



Legislation Details (With Text)

File #: 13-00293 **Version:** 2
Type: Agenda Item **Status:** Passed
File created: **In control:** BOARD OF SUPERVISORS
On agenda: 5/7/2013 **Final action:** 5/7/2013
Title: Acting as the Board of Directors, Flood Control and Water Conservation District:

Consider recommendations regarding a License Agreement with the Nipomo Community Services District for the Waterline Intertie Project, Fifth District, as follows:

a) Certify that the Board, acting as a Responsible Agency, has considered the environmental effects of the 2009 Final Environmental Impact Report (FEIR) for the Nipomo Community Services District Waterline Intertie Project, SCH No. 2005071114, and the Addendum to that EIR dated April 25, 2012, pursuant to the California Environmental Quality Act (CEQA) Section 15096(f);

b) Certify that the Board, acting as a Responsible Agency, has reviewed and considered the information contained in the 2009 FEIR for the Nipomo Community Services District Waterline Intertie Project, and the Addendum dated April 25, 2012, and adopt the CEQA Findings pursuant to CEQA Section 15091 as required by Section 15096(h);

c) Approve and authorize the Chair to execute the License Agreement with the Nipomo Community Services District for the Waterline Intertie Project that crosses the Santa Maria River Levee; and

d) After considering the Final Environmental Impact Report (FEIR) that the Nipomo Community Services District's Board of Directors certified on April 22, 2009, and the Addendum to that FEIR that the Nipomo Community Services District's Board of Directors received and considered on April 25, 2012, determine pursuant to CEQA guidelines section 15162(a) that no subsequent EIR or Negative Declaration is required for this project because of the following: 1) No substantial changes are proposed in the project which require major revisions of the 2009 Final EIR; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2009 Final EIR; and 3) No new information of substantial importance concerning the project's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final EIR was certified in 2009, has been received.

Sponsors: PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSER

Indexes:

Code sections:

Attachments: 1. Board Letter - 4/16/2013, 2. Nipomo Community Serv CEQA 2013, 3. License Agreement, 4. 2011 ADDENDUM EIR, 5. Board Letter - 5/7/2013, 6. Nipomo EIR Addendum, 7. Nipomo CEQA Findings May 2013, 8. Final Executed Agreement

Date	Ver.	Action By	Action	Result
5/7/2013	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
4/16/2013	1	BOARD OF SUPERVISORS	Continued, as follows:	Pass

Acting as the Board of Directors, Flood Control and Water Conservation District:

Consider recommendations regarding a License Agreement with the Nipomo Community Services District for the

Waterline Intertie Project, Fifth District, as follows:

- a) Certify that the Board, acting as a Responsible Agency, has considered the environmental effects of the 2009 Final Environmental Impact Report (FEIR) for the Nipomo Community Services District Waterline Intertie Project, SCH No. 2005071114, and the Addendum to that EIR dated April 25, 2012, pursuant to the California Environmental Quality Act (CEQA) Section 15096(f);
- b) Certify that the Board, acting as a Responsible Agency, has reviewed and considered the information contained in the 2009 FEIR for the Nipomo Community Services District Waterline Intertie Project, and the Addendum dated April 25, 2012, and adopt the CEQA Findings pursuant to CEQA Section 15091 as required by Section 15096(h);
- c) Approve and authorize the Chair to execute the License Agreement with the Nipomo Community Services District for the Waterline Intertie Project that crosses the Santa Maria River Levee; and
- d) After considering the Final Environmental Impact Report (FEIR) that the Nipomo Community Services District's Board of Directors certified on April 22, 2009, and the Addendum to that FEIR that the Nipomo Community Services District's Board of Directors received and considered on April 25, 2012, determine pursuant to CEQA guidelines section 15162(a) that no subsequent EIR or Negative Declaration is required for this project because of the following: 1) No substantial changes are proposed in the project which require major revisions of the 2009 Final EIR; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2009 Final EIR; and 3) No new information of substantial importance concerning the project's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final EIR was certified in 2009, has been received.