so that purveyors have a means to provide one another with emergency backup water and to complete water exchanges.

11. Although the introduction of a new water supply into Santa Barbara County has a potential to induce growth, CCWA finds that the degree to which growth will be induced would be limited, and the potential secondary impacts of induced growth have been reduced to an acceptable level as a result of changes and alterations incorporated into the project, those changes having been included in the conditions of approval of the project.

12. CCWA finds and determines that the requirements of CEQA have been satisfied for this project. The requirements of Section 26 of the CCWA's Water Supply Agreements with individual purveyors regarding CEQA, therefore, have been satisfied.

III. CEQA FINDINGS -- SPECIFIC FOR MISSION HILLS EXTENSION

A. The Coastal Branch EIR identifies the following potentially significant environmental impacts associated with construction of the Mission Hills Extension: biological,

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cultural resources, water quality, noise, traffic, air quality, aesthetics, land use, and geological.

B. CCWA makes the following findings regarding those impacts:

1. Biology -- simultaneously with the adoption of these Findings and Statement of Overriding Considerations, CCWA is adopting a biological mitigation program. Because final design of the Mission Hills Extension has not begun, the final field details of the mitigation program have not been determined. It is too soon in the process to make more site-specific recommendations for mitigation. Detailed field information, including the site-specific mitigation of impacts, will be incorporated into the final project design and construction contracts. Field monitors will be present to enforce the mitigation measures when construction begins, and will remain until construction terminates. Mitigation target areas and a formula for accomplishing mitigation of every potentially significant biological impact have been incorporated into the mitigation program. Biological monitors will be present during construction and will have authority to halt and reroute construction to ensure field compliance with the mitigation program, subject to override by the onsite field supervisor. A narrow corridor, within which no trees or deep-rooted plants will be planted or allowed to grow, will be maintained directly over and adjacent to the pipeline. This is necessary to avoid damage the pipeline. Implementation of the mitigation program will substantially lessen or avoid biological impacts, the remaining significant impacts are acceptable, and the mitigation program satisfies current laws and State guidelines [Coastal Branch EIR, pp. 29, 35 through 38, 60].

2. Cultural resources -- a cultural resources study was conducted as part of preparation of the Coastal Branch EIR. Six (6) sites were discovered along the proposed route for the Mission Hills Extension. To the extent feasible, final design will include avoidance of the sites. Where avoidance is infeasible, the pipeline will be placed on the surface to the extent feasible. In any event, an archaeological monitor (with authority to halt and reroute construction, subject to override by the field construction supervisor) will be onsite during all construction through potentially sensitive areas to assist construction workers in minimizing damage to cultural resources. Where sensitive sites cannot be avoided or damage reduced to insignificant levels in the field, mitigation consistent with State guidelines will be implemented. In addition, there may be undiscovered significant cultural resources along the route. The studies

which are part of the final design process for the project include sub-surface probes of areas along the alignment likely to have buried sites. The information gathered from these studies will be used to avoid these sites to the extent feasible and to formulate site-specific mitigation as part of the design, consistent with State guidelines, if avoidance is infeasible. If additional undiscovered significant cultural resources are discovered during construction, construction in the area of the resources will halt temporarily and an archaeological consultant will be called in to propose realignment or mitigation measures necessary to avoid or substantially lessen the impacts to the site, or to accomplish recovery and preservation consistent with State guidelines.

With the adoption of this mitigation program, and its implementation in the field, including the employment of monitors authorized to halt and reroute construction to avoid sensitive sites or to reduce impacts upon them to insignificance, or to provide for recovery and preservation of resources, CCWA finds that the impacts of the Mission Hills Extension upon cultural resources are mitigated to an acceptable level [Coastal Branch EIR, p. 42]. In making this finding, CCWA recognizes that, even with mitigation which satisfies applicable laws and guidelines, damage to some cultural resource sites will occur. This damage will be irreversible but is not significant.

3. Water quality -- the project crosses several creeks, some of which have perennial flows. Others have seasonal flows. Construction over seasonal creeks will be scheduled to the extent feasible for periods of low or no flow, and the surface will be restored to pre-construction conditions. Flows, if present, will be diverted around the construction site and sedimentation basins will be used to decrease turbidity. One crossing over a perennial creek will use a bridge to span the stream. Erosion control and dust reduction measures as outlined in the mitigation program will be implemented to reduce the potential for the project causing turbidity and siltation in streams. Fuels will be stored away from streams and refueling will not occur near streams.

With the described approach to construction of creek crossings, and adoption of the mitigation program, CCWA finds that the potential adverse impacts of the Mission Hills Extension upon water quality will be reduced to an acceptable level [Coastal Branch EIR, p. 44].

The project water supply will have a long-term beneficial impact upon water quality in most of the communities which it serves [Coastal Branch EIR, p. 44] by importing a

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supplemental water supply which has lower total dissolved solids than the water presently delivered by most local water purveyors.

4. Noise -- construction noise and noise related to construction vehicles have a potential for creating short-term potentially significant impacts upon land uses adjacent to the pipeline corridor. Most construction areas are remote, but some residences and other noise-sensitive uses are located near the construction corridor. Wildlife may be temporarily displaced as a result of construction noise and activity, but this impact is not lasting or significant. In areas along the pipeline corridor which are considered to be sensitive under federal and state regulations, noise levels will be closely monitored to reduce the noise to the degree feasible. A noise mitigation program is adopted simultaneously herewith.

With the adoption of the mitigation program, CCWA finds that the noise impacts of construction of the Mission Hills Extension are avoided or substantially lessened but remain residually significant; these residually significant impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations; operational noise impacts are insignificant [Coastal Branch EIR, pp. 45, 61].

5. Traffic -- the construction activity will generate traffic from workers, construction vehicles and materials suppliers. The Mission Hills Extension will cross State highways as well as county roads and railroad tracks. Some residents' driveways will be briefly disrupted, but detours will be provided so that access to their homes will be open at all times. Disruption of heavily travelled roadways will be avoided by jacking the pipeline under these roads. For more lightly travelled roadways, detours will be provided, resulting in minimal delays. Construction workers will be encouraged to carpool. With these measures, CCWA finds that the impacts of the Mission Hills Extension construction upon traffic are mitigated to insignificance; operational traffic impacts are insignificant [Coastal Branch EIR, p. 46].

6. Air Quality -- Santa Barbara County is in attainment of federal air quality standards for CO, SO₂, NO₂ and PM₁₀, and has been designated as a nonattainment area under state standards for O₃ and PM₁₀ and for the federal ozone standard. Construction of the Mission Hills Extension will result in construction equipment emissions, delivery vehicles emissions, and dust. These impacts will be significant but short-term. A mitigation program is adopted simultaneously

herewith, which avoids or substantially lessens those impacts, but short-term construction-related air quality impacts are residually significant. These residually significant impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations. Operational air quality impacts are insignificant [Coastal Branch EIR, pp.48-49, 61].

7. Aesthetics -- Santa Barbara County has identified three (3) travel corridors of scenic values which cross the proposed Mission Hills Extension alignment. A highly scenic area, La Purisima Mission State Historical Park, is located near the terminus of the Mission Hills Extension. Construction of the pipeline will have short-term impacts upon aesthetic resources as a result of dust, construction equipment movement, exhaust, temporary structures, and the like, which contribute to an unnatural appearance. CCWA finds that these impacts are unavoidable, short-term, and not significant. Four (4) major surface facilities of the Mission Hills Extension will be visible from adjacent roads. These facilities will be partially buried to reduce visibility, will be landscaped, and will be painted a low-contrast color. CCWA finds that these mitigation measures will reduce the daytime long-term aesthetic impacts of the Mission Hills Extension to a level of insignificance. Little or no night lighting of these facilities will be used unless necessary for security or to conduct repair and maintenance activities. The loss of large oak trees and the removal of Burton Mesa Chaparral has a potential to create significant long-term aesthetic impacts, particularly when the removal is on densely vegetated slopes. To minimize this impact, only a narrow corridor directly over the pipeline will be kept clear of large trees and other deep-rooted plants. This is necessary to avoid damage to the pipeline. Oak tree removal will be reduced to the greatest extent feasible, and replacement oak trees will be planted where possible to reduce visual impacts. Burton Mesa Chaparral will be restored using the techniques described in the biological mitigation program.

With the measures described, and the biological mitigation program, CCWA finds that the adverse aesthetic impacts of the Mission Hills Extension are substantially lessened and the remaining significant impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations [Coastal Branch EIR, pp. 55, 61].

8. Land Use -- land uses along the Mission Hills Extension alignment are predominantly agriculture and open lands. Some residential, commercial, and industrial land also will be affected. In the croplands, one season's crop

will be lost along the alignment. Where the pipeline crosses vineyards and orchards, no trees or vines can be replanted in the permanent pipeline corridor. One (1) house may have to be removed within the right-of-way. The home owner will be compensated if this removal occurs and any occupants will be provided relocation assistance. Agricultural operators will be compensated appropriately for the disruption to their farming operations.

A mitigation measure has been included in the mitigation monitoring program, requiring that the pipeline alignment be adjusted to avoid producing agricultural fields, orchards, and vineyards where feasible. Where these producing lands cannot be avoided, the alignment will be adjusted to follow fencelines and roads to the extent feasible. In addition, construction will be scheduled, when possible, to minimize interference with agricultural operations affected by the alignment. With these mitigation measures and the compensation required to be paid to farmers for lost production, the land use impacts to agriculture will be avoided or substantially lessened, and any remaining significant impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations [Coastal Branch EIR, p. 54].

CCWA finds that the impacts upon land use will be adverse but not significant once affected landowners have been compensated and occupants provided relocation assistance, including moving costs.

9. Geological -- the project is subject to earthquake and landslide damage, resulting in rupture of the pipeline and water spillage. Rupture also would cause temporary disruption of delivery to local purveyors. Purveyors have other available supplies to continue deliveries to their customers. Repairs will be undertaken promptly, so disruption of service is not a potentially significant impact of the geological hazard. The project design will include automatic emergency valves to isolate sections of pipeline subject to geological hazard, thereby limiting the volume of spillage. This will reduce the possibility of erosion impacts from escaping water. Periodic inspections and regular maintenance of facilities, as well as state-of-the-art pipeline design will be incorporated into the design and operation of the pipeline, thereby avoiding or substantially lessening the potential significant impacts from geological hazard; the remaining impacts are acceptable [Coastal Branch EIR, p. 27].

10. Certain impacts analyzed by the Coastal Branch EIR for the MHE were determined not to be potentially significant:

a. Socioeconomic impacts of construction -- construction of the project is expected to provide average employment of 115 construction personnel and 15 State employees, resulting in an estimated population increase on a temporary basis in the Santa Maria-Lompoc area of 300 people. This additional population is well within present housing vacancy rates in the area, so no significant impacts on public services and utilities are anticipated and no mitigation measures are necessary or proposed [Coastal Branch EIR, p.63].

b. Energy consumption -- construction and operation of the MHE will require use of both petroleum fuels and electricity. A portion of the electricity will be recovered, but the rest of the energy used for construction and operation is an irretrievable commitment of resources. Total fuel consumption for construction of the MHE is estimated at 580,000 gallons of diesel fuel and 250,000 gallons of gasoline. The fuel demands of the MHE project represent a de minimis impact upon petroleum fuels used in California. Certain of the air quality mitigation measures set forth in the mitigation monitoring program also will mitigate impacts of the project upon petroleum fuel usage (e.g., using construction equipment with engines of minimum practical size for the task, using electric construction equipment when feasible, maintaining equipment in tune, limiting idling time when feasible, car pooling, etc.). No other mitigation measures are feasible to reduce energy demand during construction. The energy demand during construction is insignificant [Coastal Branch EIR, p. 63].

The electricity demands of project operation would be ten percent of the total demand for the Coastal Branch project and are minimal compared to the SWP project in its entirety. No additional SWP generating facilities are necessary to support the project. PG&E will supply power for the Mission Hills Extension. The MHE will use about .007 percent of the PG&E capacity and, therefore, will have a minimal impact upon non-renewable energy sources and upon SWP demand in general. This impact, therefore, is insignificant and no mitigation measure is necessary [Coastal Branch EIR, p. 64].

c. Surface water and groundwater movement -- the pipeline trench will be backfilled, compacted, and graded to the pre-construction contour upon completion of construction. Access roads will be designed to avoid interfering with surface drainage. If groundwater is encountered in the trench, backfill and compaction will allow for continuity of flow. No further mitigation is feasible or necessary [Coastal Branch EIR, p. 64].

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d. Water percolation rates -- the trench will not affect sizable areas, will be compacted and revegetated and would have no significant impact on percolation so no additional mitigation measure is required [Coastal Branch EIR, p. 64].

e. Agricultural water supply -- the project will not reduce agricultural water supply, but will result in increased recharge of water with low TDS. The project will have a beneficial impact upon agricultural water supply, if it has any impact at all [Coastal Branch EIR, pp. 64-65].

f. Rodenticide use -- none will be used for the proposed project [Coastal Branch EIR, p. 65].

g. Fish importation -- the water treatment plant proposed as part of the project will remove all possibility of introduction of new fish species through the project pipeline [Coastal Branch EIR, p. 65].

C. CCWA has considered certain alternative routes to the proposed route for the Mission Hills Extension and makes the following findings:

Four (4) alternative routes were considered. Three were rejected because of increased potential for biological impacts. The fourth (the Highway 101 alternative) was rejected because it bypasses Casmalia, Vandenberg AFB, Vandenberg Village, Mission Hills, and Lompoc. One of the objectives of the project, in addition to delivering State Water Project water, is to connect the water systems of the major urban communities within Santa Barbara County in a manner which allows each community to provide an emergency water supply to others and facilitates water exchanges. The Highway 101 route, since it bypasses major population areas, would not satisfy this important project objective.

IV. CEQA FINDINGS -- SPECIFIC FOR SANTA YNEZ EXTENSION

A. The Santa Ynez Extension EIR identifies the following potentially significant environmental impacts associated with construction of the project: biological, archaeological resources, water quality, noise, transportation, air quality, aesthetics, land use, utilities, and geological.

B. CCWA makes the following findings regarding those impacts:

1. Biological -- the project will result in the loss of approximately 36 acres of Burton Mesa Chaparral, 36 acres of riparian/wetland vegetation, and 57 acres of oak woodland during construction, as well as a permanent (long-term) loss of native vegetation as a result of maintaining a permanent corridor above the pipeline. A mitigation program is adopted simultaneously herewith, which will mitigate all biological impacts to a level of insignificance in the long term. Short-term significant impacts to oak and riparian woodlands would remain until the restored vegetation matures. These residually significant impacts are substantially lessened by the mitigation monitoring program, and the measures described therein, and the remaining adverse environmental impacts of the project are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations [SYE EIR, p.4.4-40].

2. Archaeological resources -- a survey of the pipeline corridor reveals nine (9) archaeological sites and three (3) isolated artifacts within the corridor. One site is significant; the eight (8) other sites and one isolated artifact are potentially significant. Other known potentially significant sites are located nearby but not within the corridor. The SYE EIR discusses five (5) potential reroutes of the pipeline to mitigate the impacts of the project upon cultural resources. A cultural resource mitigation program is adopted simultaneously herewith. That program includes further field reconnaissance for areas of the corridor which haven't been field surveyed due to denied access or heavy vegetation, and the presence of a monitoring archaeologist and Native American representative during all earth disturbance work. The monitoring archaeologist has authority to halt and reroute construction to avoid or reduce impacts to cultural resources, subject to override by the field construction supervisor. If new significant sites are discovered, prior to or during construction, site specific measures will be implemented, in consultation with the archaeologist, to avoid or reduce to insignificance impacts to the site, or to accomplish recovery and preservation consistent with State guidelines.

With the adoption of the mitigation routes described in more detail below and the mitigation program, CCWA finds that the impacts of the Santa Ynez Extension upon cultural resources are substantially lessened or avoided, as required by CEQA, and the remaining adverse environmental impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations [SY EIR, p. 4.5-20].

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3. Water resources -- construction of the project could adversely affect surface waters through erosion from areas disturbed by grading and trenching. In addition, accidental fuel spills during equipment refueling could result in contamination of surface and/or groundwaters. Erosion impacts would be insignificant, but fuel spills could be potentially significant. The mitigation program outlined above for the Mission Hills Extension for water quality (Para. 3) will be used to mitigate the adverse impacts of both components of the project upon water resources, thereby avoiding or substantially lessening them. The remaining adverse environmental impacts of the project are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations [SYE EIR, p. 4.2-11]. Delivery of the project water to water purveyors and users within Santa Barbara County will have a beneficial impact upon water quality by improving the quality of delivered water. The project water generally contains a lower level of total dissolved solids than the water currently provided by the water purveyors to be served by the project [SYE EIR, pp. 4.2-6, 4.2-7, 4.2-11].

4. Noise -- construction noise has the potential for significant impacts on a short term basis, in that a number of residences and noise sensitive receptors lie close to the corridor. During operation, no potentially significant noise impacts are anticipated. The noise mitigation program, described in more detail in the findings for the Mission Hills Extension, will be used to avoid or substantially lessen noise impacts from the project. There remains a potential for short term significant impact from construction noise [SYE EIR, p. 4.9-4-4.9-6]. This short-term impact is acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations.

5. Transportation -- all of the transportation impacts of the project will be short term, related to construction workers, construction equipment, and materials suppliers. The pipeline will cross Highway 246 three times and U.S. 101 and Highway 154 once each. Highways and major roads would be crossed by jacking the pipe under the roadway to prevent interruption of traffic flow. Lightly travelled public roads, private roads, and private driveways would be trenched. Detours would be provided so that only minimal delays would be experienced. Residents would have continuous access to their homes.

Five (5) mitigation routes have been proposed for the pipeline. Four (4) would affect construction activities on some roadways. With the adoption of the mitigation routes, as well as the transportation mitigation program adopted herewith,

CCWA finds that the impacts of the project upon transportation are avoided or substantially lessened by the mitigation measures incorporated into the project, and the remaining adverse impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations [SYE EIR p. 4.7-7].

6. Air quality -- air quality impacts from construction of the project would be significant in the short term, even with adoption of all feasible mitigation measures which have been included in the mitigation program. Those impacts which can be mitigated are mitigated by implementation of the mitigation program [SYE EIR, p. 4.3-13]. No significant air quality impacts are anticipated from operation of the project [SYE EIR, p. 4.3-13].

7. Aesthetics -- the project has a potential for significant aesthetic impacts during construction as a result of the clearing of and grading in riparian woodlands, oak woodlands, chaparral, and steep slopes [SYE EIR, p. 4.8-2 through 4.8-5]. With the implementation of the mitigation program adopted herewith, CCWA finds that the construction related impacts of the project upon aesthetics are avoided or substantially lessened, and the remaining adverse impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations. During operation, there is a potential for significant aesthetic impact where facilities would be located within scenic viewsheds (from public roadways and recreational trails). The mitigation program adopted herewith mitigates the operational impacts to insignificance [SYE EIR, p. 4.8-10-4.8-11].

8. Land use -- most of the impacts of the project would be temporary, related to the construction activity. Almost all of the area of disturbance, with a few exceptions (river and road crossings and the Santa Ynez Indian Reservation) is in agricultural production or is open land. No residences would be displaced by the construction, although numerous residences are located nearby. In croplands, one season's crop will be lost along the alignment. Where the pipeline crosses vineyards and orchards, no trees or vines can be replanted in the permanent pipeline corridor. Agricultural operators will be compensated for the disruption to their farming operations. Residents in nearby houses will be disturbed, but only in the short term. The pipeline operation is not incompatible with any land use in the area.

A mitigation measure has been included in the mitigation monitoring program, requiring that the pipeline alignment be adjusted to avoid producing agricultural fields,

orchards, and vineyards where feasible. Where these producing lands cannot be avoided, the alignment will be adjusted to follow fencelines and roads to the extent feasible. In addition, construction will be scheduled, when possible, to minimize interference with agricultural operations affected by the alignment, or the affected farmer(s) will be compensated for the crop loss resulting from such interference. With these mitigation measures and the compensation required to be paid to farmers for lost production, the land use impacts to agriculture will be avoided or substantially lessened and any residual impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations [SYE EIR, p. 4.6-6].

In order to reduce potential impacts upon agricultural production on the Gainey Ranch, CCWA finds that it is appropriate during final design to study the possibility of an alignment shift in the portion of the SYE which is shown in the SYE EIR Appendix D, page D-8, for the purpose of avoiding placing the pipeline through productive agricultural fields. Any such alignment shift will require site specific review and mitigation to ensure that its environmental impacts are properly assessed prior construction.

Certain mitigation routes have been proposed for the pipeline. Two of these reroutes (B and D) would mitigate potential land use impacts of the project alignment as proposed. Both of these mitigated routes are approved by CCWA as a part of this action.

CCWA finds that the compensation of affected farmers and ranchers and the selection of the mitigated routes B and D mitigates the land use impacts of the project to a level of insignificance [SYE EIR, pp. 4.6-5-4.6-6].

9. Geological -- the project has a potential for significant impacts upon geology as a result of modification of topography and drainage during grading and construction, the potential for fault-related ground rupture, potential damage to structures as a result of seismic shaking and liquefaction, potential for landslides, and potential for soil contamination due to fuel spills and vehicle maintenance. The mitigation program adopted herewith results in all of these impacts being mitigated [SYE EIR, pp. 4.1-11-4.1-12], thereby being avoided or substantially lessened. The remaining adverse environmental impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations.

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10. Utilities -- increased fuel consumption will occur during construction, but the impact of this increase would be insignificant. With the use of carpooling, van pools, and efficient use of well-maintained construction equipment as required in the mitigation plan, the impacts would be further reduced [SYE EIR, pp. 4.10-1-4.10-2].

11. Certain impacts analyzed by the SYE EIR for the SYE were determined not to be potentially significant:

a. Socioeconomics -- the project will generate jobs for construction workers. The peak impact will be 119 workers. The county has a considerable construction workforce (about 10,000 workers). The permanent population of the county is unlikely to be affected by the project. Local construction workers could fill most of the project's employment requirements. It is unlikely that any appreciable in-migration of workers will result from the project. The project construction will have little or no impact upon the demand for local housing, because no permanent in-migration is expected to occur. There are sufficient hotel/motel rooms within the county to accommodate whatever transient workers are employed for the project. No mitigation measures are necessary for this impact because it is insignificant [SYE EIR, p. 4.11-1].

C. CCWA has considered certain alternative routes to the proposed route for the Santa Ynez Extension:

1. Buellton Alternative -- this route would eliminate two river crossings but would necessitate construction along Highway 246 through Buellton, resulting in substantial traffic disruption, noise impacts, and loss of buildings. This alternative is not acceptable because of the technical problems associated with crossing Highway 101 in a cut area and the disruption, noise impacts, and technical problems related to construction in a densely populated area (commercial and residential).

2. Highway 101 Alternative -- this alternative would require multiple crossings of Highway 101, would result in much longer distribution lines to Santa Ynez Valley and Buellton, would use significantly more energy because of the changes in elevation, and would require two additional pumping plants with associated tanks, located along a scenic highway. The aesthetic impacts of the construction and of the facilities once in operation would be significant, in the short-term and in the long-term. This route intersects an active and a potentially active fault and, as such, would be more subject to rupture from seismic activity than would the project. The

Highway 101 alternative would reduce impacts to Burton Mesa Chaparral, but would increase oak tree loss. This alternative involves the technical difficulties associated with construction in proximity to Highway 101 (e.g., repeated crossings under the roadway, operation of construction vehicles and equipment close to a heavily travelled highway, and the like). This alternative also would not fulfill an important purpose of the project -- to provide an integrated aqueduct system which links the major population centers within Santa Barbara County, and which connects the County water systems with water systems in other parts of California. At present, in times of critical shortage due to emergency, Santa Barbara County water purveyors and users are isolated. By providing such a link, the project also provides a method for water exchanges and sale or transfer of project water among the users within the County. The Highway 101 Alternative would preclude the inclusion of a major segment of the County population in such a system. With the Highway 101 Alternative, connector pipelines to Buellton and Vandenberg AFB would be significantly longer. For all of the above reasons, and because of the potentially significant long-term aesthetic impacts involved with this alternative, this alternative is not acceptable.

3. Tecolote Tunnel Alternative -- to avoid discharge of project water into Lake Cachuma, the pipeline would continue to, and possibly through, Tecolote Tunnel. Discharge of the water directly into Tecolote Tunnel would lower total dissolved solids levels in water delivered to all South Coast purveyors; connection to Goleta Water District's Corona Del Mar water treatment facility would benefit only Goleta Water District users. Two optional routes were considered.

a. Option A -- continue the pipeline along Highway 154 to Tecolote Tunnel.

b. Option B -- continue the pipeline from Bradbury Dam, submerged, across Lake Cachuma to Tecolote Tunnel.

Under either option, the pipeline either would end at Tecolote Tunnel or continue through and follow the South Coast Conduit corridor. Either option avoids the mixing of project water with Lake Cachuma water thereby avoiding dilution of the higher quality project water. Because construction of Option A would result in significant impacts upon oak woodlands and riparian/wetland habitats, Option B is the environmentally superior alternative.

Because one of the project objectives is to improve water quality for all participants, CCWA finds that

terminating the pipeline at Tecolote Tunnel is the preferred alternative; and using the Option B route to extend the pipeline to Tecolote Tunnel is the environmentally superior route.

4. Mitigated Route A -- moves the pipeline south to avoid an archaeological site at La Purisima Mission.

5. Mitigated Route B -- moves the western crossing of the Santa Ynez River east to the upstream side of the All American oil pipeline corridor, reducing impacts on riparian habitat.

6. Mitigated Route C -- moves the Santa Ynez River crossing at Solvang eastward to be suspended from the Alisal Road bridge. The engineering feasibility of this alternative has not yet been determined. This route would reduce potential disturbance of riparian habitat and archaeological sites. Within a portion of Mitigated Route C, two alternatives have been studied -- Route C1 and Route C2. Either alternative could have potentially significant impacts upon cultural resources. In addition, they would pass directly through an area planned for residential construction. Route C2 avoids potential conflict with a proposed golf course and has fewer potential impacts upon the residential project, but has greater potential impacts upon cultural resources than C1 and the original proposed route. The original proposed route crosses a golf course under construction. The Solvang Planning Commission has refused to find C1 and C2 consistent with their general plan policy pertaining to the protection of cultural resources. The original proposed route, with a slight field modification as described in the mitigation program (to avoid impacts to a cultural resource), is, therefore, the preferred alternative to either C1 or C2. If suspension of the pipeline from the Alisal Bridge later proves to be feasible, the portion of the C route which includes the Alisal Bridge shall be rerouted to adopt the suspension alternative. Otherwise, the original proposed route is the feasible route which is the environmentally superior alternative.

7. Mitigated Route D -- moves the Zanja de Cota Creek crossing south of the Santa Ynez Indian Reservation, minimizing disturbance of riparian habitat.

8. Mitigated Route E -- would connect the Santa Ynez Extension pipeline to the Santa Ynez River Water Conservation District ID#1 pipeline, thereby eliminating the need to construct approximately 5 miles of new pipeline with two Santa Ynez River crossings. The engineering feasibility of this alternative is not yet known. In addition, there are

legal issues which have not been resolved. As a consequence, this alternative is not feasible at this time.

CCWA hereby adopts the Project with mitigated Routes A, B, and D. The project route, as mitigated by routes A, B, and D, and including Tecolote Tunnel Option B, includes mitigation measures which avoid and substantially lessen significant environmental impacts of the project. The remaining environmental impacts of the project are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations.

V. CEQA FINDINGS -- SPECIFIC FOR SANTA MARIA VALLEY WATER TREATMENT PLANT

A. The Santa Maria Valley Water Treatment Plant EIR identifies the following potentially significant environmental impacts associated with construction of the project: air quality and geological.

B. CCWA makes the following findings regarding these impacts:

1. Air quality -- air quality impacts from construction of the project would be significant in the short term, even with mitigation. Air quality impacts have been avoided or substantially lessened by implementation of the mitigation program, which includes the use of low NOx-emitting engines, use of electric construction equipment where feasible, and watering/revegetating of graded areas or use of soil binders, among other measures [SMVWTP EIR, pp. 4.3-15-4.3-16]. The residually significant air quality impacts of the project are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations. No significant air quality impacts are anticipated from operation of the project [SMVWTP EIR, p. 4.3-16].

2. Geology -- the project has a potential for significant impacts due to geologic hazards which pose a threat to plant facilities and the potential for other accidents resulting in the release of chemicals. In addition, construction of the project could result in potential degradation of sensitive off-site habitat due to erosion and sedimentation. The mitigation program adopted herewith, which includes the preparation and implementation of a spills response plan and the implementation of proper erosion control measures, results in these impacts being mitigated to insignificance [SMVWTP EIR, p. 4.1-5].

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C. The Santa Maria Valley Water Treatment Plant EIR identifies insignificant adverse impacts created by the project and additional recommended mitigation measures, as follows:

1. Geology -- recommended mitigation includes the performance of proper soils engineering and foundation design and implementation of responsive measures [SMVWTP EIR, p. 4.1-7].

2. Water Quality -- recommended mitigation includes the adoption of treatment methods to optimize reduction of asbestos fibers [SMVWTP EIR, p. 4.2-11].

3. Biology -- the project description provides that water runoff to the adjacent agricultural pond will not be reduced [SMVWTP EIR, p. 4.4-8].

4. Land Use -- the recommended mitigation includes the provision of open space and screening between land uses [SMVWTP EIR, p. 4.6-4].

5. Transportation -- recommended mitigation includes rerouting of the access road and bikeway north of the site [SMVWTP EIR, p. 4.7-10].

6. Aesthetics -- recommended mitigation includes the provision of visual screens between the site and potential viewers [SMVWTP EIR, p. 4.8-2].

7. Noise -- recommended mitigation includes limitation on hours of construction activities and on locations of construction equipment [SMVWTP EIR, p. 4.9-4].

8. Community Services -- recommended mitigation includes the testing of sludge samples to meet disposal and groundwater protection requirements [SMVWTP EIR, p. 4.10-4].

9. System Safety -- recommended mitigation includes the preparation of a Preliminary Hazard Analysis and, if required, a Hazard and Operability Study as part of the preliminary design process and the implementation of measures recommended in such studies [SMVWTP EIR, p. 4.12-8].

D. CCWA has considered certain alternatives to the location of a regional water treatment plant on the Santa Maria Airport property, and makes the following determinations that such alternatives not acceptable at this time:

1. Location of the regional treatment plant at any of the alternative sites examined in the SMVWTP EIR is not

acceptable because such location would involve greater environmental impacts than location on the Santa Maria Airport site.

2. As pointed out above, the "no action" alternative of failing to construct the Coastal Aqueduct will increase groundwater overdraft and water quality deterioration in areas served by Santa Barbara County purveyors.

3. Location of the regional treatment plant at Polonio Pass will not substantially lessen the environmental impacts of the SMWTP, particularly in the area of air quality, geology and visual resources. Furthermore, it is unknown at this time whether San Luis Obispo County will be participating in the program and, therefore, whether the Polonio Pass Water Treatment Plant will be built.

4. The multiple treatment plant alternative will not substantially lessen the environmental impact of the SMWTP and poses greater impacts in the area of air quality and systems safety.

5. The proposed plant design can accommodate alternative treatment technologies if required by future regulations; use of such alternative technologies is not required to meet current regulatory standards. The site can accommodate alternative facility designs if required by final engineering. The facility design chosen is a conventional one typical of modern treatment facilities. Modifications, if appropriate, may be included in future permit applications during the final design process.

VI. FINDINGS IN RESPONSE TO LATE COMMENTS TO ENVIRONMENTAL DOCUMENTS

By letters dated October 14 and 25, 1991, the Environmental Defense Center and the Citizens Planning Association have provided certain comments to the CCWA subsequent to the expiration of the comment period of the Draft EIRs and publication of the final EIRs for SYE and SMWTP. As to these comments, the CCWA finds as follows:

1. The potential listing of the Delta Smelt as a candidate for threatened or endangered status was discussed in newspapers, including the Los Angeles Times, as early as August 6, 1991. The Coastal Branch EIR addressed the issue of revised Delta standards, including those underlying the EPA's rejection of the Bay/Delta plan; in addition, EPA's rejection of the Bay/Delta Plan was discussed in newspapers, including the Los Angeles Times, as early as September 4, 1991. Thus, neither of

these items constitutes new information which was not known or could not have been known prior to and including September 27, 1991, the deadline for comments on the Draft EIR for the SMVWTP. In addition, neither of these items shows new or substantially more severe impacts, demonstrates the feasibility of important mitigation measures or alternatives previously found infeasible, or discloses important new mitigation measures or alternatives. The Coastal Branch EIR states that diversions from the Delta will in no event be increased even if new standards are adopted. Reduction of deliveries, if this were to occur, would decrease, not increase, environmental impacts and growth inducement caused by the project. In any event, the water proposed to be delivered by the project is not "new" water. It has been subscribed for years and actually used by other SWP contractors during the years since CCWA contractors gained their entitlements to it. This water represents a de minimis portion of the total water delivered by the SWP and, as such, its delivery is not capable of causing any detectable environmental change in or impact upon the SWP.

2. As set forth in Section I of these findings, the SYE and SMVWTP EIRs are part of a series of tiered EIRs for the extension of the State Water Project ("SWP"). The Coastal Branch EIR has been properly incorporated by reference into the SYE EIR, and the SYE EIR has been properly incorporated by reference into the SMVWTP EIR. The CEQA Guidelines recognize the appropriateness of incorporating by reference a program EIR for regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

3. The conditions adopted by CCWA in approving the project encourage the individual purveyors to adopt a variety of measures to offset their proportionate share of groundwater basin overdraft and to improve water quality. Mitigation measures recommended in the Growth Inducement section of the SYE EIR and the SMVWTP EIR are consistent with Resolution 90-7 of the Santa Barbara Water Purveyors Agency, which states the participants' commitment to give first priority to offsetting groundwater overdraft attributable to extraction of groundwater. Given this commitment, the two Cosby Reports which are appendices to the Coastal Branch EIR and the SMVWTP EIR, respectively, present a reasonable worst case scenario for potential growth inducement using the most current data available. The SYE and SMVWTP EIRs determined that population growth inducement caused by the project would be insignificant; analysis of other impacts would be speculative at this time.

4. The SMVWTP EIR summarizes the Polonio Pass alternative in sufficient detail to justify a conclusion that

it would not substantially lessen the environmental impacts of the SMVWTP.

5. Alternative discharge options for the SYE do not raise issues relevant to the environmental impacts created by the SMVWTP. The distributed treatment plant and alternative site analysis contained in the SMVWTP EIR is sufficiently detailed to justify a conclusion that these alternatives would not substantially lessen the environmental impacts of the SMVWTP. There is no evidence that alternative (i.e., non-conventional) treatment technologies are required to meet current standards; the plant will be designed to accommodate alternative technologies should future standards require their use.

6. The EDC letters suggest that the discussion of operational air quality impacts have not been adequately addressed in the SYE EIR and the SMVWTP EIR. The air quality impacts from the project are largely generated during construction. These are recognized as being cumulatively significant after mitigation. No potentially significant air quality impacts were identified for the project operation phase. The project will use relatively little energy and the existing power sources are known to be adequate to serve the project's needs. Without evidence of potentially significant energy consumption, and the secondary air quality impacts which can result from the consumption of significant energy (and from the production of that energy), there is no basis for questioning the conclusions of the EIRs.

7. The SYE and SMVWTP EIRs conform to CEQA in their incorporation by reference of the existing general plans and their related environmental impact reports. CEQA does not require that information available in earlier EIRs be repeated in later environmental documents. Incorporation by reference is adequate. The general plan EIRs for communities which receive enough project water that, taken with their present supplies, will have excess over present demand (after adjustment for water quality improvement and groundwater overdraft offset) provide valuable analysis of the potential impacts of the growth which could result from the importation of project water. General plans plan for growth and assume that it will occur. General plans direct growth into the areas which are preferred by the community based, in large part, upon the information and conclusions in the general plan EIRs. CEQA mandates that the community, in adopting its general plan, avoid or substantially lessen significant environmental impacts where feasible. For that reason, incorporation of general plan EIRs by reference into the SYE and SMVWTP EIRs is consistent with CEQA and constitutes a valid tool in analyzing the

potential impacts of growth induced by the project. The EIR writers are correct in refraining from speculating as to secondary impacts of growth induced by the project beyond general plan buildout. The possibility that local communities would allow growth beyond their general plans is speculative at best. Furthermore, those communities are required by CEQA to analyze the impacts of any amendment to their existing general plans. At that time, the precise growth proposed to be allowed (beyond general plan limits) will be identifiable and, therefore, capable of study. There is no possible way to identify and analyze these speculative impacts at this time for this project.

8. While it is true that the two communities within Santa Barbara County which have growth management plans (Goleta and Montecito) base those growth restrictions upon lack of available water supply, neither of these plans is based solely upon water shortage. Basing growth limits solely upon water shortage generally results in pressure to develop irrigated agricultural lands, since their conversion to urban uses ordinarily results in no increase in overall water consumption on the converted land. This pressure is considered by land planners in Santa Barbara County to be a negative trend.

9. Although water reduction of up to 45% has been achieved in the short-term (during the drought) in some local communities, such a reduction has not been part of any long-term plan, nor is it acceptable to water users in those districts; it has resulted in wide-spread damage and destruction to landscaping and has required the waiver by local agencies of applicable health and safety standards. It is, in short, an emergency measure, not long-term conservation. The 10% overall conservation factor utilized in the EIR is the more correct figure over the long-term and more accurately reflects the savings which purveyors would expect to achieve through implementation of some or all of the policies which are part of the Memorandum of Understanding described in Section II, Paragraph 9.b. of these Findings. It is based upon the historic experience locally and elsewhere in Southern California.

10. The CCWA has performed environmental analysis as early as possible in the planning process before final plans are prepared, consistent with CEQA. Preparation of final plans will involve a significant commitment of time and money by CCWA.

The mitigation monitoring program is as specific as possible at this stage in the project. Implementation of the mitigation monitoring program will involve greater detail and specificity, during the final design stage, than is now

possible. The SMVWTP EIR requires that certain mitigation plans be prepared as part of the drafting of final project plans (i.e., fuel oil spill prevention and response plan, Preliminary Hazard Analysis). The SMVWTP EIR sets performance criteria for these mitigation plans, which are analogous to the preparation of other plans which are required by law at the final design stage (i.e., Emergency Response Plan, Hazardous Waste Management Plan). If impacts created by such mitigation plans are beyond those identified in the EIR, additional environmental review of those impacts may be required.

11. Because CCWA has determined that the preferred option for the Tecolote Tunnel Alternative is Option B (with the SYE pipeline ending at the Tunnel rather than passing through it), the question regarding polyethylene pipe in the Tunnel is moot. The effect of depositing SWP water into the Tunnel so that it mixes with tunnel water will be to reduce the TDS levels in the tunnel water, since the TDS levels in the SWP water, which will be treated when it enters the Tunnel, will be relatively low in comparison to tunnel water.

VII. CEOA FINDINGS--CUMULATIVE IMPACTS

A. The project, local distribution facilities, and other development projects will have cumulative impacts in San Luis Obispo and Santa Barbara counties. Together, these projects could have potentially significant cumulative impacts on erosion and sedimentation potential, biological, geological, cultural resources, water balance, noise, traffic, air quality, land use, aesthetics, socioeconomic conditions and energy use. Impacts of the project have been avoided or substantially lessened with the incorporation of mitigation measures, but some residual cumulative impacts may occur in San Luis Obispo and Santa Barbara counties.

Cumulative impacts of the project, together with local projects which are part of the program, and other projects occurring in the same region at approximately the same time, would result in short-term significant cumulative impacts to noise, traffic, air quality, biology, and aesthetics. The mitigation program adopted as part of the project will incrementally reduce the project's contribution to cumulative impacts, but complete mitigation of cumulative impacts requires area-wide solutions which are outside CCWA's responsibility, control and jurisdiction. These solutions are the responsibility of, and fall within the jurisdiction of, the cities and County, which should implement such solutions. CCWA can and will cooperate in any plan to implement such solutions. The project will contribute cumulatively to the following impacts:

1. Geologic hazards -- the project would contribute cumulatively to erosion, sedimentation, and landslide problems unless proper drainage and runoff control measures are implemented. In addition, seismic shaking and liquefaction can cause pipeline rupture, resulting in runoff, erosion, sedimentation, and landslide problems. The mitigation program includes measures for controlling drainage and runoff. Pipe design will reduce the potential for rupture. With these measures, the project will not contribute significantly to cumulative geologic hazards in the region.

2. Biological -- a net loss of habitat areas, caused by development activities, including the project, could occur in San Luis Obispo and Santa Barbara counties. Most of the habitat disturbance attributable to the project will be short-term and related to construction activity. The project will not significantly contribute to cumulative impacts upon biology in the long term, but the project will make a significant contribution in the short term to cumulative impacts upon biology. The cumulative biological impacts of the project upon biology will continue until the restored vegetation which is part of the mitigation program grows to maturity or otherwise becomes substantially established.

3. Cultural resources -- the project will contribute to cumulative disturbance of cultural resources. With the mitigation measures which are part of the mitigation program, the project's contribution to this cumulative impact has been avoided or substantially lessened by the mitigation program.

4. Water quality -- the impacts of the project on water quality cumulatively will be beneficial, since the quality of the delivered water is high. The project will contribute cumulatively to water quality degradation in streams if proper construction methods are not implemented to control turbidity and sedimentation. These construction methods are part of the mitigation program and will be implemented. With these mitigation measures, the project's contribution to cumulative impacts on surface water quality in the region will be insignificant. Overall, the project's contribution to the quality of water delivered to customers, and to groundwater quality, will be beneficial.

5. Noise -- during construction, the project will contribute significantly to cumulative noise impacts, even with the mitigation measures which are included in the mitigation program. During operation, the project's contribution to cumulative noise impacts in the region will be insignificant.

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6. Traffic -- during construction, the project will contribute significantly to cumulative traffic impacts, even with the mitigation measures which are included in the mitigation program. During operation, the project's contribution to cumulative traffic impacts in the region will be insignificant.

7. Land use -- during construction, the project will disrupt nearby land uses, although to an insignificant degree. In the short term and in the long term, the project will not contribute to cumulative land use impacts in the region.

8. Aesthetics -- the project, even with the mitigation measures proposed, will contribute significantly to cumulative aesthetic impacts in the region in the short term due to the construction activities. This short term cumulative impact will continue until construction has ceased and revegetated areas have grown to maturity or become substantially established. Although a narrow corridor directly over the pipeline will not be replanted to trees, other vegetation will be restored in this corridor. The result, over the long term, will be an insignificant cumulative impact upon aesthetics in the region.

9. Air quality -- during construction, the project will contribute significantly to cumulative air quality impacts, even with the mitigation program proposed. During operations, the project will not contribute significantly to cumulative air quality impacts.

10. Socioeconomic -- the construction activity will require a labor force. CCWA anticipates that this labor force will be drawn from the local existing population. It is possible that if significant other demands upon the labor force occur during the construction period for the project, additional labor would have to come in from outside the project area, resulting in impacts upon the local housing stock. The degree to which this could occur, if at all, is not capable of assessment at this time.

11. Energy -- during construction and operation, the cumulative local energy demand will increase as a result of the project. With the mitigation measure of encouraging carpooling for construction workers where feasible, plus the use of energy efficient construction equipment and vehicles, the project will not contribute significantly to cumulative energy demand in the area.

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B. The project is independent of any additional modifications to State Water Project facilities. The water delivered by the project has been reserved for many years for this delivery. Existing State Water Project supplies will be reallocated to accommodate the delivery. The delivery through this project represents only about 3% of present State Water Project deliveries, so the impact of the reallocation is minimal. The Coastal Branch project has been part of SWP planning since its inception in the 1960's and facilities within the SWP have been sized to accommodate the eventual operation of the project.

VIII. CEQA FINDINGS -- GROWTH INDUCEMENT

1. The introduction of a new water supply to Santa Barbara County could result in new growth. Growth results in environmental impacts. In most communities to be served by the project, existing and projected (based upon historical growth rates without the project water) water demand currently exceeds available supply. Even with the project, most communities still will not have sufficient supply to meet demand. There are a few exceptions. If growth occurs as a result of the project, it will result in a loss of open space, increased traffic, air quality degradation, and potential impacts on biology, cultural resources, noise levels, public services and utilities, aesthetics, land use, energy use, water quality, geological hazards, and erosion/sedimentation potential. As described in more detail in the EIRs, all of the potentially affected communities have general plans in place, limiting the types of change which can occur as a result of pressure for growth. These general plans were prepared after undergoing CEQA review and were intended to plan for the growth projected for each community, based upon historic trends. The environmental impacts of the growth provided for in the general plans have been studied and mitigated or overridden as required by CEQA. These general plans cannot be amended to provide for growth above general plan buildout without CEQA review. New development likewise must undergo CEQA review. Two communities within the County -- Goleta and Montecito -- have growth limitations in place which are based only in part upon lack of adequate water supply. In both instances, other constraint(s) provide a basis for continuing the growth limitations after delivery of project water.

2. The following general plan EIRs are incorporated by reference into these findings and into the administrative record for this project:

Santa Barbara County Comprehensive Plan EIR, Local Coastal Plan EIR, and Montecito Community Plan EIR

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City of Carpinteria General Plan Update EIR

City of Solvang General Plan EIR

City of Santa Barbara General Plan EIR

City of Santa Maria General Plan EIR

City of Guadalupe Comprehensive General Plan EIR

3. Control of growth and mitigation of potential environmental impacts resulting from growth is outside CCWA's jurisdiction, and lies within the jurisdiction and control of other public agencies. Changes or alterations could be made in public policy, in those areas where growth could occur as a result of the project, to control, direct, and time the growth, which would mitigate or avoid environmental impacts from growth, but such changes or alterations are within the responsibility and jurisdiction of the County and cities, which can and should adopt such policies if they have not done so. The County of Santa Barbara already has a comprehensive general plan in effect which includes a wide range of policies which require mitigation of growth impacts.

4. CCWA has been authorized by its contractors to include Condition No. 3 in the project. CCWA's Water Supply Agreement contractors voluntarily have agreed to commit that, if applicable, they will use project water first to offset their respective proportionate shares of groundwater overdraft (overdraft issues do not apply to all contractors). The adoption of Condition No. 3 modifies the project to mitigate the potential growth inducement analyzed as one possible "worst case" in the Coastal Branch EIR.

5. CCWA is a joint powers agency with limited jurisdiction and authority. CCWA is obligated to provide project water to its contractors under the Water Supply Agreements. It has no jurisdiction or authority to impose land use restrictions on individual purveyors or on other governmental entities or to preclude them from the issuance of service connections. For the same reason, CCWA has no power to adopt formulae which set limits on the amount of project water which can be deemed to be available to contractors pursuant to the Water Supply Agreements.

The Environmental Defense Center has proposed a condition which would (a) prohibit new water hookups unless specified conditions were met and (b) set a limit on how much project water may be considered to be "available" for new hookups. The CCWA finds that such proposed conditions are

infeasible because they are beyond CCWA's legal authority to compel.

6. CCWA contractors have agreed to make the commitment required by Condition No. 3 and the SYE EIR and SMVWTP EIR (as well as the two Cosby Reports referenced therein), which analyzed growth inducement potential assuming that such a commitment would be part of the project as approved.

7. CCWA has no legal authority to enforce the commitment required of its contractors in Condition No. 3, but such enforcement measures are within the responsibility and jurisdiction of other public agencies and either have been adopted by such public agencies or can and should be adopted by them. The City of Santa Maria, the Goleta Water District and the City of Santa Barbara have already adopted long term water management programs. Other contractors are developing water management programs at this time. Any significant new development for which the Water Supply Agreement contractors would be called upon to provide "can and will serve" letters would require discretionary approval, including environmental review in compliance with CEQA. Any public agency contractor which fails to comply with its commitment to use project water first to offset its share of groundwater overdraft and to improve water quality for its customers would be required to perform CEQA review of its decision not to honor its commitment. A failure to perform such CEQA review would subject the agency to legal challenge. CCWA finds, therefore, that the commitment required by Condition No. 3 constitutes a binding obligation on the part of its contractors.

8. CCWA recognizes that circumstances may change, rendering Condition No. 3 no longer necessary or appropriate to mitigate potential impacts of growth inducement, in individual cases. CCWA also acknowledges and confirms that its public agency contractors are required to comply with CEQA, should they consider rescinding or modifying the commitment described in Condition No. 3.

9. The most appropriate and enforceable mitigation for potential growth inducement lies within the jurisdiction and responsibility of the County of Santa Barbara and the cities which lie within the county. The county and cities have responsibility and jurisdiction to impose growth limitations where resource constraints exist and significant environmental impacts could result from growth. All of the cities and the county have adopted general plans which control the total buildout within their respective jurisdictions. CCWA has no power to impose land use controls.

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10. Growth inducement, as used in CEQA, is not an environmental impact per se. It must be evaluated as to potential, magnitude, and possible secondary impacts. This analysis depends, at least in part, upon the extent of the anticipated growth attributable to the project. Growth and the availability of water are not directly related. Growth has occurred in Santa Barbara County for many years despite the absence of a firm, long term supply of water to sustain both the population and agriculture that exist in the area. Similarly, areas of the state which clearly have surplus water supplies remain largely undeveloped.

11. The environmental documentation dealing with construction of the extensions to deliver State Project Water to Santa Barbara County includes analyses of "worst case scenarios," one of which assumes that all the water delivered would be used for the development of new homes to house new people in the area. It is calculated that the water could support as many as 234,160 new residents in Santa Barbara County. The purpose of CEQA is to evaluate the reasonable worst case, not the improbable worst case. Because of the commitment described in Condition No. 3, this first scenario does not represent the reasonable worst case for this project.

Another worst case scenario analyzed assumes that project water would be used to offset urban groundwater usage. Yet another worst case scenario analyzed assumes that project water would be used to offset the participants' proportionate share of groundwater overdraft.

In the case of Santa Barbara County, the county has a well documented existing water deficit that is in excess of 60,000 acre feet per year. That deficit has been met for years by the overdrafting of the area's groundwater supplies. These supplies are approaching dangerously low levels, thereby creating water quantity and water quality risks which the community is no longer willing to tolerate. The result is that the water suppliers of the area have sought and obtained a substitute supply of water, which will allow them to decrease their dependence on the local groundwater supplies and allow the basins to rest and recover. The totality of the water to be imported into the area is significantly less than the existing deficit on a county wide basis. Consequently, the likelihood that the first worst case scenario analyzed will occur is improbable.

12. Nothing in Condition No. 3, or these Findings, Conditions, and Statement of Overriding Considerations shall be construed to impair or limit any rights to water held by any contractor, including but not limited to overlying,

prescriptive or pueblo rights, nor shall it be construed to result in any relinquishment or adjustment of any such water rights or claims thereto.

13. The SYE EIR and the SMVWTP EIR include certain suggested mitigation measures for CCWA's consideration in mitigating potential impacts related to growth which could be induced by the project. CCWA has adopted the first suggested measure as Condition No. 3 to the project. Implementation of the remaining suggested measures falls within the responsibility and jurisdiction of the individual contractors. CCWA encourages its contractors to consider implementing some or all of these measures, as applicable.

14. The SYE EIR and the SMVWTP EIR also include suggested measures for sharing water between contractors and for limiting groundwater extractions and for injection of project water into the groundwater. Implementation of these measures falls within the responsibility and jurisdiction of individual contractors. CCWA encourages its contractors to consider implementing these measures, as applicable.

15. The CCWA concludes, based on the evidence before it, that the likelihood of growth inducement based on the water made available by this project will be minimal. Therefore, the impacts which could be said to be associated with new growth are not potentially significant. Even if it were determined that the secondary impacts of growth which could be associated with this project are potentially significant, the CCWA concludes that there are clear, convincing and imperative overriding considerations which dictate the approval of this project at this time. These overriding considerations are set forth in detail in the Statement of Overriding Considerations. Additional mitigation measures which have been proposed to address growth inducement have been determined to be infeasible for CCWA to implement.

IX. CEQA FINDING -- THE PROJECT AS MITIGATED INCLUDES MEASURES THAT AVOID OR SUBSTANTIALLY LESSEN SIGNIFICANT IMPACTS. THE REMAINING IMPACTS ARE ACCEPTABLE.

CCWA finds that the project as approved includes the mitigation program adopted simultaneously herewith, which mitigation program includes measures which avoid or substantially lessen the significant project impacts, as required by CEQA.

Having balanced the environmental risks with the benefits of the mitigated project, CCWA finds that the revised

project description is appropriate to achieve the goals of CCWA of providing a safe and reliable water supply to its contractors and their customers and that the remaining environmental impacts of the project are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations.

Although the approved project, mitigation program, and conditions of approval adopted by CCWA mitigate the potentially significant environmental impacts as required by CEQA, there will be residually significant short-term impacts in the following categories: construction-related noise, construction-related traffic, construction-related air quality, construction-related aesthetics, and construction-related biological impacts. These impacts have been substantially lessened through the mitigation measures included in the project as required by CEQA, and the remaining adverse environmental impacts are acceptable by reason of the overriding concerns set forth in the Statement of Overriding Considerations.

X. CEQA FINDING UNDER PUBLIC RESOURCES CODE SECTION 21081

CCWA finds that changes or alterations have been incorporated into the project to mitigate or avoid significant impacts. These changes or alterations include re-routings and the mitigation measures outlined herein and set forth in more detail in the mitigation monitoring program, adopted herewith, and in the project EIRs. Some of these changes or alterations have been incorporated into the conditions of approval set forth herein.

CCWA further finds that some changes or alterations are within the responsibility and jurisdiction of other agencies. For example, the cumulative, area-wide impacts to which the project incrementally contributes, and the secondary impacts of any growth which might be induced by the project, are within the responsibility, jurisdiction, and control of the affected cities and counties, and are outside the control of CCWA.

CCWA further finds that specific economic, social, or other considerations make infeasible certain of the alternatives suggested and analyzed in the project EIRs. These considerations are more fully discussed in the project EIRs and in previous sections of this document, which address the unacceptable alternatives.

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XI. CONDITIONS OF APPROVAL

CCWA adopts the following conditions of approval for the project. With the adoption of these conditions, CCWA finds that the environmental impacts of the project associated with the potential for growth inducement are insignificant:

1. The Santa Ynez Extension and Mission Hills Extension Mitigation Monitoring Program shall be implemented and enforced throughout the project construction and operation, unless modified after appropriate CEQA review and approval by CCWA.

2. The Santa Maria Valley Water Treatment Plan Mitigation Monitoring Program shall be implemented and enforced throughout the project construction and operation, unless modified after appropriate CEQA review and approval by CCWA.

3. CCWA shall require each Water Supply Agreement contractor to commit, prior to the contractor's use of project water, that the water supplied to the contractor by the project will be used first to offset the contractor's proportionate share of groundwater basin overdraft, if any, and to improve water quality for its consumers, if appropriate, before being made available for other purposes. Such a commitment can be manifested in a number of different ways, including but not limited to adoption of an ordinance or resolution or adoption of a water management plan or program which brings groundwater supply and demand into balance.

XII. STATEMENT OF OVERRIDING CONSIDERATIONS

Having balanced the benefits of the proposed project, the purpose of which is to enhance the water supplies of member purveyors to enable them to provide to their customers a safe, reliable, and adequate water supply, against the project's significant and unavoidable environmental impacts, CCWA hereby determines that the benefits outweigh the significant unavoidable impacts and that these impacts are nonetheless acceptable, based on the following individual and collective overriding considerations:

A. The water deficit in Santa Barbara County was approximately 60,000 AFY in 1985. This deficit is projected to increase steadily in the future.

B. Virtually every member of CCWA meets, or is anticipated to meet, supply deficits by overdrafting groundwater basins. Groundwater basins in the County are being pumped at more than their perennial yields, causing long-term

overdrafts with resultant declines in water levels and water quality, to the extent that, in some cases, the water quality is in danger of not meeting safe drinking water standards.

C. Based upon historic growth rates, demand is anticipated to continue to increase so that the ultimate deficit County-wide will be about 76,000 AFY by the Year 2010, when General Plan Buildout is projected to occur. This figure includes communities which are not participating in the project. The total approximate deficit for participants in the project by the Year 2010 is anticipated to be 68,500 AFY.

D. CCWA members have subscribed to the State Water Project since 1982, and have paid over \$6,400,000 to preserve that subscription to date. If CCWA does not approve the project, CCWA members will continue to pay to the State certain charges for existing SWP conservation and transportation facilities, which charges presently total approximately \$56 per acre foot of entitlement per year for CCWA members, and are expected to escalate in the future.

E. The project provides urban water purveyors with a water supply to use to offset their proportionate shares of groundwater overdraft, mitigating long-term overuse of the groundwater basins and existing and future severe, adverse impacts associated with groundwater basin mining. SBWPA Resolution 90-7 states the SBWPA's commitment to give first priority to offsetting groundwater overdraft attributable to extraction of groundwater.

F. The project, by providing a new water supply to Santa Barbara County water purveyors and users, increases flexible management of supply and increases overall supply reliability. Present water supplies within the County of Santa Barbara depend primarily on local rainfall. The project diversifies available supplies, thereby increasing reliability.

G. The project increases local water purveyors' and users' independence from drought and from the adverse economic consequences associated with chronic water shortages.

H. The quality of the project water is high, allowing water purveyors and users to improve the quality of delivered water and the quality of effluent which recharges the groundwater basins. Because the existing water supplies of certain water purveyors in the County are so poor, those purveyors may not be able to meet applicable water quality standards in the foreseeable future unless they have access to this supply.

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I. None of the residually significant environmental impacts of the project (after mitigation) are long-term or permanent. All are short-term, related to construction. Weighing these residually significant short-term impacts (biological, noise, traffic, air quality, and aesthetics) against the beneficial impacts of the project, the benefits (which are long-term and substantial) far outweigh the environmental detriment.

J. The project provides a source of water which can be used to offset future losses of existing supplies which could be lost as a result of future legal challenges, including litigation pertaining to watershed of origin, downstream releases to enhance habitat, groundwater basin rights, and various other water rights issues which have been raised or are expected to be raised in the future.

K. One-half of the population of Santa Barbara County depends upon water from reservoirs located on the Santa Ynez River, as their principal water supply. The yield of these reservoirs has steadily decreased, largely due to siltation. Further decreases in yield from these reservoirs is anticipated in the future because of continuing siltation, in-basin water demands, and the legal challenges described in a previous finding.

L. Lack of adequate water supplies has caused severe economic and quality of life degradation in Santa Barbara County, including the loss of landscaping and major trees. The loss of landscaping has resulted in substantial economic loss due to the cost of removing dead and damaged trees and other vegetation and the planting of replacement landscaping.

M. There are no supplemental water supply alternatives, individually or collectively, which can furnish water of sufficient quality and quantity to meet the needs of all CCWA contractors and which have fewer significant environmental impacts than the project.

N. At present, no aqueduct system links the major population centers within Santa Barbara County and there is no connection between the County water systems and the water systems in other parts of California. As a result, at times of critical shortage due to emergency, Santa Barbara County water purveyors and users are isolated. The proposed project not only will provide a link with the statewide system, but also provides a means to connect most of the major population centers within the County to one another. During 1990, emergency SWP water supplies were provided to Santa Barbara County purveyors through a complicated series of exchanges with

Ventura County. If this project had been in operation at that time, even more water would have been provided to County purveyors than the 3,000 AF provided on an emergency basis.

O. Because of the high quality of the project water, wastewater quality will be improved. At present, wastewater reuse is limited by the poor quality of existing supplies. The project will result in the potential for greater use of wastewater.

P. CCWA members have implemented water conservation measures and anticipate implementing further measures. These measures will be implemented regardless of whether the project is built. These measures will not be sufficient by themselves to reduce demand to existing water supplies and additional water supplies are still needed to reduce existing overdraft.

Q. The lack of adequate water supply has increased fire danger within the County. Restrictions on landscape watering have made residential areas more susceptible to fires, and the dry vegetation around homes has permitted fires to spread more readily once started. In addition, fires put further stress on an already insufficient water supply. In June 1990, approximately 13,400,000 gallons of water was drawn from Lake Cachuma to fight the Painted Cave fire, further reducing an already seriously low water supply.

R. In 1990, both the County of Santa Barbara and the City of Santa Barbara proclaimed the existence of a local emergency due to drought and requested that the Governor issue a Declaration of Drought Emergency pursuant to the California Emergency Services Act (Government Code §§ 8550 et seq.), declaring a lack of adequate water supplies to meet basic water needs for health, sanitation and safety. The City of Santa Barbara also sought a suspension of CEQA to expedite approval of a desalination plant. The Governor issued Declarations declaring drought emergencies for both entities and directed all state agencies to assist these entities in meeting their emergency water needs. Unless additional water supplies are provided to customers within Santa Barbara County, water shortages affecting basic needs will occur again during droughts.

S. During the drought period described in Paragraph R, several water purveyors have imposed severe restrictions on their customers' water usage. The restrictions during this drought emergency have resulted in shortages which have disrupted interior uses of water, have damaged landscaping, and have threatened the health, safety, and welfare of the water purveyors' customers. Droughts of this severity are expected

to recur. The water provided by the project would provide a supplemental supply to participating purveyors, helping them to offset the shortages in their present supplies when similar severe droughts recur.

T. State law mandates that the County of Santa Barbara and the six (6) cities within the County accommodate their "fair share" of regional needs for housing to serve all segments of the population. That mandate was reaffirmed in a letter from the State of California Department of Housing and Community Development (HCD) to the Santa Barbara County Association of Governments, dated June 27, 1991, which rejected each reason advanced by the County for refusing to accept the State's calculation of its fair share of regional housing needs. Water shortage was one basis stated by the County for avoiding fulfillment of its fair share of housing needs. With the water supply provided by the project, the County and the participating cities will be in a better position to meet the requirements of the law regarding provision of housing.

6910.1 (Rev. 1/14/92)

RESOLUTION NO. 92-11

**RESOLUTION OF THE CENTRAL COAST WATER AUTHORITY
APPROVING SETTLEMENT AGREEMENT AND ADOPTING
CONDITION**

WHEREAS, on January 23, 1992 the Central Coast Water Authority ("the Authority") Board adopted Resolution No. 92-1 and Resolution No. 92-2; and,

WHEREAS, the Notices of Determination for the Authority's approval of the Mission Hills Extension, the Santa Ynez Extension, and the Santa Maria Valley Water Treatment Plant were filed with the Santa Barbara County Clerk on January 23, 1992; and,

WHEREAS, the Authority's staff has entered into negotiations with Citizens for Goleta Valley ("Citizens") and the North County Citizens Coalition ("NCCC"), and their joint counsel, to attempt to arrive at a settlement of potential litigation arising out of the Authority's adoption of Resolution No. 92-1 and Resolution No. 92-2; and,

WHEREAS, said negotiations have resulted in the attached Settlement Agreement, which has been executed by authorized representatives of Citizens and NCCC; and,

WHEREAS, the attached Settlement Agreement provides for the adoption by the Authority of an additional condition of approval of the Mission Hills Extension, the Santa Ynez Extension, and the Santa Maria Valley Water Treatment Plant.

NOW, THEREFORE, BE IT RESOLVED, that the Authority hereby approves the terms and provisions of the attached Settlement Agreement and authorizes the Chairman and counsel to execute same on behalf of the Authority; and,

BE IT FURTHER RESOLVED, that the following condition is hereby adopted as an additional condition to

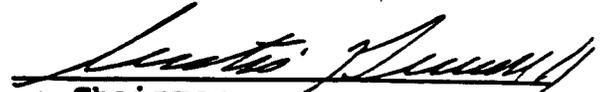
the Authority's approval of the Mission Hills Extension, the Santa Ynez Extension, and the Santa Maria Valley Water Treatment Plant:

4. Each contractor shall commit to prepare and shall publish a report on its annual and long-term water supply, beginning in the year that SWP water first is delivered and annually thereafter for so long as the contractor continues to receive SWP water. This report shall include a calculation which quantifies, over the time period of the contractor's water management plan or of the report, whichever is longer: (1) the obligation to offset groundwater overdraft and improve water quality, if any, set forth in the prior condition; and (2) reasonable estimates of total supplies available to the contractor, including but not limited to local supplies and the contractor's prediction regarding SWP urban delivery capacity, determined from DWR operations studies. The report shall also include a calculation of the available water supply for the ensuing year and the amount of SWP water necessary to fulfill the contractor's obligations as set forth in Condition 3. The report shall contain sufficient information to monitor compliance with Condition No. 3 above. This report shall be presented for adoption to the contractor's Board of Directors at a public hearing. The report shall be distributed at local libraries and at each contractor's office and shall be available for public review at least 30 days prior to the Board hearing.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

4453P/6910.10

I certify that the foregoing Resolution 92-11 was adopted by a vote of the Board of Directors of the Central Coast Water Authority at a regular meeting held February 27, 1992, as set forth below.


Chairman

[SEAL]

Attest:


Secretary of the Board
of Directors

	VOTING PERCENTAGE	AYE	NAY	ABSTAIN	ABSENT
Buellton Community Services District	<u>2.21%</u>	<u>X</u>	_____	_____	_____
Carpinteria County Water District	<u>7.64</u>	<u>X</u>	_____	_____	_____
Goleta Water District	<u>17.20</u>	<u>X</u>	_____	_____	_____
City of Guadalupe	<u>1.15</u>	<u>X</u>	_____	_____	_____
Montecito Water District	<u>8.35</u>	<u>X</u>	_____	_____	_____
City of Santa Barbara	<u>11.47</u>	<u>X</u>	_____	_____	_____
City of Santa Maria	<u>43.19</u>	<u>X</u>	_____	_____	_____
Santa Ynez River Water Conservation District, Improvement District No. 1	<u>7.64</u>	<u>X</u>	_____	_____	_____
Summerland County Water District	<u>1.15</u>	<u>X</u>	_____	_____	_____

0696A

SETTLEMENT AGREEMENT

This Agreement is entered into this 27th day of February, 1992, by and between the CENTRAL COAST WATER AUTHORITY, a California joint exercise of powers agency (hereafter "CCWA"), CITIZENS FOR GOLETA VALLEY, a nonprofit public benefit corporation (hereafter "CGV"), and NORTH COUNTY CITIZENS COALITION, an unincorporated citizens' organization (hereafter "NCCC").

RECITALS

WHEREAS, CCWA is a single purpose joint powers authority formed in 1991 to study, plan, develop, finance, acquire, design, construct, maintain, repair, manage, operate, and control a water supply project commonly known as the Mission Hills and Santa Ynez Extensions to the Coastal Branch Phase II Extension of the California Aqueduct of the State Water Project, and has entered into contracts to provide water to its members, associate members, and other water purveyors; and,

WHEREAS, on January 23, 1992, CCWA took the following actions (hereafter, collectively, the "Project"):

1. Adopted Resolution No. 92-1, adopting and approving the certified "State Water Project, Coastal Branch, Phase II, and Mission Hills Extension Final Environmental Impact Report" (hereafter, "Coastal Branch EIR"), setting 1996 as the State Water Project water delivery date for CCWA, setting certain water delivery requirements, and determining the annual entitlement amount for CCWA, among other actions; and,

2. Adopted Resolution No. 92-2, certifying the Coastal Branch EIR, the Santa Ynez Extension EIR, and the Santa Maria Valley Water Treatment Plant EIR, approving the Mission Hills Extension, the Santa Ynez Extension, and the Santa Maria Valley Water Treatment Plant, adopting certain Findings, Conditions, and Statement of Overriding Considerations as revised during the hearing, adopting a certain Mitigation Plan as revised during the hearing, approving the Preliminary Design of the Project and the commencement of Final Design, among other actions; and,

WHEREAS, CGV and NCCC have, in comments on the Project and

the Project EIRs, objected to the Project and challenged the adequacy of the environmental documents under the California Environmental Quality Act ("CEQA"); and,

WHEREAS, as part of Project approval, CCWA adopted Condition 3 which requires that each contractor commit that the water supplied to the contractor by the Project be used first to offset the contractor's proportionate share of groundwater basin overdraft, if any, and to improve water quality for its consumers, if appropriate, before being made available for other purposes; and,

WHEREAS, CGV and NCCC have expressed concern regarding the lack of an effective monitoring mechanism to enforce the terms of Condition 3; and,

WHEREAS, CGV and NCCC have objected to the approval of the Santa Maria Valley Water Treatment Plant because the County of San Luis Obispo may approve a regional plant designed to treat Project water for delivery to both San Luis Obispo and Santa Barbara Counties, namely, the Polonio Pass Water Treatment Plant; and,

WHEREAS, CGV and NCCC objected to the adopted Mitigation Plan; and,

WHEREAS, CCWA intends to prepare more detailed site-specific biological mitigation measures in order to obtain permits from various state and federal agencies prior to constructing the Project; and,

WHEREAS, the Project is described as providing facilities to deliver water which meets applicable state and federal drinking water standards; and,

WHEREAS, representatives of the parties to this Agreement have participated in negotiations designed to resolve their differences and to avoid litigation; and,

WHEREAS, in consideration of CCWA's consent to the following provisions, CGV and NCCC have agreed to forbear from judicial proceedings challenging the approval of Resolutions No. 92-1 and 92-2 and certification of the Project EIRs as undertaken by CCWA on January 23, 1992;

NOW, THEREFORE, in consideration of the mutual

promises, covenants and agreements contained herein, the parties hereby covenant, promise and agree as follows:

1. Growth Inducement

a. Adoption of Condition 4. CCWA shall adopt the following Condition 4 as a condition upon the Project:

Condition 4: Each contractor shall commit to prepare and shall publish a report on its annual and long-term water supply, beginning in the year that SWP water first is delivered and annually thereafter for so long as the contractor continues to receive SWP water. This report shall include a calculation which quantifies, over the time period of the contractor's water management plan or of the report, whichever is longer: (1) the obligation to offset groundwater overdraft and improve water quality, if any, set forth in the prior condition; and (2) reasonable estimates of total supplies available to the contractor, including but not limited to local supplies and the contractor's prediction regarding SWP urban delivery capacity, determined from DWR operations studies. The report shall also include a calculation of the available water supply for the ensuing year and the amount of SWP water necessary to fulfill the contractor's obligations as set forth in Condition 3. The report shall contain sufficient information to monitor compliance with Condition No. 3 above. This report shall be presented for adoption to the contractor's Board of Directors at a public hearing. The report shall be distributed at local libraries and at each contractor's office and shall be available for public review at least 30 days prior to the Board hearing.

b. Mitigation Monitoring Program. Condition 4 shall be incorporated into the Mitigation Monitoring Program for the Project.

2. Santa Maria Valley Water Treatment Plant

In the event the County of San Luis Obispo approves the construction of the Polonio Pass Water Treatment Plant, CCWA shall hold a public hearing within 30 days thereafter to reconsider its approval of the Santa Maria Valley Water Treatment Plant.

3. Biological Mitigation Plan

a. Adoption of Plan. CCWA shall adopt more detailed

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