4.10 HYDROLOGY AND WATER QUALITY

This section describes the potential for the project to result in adverse effects ~~of the DRSP~~ on hydrology, water quality, drainage, and groundwater resources.

4.10.1 Existing Conditions

4.10.1.1 Regional Conditions

The DRSP project area is located within the southwestern portion of unincorporated San Luis Obispo County. The site is located approximately 7 miles east of the Pacific Ocean and 7 miles southeast of the city of Arroyo Grande and is adjacent to the northern boundary of the Urban Reserve Line of the Nipomo community. The project would be annexed into the NCSD ~~service area~~. The NCSD provides water, wastewater, solid waste, landscape maintenance, street lighting, and drainage services to its customers pursuant to Government Code Section 61600(a), (b), and (c). The NCSD does not have land planning authority, which is retained by the County; however, County land use planning authority is subordinated to resource limitations such as water and sewer capacity as established by the NCSD.

The Mediterranean climate of Nipomo and the surrounding southern San Luis Obispo County area is moderate as a result of the marine influence of the nearby Pacific Ocean. The winter season is usually cool and moist, and the summer months are warm and dry, with relatively consistent temperatures averaging 58 degrees. Hills border Nipomo on the north, northeast, and east. The orientation of Nipomo's topography with respect to the Pacific Ocean produces consistent winds from the Pacific in an onshore direction. During the warmer summer months, heat rises above the surrounding hills, pulling in cooler moist air from the coast. As a result, temperatures stay relatively consistent. Rainfall usually occurs between the months of November and April (MKN 2022).

4.10.1.2 Specific Plan Area Conditions

The Specific Plan Area consists of three parcels that total approximately 288 acres. The main project parcel is 274.4 acres in size and the remaining two parcels, which connect to the northern portion of the main parcel, are approximately 7.7 acres and 7.2 acres in size. The main parcel is undeveloped with the exception of unpaved ranch roads traversing the site. There are oaks and other trees throughout the main parcel. One of the northern parcels is undeveloped and supports grasslands and small, scattered trees. The other northern parcel (Assessor's Parcel Number 091-301-030) has existing development, including agricultural structures and unpaved roads. In addition, the parcel is characterized by dense oak tree coverage over the entire parcel. Per the NRCS Web Soil Survey, the hydrologic soil group for the development area is listed as Type A Soils, Oceano Sand. The site is well drained and has high infiltration rates across the site (RRM Design Group 2022).

The project area has elevations that range between 340 and 410 amsl. Most of the existing terrain across the property is gradually sloped between 2% and 10% with localized mounds and some rolling hills. The average existing slope for the entire property is 5%. The project area is characterized by a gentle downward slope from the highest point near Hetrick Avenue (southwestern side) toward US 101 to the east. An existing hillside, or ridge, that runs from the Hetrick Avenue and the Glenhaven Place intersection to the southeast varies between 10% and 25% slope. Another localized ridge runs north–south from Willow Road to the north and Sandydale Drive to the south.

The project area does not support any surface water features on-site and the nearest surface water feature is Nipomo Creek located 670 feet east of the DRSP boundary on the other side of US 101. The project area is located at the intersection of three watersheds (Figure 4.10-1).

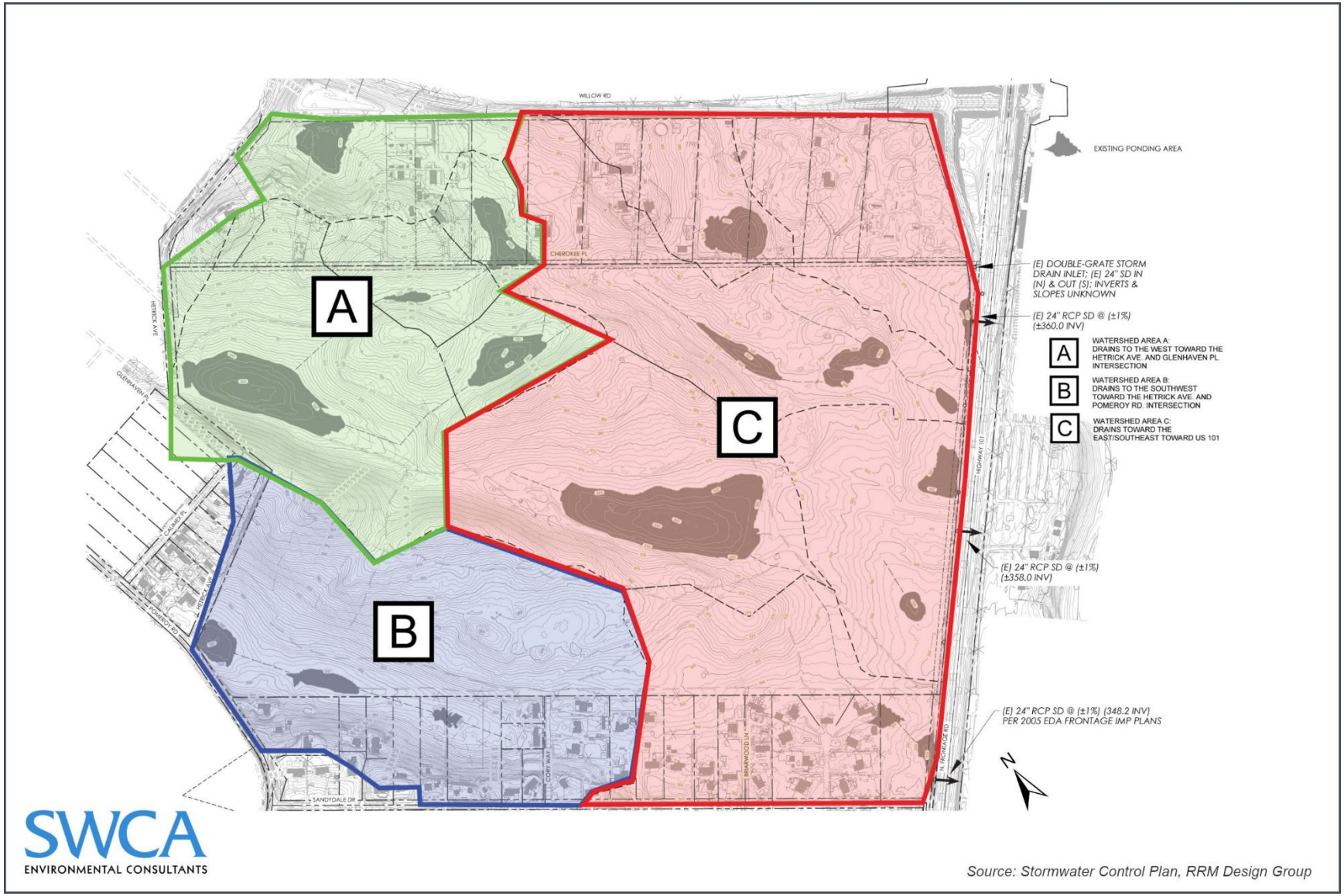

Figure 4.10-1. Project Area Watersheds.

As seen in Figure 4.10-1, Watershed A takes up the northwest corner of the site and drains west towards the Hetrick Avenue and Glenhaven Place intersection. Watershed B is located in the southwest corner and drains towards the Hetrick Avenue and Pomeroy Road intersection. The final and largest, Watershed C, takes up the eastern half of the site and drains toward the east/southeast towards US 101.

4.10.1.3 Off-Site Improvements

As described in Chapter 2, *Project Description*, the project would include numerous project-related disturbances and/or improvements to existing surrounding roadways and the existing NCSD service system at additional areas outside of the Specific Plan Area boundaries. Off-site project areas include locations where necessary transportation, water, and wastewater-related improvements would be necessary to serve the project.

The exact location of proposed off-site NCSD water system and wastewater system improvements is currently not known; however, all proposed water and wastewater system improvements are anticipated to be located within previously developed roadways and other disturbed areas along North Oakglen Avenue and Tefft Street and proposed wastewater system improvements are anticipated to occur along North Frontage Road. Proposed off-site transportation improvements would be required at DRSP roadway connections to Willow Road, North Frontage Road, Pomeroy Road, Hetrick Avenue, and Cory Way (see Figures 2-4 through 2-7 in Chapter 2, *Project Description*).

Elevations at off-site wastewater system improvement areas range from approximately 300 to 360 feet amsl and elevations at off-site water system improvement areas range from 340 to 520 feet amsl. Elevation of off-site transportation improvements generally match those of the Specific Plan Area, and range between 355 and 400 feet amsl. Topography of off-site improvement areas is characterized by relatively flat to moderately sloping areas. Based on the County's Land Use View database, off-site improvement areas are not located within the County's GSA combining designation.

The proposed off-site transportation improvements are located within seven different drainage management areas (DMAs). The Pomeroy Road intersection widening is within DMA G and is treated using San Luis Obispo County roadside infiltrators, preliminary located on the east side of Pomeroy Road. The North Frontage Road extension area has its own DMA that drains into roadside swales. Willow Road improvements are categorized into off-site DMA A through F and are treated using San Luis Obispo County roadside infiltrators (RRM Design Group 2022).

4.10.1.4 Regional Hydrology and Drainage

4.10.1.4.1 SURFACE WATER

There are nine major watersheds fully or partially contained in San Luis Obispo County and 12 water planning areas in the County's 3,304 square miles (County of San Luis Obispo 2010). Reservoirs fed by surface waters provide roughly 40% of the water supply for the county. There are four major rivers in the county: Salinas, Nacimiento, Cuyama and Santa Maria Rivers. Lesser streams include Santa Rosa, Chorro, San Luis Obispo, and Arroyo Grande Creeks (County of San Luis Obispo 2010). The project area is located on the eastern border of the Santa Maria River Watershed, directly adjacent to the Nipomo – Suey Watershed. Several rivers and creeks drain westward to the Pacific Ocean.

To the immediate east of the project area, the Nipomo – Suey Watershed covers 36,912 acres and rises to a maximum elevation of approximately 1,800 feet amsl. The watershed includes Nipomo and Suey Creeks, two tributary basins to the Santa Maria River with their headwaters in the foothills of the Coast Range (Coastal San Luis Resource Conservation District 2014).

The Santa Maria River Watershed covers 33,205 acres and includes the major tributaries of the Cuyama and Sisquoc Rivers, as well as a number of smaller tributaries. The Santa Maria River (downstream of the confluence with Cuyama and Sisquoc Rivers) rises to a maximum elevation of approximately 390 feet and flows west to the Pacific Ocean. Drainage in the watershed is linked to the soils and geology with a dune lake complex, Black Lake Canyon Slough, Oso Flaco Creek, and portions of the Santa Maria River within San Luis Obispo County. Annual precipitation in the watershed ranges from 13 to 17 inches, with an average of 15 inches. Both watersheds are dominated by residential and agricultural land uses including ranches, row crops, greenhouses, and orchard.

4.10.1.4.2 GROUNDWATER

Santa Maria River Valley Groundwater Basin

As discussed further in Section 4.10.2.2.5, *Urban Water Management Planning Act*, the California State legislature approved a new groundwater management law in 2015 known as the Sustainable Groundwater Management Act (SGMA), to be overseen and managed by the California Department of Water Resources (DWR). San Luis Obispo County includes 30 groundwater basins (County of San Luis Obispo 2010).

The project area is located above the Santa Maria Subbasin of the Santa Maria River Valley Groundwater Basin (Santa Maria Basin). The Santa Maria Basin underlies the coastal portion of the southern San Luis Obispo and northern Santa Barbara Counties, including the project area's location in Nipomo. It encompasses approximately 170,213 acres (266 square miles), of which approximately 61,220 acres (95.7 square miles) are within San Luis Obispo County (County of San Luis Obispo 2018). The Santa Maria Basin is bounded on the north by the San Luis and Santa Lucia Ranges, on the east by the San Rafael Mountains, on the south by the Solomon Hills and the San Antonio Creek Valley Groundwater Basin, on the southwest by the Casmalia Hills, and on the west by the Pacific Ocean (DWR 2004). Recharge of the Santa Maria Basin occurs in four main ways: rainfall percolation, riverbed recharge, subsurface inflows, and return flows (MKN 2021). The basin receives water from rainfall directly and from runoff from several major watersheds drained by the Cuyama River, Sisquoc River, Arroyo Grande Creek, and Pismo Creek, as well as many minor tributary watersheds (Nipomo Mesa Management Area [NMMA] Technical Group 2021). Sediment eroded from nearby mountains and deposited in the Santa Maria Valley formed beds of unconsolidated alluvium, averaging 1,000 feet in depth, with maximum depths up to 2,800 feet. These alluvial deposits cover underlying consolidated rock, which usually yields small quantities of water, and comprise the principal production aquifers from which water is extracted to supply the regional demand (NMMA Technical Group 2021).

The DWR initially designated the Santa Maria Basin as a high-priority basin. Medium- and high-priority basins must comply with the SGMA, with certain exceptions for certain adjudicated basins. In 1999 a lawsuit was filed, which resulted in adjudication of approximately 95% or 162,277 acres of the Santa Maria Basin. Three management areas were defined to recognize that the development and use of groundwater, State Water Project water, surface water storage, and treatment and distribution facilities have historically been financed and managed separately, yet they are all underlain by, or contribute to the supplies within, the same groundwater basin. The adjudicated areas are managed by the NMMA, Northern Cities Management Area, and Santa Maria Valley Management Area. For the fringe areas, which are the non-adjudicated areas outside the adjudicated portion of the basin, the Counties of San Luis Obispo and Santa Barbara formed groundwater sustainability agencies to manage the basin areas within their respective jurisdictions. The non-adjudicated basin fringe areas of the Santa Maria Basin are not subject to the requirements of the SGMA due to the DWR prioritization. The project area is located within the NMMA and is not subject to SGMA requirements provided that certain requirements are met (California Water Code Section 10720.8).

Nipomo Mesa Management Area

The NMMA covers approximately 33 square miles, or 21,590 acres, which accounts for approximately 13% of the adjudicated Santa Maria Basin (NMMA Technical Group 2021). Approximately 13,500 acres on the NMMA, or 64%, is developed land requiring water pumped from the underlying aquifers to sustain the agricultural and urban development. Recharge sources include major point sources (Los Berros Creek, stormwater runoff basins, and wastewater percolation ponds) and distributed recharge sources (septic systems, percolation of rainfall, and irrigation return flows). The geology underlying the NMMA is comprised of 150 to 250 feet of thick sand dune deposits overlying the Paso Robles Formation, the primary groundwater aquifer (MKN 2022).

Historically, the NCSD has relied heavily on pumped groundwater from the NMMA. Groundwater was the sole source of the NCSD water supply until 2015, when the NCSD began importing water from the City of Santa Maria as part of the Nipomo Supplemental Water Project (NSWP) and Wholesale Water Supply Agreement. The supplemental water consists of a "municipal mix" (or blended water) of both surface water from the State Water Project and groundwater from the City of Santa Maria. The Wholesale Water Supply Agreement requires a minimum water delivery to the NCSD of 2,500 AFY by the 2025–2026 fiscal year, a readily available amount of 500 AFY, and a maximum allowable delivery of 6,200 AFY (MKN 2022).

The NMMA-established groundwater level and groundwater quality criteria to track overall basin conditions; one of the main criteria is the Key Wells Index, which combines groundwater level data from eight selected wells distributed throughout the inland portion of the NMMA. The NMMA has identified the current water shortage conditions within the Santa Maria Basin as "Severe Water Shortage Conditions." This signifies a Stage IV NMMA Water Shortage Response in which the NCSD would have a voluntary groundwater reduction goal of 1,267 AFY or 50% of 2,533 AFY. However, the NCSD's voluntary pumping limit from the basin is variable depending on the NMMA defined drought levels.

Groundwater Quality

Groundwater quality can be affected by many things, including the sources and chemical composition of recharge water, properties of the host sediment, and history of discharge or leakage of pollutants. Groundwater wells in the Santa Maria Valley Groundwater Basin typically yield water of magnesium bicarbonate character (NMMA Technical Group 2021). Pleistocene alluvial terrace deposits are deeper while Holocene alluvial terrace deposits cover the shallow portions and most recent portions of groundwater basins. Water stored in the Pleistocene alluvial terrace deposits is characterized by poor water quality, whereas water in the Holocene deposits is generally of excellent quality.

During 2020, 65 water supply wells in addition to 16 monitoring wells and 17 environmental monitoring wells were sampled at least once for water quality; many were sampled multiple times during the year for many water quality constituents. Approximately 10 water supply wells that produce at least in part or primarily from the deep groundwater aquifer are known to have water quality with nitrate concentrations at, or in excess of primary drinking water maximum contaminant levels, or with iron and manganese concentrations in excess of secondary drinking water maximum contaminant levels. Iron and manganese water quality concerns are historically limited to a few wells in the southern NMMA. No other water quality constituents are currently known to restrict local use of groundwater supplies for domestic or irrigation purposes (NMMA Technical Group 2021).

4.10.1.4.3 FLOOD CONDITIONS

Flood zones identified on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) are identified as a Special Flood Hazard Area. A Special Flood Hazard Area is defined as the

area that will be inundated by a flood event having a 1% chance of being equaled or exceeded in any given year. The 1%-annual-chance flood is also referred to as the base flood or 100-year flood. "Floodways" are areas within the Special Flood Hazard Area that include the channel of a river/watercourse and adjacent land areas, which, in an unobstructed condition, can discharge a 100-year flood/base flood without any increase in water surface elevations. The area outside the floodway but still within the 100-year floodplain can be obstructed without increasing the water surface elevation of a 100-year flood event more than 1 foot at any point. Flooding occurs in response to heavy rainfall when creek and drainage channels overflow. Flooding may also occur in low-lying areas that have poor drainage, or when a culvert becomes blocked, even during moderate storms. Flood severity can be increased by structures or fill placed in flood-prone areas, and increased runoff resulting from development of impervious surfaces (such as parking lots, roads, and roofs).

Local Flood Hazards

Flooding in the community of Nipomo occurs primarily along Nipomo Creek and its tributaries, such as the Tefft Road Tributary, Deleissiques Creek, and Mehlschau Creek. FEMA has mapped Special Flood Hazard Areas near the project area on FIRM panel Numbers 06079C1617G and 06079C1636G (effective November 15, 2012).

The Specific Plan Area does not lie within any designated floodplains (FEMA 2012). However, the 100- and 500-year floodplains along these creeks encompass areas adjacent to the watercourses, including areas identified for off-site NCSD improvements, along with extensive areas located east and west of US 101. The offsite improvement located within the flood hazard zone primarily include the water system extension of a 16-inch ductile iron pipe from the intersection of Tefft Street/North Oakglen Avenue to the north end of North Oakglen Avenue to be installed within the existing paved roadway. This water system extension would run through special flood hazard areas subject to inundation by the 100-year flood, Zone A (no Base Flood Zone Elevation determined) and Zone AE (Base Flood Zone Elevation determined) (FEMA 2012).

Other Flood Hazards

Flooding can also occur as a result of dam failure. A number of natural or human causes can contribute to dam failure, including earthquakes, improper siting, fast-rising flood waters, erosion of the dam face or foundation, and structural or construction flaws. Other reservoir-related flooding events can result from massive, fast-moving landslides that displace large volumes of water contained in a reservoir. Such rapid displacement of water can cause large quantities of water to travel over the dam, resulting in downstream flooding. Although several dams and reservoirs are located in San Luis Obispo County, the project area is not located within an identified dam inundation area on the Dam Inundation Map, according to the *County of San Luis Obispo General Plan Safety Element* (County of San Luis Obispo 1999) and is therefore not at risk for dam failure-related flooding.

4.10.2 Regulatory Setting

4.10.2.1 Federal

4.10.2.1.1 FEDERAL CLEAN WATER ACT

The CWA (33 USC 1251 et seq.), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Numerous agencies have responsibilities for administration and enforcement of the CWA. At the federal level, this includes the USEPA, USACE,

Bureau of Reclamation, and major federal land management agencies, such as the U.S. Forest Service and Bureau of Land Management. At the state level, with the exception of tribal lands, the CalEPA and its subagencies, including the SWRCB, have been delegated primary responsibility for administering and enforcing the CWA.

Important sections of the act are as follows:

- **CWA Sections 303 and 304** provide for water quality standards, criteria, and guidelines. Under Section 303(d) of the CWA, the State of California is required to present the USEPA with a list of impaired water bodies that do not meet water quality standards and objectives. California is required to establish total maximum daily loads (TMDLs) for each pollutant/stressor. An essential component of a TMDL is the calculation of the maximum amount of a pollutant that a waterbody can receive while still meeting water quality standards. Based on the TMDL, the state allocates a loading capacity among the various point and non-point sources that discharge into the impaired waterbody. Permits for point sources are issued through the USEPA's NPDES program, as discussed below.
- **CWA Section 401 (Water Quality Certification)** requires an applicant for any federal permit that proposes an activity that may result in a discharge to waters of the United States to obtain certification from the state that the discharge will comply with other provisions of the act. The project area does not contain any aquatic resources which are anticipated to meet the criteria of waters of the state regulated under the Porter-Cologne Act and/or Section 401 of the CWA.
- **CWA Section 402** establishes the NPDES program, a permitting system for the discharge of pollutants through a point source into waters of the United States is prohibited unless the discharge is in compliance with an NPDES permit. The NPDES program regulates the discharge of pollutants from municipal and industrial wastewater treatment plants and sewer collection systems, as well as stormwater discharges from industrial facilities, municipalities, and construction sites. In California, implementation and enforcement of the NPDES program is conducted through the SWRCB and nine RWQCBs. The RWQCBs set standard conditions for each permittee in their region, which includes effluent limitations and monitoring programs. The proposed project would be subject to NPDES permits as described under the state regulatory framework, below.
- **CWA Section 404** establishes a permit program for the discharge of dredged or fill material into waters of the United States. This permit program is jointly administered by the USACE and USEPA.

4.10.2.1.2 FEDERAL EMERGENCY MANAGEMENT AGENCY

In 1968 Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer-funded disaster relief for flood victims and the increasing amount of damage caused by floods. FEMA manages the NFIP and creates FIRMs that designate 100-year floodplain zones and delineate other flood hazard areas. A FEMA 100-year flood hazard zone is an area that has a 1-in-100 (1%) chance of being flooded in any year based on historical data. The FIRMs indicate the regulatory floodplain to assist communities with land use and floodplain management decisions, so that the requirements of the NFIP are met in the event of damaging floods. FIRMs guide location of housing development, the amount of grading/regulation necessary for housing placed on a floodplain, and a city's Uniform Building Code.

4.10.2.2 State

4.10.2.2.1 CALIFORNIA DEPARTMENT OF WATER RESOURCES

The DWR is the state agency that studies, constructs, and operates regional-scale flood protection systems, in partnership with federal and local agencies. The DWR also provides technical, financial, and emergency response assistances to local agencies related to flooding.

Several bills were signed by Governor Schwarzenegger in 2007, adding to and amending state flood and land use management laws. The laws contain requirements and considerations that outline a comprehensive approach to improving flood management at state and local levels.

FloodSAFE California is a strategic multifaceted program initiated by DWR in 2006. FloodSAFE is guiding the development of regional flood management plans, which encourage regional cooperation in identifying and addressing flood hazards. Regional flood plans include flood hazard identification, risk analyses, review of existing measures, and identification of potential projects and funding strategies. The plans emphasize multiple objectives, system resiliency, and compatibility with state goals and Integrated Regional Water Management Plans (IRWMP). DWR has the lead role to implement FloodSAFE, and will work closely with federal, state, tribal, and local partners to help improve integrated flood management systems statewide. DWR's role is to advise and provide assistance as a resource to local jurisdictions as they pursue compliance.

4.10.2.2.2 PORTER-COLOGNE WATER QUALITY CONTROL ACT

The Porter-Cologne Act (Division 7 of the California Water Code) is the primary water quality control law for California, regulating the quality of the waters of the state. The SWRCB is given authority to enforce Porter-Cologne Act as well as Section 401 of the CWA and has adopted a statewide general permit that applies to almost all stormwater discharges. This general permit, which is implemented and enforced in the San Luis Obispo area, is implemented by the local Central Coast RWQCB and requires all owners of land where construction activity occurs to:

- Eliminate or reduce non-stormwater discharges to stormwater systems and other waters of the United States;
- Develop and implement a Stormwater Pollution Control Plan emphasizing stormwater BMPs; and
- Perform inspections of stormwater pollution prevention measures to assess their effectiveness.

In addition, SWRCB regulations mandate a "non-degradation policy" for state waters, especially those of high quality. Under the authority of the SWRCB, the protection of water quality in Nipomo Creek and its tributaries is under the jurisdiction of the Central Coast RWQCB. The RWQCB establishes requirements prescribing the quality of point sources of discharge and establishes water quality objectives. These objectives are established based on the designated beneficial uses for a particular surface water or groundwater.

In accordance with the California Water Code, the Central Coast RWQCB developed a Water Quality Control Plan for the Central Coast Basin (2019) designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Water quality objectives for the Central Coastal Basin satisfy state and federal requirements established to protect waters for beneficial uses and are consistent with existing statewide plans and policies.

The Central Coast RWQCB has adopted Watershed Management Zones (WMZs) and Post Construction Requirements (PCRs) that apply to projects in the Central Coast Region. The primary goal of the PCRs is

to ensure that the permittee is reducing post-construction-related pollutant discharges to the maximum extent practicable and preventing stormwater discharges from causing or contributing to a violation of receiving water quality standards. These requirements and regulations apply to all development projects that require approvals and/or permits issued under the permittee's planning, buildings, or other comparable authority. PCRs include site design and runoff reduction, water quality treatment, stormwater control plans, runoff reduction, and peak stormwater runoff management. Under this regulatory document, project applicants are required to prepare a separate Stormwater Control Plan, which summarizes site design and Stormwater Control Measures, as well as other requirements.

4.10.2.2.3 NPDES CONSTRUCTION GENERAL PERMIT

Construction in California that disturbs 1 or more acres of land surface are required to comply with the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ (as amended by Order No. 2010-0014- DWQ and 2012-006-DWQ) (Construction General Permit). The Construction General Permit is issued by the SWRCB and is overseen by the RWQCB in the proposed project area.

To obtain coverage under the Construction General Permit, the discharger must provide via electronic submittal a Notice of Intent, a Storm Water Pollution Prevention Plan (SWPPP), and other documents required in Attachment B of the Construction General Permit. The construction activities subject to this permit include clearing, grading, and disturbances to the ground, such as stockpiling or excavation, but do not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The permit also covers linear underground and overhead projects, such as pipeline installations.

The Construction General Permit uses a risk-based permitting approach and mandates certain requirements based on the established risk level (Risk Level 1, 2, or 3) of the project. The project risk level is based on the risk of sediment discharge and the receiving water risk. The sediment discharge risk depends on the project location and timing (e.g., wet season versus dry season activities). The receiving water risk depends on whether the project would discharge to a sediment-sensitive receiving water. The discharger would determine the project risk level when filing the Notice of Intent.

A Qualified SWPPP Developer must prepare a SWPPP that meets the certification requirements in the Construction General Permit. The purpose of the SWPPP is to (1) help identify the sources of sediment and other pollutants that could affect the quality of stormwater discharges; and (2) describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater, as well as non-stormwater discharges resulting from construction activity. Common BMPs on construction sites include project phasing and the placement of vegetation, straw, fiber, stabilizing emulsion, protective blankets, or other materials on areas of disturbed soils to reduce erosion. A Qualified SWPPP Practitioner must oversee the operation of BMPs that meet the requirements outlined in the permit.

The SWPPP also requires a construction site monitoring program. The monitoring program may include, depending on the project's risk level, visual observations of site discharges, water quality monitoring of site discharges (pH, turbidity, and non-visible pollutants, if applicable), and receiving water monitoring (pH, turbidity, suspended sediment concentration, and bioassessment).

The Construction General Permit allows non-stormwater discharge of dewatering effluent if the water is not contaminated and is properly filtered or treated, using appropriate technologies such as clarifier tanks and/or sand filters. If the dewatering activity is deemed by the local RWQCB to not be covered by the Construction General Permit, then the discharger would be required to prepare a Report of Waste Discharge, and if approved by the local RWQCB, be issued site-specific waste discharge requirements (WDRs) under NPDES regulations. Site-specific WDRs contain rigorous monitoring requirements and performance standards that, when implemented, ensure that receiving water quality is not substantially

degraded. The discharge of dewatering effluent is authorized under the Construction General Permit if the following conditions are met:

- The discharge does not cause or contribute to a violation of any water quality standard;
- The discharge does not violate any other provision of the Construction General Permit;
- The discharge is not prohibited by the applicable Basin Plan;
- The discharger has included and implemented specific BMPs required by the Construction General Permit to prevent or reduce the contact of the non-stormwater discharge with construction materials or equipment;
- The discharge does not contain toxic constituents in toxic amounts or (other) significant quantities of pollutants;
- The discharge is monitored and meets the applicable numeric action levels; and
- The discharger reports the sampling information in the annual report.

If any of the above conditions are not satisfied, the discharge of dewatering effluent is not authorized by the Construction General Permit. The discharger must notify the local RWQCB of any anticipated non-stormwater discharges not already authorized by the Construction General Permit or another NPDES permit, to determine whether a separate NPDES permit is necessary.

4.10.2.2.4 SUSTAINABLE GROUNDWATER MANAGEMENT ACT

The SGMA is a package of three bills (AB 1739, SB 1168, and SB 1319) that provides local agencies with a framework for managing groundwater basins in a sustainable manner. The SGMA establishes standards for sustainable groundwater management, roles and responsibilities for local agencies that manage groundwater resources, and priorities and timelines to achieve sustainable groundwater management. Central to the SGMA are the identification of critically over-drafted basins and the prioritization of groundwater basins, establishment of groundwater sustainability agencies, and preparation and implementation of Groundwater Sustainability Plans (GSP) for medium-priority, high-priority, and critically over-drafted basins. GSP objectives require that future groundwater use does not cause undesirable results, which include the following: declining water levels, reduction of groundwater storage, seawater intrusion, degraded water quality, land subsidence, and depletion of interconnected surface water. One requirement of a GSP is to establish a monitoring network to track water level changes, groundwater storage, and monitor pre-determined water level thresholds within each basin. Water level data for these basins will be available to the public through online portals. A basin may be managed by a single GSP or multiple coordinated GSPs.

At the state level, DWR has the primary role in the implementation, administration, and oversight of the SGMA, with the SWRCB stepping in should a local agency be found to not be managing groundwater in a sustainable manner. As discussed in Section 4.10.1, *Existing Conditions*, the proposed project is within the Santa Maria Subbasin of the Santa Maria River Valley Groundwater Basin, a very low-priority groundwater basin and thus does not require a GSP.

4.10.2.2.5 URBAN WATER MANAGEMENT PLANNING ACT

As a part of the California Water Code, the California Urban Water Management Planning Act (UWMP Act) requires all urban water suppliers with more than 3,000 connections or distributing more than 3,000 AFY to complete a UWMP every 5 years ending in “5” and “0”. Each plan must include a description of the service area, existing and planned sources of water available to the supplier, how much water the agency has on a reliable basis, how much it needs for the foreseeable future, what the agency’s strategy is

for meeting its water needs, the challenges facing the agency, and any other information necessary to provide a general understanding of the agency's plan. In addition, every urban water supplier shall prepare and adopt a water shortage contingency plan as part of its UWMP that includes, but is not limited to, an analysis of water supply reliability over a 20-year planning timeframe, the procedures used in conducting an annual water supply and demand assessment, a definition of standard water shortage levels corresponding to progressive ranges of up to 50% shortages and greater than 50% shortages, and shortage response actions that align with the defined shortage levels.

The NCSD, as a water supplier subject to the UWWP Act, has prepared a UWMP since 1988, with the last update, the 2020 UWMP, adopted by the NCSD Board of Directors in December 2021. The 2020 NCSD UWMP provides a water shortage contingency plan (WSCP) in accordance with California Water Code Section 10632(a)(3). The WSCP establishes six stages of drought response actions to be implemented by the NCSD in times of shortage depending on the causes, severity, and anticipated duration of the water supply shortage. The six stages of drought response include mandatory groundwater production reduction requirements (MKN 2021).

4.10.2.3 Local

4.10.2.3.1 SAN LUIS OBISPO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

The San Luis Obispo County Flood Control and Water Conservation District (SLOFC&WCD) Act provides for the control, disposition, and distribution of flood and storm waters of the SLOFC&WCD and of streams flowing into the SLOFC&WCD, and for protection of the watersheds and watercourses in the SLOFC&WCD from such waters. The SLOFC&WCD functions similar to a regional water management agency, engaged in water planning and implementation of specific projects and programs. The SLOFC&WCD holds the contract with DWR for State Water Project service and owns major waterworks facilities, such as the Lopez Water Project and the Nacimiento Water Pipeline.

4.10.2.3.2 COUNTY OF SAN LUIS OBISPO GENERAL PLAN

The *San Luis Obispo County General Plan 2035* is the foundation upon which all land use decisions for the unincorporated areas of the county are based. Its main purposes are to illustrate the public policy for future land use for both public and private lands, and to provide the County Board of Supervisors, Planning Commission, Subdivision Review Board and Zoning Administrator (Hearing Officer) with specific direction for future decisions affecting land use development.

Conservation And Open Space Element

The County's COSE, adopted as part of the General Plan, identifies goals, policies, and implementation strategies aimed at preserving and protecting natural resources throughout the county. The County's COSE includes policies related to water supply, water quality, flood control, watershed protection, and groundwater monitoring and management (County of San Luis Obispo 2010).

Safety Element

The County's Safety Element has two basic principles: to be ready for disaster, and to manage development to reduce risk. The Safety Element provides goals, policies, and programs to reduce the risk of loss due to potential natural hazards, including flood hazards, within the county, with the purpose of providing standards for reducing the risk of exposure to hazards.

4.10.2.3.3 COUNTY OF SAN LUIS OBISPO INLAND LAND USE ORDINANCE (TITLE 22)

The County's LUO includes landscape installation and planting standards intended to provide areas that can absorb rainfall to assist in reducing stormwater runoff, control erosion, preserve natural resources, promote, preserve and enhance native plant species, and recognize the need to use water resources as efficiently as possible. In addition, the goals of the standards are to:

- Establish a procedure for designing, installing and maintaining water efficient landscapes;
- Establish provisions for water management practices and limit the waste of water; and
- Educate and provide guidelines to property owners in choosing planting materials, efficient irrigation systems, soil management and appropriate maintenance to create landscapes that are both attractive and water conserving.

Section 22.05.040 of the LUO establishes the County's standards for the control of drainage to minimize the harmful effects of stormwater runoff. However, incorporated cities within the county have their own responsibilities with regard to drainage and flood control. County restrictions on development in floodplains require that incorporated cities, at a minimum, enforce the current federal floodplain management regulations as defined in the FEMA NFIP.

4.10.2.3.4 COUNTY OF SAN LUIS OBISPO COUNTY CODE ORDINANCE NO. 3307

In September 2015, the County adopted Ordinance 3307, an amendment to County Code Title 19 Building and Construction, which allows new urban development within the NMMA without imposing a requirement that the development project offset its water demand with a source of supplemental water. Instead, Ordinance 3307 requires the project proponent to offset the estimated new water demand of the project through some form of demand offset approved by the County (e.g., plumbing retrofit or participation in a County-approved conservation program). By not requiring a source of supplemental water to offset project demand, this new County development approval process allows new groundwater uses for new development projects.

4.10.2.3.5 DANA RESERVE SPECIFIC PLAN

The DRSP includes the following guiding principles, goals, and actions related to hydrology and water quality. The DRSP includes policies and actions that would direct development and future buildout of all phases of the project.

3.1.E Basins and Low-Impact Development

A number of deep and shallow basins as well as roadside low-impact development (LID) areas intended to treat and mitigate runoff are proposed as part of the DRSP. The following provides design direction for deep and shallow basins and roadside LID areas within the DRSP:

- Deep basins shall incorporate 6-foot open-style metal fence. Access gates shall be constructed of the same material and include a minimum opening of 14 feet.
- Trees, shrubs, and groundcover used for screening views of the basins shall be native, drought tolerant, and/or low-water using. If landscaping is allowed within the deep basin, it shall be able to thrive during seasonal conditions while maintaining access and functionality of the facility.
- Shallow basins shall contain location appropriate landscaping that is able to thrive during seasonal conditions.

- Roadside LID areas shall utilize a combination of decorative rock and gravel, location-appropriate landscaping, and necessary inlets and/or catch basins.

4.10.2.4 Applicable State, Regional, and Local Land Use Plans and Policies Relevant to Hydrology and Water Quality

Table 4.10-1 lists applicable state, regional, and local land use policies and regulations pertaining to hydrology and water quality that were adopted for the purpose of avoiding or mitigating an environmental effect and that are relevant to the proposed project. A general overview of these policy documents is presented in Section 4.10.2, *Regulatory Setting*, and Chapter 3, *Environmental Setting*. Also included in Table 4.10-1 is an analysis of project consistency with identified policies and regulations. Where the analysis concludes the proposed project would potentially conflict with the applicable policy or regulation, the reader is referred to Section 4.10.5, *Project-Specific Impacts and Mitigation Measures*, and Section 4.11, *Land Use and Planning*, for additional discussion.

Table 4.10-1. Preliminary Policy Consistency Evaluation

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
County of San Luis Obispo General Plan		
Conservation and Open Space Element		
Policy BR 4.1 Protect stream resources. Protect streams and riparian vegetation to preserve water quality and flood control functions and associated fish and wildlife habitat.	The intent of this policy is to protect water quality and flood control functions of streams, vegetation, and habitat.	**Potentially Consistent.** There are no riparian creeks, wetlands, or riparian habitats within the Specific Plan Area. However, the project would include LID and SWPPP requirements to protect streams and riparian vegetation at the location of off-site improvements.
Policy BR 4.2 Minimize impacts from development. Minimize the impacts of public and private development on streams and associated riparian vegetation due to construction, grading, resource extraction, and development near streams.	The intent of this policy is to minimize impacts from development on streams and riparian vegetation.	**Potentially Consistent.** The project would include LID and SWPPP requirements to direct drainage away from streams and riparian vegetation at the location of off-site improvements.
Policy BR 4.4 Vegetated Treatment Systems (Low Impact Development Techniques). Promote use and maintenance of engineered, vegetated treatment systems such as constructed wetlands, vegetated swales, or vegetated filter strips where they will reduce nonpoint source pollution from private and public development.	The intent of this policy is to use LID techniques to reduce nonpoint source pollution from development.	**Potentially Consistent.** The project would include LID and SWPPP requirements to reduce nonpoint source pollution at the location of off-site improvements.
Policy BR 4.6 Encourage stream preservation on public lands. Protect stream and riparian corridors in their natural state on public lands.	The intent of this policy is to protect streams on public lands.	**Potentially Consistent.** There are no riparian creeks, wetlands, or riparian habitats within the Specific Plan Area. The project would include LID and SWPPP requirements to protect stream and riparian corridors at the location of off-site improvements.
Policy BR 4.7 Contamination from pesticides. Contamination from the use of commercial, residential, and public application of pesticides and herbicides into all inland and coastal waters, including but not limited to rivers, streams, wetlands, and intertidal areas shall be eliminated.	The intent of this policy is to prevent pesticide contamination into all inland and coastal waters.	**Potentially Consistent**. The project would include requirements for SWPPP, PCR 2, and operational source control BMPs to detain, retain, and treat polluted stormwater runoff.

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
Policy BR 7.4 Sedimentation. Support efforts on public and private lands to keep Chorro Creek, Los Osos Creek, and other watercourses free of excessive sediment and other pollutants to maintain freshwater flow into the Morro Bay National Estuary and the Monterey Bay National Marine Sanctuary, nurture steelhead trout, and support other plant and animal species. On County-owned lands, implement Best Management Practices in order to reduce sediment transport to coastal waters.	The intent of this policy is to minimize sedimentation.	**Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit an erosion and sedimentation control plan. Runoff from the development area would be required to be retained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site, consistent with this policy.
Policy SL 1.1 Prevent loss of topsoil in all land uses. Minimize the loss of topsoil by encouraging broad-based cooperation between property owners, agricultural operators, agencies, and organizations that will lead to effective soil conservation practices on all lands, including County-controlled properties.	The intent of this policy is to minimize the loss of topsoil.	**Potentially Consistent.** Future development within the Specific Plan Area would be required to prepare and submit an erosion and sedimentation control plan, which would include erosion control measures, such as the installation of silt fencing and sediment rolls, hydroseeding and application of straw following seeding to stabilize soils, and storm drain inlet protection, including filter fabric or silt sacks installed around the inlet and on top of the storm drain grate and catch basin. Runoff from the development area would be retained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site, consistent with this policy.
Policy SL 1.2 Promote soil conservation practices in all land uses. Require erosion and sediment control practices during development or other soil-disturbing activities on steep slopes and ridgelines. These practices should disperse stormwater so that it infiltrates the soil rather than running off and protect downslope areas from erosion.	The intent of this policy is to utilize erosion and sediment control practices and encourage stormwater infiltration.	**Potentially Consistent**. Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would reduce erosion potential and direct stormwater into the proposed on-site storm drain system. Implementation of the proposed erosion and sedimentation control and drainage plans would ensure that stormwater runoff would be dispersed at multiple points with erosion control measures at the outlets, consistent with this policy.
Policy SL 1.3 Minimize erosion associated with new development. Avoid development, including roads and driveways, on the steeper portions of a site except when necessary to avoid flood hazards, protect prime soils, and protect sensitive biological and other resources. Avoid grading and site disturbance activities on slopes over 30%. Minimize site disturbance and protect existing vegetation as much as possible.	The intent of this policy is to minimize erosion during construction activities.	**Potentially Consistent**. Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would reduce erosion potential, consistent with this policy.
Policy SL 2.1 Protect watersheds and aquifer recharge areas. Give high priority to protecting watersheds, aquifer-recharge areas, and natural drainage systems when reviewing applications for discretionary development.	The intent of this policy is to protect watersheds, aquifer-recharge areas, and natural drainage systems.	**Potentially Consistent**. Future development within the Specific Plan would be required to prepare and submit a drainage plan, which would direct stormwater into the proposed on-site storm drain systems and prevent off-site runoff. Implementation of the drainage plan would ensure that stormwater runoff is controlled within each development area, consistent with this policy.

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
Policy WR 1.9 Discourage new water systems. Enable expansion of public services by community services districts and County service areas to serve contiguous development when water is available. Strongly discourage the formation of new water and sewer systems serving urban development at the fringe and outside of urban or village reserve lines or services lines. Strongly discourage the formation of new mutual or private water companies in groundwater basins with Resource Management System Levels of Severity I, II, or III, except where needed to resolve health and safety concerns.	The intent of this policy is to promote infill development, discourage urban sprawl, and conserve water resources.	**Potentially Consistent**. The project would be annexed into the NCSD service area to facilitate NCSD's provision of water and wastewater services. The project would not create new mutual or private water companies.
Policy WR 1.12 Impacts of new development. Accurately assess and mitigate the impacts of new development on water supply. At a minimum, comply with the provisions of Senate Bills 610 and 221.	The intent of this policy is to assess and mitigate the impacts of new development on water supply.	**Potentially Consistent**. A Water Supply Assessment meeting the requirements of SB 610 was prepared for the project (RRM Design Group 2020) and the NCSD commissioned the preparation of a Water and Wastewater Service Evaluation (MKN 2022) to assess the impacts of the project on water supply. Based on the conclusions of these reports, as well as the NCSD's recently updated Urban Water Management Plan (UWMP), groundwater and 2025 NSWP water supply allocation is adequate to serve existing and future demands.
Policy WR 1.13 Density increases in rural areas. Do not approve General Plan amendments or land divisions that increase the density or intensity of non-agricultural uses in rural areas that have a recommended or certified Level of Severity II or II for water supply until a Level of Severity I or better is reached unless there is an overriding public need.	The intent of this policy is to encourage infill development and conserve water resources.	**Potentially Consistent**. A Water Supply Assessment meeting the requirements of SB 610 was prepared for the project (RRM Design Group 2020) and the NCSD commissioned the preparation of a Water and Wastewater Service Evaluation (MKN 2022) to assess the impacts of the project on water supply. Based on the conclusions of these reports, as well as the NCSD's recently updated UWMP, groundwater and 2025 NSWP water supply allocation is adequate to serve existing and future demands.
Policy WR 1.14 Avoid net increase in water use. Avoid a net increase in non-agricultural water use in groundwater basins that are recommended or certified as Level of Severity II or III for water supply. Place limitations on further land divisions in these areas until plans are in place and funded to ensure that the safe yield will not be exceeded.	The intent of this policy is to limit water use and conserve water supplies and resources.	**Potentially Consistent**. The County's most recent (2016–2018) Resource Summary Report recommends a Level of Severity III for the Santa Maria Groundwater Basin – Nipomo Mesa Management Area. A Water Supply Assessment meeting the requirements of SB 610 was prepared for the project (RRM Design Group 2020) and the NCSD commissioned the preparation of a Water and Wastewater Service Evaluation (MKN 2022) to assess the impacts of the project on water supply. Based on the conclusions of these reports, as well as the NCSD's recently updated UWMP, groundwater and 2025 NSWP water supply allocation is adequate to serve existing and future demands.

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
Policy WR 2.4 Groundwater Recharge. Where conditions are appropriate, promote groundwater recharge with high-quality water.	The intent of this policy is to promote groundwater recharge.	**Potentially Consistent**. The County's most recent (2016–2018) Resource Summary Report recommends a Level of Severity III for the Santa Maria Groundwater Basin – Nipomo Mesa Management Area. Future development within the Specific Plan would be required to prepare and submit a drainage plan, which would enhance infiltration and desirable groundwater recharge.
Policy WR 3.1 Prevent water pollution. Take actions to prevent water pollution, consistent with federal and state water policies and standards, including but not limited to the federal Clean Water Act, Safe Drinking Water Act, and National Pollutant Discharge Elimination System (NPDES).	The intent of this policy is to prevent water pollution.	**Potentially Consistent**. The PCRs future development would be subject to mandate that development projects include LID to detain, retain, and treat stormwater runoff.
Policy WR 3.2 Protect watersheds. Protect watersheds, groundwater and aquifer recharge areas, and natural drainage systems from potential adverse impacts of development projects.	The intent of this policy is to protect the quality of watersheds, groundwater and aquifer recharge areas from development.	**Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit a drainage plan, which would direct stormwater into the proposed on-site storm drain systems. All stormwater runoff would be dispersed at multiple points with erosion control measures at the outlets.
Policy WR 3.3 Improve groundwater quality. Protect and improve groundwater quality from point and non-point source pollution, including nitrate contamination; MTBE and other industrial, agricultural, and commercial sources of contamination; naturally occurring mineralization, boron, radionuclides, geothermal contamination; and seawater intrusion and salts.	The intent of this policy is to protect and improve groundwater quality.	**Potentially Consistent**. Future development within the Specific Plan would be required to comply with applicable requirements of the project-specific SWPPP, PCR 2, and operational source control BMPs (as applicable) to detain, retain, and treat polluted stormwater runoff.
Policy WR 3.6 Prevent pollution of water sources. The County will collaborate with private and nonprofit land managers, Resource Conservation Districts, recreation providers, Community Services Districts, and other stakeholders to prevent pollution or contamination of potable water sources, such as Lake Nacimiento and Lopez Lake. The County will also coordinate with the Nacitone Watershed Plan.	The intent of this policy is to prevent pollution or contamination of potable water sources.	**Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would ensure that stormwater runoff and pollutants are controlled on-site, erosion is minimized, infiltration is enhanced, desirable groundwater recharge is allowed, and impacts to surrounding water resources do not occur as a result of the proposed project development.
Policy WR 4.7 Low Impact Development. Require Low Impact Development (LID) practices in all discretionary and land division projects and public projects to reduce, treat, infiltrate, and manage urban runoff.	The intent of this policy is to reduce, treat, infiltrate, and manage urban runoff.	**Potentially Consistent.** The PCRs mandate that development projects include LID to detain, retain, and treat stormwater runoff.
Policy WR 6.4 Integrated drainage approach. Assure that proposed development integrates ecosystem enhancement, drainage control, and natural recharge as applicable.	The intent of this policy is to implement integrated drainage systems into development.	**Potentially Consistent.** The proposed project would include the implementation of erosion and sedimentation control and drainage plans that would ensure stormwater runoff and pollutants are controlled on-site, erosion is minimized, infiltration is enhanced, desirable groundwater recharge is allowed, and impacts to surrounding water resources do not occur as a result of the proposed project.

Goals, Policies, Plans, Programs and Standards	Intent of the Policy in Relation to Avoiding or Mitigating Significant Environmental Impacts	Preliminary Consistency Determination
Safety Element		
Policy S-8 Flood Hazard. Strictly enforce flood hazard regulations both current and revised. FEMA regulations and other requirements for the placement of structures in flood plains shall be followed. Maintain standards for development in flood-prone and poorly drained areas.	The intent of this policy is to minimize risks associated with flood hazards.	**Potentially Consistent.** The Specific Plan Area is not located within a mapped flood hazard zone and future development would be designed to meet both the County stormwater and drainage requirements and the Central Coast RWQCB post-construction stormwater requirements. Off-site improvements would develop minimal infrastructure within flood hazard zones and would be required to comply with all applicable design and construction requirements related to development in flood-prone and poorly drained areas.
Framework for Planning (Inland)		
Policy 3. Preserve and sustain important water resources, watersheds, and riparian habitats.	The intent of this policy is to preserve and sustain water resources, watersheds, and riparian habitats.	**Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit a SWPPP, an erosion and sedimentation control plan, and a drainage plan (as applicable) which would ensure stormwater runoff and pollutants are controlled on-site, erosion is minimized, and impacts to surrounding water resources do not occur as a result of the proposed project.
Nipomo Community Plan		
Community Service Programs		
Maintenance of Drainage Channels. The County Public Works Department should work with the community of Nipomo, area property owners and the NCSD to establish an agency for maintenance of natural drainage ponds or channels for recharge to the groundwater basin. After establishment, the agency should develop a maintenance program designed to prevent significant reduction of ponding capacities while maintaining natural channels in as natural a state as possible.	The intent of this policy is to maintain drainage channels and systems to allow for groundwater recharge.	**Potentially Consistent.** Future development within the Specific Plan would be required to prepare and submit erosion and sedimentation control and drainage plans that would ensure that stormwater runoff and pollutants are controlled on-site, erosion is minimized, infiltration is enhanced, desirable groundwater recharge is allowed, and impacts to surrounding water resources do not occur as a result of the proposed project.

4.10.3 Thresholds of Significance

The determinations of significance of project impacts are based on applicable policies, regulations, goals, and guidelines defined by CEQA and the County. Specifically, the project would be considered to have a significant effect on hydrology and water quality if the effects exceed the significance criteria described below:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

    i. Result in substantial erosion or siltation on- or off-site;

    ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

    iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

    iv. Impede or redirect flood flows.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Each of these thresholds is discussed under Section 4.10.5, *Project-Specific Impacts and Mitigation Measures*, below.

The project area is not located within an area identified as being subject to inundation by a seiche, tsunami, or mudflow (FEMA 2012; County of San Luis Obispo 2019). As previously stated, the Specific Plan Area is not located within a Special Flood Hazard Zone. Therefore, there are no proposed Specific Plan elements that would be in a flood hazard zone that could risk release of pollutants during the inundation. In addition, the Specific Plan Area is not located within an area that has the potential to be inundated by a tsunami, seiche, or other flood threat, such as dam or levee inundation zones. Therefore, there would be no impact, and issues related to the following threshold of significance are not further discussed in the EIR:

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.

See EIR Appendix B, *Notice of Preparation for the Draft Environmental Impact Report and Comment Letters*, for more information.

4.10.4 Impact Assessment and Methodology

This hydrology and water quality impact assessment is based on literature review and technical studies provided by the project applicant (EIR Appendix H), including:

- *Dana Reserve Development, Water and Wastewater Service Evaluation for Nipomo Community Services District* (MKN 2022)
- *Stormwater Control Plan for Dana Reserve* (RRM Design Group 2022)
- *Preliminary Drainage Report for Dana Reserve* (RRM Design Group 2020)
- *Dana Reserve Water Supply Assessment* (WSA) (Rick G Sweet and RRM Design Group 2020; Revised 2021)
- *Geotechnical Feasibility Report, Canada Ranch, West of Hetrick Avenue and Cherokee Place, Nipomo Area of San Luis Obispo County, California* (see EIR Appendix G; Earth Systems Pacific 2017)

4.10.5 Project-Specific Impacts and Mitigation Measures

WOULD THE PROJECT VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS OR OTHERWISE SUBSTANTIALLY DEGRADE SURFACE OR GROUND WATER QUALITY?

Specific Plan Area

HYD Impact 1: The project could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant (Class III).

CONSTRUCTION

Water quality can be affected in the short term by construction activity (e.g., erosion and sedimentation due to land disturbances, uncontained material and equipment storage areas, improper handling of hazardous materials) and in the long term due to release of urban pollutants (e.g., landscaping fertilizers, pesticides, and herbicides; leaking oils and grease from vehicles; trash). Water quality impacts associated with the proposed project can come from both stormwater runoff and discrete non-stormwater discharges to receiving waters. Without proper consideration and precautions, and without conducting construction and development activities according to the terms and conditions of applicable permits, such activities can degrade water quality in receiving waterbodies, leading to violation of water quality standards and/or Water Quality Control Plan objectives.

Project development would replace approximately 288 acres of undeveloped land with a roughly equivalent area of urban development consisting of 1,441 new residential units (including ADUs), village and flex commercial uses (including a hotel, educational facilities, and light industrial uses), open space, trails, and a public neighborhood park. The project area contains rolling hills and nearly all surfaces are permeable. Early stages of development would allow for low risks to soil and contamination due to the relatively high permeable area, but as construction advances, more impermeable surfaces would be created, and soil and contaminant mobilization would increase. This development would result in an approximately 10,078,042-square-foot increase in the amount of impervious surface on-site.

During construction, particularly during phases that include excavation, grading, and other earthwork, the potential exists for substantial increases in soil erosion and sediment transport that have the potential to affect water quality from runoff. Construction would also involve activities that would generate new sources of pollutants on-site, such as pesticides, fertilizers, oils, grease, lubricants, and sediment in urban runoff. New impervious surfaces, including roads and parking lots, collect automobile derived pollutants such as oils, greases, heavy metals, and rubber. During storm events, these pollutants would be transported into the proposed stormwater management system by surface runoff. An increase in point source and nonpoint source pollution could result from increases in development intensity that may directly impact water quality specific to site drainage patterns. Accordingly, disturbed soils, sedimentation, and contaminants that are mobilized by water flow may ultimately be conveyed through existing drainages and culverts to Nipomo Creek.

The DRSP includes development standards to address the unique aspects of the project area, which include minimization of mass grading in areas of the site that contain slopes and attention to reducing erosion and sedimentation. Furthermore, as part of the permitting and approval of individual uses proposed by the project, future phases involving the disturbance of 1 acre or more would be required to develop and implement a SWPPP in accordance with the Construction General Permit (as described in Section 4.10.2, *Regulatory Setting*). Future development proposals disturbing less than 1 acre would

likely still require a SWPPP, as they are part of a large common plan of development, as described in LUO Section 22.52.130, Stormwater Pollution Prevention Plan (SWPPP) Required.

The SWPPP would include a grading plan, a drainage plan, an erosion and sedimentation control plan, pollutant sources, BMP identification, and post-construction stormwater management. The SWPPP shall include a description of potential sources of pollutants, including pollutants originating from off-site, which may flow across or through areas of construction. The SWPPP must specify the location, type, and maintenance requirements for BMPs necessary to prevent stormwater runoff from carrying construction-related pollutants into nearby receiving waters (in this case, Nipomo Creek). BMPs must be implemented to address the potential release of fuels, oil, and/or lubricants from construction vehicles and equipment (e.g., drip pans, secondary containment, washing stations); release of sediment from material stockpiles and other construction-related excavations (e.g., sediment barriers, soil binders); and other construction-related activities with the potential to adversely affect water quality. The number, type, location, and maintenance requirements of BMPs to be implemented as part of the SWPPP depend on site-specific risk factors, such as soil erosivity factors, construction season/duration, and receiving water sensitivity.

An Erosion and Sedimentation Control Plan would be included with the SWPPP. The Erosion and Sediment Control Plan would include a description of the BMPs to reduce the tracking of sediment onto public or private roads at all times. The Erosion and Sediment Control Plan must also contain erosion and sediment controls, soil stabilization, dewatering, source controls, and pollution prevention measures per the California Stormwater Quality Association Best Management Practices Handbook and must describe the rationale used to select BMPs.

Compliance with the requirements of the Central Coast RWQCB requirements (CWA NPDES Program and Porter-Cologne Act WDRs), Construction General Permit, the DRSP development standards, and Sections 19.11 and 19.12 of the County Code are sufficient to address the potential for buildout under the DRSP to violate water quality standards or WDRs. As existing regulatory requirements are sufficient to avoid water quality degradation, meet water quality standards, and prevent adverse effects on beneficial uses, the construction-related impact of the project on water quality would be *less than significant*.

OPERATION

The project includes a comprehensive stormwater management system with three distinct drainage subbasin areas or watersheds. These three watersheds are further separated into 22 corresponding DMAs and clustered according to their overall project site watershed (A, B, or C). The Stormwater Control Plan (RRM Design Group 2022) analyzed the existing peak flow for each DMA during the 2-, 5-, 10-, 25-, 50-, and 100-year storms. As outlined in Table 4.10-2 and Figure 4.10-2, each DMA development area would be required to collect and manage its own stormwater within the individual DRSP neighborhoods and commercial use areas (EIR Appendix H). All stormwater basins would be designed to meet County Public Improvement Standards. Each subsystem of basins would be sized to accommodate the remaining runoff produced by the additional impervious areas within each respective DMA and neighborhood development, consistent with PCR 2 Water Quality Treatment below.

Neighborhood and internal road sections would be designed to also include roadside LID areas to treat and mitigate runoff. All construction of backbone roadways (separated into DMAs 1 through 11) would drain into on-site bioswales (SCM 5) and would be treated in accordance with PCR 2 Water Quality Treatment. Inlets and/or catch basins would also be integrated within these areas for larger storm event overflow. Storm drain inlets/culverts would be added and spaced appropriately to collect and convey large storm event overflow runoff towards proposed downstream basins. Some existing off-site areas drain towards and onto the DRSP site as run-on. The associated flows from these areas would be collected in swales and/or storm drain culverts along the perimeter of the Specific Plan Area, conveyed around the proposed neighborhoods, and considered as bypass during the development of the project improvements.

Overflow structures, culverts, weirs, or other devices would be added and sized to meet discharge flows for both the County requirements and the Central Coast RWQCB post-construction stormwater requirements.

As shown in Figures 4.10-2 and 4.10-3, there are four proposed 8-foot maximum ponded depth stormwater basins located at the northeast, southwest, and west/northwest corners of the project area. In addition, multiple shallow, 2-foot maximum ponded depth stormwater basins are proposed throughout the eastern half of the project area. Storm drain inlets/culverts would also be added to connect subsystems of basins where appropriate. Each development area within the project area would be responsible for designing and incorporating its own stormwater treatment infrastructure within the individual DRSP neighborhoods and/or commercial area.

The project would be subject to Central Coast RWQCB post-construction stormwater management requirements (PCRs), in accordance with the Post-Construction Stormwater Management Resolution R3-2013-0032 and the current edition of the County's LID Handbook.

- **PCR 1: Site Design and Runoff Reduction.** Low-impact design measures, minimizing impervious surfaces, and limiting of native grading and vegetation.
- **PCR 2: Water Quality Treatment.** Onsite stormwater treatment will be achieved through biofiltration and low impact development systems designed to retain stormwater runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event, based on San Luis Obispo County rainfall data. See Table 4.10-2, *Summary Table of Stormwater Mitigation*, for basin and swale details.
- **PCR 3: Runoff Retention.** In WMZ 1, the 95th percentile rainfall event is to be retained and stored in on-site retention basins, as defined in Table 4.10-2. Rainfall data is from San Luis Obispo County data.
- **PCR: 4 Peak Management.** State requirements of post-development flows not exceeding pre-development 2- through 10-year storms are not applied to this project; instead, peak flow management shall be detained on-site per County standards. Post-development 50-year peak flows, discharged from the site, shall not exceed pre-project 2-year peak flows. San Luis Obispo County rainfall data will be used to calculate these values, see the Drainage Report for descriptions and calculations.

The inclusion of the Central Coast RWQCB post-construction stormwater management requirements (PCRs) and operational source control BMPs would guide development of the project to manage stormwater runoff consistent with County and Central Coast RWQCB requirements and reduce potential impacts to *less than significant*.

HYD Impact 1 (Class III)
The project could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
Mitigation Measures
Mitigation is not necessary.
Residual Impacts
Based on required compliance with state and local water quality protection requirements, residual impacts related to water quality standards or waste discharge requirements would be less than significant (Class III).

Off-Site Improvements

HYD Impact 2: Off-site improvements could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant with mitigation (Class II).

As detailed above, future development within the Specific Plan Area would include erosion control measures to be implemented during construction activities. Proper implementation and maintenance of the BMPs would ensure that proposed off-site transportation and NCSD wastewater system improvements minimize erosion and sedimentation associated with disturbed soils and prevents the inadvertent transport and/or release of contaminants that could impact surrounding water resources. Proposed off-site water system improvements would include work near sensitive areas, including drainages and Nipomo Creek. Given the proximity to these drainages and Nipomo Creek, construction activities could result in potential biological and water quality impacts. However, Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 have been included to minimize the potential for substantial pollutant runoff into identified sensitive areas. Upon implementation of the identified mitigation measures and compliance with the project SWPPP (if required), County General Plan, and LUO standards, impacts related to water quality would be *less than significant with mitigation*.

HYD Impact 2 (Class II)
Off-site improvements could violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
Mitigation Measures
Implement Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3.
Residual Impacts
With implementation of Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 and required compliance with existing requirements, residual impacts related to water quality standards or waste discharge requirements would be less than significant (Class II).

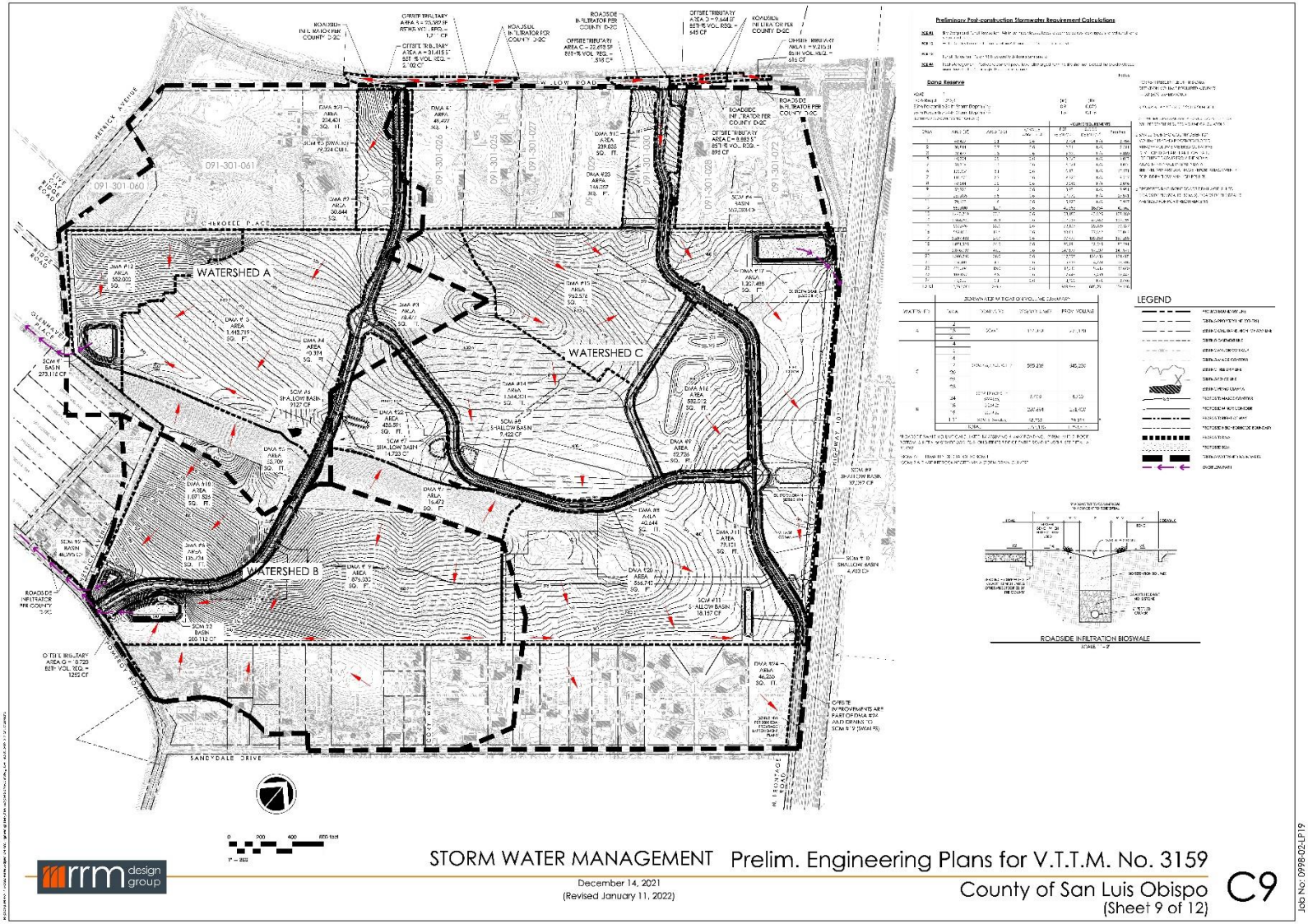

Figure 4.10-2. Proposed Stormwater Drainage Management Areas.

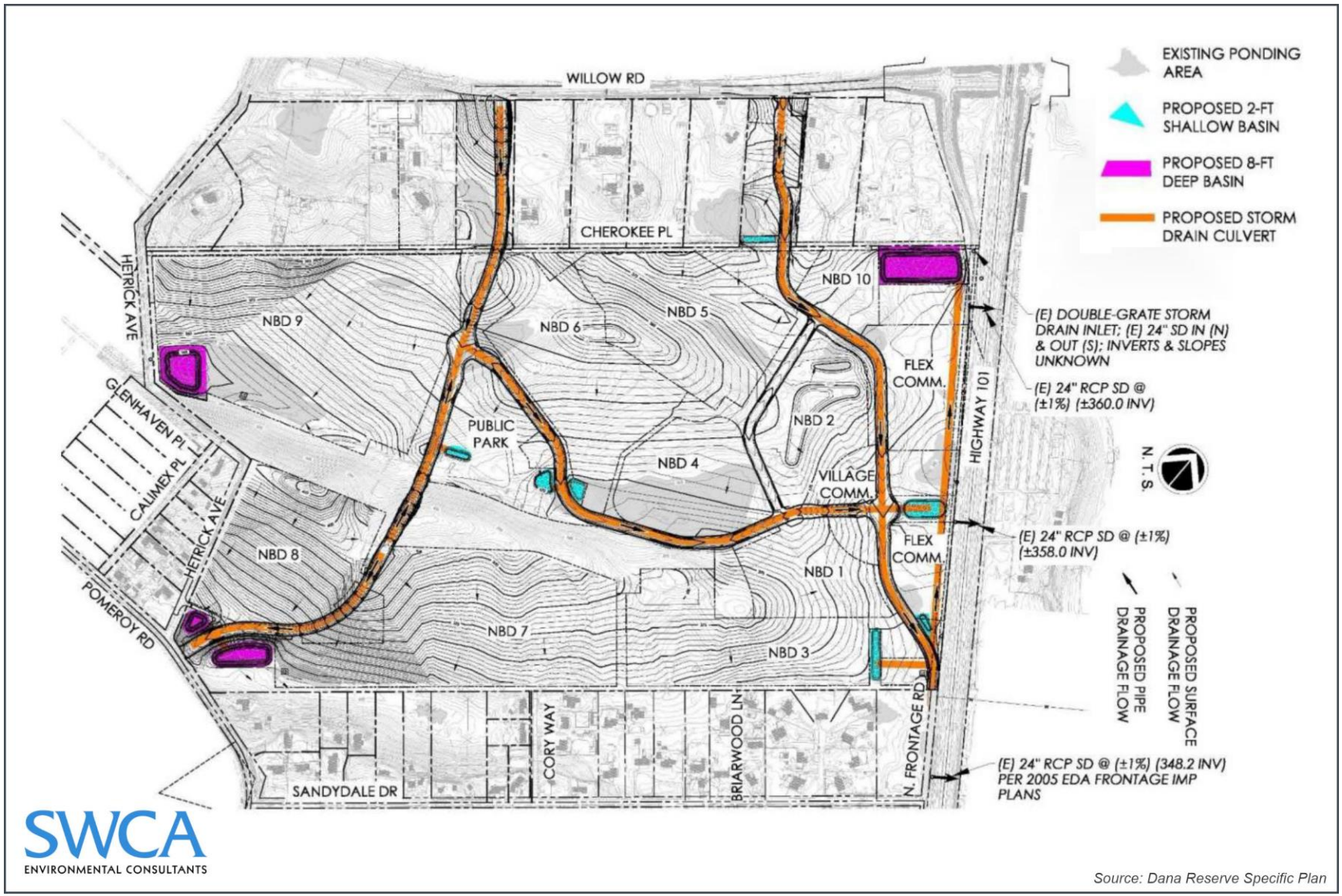

Figure 4.10-3. Proposed Stormwater Management Facilities.

WOULD THE PROJECT SUBSTANTIALLY DECREASE GROUNDWATER SUPPLIES OR INTERFERE SUBSTANTIALLY WITH GROUNDWATER RECHARGE SUCH THAT THE PROJECT MAY IMPEDE SUSTAINABLE GROUNDWATER MANAGEMENT OF THE BASIN?

Specific Plan Area

HYD Impact 3: The project could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant (Class III).

GROUNDWATER RECHARGE

The project would develop approximately 216 of the 288-acre Specific Plan Area. The remaining 49.8 acres, or 17.3% of the Specific Plan Area, would be designated for Open Space uses, including undeveloped open space, public trails, and stormwater drainage basins. As noted in the Geotechnical Feasibility Report (Earth Systems Pacific 2017), the project area is underlain by bedrock and there is no groundwater present in the upper approximately 50 feet of soil. Groundwater recharge from Nipomo Creek may occur through the surrounding shallow alluvial deposits, but minimal subsurface inflow into the NMMA area occurs from the bedrock underlying the creek and project area (NMMA Technical Group 2021).

There would be a loss of basin-wide percolation and groundwater recharge due to the significant increase in impervious surfaces. Neighborhood and internal road sections would be designed to also include roadside LID areas to treat and mitigate stormwater runoff. These open spaces between areas of proposed development, inlets, and/or catch basins would be integrated within these areas for larger storm event overflow and encourage infiltration into the ground. This design would allow for project impacts related to groundwater to be offset by implementation of project BMPs and the Central Coast RWQCB PCRs to manage stormwater on-site. In addition, wastewater generated by the project would be treated at the Southland Wastewater Treatment Facility and made available for groundwater recharge in the management area. Therefore, even though the project would increase impervious surfaces, the project would not adversely affect groundwater recharge.

GROUNDWATER SUPPLY

The land uses within the Specific Plan Area would not pump groundwater. Domestic water ~~and wastewater~~ to serve the project area and wastewater service would be provided by NCSD through an annexation into the NCSD ~~service area~~. The NCSD relies on water from the NSWP and groundwater as its two primary water sources (MKN 2022). The NMMA currently receives a minimum annual delivery volume of 1,000 ~~2,500~~ AFY from the NSWP (an amount that will increase to a minimum of 2,500 AFY in 2025), which is then distributed to water purveyors within the NMMA, including the NCSD. In addition, the NCSD has rights to ~~reserved~~ an additional 500 AFY of supply water for infill development within the NCSD boundaries. The Wholesale Water Supply Agreement (2013) also contains a provision that allows the NCSD to request an additional 3,200 AFY of water for development.

The annual water demand for the project is approximately 387 AFY. The WSA completed for the proposed project (Rick Sweet and RRM Design Group 2021) notes that available water to serve the areas outside NCSD boundaries ranges from 538 AFY to 1,205 AFY. Assuming the unallocated water to serve areas outside the present NCSD boundary is the conservative value of 538 AFY per year, then there is more than sufficient water available to meet or exceed the needs of the project.

Impacts to the hydrologic conditions of groundwater resources and the groundwater level of the Santa Maria Basin would be *less than significant*. Impacts associated with the availability of an adequate water supply are addressed in Section 4.19, *Utilities and Service Systems*.

HYD Impact 3 (Class III)
The project could substantially decrease groundwater supplies or interfere with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
Mitigation Measures
Mitigation is not necessary.
Residual Impacts
Based on required compliance with existing regulations, residual impacts related to groundwater recharge and groundwater supply would be less than significant (Class III).

Off-Site Improvements

HYD Impact 4: Off-site improvements could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. Impacts would be less than significant (Class III).

The proposed off-site improvements are anticipated to be located within previously developed roadways and other disturbed areas. These improvements would not substantially increase paved or impervious surfaces. Each of the improvements would incorporate design standards that encourage infiltration of stormwater. Therefore, the off-site improvements would have a less-than-significant impact related to the depletion of groundwater supplies and groundwater recharge.

HYD Impact 4 (Class III)
Off-site improvements could substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
Mitigation Measures
Mitigation is not necessary.
Residual Impacts
Based on required compliance with existing regulations, residual impacts related to groundwater recharge and groundwater supply would be less than significant (Class III).

WOULD THE PROJECT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCREASING THROUGH THE ALTERATION OF THE COURSE OF A STREAM OR RIVER OR THROUGH THE ADDITION OF IMPERVIOUS SURFACES, IN A MANNER WHICH WOULD:

I. RESULT IN SUBSTANITAL EROSION OR SILTATION ON- OR OFF-SITE?

II. SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN A MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFFSITE?

III. CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTNG OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?

IV. IMPEDE OR REDIRECT FLOOD FLOWS?

Specific Plan Area

HYD Impact 5: The project could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. Impacts would be less than significant (Class III).

The proposed project would substantially alter the existing drainage pattern located on the project site; however, this would not involve the alteration of an existing surface water resource such as a stream or river. As discussed above and shown in Figure 4.10-1, the project area does not have any mapped or defined watercourses or wetlands. The existing topography of the project site creates three distinct drainage subbasin areas. The project would utilize this existing topography, and overall grading and drainage for the site has been designed to maintain the historic drainage patterns to the maximum extent feasible, with integration of water quality and drainage facilities to meet or exceed Post-Construction Stormwater Management Requirements. Proposed stormwater basins in each drainage area would be rough graded to create the basin shape, bottom, and top bench. Relatively flat sloped areas would be created for each adjacent commercial and multi-family areas, as well as in the residential neighborhoods, to direct stormwater runoff to these proposed basins, as shown in Table 4.10-2. Consistent with County Code Title 22 and Chapter 19.12, Grading and Excavation, each phase of project development would require a comprehensive drainage plan to demonstrate stormwater runoff is conveyed in a non-erosive manner in accordance with the RWQCB stormwater requirements and County Public Improvement Standards.

With adequate implementation and maintenance of SWPPPs, erosion and stormwater control plans, and drainage plans that would be required for any future development within the Specific Plan Area, the proposed project would not substantially alter the drainage pattern beyond the construction footprint and would not alter off-site drainage patterns. Impacts would be *less than significant*.

Table 4.10-2. Summary Table of Stormwater Mitigation

	Stormwater Mitigation Volume Summary			
Watershed	**DMA**	**Drains To**	**Required Volume (ft^3)**	**Provided Volume (ft^3)**
A	12	SCM 1	164,858	273,120
	13			
	21			
C	14	SCM 4, 6, 7, 8, 9, 10, 11*	595,209	645,250
	15			
	16			
	17			
	20			
	22			
	23			
	24	SCM 12 (off-site roadside swales)	3,466	4,710
B	18	SCM 2**	220,864	251,410
	19	SCM 3**		
	1–11	SCM 5 (bioswales)	68,739	79,324
Total			**1,086,134**	**1,249,104**

* SCMs 6-11 ultimately discharge to SCM 4

** SCMs 2 & 3 are interconnected via a storm drain culvert

HYD Impact 5 (Class III)
The project could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems.
Mitigation Measures
Mitigation is not necessary.
Residual Impacts
Based on required compliance with existing state and local requirements, residual impacts related to drainage would be less than significant (Class III).

Off-Site Improvements

HYD Impact 6: Off-site improvements could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems. Impacts would be less than significant with mitigation (Class II).

The off-site improvements would not alter the existing drainage patterns or involve the alteration of an existing surface water resource, such as a stream or river. These predominantly underground improvements would be within existing roadways, road shoulder areas, and/or existing disturbed NCSD facilities and would not cause a significant increase in impervious surfaces that would prevent surface water infiltration into the ground surface within the developed footprint or an significant increase in the stormwater runoff volume and rate compared to existing conditions, potentially causing erosion, increased peak flows, and other impacts to the existing drainage pattern at the site.

As discussed previously, development within the Specific Plan Area would be required to include the implementation of erosion control measures during construction, such as the installation of silt fencing and sediment rolls, hydroseeding and application of straw following seeding to stabilize soils, and storm drain inlet protection, including filter fabric or silt sacks installed around the inlet and on top of the storm drain grate and catch basin. In addition, Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 have been included to further minimize the potential for substantial pollutant runoff into identified sensitive areas. With implementation of the identified mitigation measures and adequate implementation and maintenance of the proposed erosion and sedimentation control and drainage plans, the proposed project would not substantially alter the drainage pattern beyond the construction footprint and would not alter off-site drainage patterns. Therefore, impacts would be *less than significant with mitigation*.

HYD Impact 6 (Class II)
Off-site improvements could substantially alter the existing drainage pattern of the site or increase surface water runoff in a manner that would result in substantial erosion or siltation, flooding, or an exceedance of stormwater drainage systems.
Mitigation Measures
Implement Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3.
Residual Impacts
With implementation of Mitigation Measures BIO/mm-17.1 through BIO/mm-17.3 and required compliance with existing state and local requirements, residual impacts related to drainage would be less than significant (Class II).

WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF A WATER QUALITY CONTROL PLAN OR SUSTAINABLE GROUNDWATER MANAGEMENT PLAN?

Specific Plan Area and Off-Site Improvements

HYD Impact 7: The project could conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts would be less than significant (Class III).

The Water Quality Control Plan for the Central Coastal Basin, prepared by the Central Coast RWQCB, designates beneficial uses and establishes objectives and implementation actions for the quality of surface water and groundwater in the region. As discussed under HYD Impact 1, stormwater quality during construction and operation of the project would generally be controlled through compliance with the existing stormwater control regulations, including County Code Chapter 19.11, Stormwater Management; the Construction General Permit; and DRSP development standards. Further, the use of LID techniques would control stormwater and prevent contamination to surface water resources. Therefore, compliance with existing regulatory requirements, particularly NPDES permit requirements, would minimize the potential for projects developed within the Specific Plan Area to conflict with the Water Quality Control Plan. This impact would be less than significant.

The Specific Plan Area and off-site improvements lie within an adjudicated portion of the Santa Maria Basin that is not subject to the SGMA, provided that certain requirements are met (California Water Code Section 10720.8) and does not have a sustainable groundwater management plan in place, but rather is subject to management by the NMMA. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and impacts would be *less than significant*.

HYD Impact 7 (Class III)
The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.
Mitigation Measures
Mitigation is not necessary.
Residual Impacts
Based on required compliance with existing regulatory requirements, residual impacts related to conflict with a water quality control plan or sustainable groundwater management plan would be less than significant (Class III).

IN FLOOD HAZARD, TSUNAMI, OR SEICHE ZONES, WOULD THE PROJECT RISK RELEASE OF POLLUTANTS DUE TO PROJECT INUNDATION?

Specific Plan Area

As previously stated, the Specific Plan area is not located in an area that would be subject to seiche, tsunami, or mudflow and is not located within a Special Flood Hazard Zone (FEMA 2012; County of San Luis Obispo 2019). Therefore, project components within the Specific Plan area would not be subject to pollutant release due to project inundation and, *no impacts* would occur.

Off-Site Improvements

HYD Impact 8: Off-site improvements would not risk the release of pollutants due to project inundation. Impacts would be less than significant (Class III).

As discussed in Section 4.10.1.4.3, *Flood Conditions*, portions of the off-site improvement areas are located within special flood hazard areas subject to inundation by the 100-year flood, Zone A and Zone AE (FEMA 2012). These are limited to areas surrounding Nipomo Creek and additional drainages along Tefft Road. Proposed off-site improvements within the flood hazard areas would be limited to the water and wastewater improvements to NCSD infrastructure. There are no structures or habitable buildings proposed for construction within the 100-year flood zone.

Introduction of construction activities within the Nipomo Creek and associated flood hazard areas could result in risk of release of pollutants such as oil, pesticides, herbicides, sediment, trash, bacteria, and metals during a flood event. Accordingly, disturbed soils, sedimentation, and contaminants that are mobilized by water flow through Nipomo Creek may ultimately be conveyed to the Pacific Ocean. Construction activities related to the off-site improvements would be limited in nature, within the public ROW, and located within previously disturbed areas.

The off-site improvements would be subject to a Building Permit review by the County Public Works Department for potential drainage or flood hazards. In addition, as previously discussed, the future development within the Specific Plan Area would be required to provide a drainage plan that includes all information outlined in County Code Section 23.07.064, Flood Hazard Area Permit and Processing Requirements. In addition, the off-site improvements would be constructed consistent with County Code Section 23.07.066, Construction Standards. Both the water supply and wastewater service systems would be designed to minimize infiltration of flood waters into the system, discharge from systems into flood waters, or impairment or contamination during flooding.

Furthermore, the project would be subject to the Central Coast RWQCB's Post Construction Requirements and NPDES discharge permits. Upon compliance with the DRSP development standards, the County's Engineering Standards, General Plan, and County Ordinance requirements, impacts related to water quality would be *less than significant.*

HYD Impact 7 (Class III)
Off-site improvements would not risk the release of pollutants due to project inundation.
Mitigation Measures
Mitigation is not necessary.
Residual Impacts
Based on required compliance with existing regulatory requirements, impacts related to release of pollutants due to project inundation would be less than significant (Class III).

4.10.6 Cumulative Impacts

HYD Impact 9: The project would not result in a cumulatively considerable impact to hydrology and water quality. Impacts would be less than cumulatively considerable and less than significant (Class III).

Cumulative development would result in a change from undeveloped to urban pollutant discharge to surface water runoff and groundwater percolation. Construction activities could also result in the pollution of natural watercourses or underground aquifers. The types of pollutant discharges that could occur as a result of construction include accidental spillage of fuel and lubricants, discharge of excess concrete, and an increase in sediment runoff. Storm runoff concentrations of oil, grease, heavy metals, and debris increases as the amount of urban development increases in the watershed. However, when properly implemented, water quality requirements of the Central Coast RWQCB and the County would mitigate any adverse impacts resulting from new development within the Specific Plan Area. Therefore, the proposed project, in conjunction with pending cumulative development, would not significantly increase the concentration of urban pollutants in surface runoff or groundwater. Polluted runoff that may be generated during construction activities of cumulative development and projects considered in this analysis would be regulated by the SWRCB under NPDES Construction General Permits and would be minimized using standard construction BMPs. Cumulative impacts would therefore be less than significant for Hydrology and Water Quality. With adherence to these regulatory standards, the cumulative contribution from the project would be *less than cumulatively considerable* and *less than significant*.

HYD Impact 9 (Class III)
The project would not result in a cumulatively considerable impact to hydrology and water quality.
Mitigation Measures
Mitigation is not necessary.
Residual Impacts
Cumulative impacts would be avoided through compliance with identified project-specific mitigation and existing state and local regulatory requirements; no additional mitigation is needed to avoid or minimize potential cumulative impacts. Therefore, residual impacts would be less than significant (Class III).