

VOLUME III: FINAL EIR (SEPT. 2015)



Pure Water Monterey
A Groundwater Replenishment Project

CONSOLIDATED FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PURE WATER MONTEREY GROUNDWATER REPLENISHMENT PROJECT



JANUARY 2016

Prepared for:

Monterey Regional Water Pollution Control Agency
in partnership with
Monterey Peninsula Water Management District



Prepared by:

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**Pure Water Monterey Groundwater
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September 25, 2015

(SCH#2013051094)

Prepared for:
MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY

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BB	Future RUWAP Urban Recycled Water Irrigation Water Use and Implications for CSIP Yields
CC	Fish Passage Analysis, Reclamation Ditch at San Jon Road and Gabilan Creek at Laurel Road
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CHAPTER 1 INTRODUCTION TO THE FINAL EIR

1.1 BACKGROUND

In April 2015, the Monterey Regional Water Pollution Control Agency (MRWPCA), as Lead Agency, circulated a Draft Environmental Impact Report (Draft EIR or DEIR) prepared under the California Environmental Quality Act (CEQA), Public Resources Code §21000 et seq. The Draft EIR was prepared to provide the public and responsible and trustee agencies with information on the potential environmental effects of implementation of the Pure Water Monterey Groundwater Replenishment Project (Proposed Project or GWR Project). The Draft EIR was circulated for a 45-day public review period, between April 22 and June 5, 2015.

As Lead Agency, MRWPCA has prepared this document pursuant to CEQA Guidelines Section 15132 which specifies the following requirements for a Final EIR:

“The Final EIR shall consist of:

- a) The Draft EIR or a revision of the draft.
- b) Comments and recommendations received on the Draft EIR either verbatim or in summary.
- c) A list of persons, organizations, and public agencies commenting on the Draft EIR.
- d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.
- e) Any other information added by the Lead Agency.”

This Final EIR contains a list of the comments submitted on the Draft EIR, copies of the comment letters received on the Draft EIR during the public review period, responses to the environmental points raised in those comments, and revisions to the Draft EIR made as a result of the public review process. This document, together with the Draft EIR, constitute the Final Environmental Impact Report for the Pure Water Monterey Groundwater Replenishment Project.

1.2 PROJECT OVERVIEW

The Proposed Pure Water Monterey Groundwater Replenishment Project is a water supply project that would serve northern Monterey County. The Proposed Project would provide: 1) purified recycled water for recharge of a groundwater basin that serves as drinking water supply; and 2) recycled water to augment the existing Castroville Seawater Intrusion Project's agricultural irrigation supply.

- *Replenishment of the Seaside Groundwater Basin.* The project would enable California American Water Company (CalAm) to reduce its diversions from the Carmel River system by up to 3,500 acre-feet per year by injecting the same amount of purified recycled water into the Seaside Basin. The purified recycled water would be produced at a new facility at the MRWPCA Regional Wastewater Treatment Plant (Regional Treatment Plant) and would be conveyed to and injected into the Seaside Groundwater Basin via a new pipeline and new well facilities. The injected water would then mix with the existing groundwater and be stored for future urban use by CalAm, thus enabling a reduction in Carmel River system diversions by the same amount.
- *Additional recycled water for agricultural irrigation in northern Salinas Valley.* An existing water recycling facility at the Regional Treatment Plant (the Salinas Valley Reclamation Plant) would be provided additional source waters in order to provide additional recycled

water for use in the Castroville Seawater Intrusion Project's agricultural irrigation system. It is anticipated that in normal and wet years approximately 4,500 to 4,750 acre-feet per year of additional recycled water supply could be created for agricultural irrigation purposes. In drought conditions, the Proposed Project could provide up to 5,900 acre feet per year for crop irrigation.

The Proposed Project would also include a drought reserve component to support use of the new supply for crop irrigation during dry years. The project would provide an additional 200 acre-feet per year of purified recycled water that would be injected in the Seaside Basin in wet and normal years for up to five consecutive years. This would result in a "banked" drought reserve totaling up to 1,000 acre feet. During dry years, the project would provide less than 3,500 acre feet of water to the Seaside Basin; however, CalAm would be able to extract the banked water to make up the difference to its supplies, such that its extractions and deliveries would not fall below 3,500 acre-feet per year. The source waters that are not sent to the advanced treatment facility during dry years would be sent to the Salinas Valley Reclamation Plant to increase supplies for the Castroville Seawater Intrusion Project.

The Proposed Project components include: conveyance of five potential types of source water to the Regional Treatment Plant for treatment; a new Advanced Water Treatment (AWT) Facility and other improvements to the Regional Treatment Plant; treated water conveyance system, including pipelines and booster pump stations; groundwater injection wells; and potable water distribution system improvements. Construction of the project is anticipated to require approximately 18 months, plus three months of testing and start-up. MRWPCA is evaluating the use of alternative construction approaches, such as design-build, to expedite the construction schedule.

The new source waters would supplement the existing incoming wastewater flows, and would include the following: 1) water from the City of Salinas agricultural wash water system, 2) stormwater flows from the southern part of Salinas and the Lake El Estero facility in Monterey, 3) surface water and agricultural tile drain water that is captured in the Reclamation Ditch and Tembladero Slough, and 4) surface water and agricultural tile drain water that flows in the Blanco Drain. Most of these new source waters would be combined within the existing wastewater collection system before arriving at the Regional Treatment Plant; water from Blanco Drain would be conveyed directly to the Regional Treatment Plant.

The Proposed Project would require modifications to existing facilities and construction of new physical facilities, briefly listed below.

- *Source water diversion and storage.* New facilities would be required to divert and convey the new source waters through the existing municipal wastewater collection system and to the Regional Treatment Plant.
- *Treatment facilities at the Regional Treatment Plant.* A new advanced water treatment facility would be constructed at the Regional Treatment Plant site. This facility would include a state-of-the-art treatment system that uses multiple membrane barriers to purify the water, product water stabilization to prevent pipe corrosion due to water purity, a pump station, and a brine and wastewater mixing facility. There would also be modifications to the existing Salinas Valley Reclamation Plant to optimize and enhance the delivery of recycled water to growers.
- *Product water conveyance.* A new pipeline, a pump station and appurtenant facilities would be constructed to transport the purified recycled (product) water from the Regional Treatment Plant to the Seaside Groundwater Basin for injection.
- *Injection well facilities.* The injection facilities would include new wells (in the shallow and deep aquifers), back-flush facilities, pipelines, electricity/power distribution facilities, and electrical/motor control buildings.
- *Distribution of groundwater from Seaside Basin.* CalAm water distribution system improvements would be needed to deliver the extracted groundwater to CalAm customers.

1.3 PUBLIC REVIEW OF DRAFT EIR

CEQA Guidelines Section 15087(a) requires that a Notice of Availability (NOA) of a Draft EIR be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing. Section 15087(a) also requires that in addition to the above notifications, at least one of the following procedures be implemented:

- Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed Project;
- Posting of notice by the public agency on and off the site in the area where the Project is to be located; or
- Direct mailing to the owners and occupants of property contiguous to the parcel or parcels on which the Project is located.

Section 15087(d) requires the NOA be posted for at least 30 days in the office of the county clerk of each county in which the project will be located. Section 15087(f) requires that an NOA be sent to state agencies through the State Clearinghouse. Section 15087(g) states that lead agencies should place copies of the Draft EIR in public libraries. The method by which these requirements were satisfied is provided below:

- On April 21, 2015, the NOA and Notice of Completion were sent to the State Clearinghouse/Governor's Office of Planning and Research, along with electronic copies of the Draft EIR. In addition, MRWPCA distributed the NOA for the Draft EIR to approximately 800 interested responsible and trustee agencies, interested groups, organizations, and individuals. The distribution list included all parties that commented on the Notice of Preparation (NOP) and all parties that contacted MRWPCA requesting to be notified about the project.
- The NOA was published in two newspapers, the Monterey County Herald and the Salinas Californian, on April 23, 2015.
- A hard copy of the Draft EIR was made available for review during normal business hours at the MRWPCA Administrative Office, 5 Harris Court, Bldg. D, Monterey, CA 93940 and at the MPWMD Offices, 5 Harris Court, Bldg. G, Monterey, CA 93940. The Draft EIR was available online at the GWR Project website at: www.purewatermonterey.org. The Draft EIR was also available at the following libraries: Seaside Public Library, Marina Public Library, Salinas Public Libraries, Castroville Public Library, Monterey Public Library, Carmel Valley Public Library, and Harrison Memorial Library (Carmel).
- On April 22, 2015, MRWPCA posted the NOA at the following locations: the Regional Treatment Plant, the MRWPCA and MPWMD offices, and near the Injection Well Facilities site at the corner of General Jim Moore Boulevard and Eucalyptus Avenue.

MRWPCA held two public meetings during the Draft EIR review period to inform the public of the content of the Draft EIR and CEQA process and to provide an opportunity for the public to ask questions and to submit comments. The first meeting was held on May 20, 2015 from 6:00 p.m. to 8:00 p.m. at the Oldemeyer Center (986 Hilby Avenue, Seaside, CA 93955). The second meeting was held on May 21, 2015 from 4:00 p.m. to 6:00 p.m. at Hartnell College, Room B-208 of the Student Services Building (411 Central Avenue, Salinas, CA 93901). Spanish translation was available, and both venues were accessible under the Americans with Disabilities (ADA). The NOA (described above) contained information about the meetings.

1.4 FINAL EIR CERTIFICATION

The MRWPCA Board of Directors will review and consider the Final EIR prior to taking an action on the Proposed Project. The Final EIR will be made available to agencies who provided comments on the Draft EIR a minimum of ten days prior to the Board's consideration of the Final EIR. If the Board finds that the Final EIR reflects the MRWPCA's independent judgment and has been prepared in accordance with CEQA and the CEQA Guidelines, the MRWPCA will certify the adequacy and completeness of the Final EIR. A decision to approve the project would be accompanied by written findings prepared in accordance with CEQA Guidelines Section 15091, and if applicable, Section 15093. For each significant effect identified in the Final EIR, the findings will describe whether the effect can be reduced to a less-than-significant level through feasible mitigation measures.

If in approving the Proposed Project, the MRWPCA adopts mitigation measures to reduce significant effects, it also will adopt a Mitigation Monitoring and Reporting Program (MMRP), as required by Section 15097 of the CEQA Guidelines. The MMRP describes how each of the mitigation measures will be implemented and provides a mechanism for monitoring and/or reporting on their implementation. If the MRWPCA approves the Proposed Project or an alternative with associated significant effects on the environment that cannot be feasibly avoided or reduced to less-than-significant levels, the MRWPCA must also adopt a Statement of Overriding Consideration that explains how the benefits of the project outweigh the significant unavoidable environmental effects, in accordance with Section 15093 of the CEQA Guidelines.

1.5 ORGANIZATION OF THE FINAL EIR

This Final EIR is organized into the following sections:

- **Chapter 1.0, Introduction to the Final EIR**, contains this introduction to the Final EIR, including a discussion of the background of the environmental review, a description of the contents of the Final EIR, a summary of the project decision-making process, and an introduction to the master responses.
- **Chapter 2.0, List of Comments**, contains a list of all written comments received on the Draft EIR.
- **Chapter 3.0, Master Responses to Comments**, contains master responses to common topics raised by the commenters.
- **Chapter 4.0, Comments and Responses on the Draft EIR** contains copies of all comment documents received on the Draft EIR, and responses to each identified comment within the comment documents.
- **Chapter 5.0, Changes to the Draft EIR**, contains revisions to the text of the Draft EIR made in response to the public review process.
- **Chapter 6.0, References and Persons Contacted**, contains a list of sources cited for the Final EIR and persons contacted.
- **Chapter 7.0, Report Preparers**, contains a list of agencies and consultants and their staff that assisted with preparation of this Final EIR.

Appendices, including the following:

The following appendices from the Draft EIR have been revised and replaced in this Final EIR:

Appendix B-Revised Proposed Source Water Availability, Yield, and Use

Appendix C-Revised Amended Water Rights Analysis

The following new appendices have been added in this Final EIR:

Appendix AA	Salinity Impacts to Elkhorn Slough resulting from Surface Water Diversions for the Pure Water Monterey Groundwater Replenishment Project
Appendix BB	Future RUWAP Urban Recycled Water Irrigation Water Use and Implications for CSIP Yields
Appendix CC	Fish Passage Analysis, Reclamation Ditch at San Jon Road and Gabilan Creek at Laurel Road
Appendix DD	Consideration of Water Right Application 32263 in the Pure Water Monterey Project EIR
Appendix EE	Resumes and Qualifications from Key EIR Technical Contributors

1.6 MASTER RESPONSE TO COMMENTS

Chapter 3 of this document contains master responses that address some common topics raised by the commenters. The intent of a master response is to provide a comprehensive response to an issue so that multiple aspects of the issue can be addressed in a coordinated, organized manner in one location. This ensures that each topic is thoroughly addressed and reduces repetition of responses. Responses to individual comments cross-reference the appropriate master response when the comment is pertinent to the master response.

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CHAPTER 2 LIST OF COMMENTS

2.1 INTRODUCTION

This section provides the list of comments on the Draft EIR in accordance with CEQA Guidelines Section 15088. A total of 26 comment letters were received on the Draft EIR during the 45-day public review period, including two comment cards that were received at the May 20, 2015 public meeting (these comments are identified by an asterisk * in the list below). Three additional letters from agencies were received after the close of the 45-day review period and are also included on the list and responded to in this Final EIR.

2.2 LIST OF COMMENTS

Table 2-A, below, identifies the comment letters received on the Draft EIR for the Proposed Project. Each of the comment letters has been assigned a letter designation or identifier (ID); this letter designation corresponds to the organization of Chapter 4 of the Final EIR, which includes copies of the comments and responses to identified comments.

Table 2-A
List of Comments

Comment Letter ID	Agency/Organization (if applicable)	Date Written	Author
Federal and State Agencies			
A	California Office of Planning and Research	6/8/2015	Scott Morgan
B	California Department of Transportation	5/20/2015	John J. Olejnik
C	State Water Resources Control Board	6/4/2015	Justine Herrig
D	California State Lands Commission	6/5/2015	Cy R. Oggins
E	National Oceanic and Atmospheric Administration National Marine Fisheries Service	6/3/2015	Alecia Van Atta
F	Central Coast Regional Water Quality Control Board	6/5/2015	Kenneth A. Harris Jr.
G	California Department of Fish and Wildlife	6/5/2015	Gerald Hatler
Regional and Local Agencies			
H	Marina Coast Water District	6/4/2015	Howard Gustafson
I	Monterey Peninsula Water Management District	6/4/2015	David J. Stoldt
J	City of Marina	6/5/2015	Layne Long
K*	City of Marina	5/20/2015	Farhad Montazavi
L	City of Seaside	6/5/2015	Diana Ingersoll
M	Monterey County Water Resources Agency	6/5/2015	Robert Johnson

Table 2-A
List of Comments

Comment Letter ID	Agency/Organization (if applicable)	Date Written	Author
N	Seaside Basin Watermaster	6/4/2015	Dewey D. Evans
O	City of Salinas	6/1/2015	Gary E. Petersen
P	City of Monterey	6/2/2015	Clyde Roberson
Organizations and Individuals			
Q	California American Water Company	6/5/2015	Ian Crooks
R	LandWatch Monterey County	5/20/2015	Amy L. White
S	Monterey County Farm Bureau	6/1/2015	Norman C. Groot
T	Salinas Valley Water Coalition	6/1/2015	Nancy Isakson
U	Water Ratepayers Association of the Monterey Peninsula	6/2/2015	Ron Weitzman
V	Surfrider Foundation	6/5/2015	Staley Prom
W	Fort Ord Community Advisory Group	6/5/2015	Mike Weaver
X	The Otter Project	6/5/2015	Steve Shimek
Y	Individual	4/28/2015	Michelle Long
Z*	Individual	5/20/2015	Peter B. Kaiser
Comments Received After the Close of the Public Review Period			
AA	California Coastal Commission	6/8/2015	Mike Watson
BB	California Office of Planning and Research	6/26/2015	Scott Morgan
CC	State Water Resources Control Board	6/22/2015	Susan L. Stewart
* = These comments were in the form of comment cards that were received at the May 20, 2015 public meeting.			

CHAPTER 3 MASTER RESPONSES TO COMMENTS

The master responses in this chapter address comments related to topics that are common to several comment letters. The intent of a master response is to provide a comprehensive response to a topic in a coordinated, organized manner in one location that clarifies and elaborates on the analysis in the Draft EIR. The following master responses are included in this chapter (listed by section number):

- 3.1 Master Response #1:** Adequacy of the Draft EIR
- 3.2 Master Response #2:** Substantial Evidence
- 3.3 Master Response #3:** Availability, Reliability, and Yield of Source Water Supplies
- 3.4 Master Response #4:** Reduction of Surface Water Flows
- 3.5 Master Response #5:** Fisheries Impact Analyses
- 3.6 Master Response #6:** Nutrients in Recycled Water and Ocean Outfall Discharges
- 3.7 Master Response #7:** Well Development/Construction Water Use and Discharge
- 3.8 Master Response #8:** Well Maintenance and Back-flushing Water Amounts and Discharge
- 3.9 Master Response #9:** Fort Ord Environmental Issues at the Injection Well Facilities
- 3.10 Master Response #10:** Marina Coast Water District and City of Marina Water Supply Issues
- 3.11 Master Response #11:** Proposed Project's Relationship to the Proposed Monterey Peninsula Water Supply Project
- 3.12 Master Response #12:** Adequacy of Scope and Range of Alternatives

3.1 MASTER RESPONSE #1: ADEQUACY OF THE DRAFT EIR

This master response addresses comments that relate to adequacy and recirculation of the Draft EIR, including the following: G-3 and G-4.

3.1.1 Adequacy of the Draft EIR

The Draft EIR has been prepared with sufficient analysis to provide decision makers with information to enable them to make a decision on project approval that takes into account environmental consequences. CEQA Guidelines Section 15151 says that “[a]n evaluation of the environmental effects of a proposed project need not be exhaustive, but [rather] the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible.”

3.1.2 Recirculation

CEQA and the CEQA Guidelines provide that a Draft EIR needs to be recirculated only if significant new information is added to an EIR after notice of public review has been given, but before certification of the Final EIR. (Pub. Res. Code, Section 21092.1; CEQA Guidelines Section 15088.5; *Vineyard Area Citizens for Resp. Growth Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412,447.) The critical issue in this inquiry is whether any new information added is "significant"; if so, recirculation is required. (Pub. Res. Code, Section 21092.1). CEQA Guidelines, Section 15088.5(a) states "new information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement."

In four situations, recirculation is required:

- a) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- b) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of less than significant.
- c) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
- d) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Responses to comments provided in this document address significant environmental issues raised by commenting public agencies, organizations and individuals. New information provided in response to comments on the Draft EIR contained in this document clarifies or amplifies information in the Draft EIR. The new information does not reveal that the project would cause new significant impacts not previously identified in the Draft EIR, or a substantial increase in the severity of impacts identified in the Draft EIR. Also, no significant new information has been added that changes the EIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.

The information added to the EIR supports the existing analysis and conclusions, and clarifies information in response to the comments on the Draft EIR (see **Chapter 5, Changes to the Draft EIR**, of this Final EIR). Modifications to the Draft EIR as presented in **Chapter 5, Changes to the Draft EIR** and responses in this Final EIR do not constitute “significant new information” as defined in Section 15088.5 of the CEQA Guidelines.

Therefore, in accordance with CEQA Guidelines Section 15088.5 (b), no recirculation of the Draft EIR is required.

3.2 MASTER RESPONSE #2: SUBSTANTIAL EVIDENCE

This master response provides general information regarding the definition of “substantial evidence” to aid the reader.

CEQA Guidelines Section 15384 states: “(a) ‘Substantial evidence’ as used in these guidelines means enough *relevant information and reasonable inferences* from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. (b) Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly inaccurate or erroneous, or evidence of social or economic impacts which do not contribute to, or are not caused by, physical impacts on the environment, is not substantial evidence.”

While the CEQA lead agency’s decisions regarding the significance of environmental effects addressed in an EIR must be based on substantial evidence, the CEQA Guidelines recognize that other evidence suggesting a different conclusion may exist. The Draft EIR and this Final EIR present substantial evidence to support the conclusions drawn within these documents regarding the significance of the project’s environmental effects. When a point of evidence is provided by a commenter to support a disagreement with the EIR’s conclusion, the evidence is summarized and considered in reaching the EIR’s conclusion. This Final EIR including the master responses, additional or supplements to technical reports presented and individual responses, are also provided to substantiate the conclusions reached in the Draft EIR regarding significance of impacts. The MRWPCA, as lead agency, will ultimately determine which conclusion is appropriate, based on the substantial evidence presented in the EIR and other documents in the whole of the record. The lead agency will review and consider all the substantial evidence in the whole of the record in making its decisions about the project and its environmental effects.

3.3 MASTER RESPONSE #3: AVAILABILITY, RELIABILITY, AND YIELD OF SOURCE WATER SUPPLIES

This master response addresses comments related to source water availability for the Proposed Project, including the following: C-5, H-51, H-65, Q-2, S-3 to S-12, and S-15, T-4 or T-9, T-12 and U-6. This response is organized by subtopics within this larger topic. Several of the supporting technical reports have been updated to prepare this response, and are noted in the text.

3.3.1 Existing Use of Recycled Water in Castroville Seawater Intrusion Project Area

Several comments (S-5, S-6, S-9, T-4, T-5, and T-6) asked that the EIR provide a better description of the existing use of recycled water for the Castroville Seawater Intrusion Project (CSIP) and/or how that use would be maintained or altered. Municipal wastewater treated at the MRWPCA Regional Treatment Plant (RTP) is used as influent to the Salinas Valley Reclamation Plant (SVRP), which produces recycled water for the CSIP. Treated wastewater which is not used to produce recycled water is discharged to the ocean. During the period 2009-2013, an average of 21,764 acre feet per year (AFY) of wastewater was received at the RTP, 12,955 AFY was recycled at the SVRP, and 8,809 AFY was discharged to the ocean (monthly averages are tabulated in **Appendix B-Revised**). In the Draft EIR Chapter 2, Project Description, Table 2-12, and in the supporting technical reports, including Draft EIR Appendix B, the average monthly flows discharged through the ocean outfall during the period of 2009 through 2013 (last line of Table 1) were included as potentially available to use as source water for the Proposed Project, but the data and analysis about historic and future recycled water use by CSIP of the existing municipal wastewater inflows were omitted. The discussion in **Appendix B-Revised** has been expanded to describe all of the wastewater flows into the MRWPCA's RTP and the past and assumed future SVRP production of recycled water for CSIP. These updates do not affect the conclusions in the Draft EIR regarding the significant effects of the Proposed Project and the alternatives. See **Appendix B-Revised** in this Final EIR. Tables 7 through 10 of **Appendix B-Revised** show that the use of recycled water by CSIP would be maintained and increased by the Proposed Project.

3.3.2 Agricultural Wash Water Yield Projection

Comments Q-2 and S-4 on the Draft EIR questioned the estimation of agricultural wash water availability.

The City of Salinas owns and operates an industrial wastewater collection and treatment system, which serves approximately 25 agricultural processing and related businesses located in the southeast corner of the City. These flows, referred to as agricultural wash water, are conveyed in a network of gravity pipelines to the Salinas Treatment Facility. The facility has operated for over 50 years. To estimate the flow in the estimated year of project implementation (2017), recorded monthly inflows for calendar years 2007-2013 were tabulated and the annual averages plotted (see **Figure 3-A**, below). A linear trend line was used to estimate future flows, and the projected annual average of 3.37 million gallons per day (mgd) in 2017 was used in the project analysis. Actual recorded agricultural wash water flows in calendar year 2014 (included on **Figure 3-A**, below) fell on the trend line, which provides support for the estimation used in the Draft EIR. An expanded explanation of this estimation method has been added to **Appendix B-Revised** to the Draft EIR. It also bears noting that agricultural wash water flows processed at the Salinas Treatment Facility peak in the summer months when much of the produce is harvested and processed; therefore, the amount of water available from this source is highest during the summer months, corresponding to the time period when irrigation demands are highest.

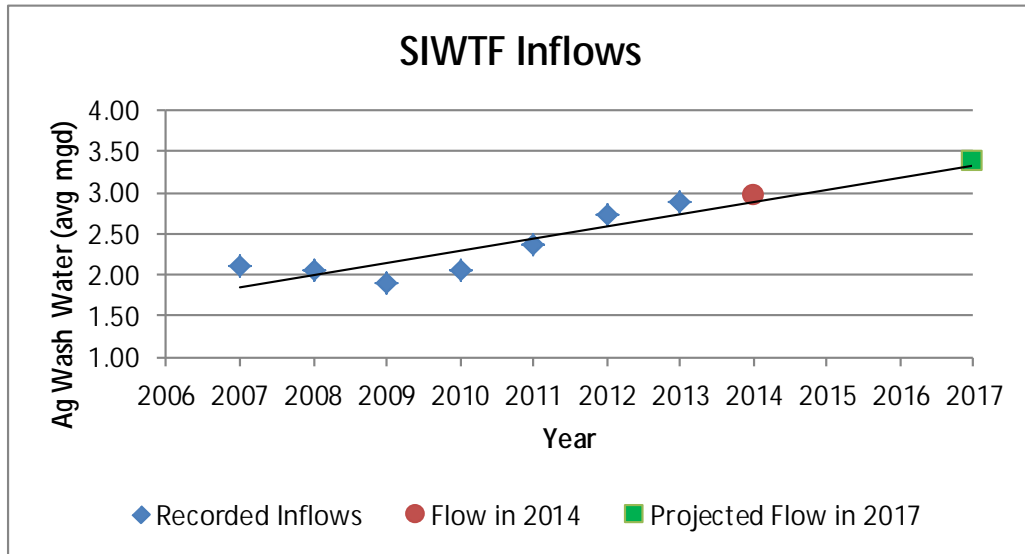


Figure 3-A. Agricultural Wash Water Projection

3.3.3 Reliability of Source Water Supplies

Several comments (S-4, S-5, S-6, S-7, S-8, S-12, T-4 and T-6) suggest that the proposed surface water diversions should not be relied upon as sources for municipal water supply because the availability of those sources may fluctuate over time. One comment (S-4) added that agricultural wash water should also be considered interruptible, although the recent data (presented in Section 3.3.2 above) show those flows to be increasing and no data or analyses have been presented to indicate that those flows would cease or decrease in the future.

To accomplish the project objectives, the component of the Proposed Project that is designed to replenish the Seaside Groundwater Basin (the GWR Facilities) requires 4,320 AFY of influent supply to produce 3,500 AFY of advanced treated recycled water for indirect potable reuse (municipal supply), representing an average in-flow rate of 6 cubic feet per second (cfs). The Proposed Project would develop infrastructure to divert and transport multiple water sources to the RTP and Advanced Water Treatment (AWT) Facility, with the potential for the AWT to process inflows up to 14 cfs during peak months. This processing capability ensures that sufficient amounts of purified recycled water will be produced for injection into the Seaside Groundwater Basin, despite the annual and seasonal variability in the availability of source waters.

Those source water flows that are not required for treatment at the AWT Facility and injection into the Seaside Groundwater Basin would be routed to the Salinas Valley Reclamation Plant for tertiary treatment and use as recycled water provided to growers in the CSIP area.

The Proposed Project would not need the full amount of water available from the proposed source water diversions to meet the AWT influent and CSIP demands, therefore, it is assumed one or more source waters would not be diverted when water from that source is not needed. As discussed in the Draft EIR pages 2-40 through 2-42, MRWPCA proposes to divert Tembladero Slough only as needed (that is, the source that is used least frequently) due its limited yield and high salinity.

During the peak irrigation demand period of April to September, the primary source of supply for the Proposed Project would be agricultural wash water. The projected yield from this source would be 7.2 cfs including the recovery of stored winter flows at the Salinas Treatment Facility for summer use (as described in the Draft EIR Project Description on page 2-45, in Appendix O and shown in Appendix B, Tables 7 through 10). Surface water diversions would provide redundancy and additional flows:

Reclamation Ditch would provide an average of 2 cfs, the Blanco Drain would provide an average of 4.6 cfs, and the Tembladero Slough would provide an average of 1 cfs. All of these summer surface water flows are primarily agricultural return flows, which are considered to be as reliable as the CSIP irrigation demand. Increases in CSIP irrigation directly results in increases in agricultural return flows.

During October to March, the primary source of supply for the Proposed Project would be the excess secondary treated municipal effluent that is not used by the CSIP. Based on measured historic monthly records of SVRP recycled water produced and the amount of water discharged to the ocean outfall (average of the data for the years 2009 through 2013), there is substantial flow available beyond CSIP demands. In an average year, there is sufficient unused municipal effluent in these months to supply the AWT Facility, including the additional amounts needed to produce water for the drought reserve that is part of the Proposed Project. The proposed surface water diversions also could provide up to 7 cfs of source water during the wet season, but are expected to be used only during drought years to meet early and late season irrigation demands.

The fact that a given source may be referred to as “interruptible” does not mean it is not reliable. Several of the Proposed Project water sources may be “interruptible” in that MRWPCA would be able to reduce or eliminate those flows when wastewater flows within its existing facilities approach capacity. These source waters, including agricultural wash water, would be curtailed whenever too much water is available or flowing in the wastewater collection system. The term “interruptible” does not imply that the water source will sometimes not exist, but rather that sometimes there will be more than the amount needed by recycled water users or more than can be accommodated by the existing and proposed collection and treatment systems.

3.3.4 Drought Year vs. Average Year Conditions

One comment (S-8) asked about the effect of the current drought condition on source water supplies. The current drought has curtailed precipitation-based surface water supplies and it has accelerated the installation of water-conserving plumbing fixtures, reducing wastewater flows. However, based on the best available scientific information, it will rain again and the region will experience a range of wet, normal and dry years. The California Department of Water Resources (DWR) has published guidelines for use in water planning documents (Urban Water Management Plans, Water Supply Assessments and Written Verifications of Supply). The DWR requires planning studies to consider normal years, single-dry years and multiple-dry years. The planning guidelines for Urban Water Management Plans define these years as follows: Normal Years are the average or median condition for a period of record of at least 30 years; Single-Dry Year is the driest year on record, which was 2013; and Multiple-Dry Years is the three year period with the lowest average supply availability or rainfall. The drought of 1988-1990 is currently used for multiple-dry year analysis. These designations would potentially be updated in the next Urban Water Management Plan cycle to reflect more recent years, such as 2014 and 2015, as drier years.

The California State Water Resources Control Board (SWRCB) issues surface water rights and publishes guidelines for surface and stormwater management. The SWRCB does not use the terms wet, normal and dry consistently, but in the Salinas River watershed, the MCWRA water rights for San Antonio and Nacimiento Reservoirs define wet years as the 75th percentile flows (exceeded only 25% of the time), dry years as the 25th percentile flows (exceeded 75% of the time) and normal flows being the range between wet and dry.

New development is occurring in portions of the project area, which will produce additional municipal wastewater flows, albeit at lower per capita rates than in the past. Even if average precipitation declines in the near or long term, the Proposed Project does not rely upon the use of stored surface water as influent to the AWT Facility. The flows proposed to be captured are irrigation return flows and processing water (agricultural wash water), both of which have continued to flow during the current drought and no data or analysis presented demonstrate that those flows would cease or be measurably reduced in the future. The Proposed Project includes the development of a drought reserve or water bank in the Seaside Groundwater Basin that would accommodate reduced AWT Facility operation during drought periods.

3.4 MASTER RESPONSE #4: REDUCTION OF SURFACE WATER FLOWS

This master response addresses comments related to the Proposed Project's impacts on surface water flows, water levels, water quality, and downstream beneficial uses, habitats, ecosystems, and other biological resources, including the following:

- *Several comments (T-7, T-8, and T-9) asked if reducing inflows to the Salinas River would impact the yield of the Salinas River Diversion Facility.*
- *Several comments (C-5, E-2, E-4, E-5, E-7 to E-10, F-6, F-8, F-9, F-9a to f, G-2 to G-12, G-13, S-8, V-5 V-10, X-6, and AA-8) asked if the individual and/or combined surface water and other diversions would reduce flows or water levels (surface elevations), or harm water quality in downstream water bodies resulting in effects on habitats, ecosystems, and/or biological resources. Specific comments asked about impacts of diversions on the resources within the Salinas River Lagoon, Old Salinas River, Tembladero Slough, Moro Cojo Slough, and the Elkhorn Slough.*

*This master response was prepared with assistance from the hydrology and hydraulic engineering firm of Schaaf & Wheeler Consulting Engineers whose qualifications are attached to this Final EIR as **Appendix EE**.*

3.4.1 Yield for the Salinas River Diversion Facility (SRDF)

Impacts to surface water hydrology in the water bodies affected by the Proposed Project diversions are discussed in the Draft EIR in Section 4.11, Hydrology and Water Quality: Surface Water as amended in this Final EIR (see **Chapter 5, Changes to the Draft EIR**). The Draft EIR provides a quantitative, technical analysis of changes in flow quantities, relative flow quantities (by season), and water levels within the downstream water bodies by affected reach for each water body due to the combined maximum potential diversions from all proposed points of diversion associated with the Proposed Project. The additional information in the Final EIR reinforces the assessments and conclusions in the Draft EIR. See Appendices N, **O-Revised**, and **Q-Revised**, for additional detail on the results of the analyses of existing and Proposed Project hydrology and water quality conditions of the Salinas River.

Some comments on the Draft EIR asked how Proposed Project diversions could affect the yield from the Salinas River Diversion Facility (SRDF). As explained in **Appendix O-Revised**, MCWRA's water right for the SRDF is not for run-of-river flows, but instead is a right to redivert flows first captured at Nacimiento and San Antonio Reservoirs. Flows are released from the reservoirs, conveyed using the bed and banks of the Nacimiento, San Antonio and Salinas Rivers, and then rediverted at the SRDF north of Marina for use in the CSIP irrigation system. Capturing flows that otherwise would enter the Salinas River below Spreckels as source water for the Proposed Project (Salinas agricultural wash water, Salinas municipal stormwater runoff, and Blanco Drain flows) would not affect the yield of the SRDF.

The SRDF water right does include requirements for minimum by-pass flows at the SRDF for habitat maintenance in the Salinas River Lagoon (Lagoon) and for seasonal migratory fish passage. The Salinas River Inflow Impacts Report (**Appendix O-Revised**) analyzed the potential impacts of the Proposed Project's diversions on achieving these required by-pass flows, as discussed below.

The bypass flow analysis assumed the extreme case of full diversion of agricultural wash water plus full diversion of flows from the Blanco Drain and Salinas stormwater runoff. Agricultural wash water treated at the Salinas Treatment Facility and discharged via percolation ponds, migrates into the Salinas River at an estimated rate of 3 cfs when the ponds are holding water. Under the proposed seasonal storage and diversion schedule, the Salinas ponds would contain water from October through June and continue to

provide seepage flows to the river during those months. The months when seepage from the ponds would be eliminated due to Proposed Project diversions are July, August and September, which are outside the adult and juvenile fish migration windows and are the months within which the minimal SRDF bypass requirement of 2 cfs is required by National Oceanic and Atmospheric Administration (NOAA) – National Marine Fisheries Service (NMFS). Metered releases during July through September typically exceed 10 cfs¹, so this diversion will not affect the SRDF operation.

The Blanco Drain diversion may capture an average of 4.6 cfs, up to a peak rate of 6 cfs, so it has the potential to affect the daily SRDF bypass releases, particularly in the spring months. The MCWRA and project proponents would coordinate the operations of the Blanco Drain diversion and SRDF. The SRDF diversion decisions are currently and would continue to be made depending upon the CSIP demand (i.e., if the SVRP storage pond is full, diversions would cease until the pond has capacity available). As such, the two diversions will be operated by the MRWPCA and MCWRA as a single system and the Blanco Drain diversion rate managed so it does not adversely affect the SRDF operation and CSIP growers.

3.4.2 Impacts to Downstream Water Resources due to Proposed Source Water Diversions

3.4.2.1 Overview of Surface Waters in the Lower Salinas Valley

Figure 4.5-3new provides an overview of the surface water bodies and tidal and flood control facilities in the lower Salinas Valley that are the subject of this Master Response. The Proposed Project would divert water from two separate, but interconnected watersheds, the Salinas River and the Reclamation Ditch / Tembladero Slough (the Reclamation Ditch is tributary to the Tembladero Slough). Commenters requested information about impacts to water bodies downstream of these watersheds at the Salinas River Lagoon, Old Salinas River Channel (OSR Channel), Elkhorn Slough, and Moro Cojo Slough.² During the dry season when the Lagoon is not open to the ocean, the Lagoon flows into the OSR Channel. MCWRA controls the water surface elevations using a slide gate separating the Lagoon from the OSR Channel on the northern side of the lagoon. The tidal influence of the ocean also exerts its influence on water levels through surface / groundwater interaction. During and after large storm events when the sand bar at the lagoon is naturally or artificially breached, the Lagoon flows directly into the Monterey Bay. In addition to dry season flow from the Lagoon when the sand bar is present separating the Lagoon from the ocean, the OSR Channel also receives inflow from local drainage areas (primarily, surface runoff and tile drain water from agricultural land) and the Tembladero Slough before flowing into Moss Landing Harbor and thence to the Elkhorn Slough and/or Monterey Bay. Because of the flat topography in the OSR Channel, existing low dry season flows (such as those proposed for diversion) in the OSR Channel water bodies result in consistently low velocity flows with ebbing and receding tidally influenced flows within and between water bodies, such as the Tembladero Slough. The quantity of inland surface water inflows might be expected to have effects on water surface elevations; however, in the absence of precipitation, changes in inland surface flows have not been documented to effect water levels (Casagrande and Watson, 2006, Nicol, et al, 2010, and Inman, et al, 2014). Instead, ocean tidal cycles tend to dominate surface water elevation changes in the OSR Channel and lower Tembladero Slough during periods with no precipitation.

¹ MCWRA, Salinas Valley Water Project, Annual Flow Monitoring Reports for Water Years 2010, 2011, 2012, and 2013.

² In this master response, the “Old Salinas River Channel,” or “OSR Channel,” is assumed to terminate at the Potrero Tide Gate at its northern end. In some literature, maps, and studies the channel continues to be referenced as the Old Salinas River between the Potrero Tide Gate and the Moss Landing Harbor, further to the north. The Potrero Tide Gate causes a distinct hydrologic change between the portion north of and the portion south of the Potrero Tide Gate. The hydrologic conditions in the portion of the channel north of the Potrero Tide Gate to the Moss Landing Harbor are consistent with the Moss Landing Harbor; therefore, in this analysis, this northern portion of the OSR Channel is described as part of the Moss Landing Harbor.

Dry season water levels in the OSR Channel (Tembladero Slough to Moss Landing Harbor) and the lower Tembladero Slough are controlled by the operation of the Potrero Tide Gate (that separates the OSR Channel from Moss Landing Harbor) and the tidal influence. Water surface elevations rise with rising tides and fall with receding tides (Nicole et al., 2010 and Inman, et al. 2014). See also Draft EIR pages 4.5-100 to 4.5-101. The OSR Channel receives some surface water flow from surrounding land runoff and agricultural tile drainage; however, most of its inflows are from the Lagoon, the Harbor, and the Tembladero Slough. Water levels in this channel may also be affected by subsurface (surface / groundwater) interaction, in particular by the ocean, and potentially by saturated upper-soils in adjacent agricultural land. During the dry season, inland surface water inflows are almost exclusively agricultural irrigation runoff and tile drainage that are, by nature, unpredictable and high in pollutants. Agricultural runoff/drainage can vary significantly day to day and by season based on agricultural irrigation schedules of land within the watershed. Despite the variability of the surface flows throughout the dry season, the lower watershed areas in the OSR Channel see extremely stable average water surface elevations (beyond the tidal fluctuations) in times with no precipitation.

3.4.2.2 Relevant Draft EIR Contents

The Draft EIR analyzes operational impacts of the total, combined project-related reduced flows in the waterbodies downstream of all of the proposed diversions (as detailed in the following paragraphs): (1) the surface waters proposed for Salinas Valley area diversion (Reclamation Ditch, Tembladero Slough, and Blanco Drain), (2) the City of Salinas storm water diversion, and (3) the wastewater diversions (i.e., the impacts of reducing the discharge of wastewater at the Salinas Treatment Facility). In response to comments on the Draft EIR, this Master Response provides additional discussion of combined impacts from all proposed diversions.

Surface Water Hydrology and Water Quality

Impacts to hydrology and water quality in water bodies downstream of the proposed diversions are discussed in the Draft EIR, Section 4.11. Response to Comment G-3 in **Chapter 4, Comments and Responses on the Draft EIR**, describes the Draft EIR's study areas for surface water hydrology and water quality analyses.³ Draft EIR pages 4.11-64 through 4.11-75 present the analysis of the Proposed Project impacts according to the significance criteria and approach presented on pages 4.11-53 through 4.11-55. This section summarizes and expands upon the technical analysis by Schaaf & Wheeler in Appendices N, O-Revised, P, Q-Revised, and R. Water quality impacts resulting from the inter-related salinity and water level impacts during source water diversion operations on downstream waterbodies are analyzed in the Draft EIR on pages 4.11-71 through 4.11-72 and the Draft EIR determined that the Proposed Project (including all diversions) would have a less than significant impact on water quality. This conclusion is supported by additional information provided in Section 3.4.2.3 below. Draft EIR pages 4.11-72 through 4.11-74 analyze the potential for erosion and sedimentation due to rapid water level fluctuations adjacent to diversion facilities. The potential for channel bank failure due to the Reclamation Ditch diversion was found to be potentially significant and mitigation measure HS-4 (as amended in this Final EIR, see **Chapter 5, Changes to the Draft EIR**) is required to reduce the impact to a less-than-significant level.

Fisheries

Impacts to fisheries in the water bodies affected by the diversions are discussed in the Draft EIR in Section 4.4, Biological Resources: Fisheries, as amended in this Final EIR (see **Chapter 5, Changes to the Draft EIR**). The Draft EIR fisheries setting section on pages 4.4-9 to 4.4-18 describes the habitat in the lower Salinas River watershed where the Salinas River Lagoon periodically drains into the Old Salinas River, and the connection with the Reclamation Ditch

³ The surface water bodies at, and downstream of, the diversions (i.e., the project study area for the Hydrology and Water Quality analysis in Draft EIR Section 4.11) include: Salinas River (from just east of the Davis Road bridge to the Lagoon), Salinas River Lagoon, Old Salinas River, Reclamation Ditch, Tembladero Slough, Moss Landing Harbor, Elkhorn Slough, and Monterey Bay/Pacific Ocean, as identified on page 4.11-1 of the Draft EIR.

watershed which ultimately drains into Moss Landing Harbor. Draft EIR Figure 4.4-3 illustrates these watershed connections and Table 4.4-3, Fish Species Observed in Salinas River Lagoon (2002-2013) describes habitat in the areas downstream of the Proposed Project diversions. Specifically, Response to Comment G-3 in **Chapter 4, Comments and Responses on the Draft EIR**, describes the Draft EIR's study areas for biological resource - fisheries. Impact analyses in Appendices F and G of the Draft EIR are summarized in Section 4.4.4.4 (see pages 4.4-44 through 4.4-53) as amended in this Final EIR (see **Chapter 5, Changes to the Draft EIR**). This section focuses on providing passage in critical areas in the Reclamation Ditch and lower Salinas River watersheds and provides mitigation measures BF-1a, BF-1b, BF-1c, and BF-2 or Alternate BF-2 to reduce all significant impacts on fisheries resources. The impact areas include the immediate vicinity of the diversion site and upstream and downstream areas that could be influenced by diversion actions associated with the Proposed Project. The analysis presents impacts of diversions at each location and discusses downstream impacts of reduction of flows; the analysis concludes that fish passage in Tembladero Slough (and downstream) is not expected to be influenced by diversion due to the tidal influence up to this area and backwatering of the channel which would ensure suitable water surface elevation and depths for passage at all times. Combined diversion impacts from all proposed diversions at the OSR Channel at the confluence of the Tembladero Slough would also be tidally influenced and not considered an impact to fisheries and habitat as noted in Response to Comment G-3 in **Chapter 4**.

Wetland and Riparian Habitat and Other Aquatic Wildlife

Impacts to other (non-fish) biological resources that use or benefit from the water bodies downstream of the proposed diversions are discussed in the Draft EIR, Section 4.5, Biological Resources: Terrestrial (also amended as shown in **Chapter 5, Changes to the Draft EIR**). Response to comment G-3 in **Chapter 4, Comments and Responses on the Draft EIR**, also describes the Draft EIR's study areas for biological resource – terrestrial. Draft EIR Section 4.5.4.4 (pages 4.5-96 through 4.5-106) is based on detailed biological resource characterizations in Draft EIR Appendices H and I combined with the analysis of hydrology provided by Schaaf & Wheeler in Draft Appendices N, O-Revised, P, and Q-Revised. See further descriptions about the methodology, analysis, and conclusions of the Draft EIR impact analysis on biological habitat and species below.

The text on Draft EIR pages 4.5-98 to 4.5-101 provides a detailed technical analysis of the riparian and wetland impacts of the Proposed Project diversions on the affected reaches in the Proposed Project area, including the Reclamation Ditch from the proposed diversion point to its confluence with Tembladero Slough (only the Reclamation Ditch diversions would affect flow here), the Tembladero Slough from the Reclamation Ditch confluence to the OSR Channel confluence (only the Reclamation Ditch and Tembladero Slough diversions would affect flow here), and the OSR Channel downstream to the Potrero Tide Gate. For the analysis of the OSR Channel between its confluence with Tembladero Slough and the Potrero Tide gate, the Draft EIR assumes and includes the flow effects of diverting waters within the Salinas River watershed, in addition to proposed diversions from the Reclamation Ditch and Tembladero Slough diversions. The Draft EIR presents the results of the wetland analysis on pages 4.5-98 through 4.5-101 and concludes with the following:

“The most important factor influencing hydrologic conditions in the Tembladero Slough and Old Salinas River Channel is the presence and function of the Gate. The Gate opens twice a day as a result of the tidal cycle in the harbor. During the dry season, the surface water elevation changes very little between cycles relative to water surface elevation in the Old Salinas River Channel and *Tembladero (text added)* Slough (Inman et al., 2014)⁴. During the wet season, the water surface elevation can and does rise dramatically in the Tembladero Slough and Old Salinas River Channel and annually exceeds its banks and floods adjacent lands (Casagrande and Watson, 2006). This predictable hydrologic

⁴ The study by Inman et al. 2014 was conducted in a dry year following an extended dry period.

condition, or hydroperiod, consists of a stable summer surface water elevation that fluctuates very little and winter condition with large variation in surface water elevations. The proposed diversions would occur almost exclusively during the dry season and would not significantly alter the existing hydroperiod within the Tembladero Slough and Old Salinas River Channel as the surface water elevation in this area is moderated by the tidal cycle of the harbor. Large wet season flows associated with storm events are of a magnitude that the diversion will have no measurable effect of the rise in surface water elevation and associated inundation of wetland adjacent to the channel. Therefore, the proposed diversions would not impact wetlands adjacent to the Tembladero Slough and Old Salinas River Channel. “

The Draft EIR presents the riparian analysis of the Reclamation Ditch and Tembladero Slough on page 4.5-101 and concludes the following:

“.... As described above, the proposed diversions include maintaining a minimum flow throughout the dry season operation, which would facilitate the dry season soil saturation necessary to sustain riparian habitat. In addition, the Tembladero Slough is subject to the hydrological effects of the Gate resulting in stable dry season hydrology. Therefore, the proposed diversion would not have a significant impact on the identified riparian habitat within the Tembladero Slough.”

The analysis in the Draft EIR summarized in this section applies to the individual *and* combined diversions from the separate, but interconnected, watersheds of the Salinas River and the Reclamation Ditch/Tembladero Slough, because the Proposed Project would not measurably affect water levels in the Lagoon, nor in the OSR Channel or Tembladero Slough.

The Draft EIR has been updated to state explicitly that the EIR assumes all proposed diversions would occur in accordance with the Proposed Project diversion descriptions in Section 2.7.1 on Draft EIR pages 2-36 through 2-42.⁵ The analysis in this Master Response (see below) explains why the diversions from both watersheds would not have an additive effect on downstream water levels in the interconnected parts of the system (i.e., OSR Channel, Tembladero Slough, Moss Landing Harbor, Elkhorn Slough, and the Monterey Bay/Pacific Ocean).⁶ The additional information and description herein and inserted in the Draft EIR clarifies the assumptions that were used in the biological and hydrologic analyses in the Draft EIR in Sections 4.4, 4.5 and 4.11.

3.4.2.3 Water Level and Flow/Salinity Changes due to Proposed Diversions

Potential changes to water bodies that may adversely impact aquatic habitat, ecosystems, and species in the affected reaches include: (1) water flow or water surface elevation reductions that may also reduce the amount and duration of fish passage and wetted habitat, soil saturation and moisture, and/or plant uptake of water, and (2) water quality worsening, in particular for this analysis, potential increases in salinity (and in particular, the inter-related effects of inland surface water flow inputs and salinity in the lower watershed). See Draft EIR, pages 2-5, and 4.11-64 through 4.11-71 and Master Response #6, Nutrients in Recycled Water and Ocean Outfall Discharges (see Section 3.6.1 of this chapter), for a discussion of the overall water quality benefits of the Proposed Project with regard to other pollutants.

⁵ As stated on the first full paragraph on page 2-42 of the Draft EIR, “the Proposed Project description of yield and the assumed diversions for the impact analyses (i.e., biological resources and surface water hydrology) assumes some water would be left in the Reclamation Ditch and Tembladero Slough for fisheries resources. Specifically, flows of 0.69 cfs and 2.0 cfs are proposed to be left in the Reclamation Ditch at Davis Road from June through November and December through May, respectively. A minimum flow of 1 cfs is proposed to remain in the Tembladero Slough year round; however much more than that is anticipated to be present even under Proposed Project diversions.” These proposed by pass flows may be increased due to the requirements of NOAA NMFS and implementation of Mitigation Measure BF-2a.

⁶ The surface water bodies potentially affected by the Proposed Project are not tributary to the Moro Cojo Slough. As described in this Master Response, Moro Cojo Slough, like the Moss Landing Harbor and the Elkhorn Slough (see **Appendix AA**), would not be affected by any increases in salinity or decreases in water surface elevations nor changes to flows in the Old Salinas River Channel.

The following analysis clarifies the Draft EIR approach, assumptions, and technical analysis summarized in Section 3.4.2.1 related to flows, water surface elevations, and salinity. The Master Response also clarifies the Draft EIR conclusions about how the Proposed Project would not result in significant habitat or species impacts due to changes to water flows and surface elevations, or due to increases in salinity as discussed further below (Schaaf & Wheeler, 2015).

Salinas River Watershed to Salinas River Lagoon

Water levels/flows. The proposed diversions of all three proposed source waters in the Salinas River watershed (Salinas urban runoff, agricultural wash water, and Blanco Drain) would reduce flows in the Salinas River by less than 1% total on an annual average basis, and would not affect water levels in the Lagoon. United States Geological Society (USGS) data and county gage data demonstrate that even with the Salinas River dry during the driest year on record (2014), the water levels in the Lagoon were consistent with historic water levels. **Table 3-A**, below, shows the average monthly water level in the Lagoon during 2013 and 2014. Note that even when the Salinas Treatment Facility ponds were dry (July to November 2014), the average lagoon water levels were comparable to the previous year when the ponds were full.

Table 3-A
Salinas River Lagoon Stage (feet)

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2013	9.7	10.2	10.3	10.3	10.5	10.3	10.3	10.4	10.4	10.1	10.1	10.1
2014	10.1	10.3	10.7	10.4	10.3	10.3	10.6	10.5	9.7	9.5	10.0	11.8

Notes:

1. CDEC Station SLG, maintained by MCWRA, datum not specified
2. Lagoon was open to the ocean from 12/12/2013 to 1/28/2013, and remained closed through September 2015 or later. Daily average flow at Spreckels gage was 0 cfs from 11/11/2013 to 12/12/2014.
3. Salinas River Diversion Facility operated 4/8/2013 to 11/8/2013, but not in 2014.
4. Salinas Treatment Facility flows diverted to MRWPCA 4/2/2014 to 11/26/2014. Ponds were empty by 7/1/2014.

The proposed agricultural wash water, Salinas stormwater, and the Blanco Drain diversions would reduce some inputs to the Salinas River and Lagoon upstream of the Salinas River Diversion Facility (SRDF). The proposed diversions in the Reclamation Ditch and Tembladero Slough watersheds would not result in any changes to water surface elevation in, or flows to or from, the Salinas Lagoon due to the operation of the slide gate and the relative elevations and flows of the two water bodies (i.e., flow from Tembladero Slough into OSR to the south of their confluence toward rarely occurs) as discussed in detail above.

Salinity. Due to the very small percentage change in total Lagoon inflows due to the Proposed Project (less than 1%), no measurable salinity changes to the Lagoon would occur.

Tembladero Slough and the OSR Channel

Water Levels/Flows. The proposed diversions in the Reclamation Ditch and Tembladero Slough would result in reduction in flows to the Tembladero Slough and OSR Channel as acknowledged in the Draft EIR, but this reduction would not be additive to flow reductions in the Salinas River or Salinas River Lagoon because the Tembladero Slough and Reclamation Ditch watershed are not tributary to the Salinas River or to the Lagoon. The proposed diversions of agricultural wash water, Blanco Drain, and Salinas urban stormwater to the RTP would constitute less than one percent of the average annual flows within the Salinas River. Based on the information in Section 3.4.2.1, above (minor amounts of inland surface water flows, the beach berm, and the operation of the slide gate at the Lagoon), the proposed flow reductions to the Salinas River, would not result in detectable changes in water levels during the dry season in the Lagoon even in dry years with minimal surface water flow inputs as demonstrated by **Table 3-A**. See page 4.5-97 of the Draft EIR.

The combined diversions from the Reclamation Ditch and Tembladero Slough system represent less than one percent of the average annual flow entering Moss Landing Harbor and Elkhorn Slough due to the tidal action of the ocean on those waterbodies. The combined diversions from the Salinas River watershed and from the Reclamation Ditch and Tembladero Slough would have no detectable effect on

the flows nor water surface elevations in any water bodies north of the Potrero Tide Gate (see discussion below under “Moss Landing Harbor, Elkhorn Slough, and Moro Cojo Slough” and **Figure 4.5-3new**).

As discussed above in Section 3.4.2.1, the Lagoon flows through the Lagoon slide gate and the Reclamation Ditch/Tembladero Slough system are tributaries to the OSR Channel. The Lagoon flows into the OSR Channel (at its southern terminus) through the Lagoon slide gate, and Tembladero Slough flows into the OSR Channel approximately 1.5 miles north. See **Figure 4.5-3new**. The only water bodies that would have *any* potential additive water surface elevation changes due to diversions from both watersheds would be the OSR Channel and to a lesser extent the lowest reach of the Tembladero Slough due to the tidal gate and tidal flow backwater effect.

The amount of surface water that flows into the OSR Channel from the south is controlled by a slide gate at the Lagoon (called the Salinas Lagoon Gate on **Figure 4.5-3new** at the end of **Chapter 5**). Near the northern end, the OSR Channel experiences a diurnal backwater cycle due to the rising and falling tides and the operation of the Potrero Tide Gate. Because of the tidal control and the Lagoon's stable dry season water levels described above, water levels would not be affected by the Proposed Project under conditions wherein all Proposed Project diversions (from both watersheds) would occur. The Proposed Project would not result in any loss of inundation in the OSR Channel and therefore, the combination of all proposed diversions would have less-than-significant impacts on water levels and the associated beneficial uses and habitats that rely upon those water levels because there would be no measurable loss of inundation nor reduced soil moisture.

Salinity. Diverting freshwater from the OSR Channel's tributaries may increase the salinity within the OSR Channel, which is currently a brackish water body due to leakage through soils and the Potrero tide gate and the Lagoon slide gate (Nicole et al., 2010 and Inman et al., 2014). There is a potential for increases in salinity near the water surface, and/or longer periods of salinity accumulation in the Tembladero Slough and the OSR Channel before seasonal flushing by winter runoff. This potential water quality impact is analyzed in the Draft EIR on pages 4.11-71 through 4.11-72 where the Draft EIR concludes that the Proposed Project would have a less-than-significant impact on the water quality because the salinity changes would be within the range of salinities that are currently found in these water bodies every year. Species and habitats relying upon the OSR and Tembladero Slough waters have demonstrated their tolerance for high salinity waters. In particular much higher salinity levels (above 15 ppt) are seen during prolonged drought periods, such as late summer and fall of 2013 through 2015. (Inman et al, 2014 and Nicole, et al., 2010) Conversely, even moderate precipitation events during the Inman and Nicole studies resulted in drops of salinity to below 1 ppt. These precipitation events that result in flushing flows would continue to occur under Proposed Project operations.

Diversions from the Reclamation Ditch and Tembladero Slough would be most needed by the Proposed Project during dry years when irrigation demands are highest; during and after storm events Proposed Project source water requirements are expected to be met by municipal wastewater flows. Due to the tidal influence, water levels in the Tembladero Slough would not be noticeably affected by the Proposed Project, so wetland species would not see a loss of wetted habitat due to salinity changes, only an increase in the duration of periods of higher salinity. The existing system exhibits a wide variation of salinities due to the influence of the ocean tidal fluctuations, storm surges, agricultural tile drain and surface runoff, and urban runoff; therefore, based on the above information, these changes would result in a less-than-significant impact on surface water quality in the affected reaches of the Reclamation Ditch, Tembladero Slough and the OSR Channel.

Large rain events produce flushing flows through the OSR Channel, which push the brackish water past the tide gates and into the Moss Landing Harbor. These flows occur during storm events in the winter months, when project diversions would be much lower than during the dry season, and if diversions do occur would be a very small fraction of the surface water flows. Summer rain events can and do generate flows up to 70 cfs in the Reclamation Ditch/Tembladero Slough system. The Proposed Project would divert up to 9 cfs from the Reclamation Ditch and Tembladero Slough, leaving sufficient flow for thorough flushing of brackish water. In addition, as discussed above, the Proposed Project Salinas River watershed diversions would not result in measurable reduction in surface water elevation in the Salinas Lagoon and the OSR Channel, and thus no measurable change in flow through the Salinas Lagoon slide gate to the OSR Channel. During these rain events the diversions would be reduced due to corresponding reduction

of recycled water demand by agricultural irrigators, therefore, combined diversions would not prevent dry-season brackish water flushing from occurring in the lower watershed consistent with the existing conditions.

Moss Landing Harbor, Elkhorn Slough, and Moro Cojo Slough

Water Levels/Flows. Due to the tide gate controls on the OSR Channel, incoming fresh water mixes with the impounded, brackish water during rising tide cycles, and the brackish water moves through the Potrero Road tide gates into Moss Landing Harbor and the Monterey Bay on falling tides. A portion of the water from the OSR Channel is pushed back into Elkhorn Slough on the rising tide. The Moro Cojo Slough flows into the Moss Landing Harbor through a separate tide gate. The average tidal cycle in Elkhorn Slough is 122×10^6 cubic-feet of water (800 acres of surface area and an average tidal change of 3.5 feet). Assuming two cycles per day, the average inflow rate (over 6 hours) to Elkhorn Slough from the harbor and ocean is 5,670 cfs. The typical freshwater inflow rate to the OSR Channel in summer is 10 to 15 cfs (combined Salinas River plus Tembladero Slough⁷). Doubling the typical peak rate to account for the tidal cycle, 30 cfs is about 0.5% of the average inflow rate for Elkhorn Slough.

As discussed in Response to Comment G-3 and this master response, Moss Landing Harbor and Elkhorn Slough were appropriately included as part of the project study area in Section 4.11, Hydrology and Water Quality: Surface Water due to the potential for changes to quantities, qualities and timing of inflows. However, the the EIR's biological resources analyses determined that Elkhorn Slough would not to be a waterbody within which biological species, ecosystems, or habitats would be potentially affected by the Proposed Project diversions (i.e., outside the project study area for terrestrial biological resources). This conclusion was based on the findings in the hydrologic analysis and considered impacts of combined diversions of all Proposed Project source waters, storm runoff, and daily tidal cycles. The analysis of hydrology and water quality showed that the Potrero Tide gate is the farthest point downstream where biological species might have any potential effect from combined project diversions. As described above in Draft EIR Section 4.5.4.4, the effect of water flow/level changes due to all Proposed Project diversions on biological resources (including fisheries and terrestrial/aquatic species) in the affected portions of the Reclamation Ditch, Tembladero Slough, and the OSR Channel would be less than significant (with Mitigation Measure BF-2a or Alternate Mitigation Measure BF-2a for fish passage in the Reclamation Ditch). In addition, the Proposed Project would result in no impact due to water level/flow changes within the tributaries to the Reclamation Ditch, Moss Landing Harbor, Elkhorn Slough, Monterey Bay, or to other connected water bodies. The analysis in this Master Response and **Appendix AA** also describes how storm runoff and the daily tidal cycles provide several orders of magnitude (more than 100 times) greater flow in the Elkhorn Slough and Moss Landing Harbor than any flow changes in the OSR Channel due to the Proposed Project diversions from the Salinas River and the Tembladero Slough/Reclamation Ditch watersheds.

The Moro Cojo Slough flows into the Moss Landing Harbor through a separate channel; similar to the OSR Channel, it is also protected with a tide gate. Moro Cojo flows would not be affected at all because its water surface elevations and flows are not affected by any increases or decreases in water surface elevations nor flows in the OSR Channel. Moro Cojo Slough is tributary directly to the Moss Landing Harbor and inflows from the Harbor are controlled by another tide gate. The Proposed Project would not divert any flows from the Moro Cojo Slough and would not change the amount of flow into or out of the Moro Cojo Slough.

Salinity. A comment letter questioned how the Draft EIR addressed impacts to the water quality Elkhorn Slough and the implications on the extent of the biological study area (comment letter G from the California Department of Fish and Wildlife). In response to the comment, additional analysis was prepared (see above and **Appendix AA, Salinity Impacts to Elkhorn Slough Resulting from Surface Water Diversions**). The analysis in **Appendix AA** shows that the Proposed Project would cause less than 0.8% salinity increase at Elkhorn Slough and 0.8% would occur only in a peak event using conservative assumptions such as drought conditions with low tidal influence. On a daily, weekly and

⁷ Flows from Moro Cojo Slough are omitted from the estimate because (1) salinity data was not available, and (2) these flows will be unaffected by the Proposed Project.

monthly average, the Proposed Project would cause changes of even less than that amount (i.e., an undetectable change given the wide variations of salinity in the slough caused by the tidal cycle each day). Salinity levels (including measurements of electroconductivity and total dissolved solids concentrations), are used as the primary indicator of the relative amounts of freshwater versus saline ocean water in a water body. See also responses to comments G-2 and G-3. Information in this Master Response reinforces the Draft EIR's conclusions that the Proposed Project would not result in an adverse impact on the biological resources or other beneficial uses within the Elkhorn Slough. In fact, the Proposed Project would result in a reduction in pollutant loading (including nutrients, such as nitrate/nitrogen and orthophosphate/phosphorous) in the Moss Landing Harbor and Elkhorn Slough as described on pages 2-5, and 4.11-64 through 4.11-75 of the Draft EIR, and reiterated by comments on the Draft EIR summarized in Section 3.6.1, below.

3.4.3 Conclusions Regarding Biological Resources Impacts

Based on the analysis herein that clarifies the Draft EIR evaluation, implementation of all proposed source water diversions would not result in measurable or detectable water level changes in the Salinas River Lagoon, Old Salinas River Channel, Moss Landing Harbor, Elkhorn Slough, Moro Cojo Slough, and Monterey Bay/Pacific Ocean. The EIR found that stable water surface elevations would be maintained and thus proposed changes to flow would not adversely affect biological resources (habitat, species, and other ecosystem services) in downstream water bodies that support habitat, even during the summer months and drought years when all or a large majority of the proposed diversions would occur. Specifically, no detectable changes in the amount or areas of inundation (and corresponding soil saturation/moisture and plant uptake) would occur in these water bodies; therefore no adverse impacts on aquatic habitats (including wetland and riparian), and no reduction in fish passage or habitat, are anticipated due to the combined diversions from the Proposed Project. The proposed diversions would reduce the volume of freshwater entering the system, particularly in the dry summer months, and could result in increased salinity within these already brackish channels. The Proposed Project includes minimum in-channel by-pass flows for habitat protection. These minimum flows are consistent with the actual flows measured during the late summer and fall seasons of the current drought (2013-2015). The slight increase in salinity that would occur in some months of each year is within the normal fluctuation of the existing, background conditions.

The additional technical analysis in **Appendix AA** and this Master Response clarify the assumptions in the hydrology, water quality, and biological resources impact analyses and confirm the appropriateness of the impact conclusions in the Draft EIR. Specifically, diverting all Proposed Project source waters in the Salinas Valley would result in less-than-significant impacts on the riparian and wetland habitats in and near the waterbodies of the lower watersheds of the Salinas River and the Reclamation Ditch/Tembladero Slough, including the following water bodies: the Salinas River, Salinas River Lagoon, the Reclamation Ditch (from Davis Road to its confluence with Tembladero Slough), the Tembladero Slough, and the Old Salinas River Channel. The Proposed Project would have no impact on riparian and wetland habitat in and near the following water bodies: tributaries to the Reclamation Ditch, the Reclamation Ditch upstream of Davis Road, the Moss Landing Harbor, Moro Cojo Slough, Elkhorn Slough, and Monterey Bay/Pacific Ocean.

3.5 MASTER RESPONSE #5: FISHERIES IMPACT ANALYSES

*This master response addresses comments that relate to fisheries impact analyses in the Draft EIR, including the following: C-5, D-3, E-4 to E-11, F-8, F-9c, G-2, G-3, G-4, G-9, H-33/34, M-1, M-30, M-31, V-8, V-10, AA-6, AA-7, and AA-8. This master response was prepared with assistance from William Snider, PhD, fisheries biologist with HDR Engineering Inc. whose resume is included in **Appendix EE**.*

3.5.1 Adequacy of Fisheries Impact Analysis

The Draft EIR, in Section 4.4, provides descriptions and analyses of the potential impacts (including individual and combined, and direct and indirect) to fisheries resulting from changes in bypass flows due to the source water diversions for the Proposed Project. This section is based on the analyses prepared by fisheries biologists from HDR Engineering and Hagar Environmental Science, and three technical reports included in the Draft EIR in Appendices F and G. Schaaf and Wheeler provided baseline and simulated river flows as a result of proposed diversions, which were used in the assessment of potential impacts to fish species in the Salinas River and Reclamation Ditch (Draft EIR Appendices O, P and Q). The technical studies included in the Draft EIR are the following (some of these studies have been revised or are new for inclusion in this Final EIR, as indicated):

- HDR Engineering, January 2015. *Salinas River Steelhead Habitat and Passage Effects Assessment Technical Memorandum*. Prepared for Denise Duffy & Associates. (See Appendix F-Revised).
- Hagar Environmental Science. February 28, 2015. *Pure Groundwater Replenishment (GWR) Project – Reclamation Ditch and Tembladero Slough Source Water Diversion Fisheries Effects Analysis. Technical Memorandum*, prepared for Denise Duffy & Associates. (See Appendix G-1).
- Hagar Environmental Science. February 27, 2015. *Estimation of Minimum Flows for Migration of Steelhead in the Reclamation Ditch. Technical Memorandum*, prepared for Denise Duffy & Associates. (See Appendix G-2).
- Schaaf & Wheeler studies regarding source water yields and impacts:
 - December 2014. “Blanco Drain Yield Study” (see Appendix Q-Revised).
 - December 2014. “Reclamation Ditch Yield Study” (see Appendix P).
 - February 2015. “Salinas River Inflow Impacts” (including the impacts of changes in percolation at the Salinas Treatment Facility on Groundwater and the Salinas River (see Appendix O-Revised).
 - July 2015. “Fish Passage Analysis: Reclamation Ditch at San Jon Rd. and Gabilan Creek at Laurel Rd.” (see **Appendix CC** of this Final EIR)

For the Draft EIR, the effect of Proposed Project diversions on bypass flows for steelhead migration within the Salinas River and Reclamation Ditch were analyzed using standard protocols as described by California Department of Fish and Wildlife (CDFW, 2013). The focus of the analysis was adult and juvenile (smolt) migration, since the affected reaches of the Salinas River and Reclamation Ditch are critical habitat for Federal Endangered Species Act (FESA) listed South-Central California Coast (S-CCC) steelhead, and the primary constituent element (i.e., habitat feature essential to the conservation of the species) within these reaches is migration to and from upstream areas that have been designated critical habitat for steelhead spawning and rearing. Section 3.5.2 below further discusses criteria and data used to analyze fish passage within the affected reaches of the Salinas River, and Section 3.5.3 discusses similar information for the Reclamation Ditch. The analysis in the Draft EIR has been expanded in this Final EIR by also evaluating the Proposed Project’s effects on by-pass flows as specified by National Marine Fisheries Service (NMFS) in its 2007 Biological Opinion for the Salinas Valley Water Project (SVWP), and by conducting additional modeling of fish passage constraints in the Reclamation Ditch. The

expanded analysis improves the accuracy of the Draft EIR's analysis, and confirms the conclusions that the Proposed Project's effects on fisheries would be less than significant with mitigation.

3.5.2 Salinas River

Prior to preparation of the Draft EIR for the Proposed Project, steelhead fish passage evaluations in the Salinas River had only addressed conditions upstream of the Proposed Project area (upstream of Spreckels) (MCRWA 2001, 2005, NMFS 2007, MCWRA/Cardno-Entrix, 2014). The channel and related passage flow conditions within the Proposed Project area differ from those upstream of Spreckels (MCWRA/Cardno-Entrix, 2014). Accordingly, the fish passage analysis reported in Section 4.4. of the Draft EIR was based on the results of several studies to provide a more site-specific evaluation of potential effects on steelhead from the Proposed Project. Some of the comments on the Draft EIR stated the opinion that the approach used in the Draft EIR was incomplete, and requested further evaluation based on the flow data found in NMFS 2007 Biological Opinion for the Salinas Valley Water Project (referred to as the NMFS 2007 SVWP BO in this section).

The data used in the Draft EIR to analyze fish passage within the affected reaches of the Salinas River was acquired from the MCRWA 2001 EIR/Environmental Impact Statement (EIS) for the SVWP, as well as other sources that reported fish passage conditions using standard procedures for determining passage flows at critical riffles. The procedures used to collect and calculate the data used for the Draft EIR are currently considered standard operating procedures (SOPs) by CDFW (2013) and the SWRCB (2014), but were modified per the NMFS 2007 SVWP BO for evaluations pertaining to the Salinas Valley Water Project.

In 2002, the Monterey County Water Resources Agency (MCWRA) developed the SVWP in an effort to reduce Salinas Valley's dependence on groundwater through balancing the rate of groundwater withdrawal and recharge. The SVWP is comprised of operational changes to the Nacimiento and San Antonio Dams, modifications to the Nacimiento Dam, and construction and operation of the Salinas River Diversion Facility (SRDF). During evaluation of potential environmental impacts of the SVWP, NMFS developed a *Flow Prescription* to minimize impacts to S-CCC steelhead and their critical habitat. This *Flow Prescription* relies on triggers based on a combination of reservoir conditions and stream flow to initiate and provide fish passage flows to facilitate the upstream migration of adult steelhead between February 1 and March 31 (MCWRA, 2005). In 2007, NMFS issued a Biological Opinion regarding the potential effects of the construction and operation of the SRDF on threatened S-CCC steelhead and their critical habitat in accordance with Section 7 of the Endangered Species Act of 1973 (NMFS 2007 SVWP BO).

Essentially, the NMFS 2007 SVWP BO increased the minimum depth required for adult passage from 0.6 feet to 1.0 foot as compared to the depth used by MCWRA in its EIR for the project, and the location of the depth in relation to the riffle transect was restricted to the riffle crest instead of the entire cross section of the riffle. As a result, the flow criteria identified for fish passage at Spreckels (closest location to the Proposed Project area) increased from 72 cfs to 150 cfs.

Additionally, minimum flow conditions required for downstream migration of smolts was determined based on historic frequency of flows when emigration was considered by NMFS to occur rather than the physical conditions at the critical riffles that influence fish passage, as determined using the MCRWA 2001 results obtained per implementing the SOP for evaluation of fish passage at critical riffles.

In comparison to the NMFS 2007 SVWP BO's approach, which covers a greater extent of the Salinas River, the fish passage evaluation reported in the Draft EIR for the Proposed Project is site specific. The geomorphology of the Salinas River in the Proposed Project area is narrower and more suitable for use of the critical riffle SOP than the much greater extent of the river evaluated for the SVWP. Also, the evaluation used in the Draft EIR for the Proposed Project provided a much more conservative approach to determining direct effects to passage; evaluation of true minimum flow conditions at which passage is more likely to be affected by the low diversion rate associated with the Proposed Project. The evaluation used in the Draft EIR provides the maximum effect of Proposed Project diversions to fish passage. Similarly, the time frame evaluated for both up and downstream migration as discussed in the Draft EIR is

greater than the timeframe considered under the NMFS 2007 SVWP BO, and provides a more inclusive evaluation of effects on passage.

Nevertheless, to address the requests in comments on the Draft EIR, the analysis was expanded in the Final EIR to further evaluate potential project-related effects to fish passage based on the NMFS 2007 SVWP BO requirements. Using the NMFS 2007 SVWP BO flows of 150 cfs and 300 cfs for January through mid-March, and mid-March through May, respectively, the expanded analysis shows that the Proposed Project would not change the frequency or duration of suitable fish passage conditions. See response to comments E-4 and E-7 and **Chapter 5, Changes to the Draft EIR** in the section titled **Changes to 4.4: Biological Resources: Fisheries** (see changes to Draft EIR pages 4.4-7 and 4.4-37). This expanded analysis confirms the Draft EIR's conclusions that the Proposed Project would not significantly affect steelhead in the Salinas River.

3.5.3 Reclamation Ditch

The analysis of the Proposed Project effects on steelhead in the Reclamation Ditch watershed focused on fish passage constraints, primarily at the San Jon weir. As discussed in Section 4.4 of the Draft EIR and Appendix G, the evaluation was based on results of hydraulic modeling that included uncertainties that could affect the characterization of passage conditions. To improve the precision of the analysis, an updated analysis of the Proposed Project's effect on fish passage in the Reclamation Ditch was conducted by Schaaf and Wheeler and is included in this Final EIR as **Appendix CC, Passage Flow Technical Memorandum**. The results of the updated analysis are summarized in the Final EIR in the responses to comment E-10, and reaffirm the Draft EIR's conclusions that the Proposed Project would not significantly affect steelhead in the Reclamation Ditch with implementation of identified mitigation measures.

3.5.4 Fisheries Impacts and Mitigation Measures during Construction and Operation

Potentially significant impacts to fisheries due to construction were identified in the Draft EIR on pages 4.4-41 through 4.4-44 and mitigation measures to reduce significant impacts to a less-than-significant level were provided on page 4.4-44, including Mitigation Measures BF-1a and BF-1b (as revised in this Final EIR in **Chapter 5, Changes to the Draft EIR**) that require construction to be timed to occur outside of both adult and smolt steelhead migration periods (i.e., between June and November) and relocation of aquatic species during construction. Commenters requested clarification and amplification on the reference to best management practices (BMPs) on page 4.4-42. The text of page 4.4-44 has been revised to include the requirement to implement Mitigation Measure BT-1a from the Draft EIR Section 4.5, which would further reduce impacts to aquatic species during construction. Further, additional specified BMPs for fisheries have been included as supplementary mitigation in the Fisheries section; please refer to **Chapter 5, Changes to the Draft EIR**, under Section 4.4.

Regarding operational impacts of diverting water, impacts of the diversions on the Salinas River were analyzed on pages 4.4-44 and 4.4-45 of the Draft EIR and a detailed analysis was provided in Appendix F that found the change in flows under the Proposed Project would not result in significant impacts to steelhead migration in the Salinas River, as discussed above in Section 3.5.2.

The potential impacts to fisheries due to diverting water from the Tembladero Slough were analyzed in the Draft EIR on pages 4.4-45 through 4.4-48; this discussion summarizes the detailed analysis in Appendix G. Mitigation measures to reduce the potentially significant impacts to a less-than-significant level were provided on Draft EIR pages 4.4-48 to 4.4-49, as modified in this Final EIR, including Mitigation Measure BF-2a and Mitigation Measure Alternate BF-2a.

Some comments on the Draft EIR requested additional detail on mitigation requiring pre-construction surveys for tidewater goby at the Tembladero Slough diversion facility, suggesting that there may be an issue of deferral of mitigation if additional detail on the mitigation is not provided in the EIR. Mitigation BF-1c (added to the EIR in this Final EIR in **Chapter 5, Changes to the Draft EIR**) addresses tidewater goby

and steelhead impact avoidance and minimization at the Reclamation Ditch and Tembladero Slough diversion facilities and requires a dewatering/diversion plan, with specific plan elements to be refined through consultation with USFWS, NMFS and CDFW. The mitigation also requires the pre-construction surveys identified in Mitigation Measure BF-1b to be consistent with requirements and approved protocols of the applicable resource agencies and performed by a qualified fisheries biologist. There are certain cases when deferral of the specific details of mitigation may be allowable under CEQA, including in this instance, when consultation under the California Endangered Species Act (CESA) and FESA has not yet been completed, as is the case for tidewater goby and steelhead. It is therefore impractical or infeasible to fully formulate the details of the mitigation measure at the time of Final EIR certification and project approval; however, the mitigation applies appropriate protocols and the lead agency commits to mitigation that would minimize and avoid impacts to the protected species. Specific mitigation has been included for BMPs, which include monitoring and compliance with standards in permits. In addition, the project proponent must consult with the U.S. Fish and Wildlife Service (USFWS) and NMFS concerning the Proposed Project's direct or indirect effects on federally listed threatened, endangered, or candidate species at project sites and surrounding areas and identify measures to reduce such effects. Consultation with the CDFW also is required both under the CESA and in the mitigation measure. Therefore, the mitigation will be finalized during the consultation process. As these agencies are integral in the process, the Proposed Project is not able to devise final mitigation measures until consultation is completed. The consultation will also ensure the lead agency is committed to performance criteria identified in the measure and also to be applied during consultation.

As noted above, clarification and amplification have been provided as appropriate for mitigation measures and BMPs. Provision of additional detail on mitigation for the diversion facility construction will be conducted as part of the consultation and approval process pursuant to FESA and CESA. The added mitigation requires MRWPCA and/or implementing entity to obtain resources agency permits (i.e., either an Incidental Take Permit or written concurrence that implementation of the Proposed Project will not result in take for steelhead and tidewater goby as required by FESA). This and measures above are proposed for avoidance and minimization of impacts to tidewater goby and steelhead and must be reviewed, modified and/or approved as part of the CESA and FESA consultation process. Additionally, in response to concerns raised by the resource agencies to ensure impacts to species are minimized, Mitigation Measure BT-2c: Avoidance and Minimization of Construction Impacts Resulting from Horizontal Directional Drilling under the Salinas River (Applies to Blanco Drain Diversion) has been revised and expanded to require completion and implementation of a Frac-Out Plan to avoid or reduce accidental impacts resulting from horizontal directional drilling (HDD) beneath the Salinas River. The Frac-Out Plan shall be prepared and submitted to United State Fish and Wildlife Service, California Department of Fish and Wildlife, NMFS/NOAA and the Regional Water Quality Control Board during the project permitting and may be subject to approval by those agencies as part of permitting process prior to commencement of HDD activities for the Blanco Drain Diversion construction.

The reader is also directed to the Final EIR responses to individual comments involving fisheries in **Chapter 4**, including C-5, D-3, E-4 to E-11, F-9c, G-2, G-3, G-4, H-33/34, M-9 to M-18, V-8, V-10, AA-6, and AA-7 and **Chapter 5, Changes to the Draft EIR**.

3.6 MASTER RESPONSE #6: NUTRIENTS IN RECYCLED WATER AND OCEAN OUTFALL DISCHARGES

*This master response addresses comments regarding nutrient/nitrogen issues due to discharge of these pollutants into groundwater basins, surface waters, and the ocean environment, including the following: X-1, X-4, X-5, and X-10 to X-18. This master response was prepared with assistance from Trussell Technologies (Gordon Williams, Ph.D., P.E.), Bahman Sheikh, Ph.D., P.E., Distinguished Fellow at Center for Integrated Water Research at University of California at Santa Cruz, Schaaf & Wheeler (Andrew Sterbenz, P.E.) and Nellor Environmental Services (Margaret H. Nellor, P.E.). Resumes for these technical experts are provided in **Appendix EE** in the Final EIR.*

3.6.1 Beneficial Water Quality Impacts due to Nutrient Removal from Surface Waters

As documented in Chapter 2, Project Description (page 2-5) and in Section 4.11 of the Draft EIR (pages 4.11-69 through 4.11-71), the Proposed Project would result in beneficial impacts related to reduction in pollutant loads downstream of points of diversion on the impaired surface waters (Reclamation Ditch, Tembladero Slough, Blanco Drain, and the Salinas River), including ongoing annual removal of an estimated 286,000 pounds (143 tons) of Nitrate as N, and 6,000 pounds (3 tons) of Orthophosphate as P (assumes diverting 6-months/year, not including removal related to stormwater diversions and agricultural wash water to the RTP).

The Draft EIR's conclusions about beneficial impacts of the Proposed Project are further supported by comments submitted on the Draft EIR, including the following:

- Comment E-7 from NOAA NMFS states: *"NMFS is very supportive of removing agricultural runoff high in pesticides and nutrients from entering the Salinas River. For years, we have requested MCWRA to either implement actions to improve water quality in the Blanco Drain (i.e., vegetated treatments) or divert the Blanco Drain runoff so it does not enter the river."*
- Comment G-13 from the CDFW states: *"Water from the lower Salinas/Tembladero Slough is highly polluted and the dominant source of nitrate loading to the Elkhorn Slough, with the Tembladero Slough accounting for two orders of magnitude more nitrate than the Old Salinas River Channel. This proposal proposes to reduce nitrate load to Elkhorn Slough by reducing flow of Tembladero Slough...."*
- Comment O-2 (item #4) from the City of Salinas states: *"The GWR would accept diverted storm water for treatment and reuse, both flows to the Reclamation Ditch from the City's northern areas and to the Salinas River from the City's southern third. This project aspect has two benefits; it creates more water supply for the GWR with benefits described elsewhere in this list while decreasing the potential discharge of contaminants to both the Salinas River and to Monterey Bay. This results in an overall benefit of the environment."*
- Comment O-2 (item #7) from the City of Salinas states: *"The new operational mode for the Salinas Treatment Facility Ponds will decrease the amount of water that infiltrates locally into the shallower aquifer. This change will have a minor, insignificant impact on local groundwater levels with a lowering of average groundwater elevations of approximately 1.3 feet but will decrease the release of somewhat impaired water into the aquifer, resulting in a net overall benefit."*
- Comment V-1 from the Surfrider Foundation states: *"Surfrider Foundation supports the beneficial objectives the Project seeks to advance, such as maximizing use of recycled water, reducing urban stormwater and agricultural pollutant loading to the nearshore, and reducing the volume of discharges to Monterey Bay."*

3.6.2 Technical Information in the RWQCB's Relevant Total Maximum Daily Load (TMDL) Project Report Supporting the Beneficial Water Quality Impact Conclusions

The opinions stated in Section 3.6.1 above, and the analysis in the Draft EIR demonstrating the Proposed Project would result in beneficial impacts are further supported by information and analysis in the report *Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate for the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed, Monterey County, California* (California Regional Water Quality Control Board, 2013) (hereafter referred to as the Nitrogen/Orthophosphate TMDL Report). Specifically, the following findings from the Nitrogen/Orthophosphate TMDL Report are repeated here to demonstrate the Proposed Project's benefits and lack of significant impacts related to nutrients and nitrogen impacts.

Concentrations of Nitrogen in Source Waters Compared to U.S. Environmental Protection Agency's (USEPA's) Reference Conditions. The USEPA's 25th percentile concentration (representing unimpacted reference conditions for the Proposed Project area) of total nitrogen is 0.52 milligram per liter (mg/L) as N (see Nitrogen/Orthophosphate TMDL Report on page 37, Table 2-7). As shown on pages 4.11-70 and 4.11-71 of the Draft EIR, the average concentrations of nitrate as N (which represents only a portion of total nitrogen) in the Reclamation Ditch, Tembladero Slough, and Blanco Drain were found to be 13, 29, and 65 mg/L as N, respectively, and are 25 to 260 times higher than the USEPA's unimpacted reference conditions. As described on page 4.10-66 of the Draft EIR, the nitrate concentration in Salinas Treatment Facility pond water (i.e., the treated agricultural wash water) was found to be between 4.5 and 5.9 mg/L nitrate as N, which is two to three times greater than the existing ambient groundwater concentration and eight to 11 times greater than the unimpacted reference condition. Recharge from Salinas Treatment Facility pond percolation presently tends to exacerbate existing degraded conditions in both the groundwater and, during some times of the year, in the Salinas River during low flow/dry periods due to connectivity between groundwater and the river. Therefore, a decrease in pond percolation enabled by the diversions, treatment and reuse of agricultural wash water, would have a beneficial impact on nitrate concentrations in the groundwater and the river.

Concentrations of Phosphorous in Source Waters Compared to USEPA's Reference Conditions. The USEPA's 25th percentile concentration of total phosphorous is 0.03 mg/L as P (see Nitrogen/Orthophosphate TMDL Report on page 37, Table 2-7). Average concentrations of orthophosphate as P (which represents only a portion of total phosphorous) in the Reclamation Ditch, Tembladero Slough, and Blanco Drain were found to be 0.65, 0.43, and 0.85 mg/L as P, respectively, and more than 14 to 28 times the unimpacted reference conditions. As described on page 4.10-69 of the Draft EIR, the RWQCB has not adopted a water quality objective for phosphorus in groundwater. It is not a constituent regulated by drinking water standards or addressed for the agricultural supply beneficial use in the Basin Plan, but would be subject to the State Anti-Degradation Policy. Therefore, changes in phosphorus concentrations in the 180-Foot Aquifer caused by decreased Salinas Treatment Facility pond percolation would not affect beneficial uses according to the Basin Plan; however, the phosphorus concentrations in treated water are higher than in the groundwater so reducing the pond percolation would also be expected to lower phosphorous levels in the groundwater. In addition, as stated on pages 4.11-66 through 4.11-67 of the Draft EIR, the existing Salinas Treatment Facility pond percolation may degrade river water quality with respect to phosphorous because median concentrations of phosphorous are higher in the treated pond water (27 mg/L as P) than in the Salinas River (0.01 mg/L P) and the water quality objectives for the Salinas River below Spreckels are 0.07 to 0.13 mg/L.

Benefits to Water Quality of Diverting Polluted Surface Waters. On page 285 of the Nitrogen/Orthophosphate TMDL Report, it states (**emphasis added**):

*"In a letter to Water Board staff dated Nov. 3, 2011, the Monterey County Water Quality and Operations Committee reported that the Salinas River Diversion Facility (SRDF) became operational in 2010, and **reportedly has significantly changed summer flow conditions in the lower Salinas River, and reduced nutrient loads downstream of the SRDF compared to pre-2010 data.** In a letter dated March 7, 2012 the Monterey*

*County Water Quality and Operations Committee (MCWQOC) provided water quality information associated with the SRDF to staff for inclusion in this project report. According to the data summary provided by MCWQOC, the amount of nitrate-N load being diverted from the Salinas River and the Blanco Drain during 2010 and 2011 and subsequently used for irrigation (after dilution with recycled water) ranged from 66,220 pounds to 205,958 pounds per year. Future diversions of water column nitrate-N loads in future years are projected by MCWQOC to be on the order of 200,000 to 244,000 pounds per year. Based on the estimates provided, **diversion of water column nitrate-N loads from the Blanco Drain should be very helpful in protecting and enhancing aquatic habitat in the Salinas River Lagoon and lowermost Salinas River....** Additionally, as previously noted in Section 3.11.2, recent monitoring data from LOBO sensor L03143 at the Old Salinas River (OSR Channel) estuary has indicated drops in nitrate concentrations during the years 2010 and 2011 (see Figure 7-3). These happen to be the years the SRDF went into operation. Note that the OSR Channel receives flow inputs from the Salinas River lagoon via the slide gate near Mulligan Hill. While definitive conclusions cannot be drawn about the nature of the recent apparent drop in nitrate concentrations in the OSR Channel, **Staff speculates that it may be partially attributable to operation of the Salinas River Diversion Facility, and the nitrate load reductions/diversions as reported by MCWQOC.**"*

The Proposed Project would further enhance these benefits on the lower Salinas River, the Lagoon and the Old Salinas River Channel by diverting a majority of dry-season flows directly from the Blanco Drain for treatment at the RTP and subsequent reuse.

High nitrogen and phosphorous concentrations are not sufficient by themselves to create a risk of eutrophication. Except in extreme cases, nutrients alone do not impair beneficial uses. Rather, they cause indirect impact through algal growth, low dissolved oxygen, and the biostimulatory effects of stream hydraulics, geomorphology, geology, and sunlight and canopy conditions (RQWCB, 2013). As described in the Nitrogen/Orthophosphate TMDL Report, these conditions are known to exist in the freshwater and estuarine conditions of the Salinas River, Lagoon, Old Salinas River Channel, Tembladero Slough, and the Reclamation Ditch. These conditions do not exist in the Pacific Ocean. The following section summarizes the Draft EIR's analysis of Proposed Project's impacts related to nutrient and nitrogen discharges to the ocean.

3.6.3 Ocean Discharges of Nitrogen and Phosphorous

Some of the new raw source waters have higher concentrations of nutrients than the RTP raw wastewater. At times when the agricultural tile drainage and surface runoff waters would be diverted to the RTP collection system, the total nitrogen concentration in the raw wastewater would marginally increase. For example, based on the 2014 source water monitoring conducted for the Draft EIR and the source water flow analysis provided in the Draft EIR, the total nitrogen in the secondary effluent was projected to increase from an average of 44 to 49 mg-N/L for times when the agricultural drainage waters would be diverted to the RTP. The primary, secondary, tertiary and AWT Facility processes do not remove substantial amounts of nitrogen from the wastewater stream. Most nitrogen is contained in the soluble form (i.e., ammonia, nitrate, and nitrite) and only the fraction bound to solids (i.e., a portion of organic nitrogen) would be removed through settling or filtration in the primary, secondary, tertiary systems at the RTP or the membrane filtration step at the AWT Facility. Similarly, at times when the agricultural wash water is diverted to the RTP, the phosphorus concentration in the raw wastewater would increase, and while removal of particulate-bound phosphorus would still be high, removal of dissolved phosphorus would be low (e.g., when the agricultural wash water was diverted to the RTP in 2014, the concentration of orthophosphate in the secondary effluent was observed to increase from 3 to 6 mg-P/L). For recycled water to be used for groundwater replenishment, these soluble forms of nitrogen and phosphorus would be effectively removed through the AWT Facility's reverse osmosis membrane treatment (e.g. during the AWT Facility pilot testing, average removals of 94.3% and greater than 96.7% were observed for total nitrogen and phosphate, respectively), such that the recycled water produced by the AWT Facility would meet all applicable drinking water quality regulations. The nitrogen and

phosphorus removed by the reverse osmosis membranes would be contained within the reverse osmosis concentrate stream discharged through the existing ocean outfall. Thus, while nitrogen and phosphorus are effectively removed through the AWT Facility, the loading of nitrogen and phosphorus discharged to the ocean from the MRWPCA outfall would be the same or increase (due to the higher nitrogen concentrations in agricultural drainage and higher phosphorus concentrations in the agricultural wash water).

While nitrogen and phosphorus are both components that have the potential to contribute to algae growth, the dynamics of harmful algal blooms are complex and a causative linkage between anthropomorphic nutrient discharges (such as a wastewater discharge) and the formation of harmful algal blooms in the open ocean is still unclear (Anderson et al., 2008; Kudela et al., 2008; Caron et al., 2010). Several factors affect algal blooms, including the right combination of temperature, light intensity, flow/mixing, salinity, trace metal availability (iron, copper, and selenium), macronutrient availability (silicate, nitrogen, and phosphorus), cellular elemental levels, and physiological stress (Caron et al., 2010). Along the California coast (including Monterey Bay), the dynamics of harmful algal blooms appear to be dominated by oceanic forces, such as occurrence during upwelling currents, but this does not rule out that anthropomorphic nutrient sources could exacerbate an algal bloom (Anderson et al. 2008; Caron et al., 2010; Horner et al., 1997).

Further, while the *concentrations* of nitrogen and phosphorus in the MRWPCA ocean discharge would increase, it is important to note that the net nutrient *loading* to the ocean from the *region* would decrease due to the Proposed Project, taking into account the diversion of the agricultural drainage waters and the reduction of agricultural fertilizer use (as described in Section 3.6.4 of this master response). This condition is notable, as the effects of nutrients on ocean eutrophication and algal blooms are a function of the nutrient flux rate (*i.e.* loading) and not the nutrient concentration (Anderson et al., 2008).

Although the link between wastewater and open ocean algal blooms is still unclear, there have been documented impacts of nutrient loading to the beneficial uses in the lower Salinas River watershed water bodies. Thus the diversion of some of the nutrient-laden waters from Salinas River and Reclamation Ditch/Tembladero Slough watersheds to the RTP and ultimately to the MRWPCA ocean outfall would reduce the impact to the Salinas River watershed.

The existing MRWPCA ocean outfall extends approximately 11,260 feet offshore into the Monterey Bay with diffusers that release the discharge at a depth of approximately 100 feet below the surface of the ocean. Conditions in and near the ocean outfall are not conducive to algal growth or eutrophication, as the sunlight, geochemical, and hydrologic conditions that create algal blooms do not exist within the ocean outfall's dilution zone. Concentrations of nutrients are too low at the edge of the zone of initial dilution. More importantly high concentrations of nutrients would occur well below the photic zone, and the conditions near the outfall are not low velocity or stagnant. Neither the California Ocean Plan nor the RWQCB National Pollutant Discharge Elimination System (NPDES) permit contain numeric objectives or effluent limitations for total nitrogen or phosphorous. Instead, the California Ocean Plan includes a narrative water quality objective (II.D.6) whereby "nutrient materials shall not cause objectionable aquatic growths or degrade indigenous biota" (see 2012 California Ocean Plan page 6). The NPDES permit for the RTP includes receiving water limitation IV.A.12, which states: "Nutrient levels shall not cause objectionable aquatic growths or degrade indigenous biota" (see Order No. R3-2014-0013, page 11). Thus, protections are in place to address nutrient discharges to the ocean. Ammonia is included in the California Ocean Plan for its impacts on aquatic life, but as described in the Draft EIR (Appendix U), the concentrations of ammonia resulting for the Proposed Project discharge would comply with the Ocean Plan objective.

It is important to note that the Nutrient and Orthophosphate TMDL Report states "...denitrification and retention of nitrogen in the lower Salinas Valley do not occur at rates that would substantially mitigate the risk of nitrogen loading to surface waters and to affected downstream receiving waters." Therefore, if the Proposed Project is not implemented almost all of the nitrogen loading from the Reclamation Ditch, Tembladero Slough, Blanco Drain, and the Salinas Pump Station and Treatment Facility diversions would

continue to flow downstream, affecting water quality in those areas as they do under current conditions.⁸ Without substantial denitrification and retention of nitrogen in the lower Salinas Valley, the majority of nitrogen in the various surface waters are currently released to the Monterey Bay either via the Old Salinas River Channel to Moss Landing Harbor or, during times that the Salinas River sand bar is breached, the Blanco Drain waters would flow directly to the Bay. The exception to this is the amount diverted for treatment and reuse at the SRDF (and these diversions are anticipated to continue at the same amounts as under existing conditions based on the MCWRA water rights). The Proposed Project would divert, treat, and reuse large volumes of the impaired surface waters and agricultural wash water, while also substantially reducing municipal wastewater disposal and ocean pollutant loading through increased use of the existing unused municipal wastewater year-round. The total nitrogen pollutant loading on the ocean would be substantially reduced compared to the existing and future background conditions. The Proposed Project would have a quantifiable beneficial impact related to the total pollutant load to the ocean.

3.6.4 CSIP Additional Use of Tertiary Treated Recycled Water Containing Nitrogen and Phosphorous

With the diversion of the agricultural drainage waters and agricultural wash water into the RTP collection system, the total nitrogen (specifically nitrate) and total phosphorus concentrations, respectively, would increase in the non-potable recycled water used for irrigation of CSIP land. One comment notes concerns about the nutrient/nitrate loading on CSIP agricultural land, and the potential for a subsequent increase in runoff of polluted waters to surface water and groundwater resulting from the use of these new sources of raw waters to the existing municipal wastewater system. Other comments allude to future CSIP expansion; however, the Proposed Project does not include a potential future expansion of the CSIP area (see response to comments X-7, X-8, and X-9). The following explanation is provided to document why diversion of the source waters for production of recycled water used for irrigation would not tend to increase the total load of nutrients that would be disposed or discharged to the environment within or downgradient of the existing CSIP area:

- Nitrogen is an essential nutrient for plant growth--in fact, it is a macro-nutrient, required in substantial quantities to produce commercially viable crop yields on farmland. **Table 3-B** shows the typical amount of macronutrients used (taken up from the soil solution) by the crops typically grown in the CSIP service area during each growing cycle. Because of the inefficiency of nutrient uptake by crops, growers typically apply twice these amounts (or more) in order to obtain optimal yields from their harvest.

Table 3-B.
Plant Food Utilization by Various Crops

Crop	Uptake of Nutrient Per Season (Pounds per Acre)		
	Nitrogen (N)	Phosphate (P ₂ O ₅)	Potassium (K ₂ O)
Artichokes	353	63	506
Broccoli	80	30	75
Cabbage	270	65	250
Celery	280	165	750
Lettuce	95	30	200
Tomatoes	180	50	340
Strawberries	200	--	--
SOURCES: Adapted from Western Plant Health Association, 2002, page 97 (except artichokes and strawberries). Source for artichokes: Rincon <i>et al.</i> , 2007. Source for strawberries: Bottoms <i>et al.</i> , 2013. Data were converted from metric (in the source) to English units.			

⁸ In 2014 and 2015, agricultural wash water has been diverted to the RTP for treatment and reuse for agricultural irrigation. These diversions were completed due to the lack of adequate Salinas River water related to the historically low rainfall and that resulted in the lack of operation of the Salinas River Diversion Facilities to augment recycled water for CSIP irrigators.

- Recycled water can only supply some of the nutrient needs of the crop, with the fraction varying from 25% to close to 100% of the needs of the crop. Thus, nutrients in recycled water would need to be supplemented with commercial (chemical, organic or manure) fertilization. Because growers incur substantial cost to purchase and apply fertilizers, it is reasonable to presume based on economics, that growers would reduce the use of fertilizers if irrigation water provided a significant portion of the required macro-nutrients for optimal plant growth (Cahn, 2013). The amount of nitrogen supplied by the RTP recycled water (at 44.2 mg/L as N) can be calculated thusly:

$$\text{Total N} = 44.2 \text{ mg/L} * 0.001 \text{ g/mg} * 3.785 \text{ L/gallon} * 325,850 \text{ gallon/AF} * 0.0022046 \text{ Lb/g} = 120 \text{ Lb/AF}$$

Where:

g/mg is grams per milligram, L is liter, Lb/g is pounds per gram, and Lb/AF is pounds per acre foot

At this concentration, recycled water (that has not been diluted with Salinas River water diverted from the Salinas River Diversion facility), used for one crop of lettuce at the rate of 1.5 AF per acre per season, with an uptake efficiency of 50%, would provide about the same amount of nitrogen as the grower's normal chemical fertilization program would provide. For other crops, the corresponding fraction of nitrogen provided by recycled water is calculated in **Table 3-C**, using the same assumptions used for lettuce.

Table 3-C.

Fraction of Nitrogen Provided by Recycled Water During a Growing Season

Crop	Average Depth of Irrigation Water, Acre-Inches per year per Acre*	Total Nitrogen Delivered in Recycled Water**	Nitrogen Uptaken by Crop from Recycled Water at 50% Uptake Efficiency	Fraction of Nitrogen Demand Provided by Recycled Water***
Artichokes	30	300	150	42%
Broccoli	16	160	80	100%
Cabbage	24	237	118	44%
Celery	24	237	118	42%
Lettuce	18	180	90	95%
Tomatoes	25	246	123	68%
Strawberries	28	283	142	71%

* SOURCE: For cabbage and celery, Montgomery-Watson, 1997. For artichoke, broccoli, lettuce, tomatoes and strawberries based on average-year local crop evapotranspiration calculations.
 ** = table 1 column 1 value multiplied by table 2 column 1 value
 ***These percentages must be considered conservatively under-estimates, because the normal practice at CSIP is to blend recycled water with Salinas River water, which contains almost no nutrients.

In a field trial of nitrogen uptake conducted in the CSIP service area (Cahn, 2013), the following conclusion was reported:

"The results of the 2 field trials demonstrated that ambient N in irrigation water has fertilizer value for shallow rooted vegetable crops such as lettuce, even when the N concentration in the water was low (< 20 ppm N). The trials also showed that the source of N (NH₄ vs NO₃) did not affect crop recovery. Presumably NH₄ would quickly transform to NO₃ when added to the soil. Also, the volume of water applied did affect the recovery rate of N, suggesting that all water applied containing N had fertilizer value to the crop."

- All fertilization, whether with commercial fertilizers or in recycled water, involves uptake inefficiencies (sometimes as high as 50% of the applied amount) (Hodge et al, 2000). These inefficiencies result from losses of nitrogen, including transformation into organic forms, denitrification, volatilization as nitrogen gas, and some leaching below the root zone. Nitrogen in recycled water is more efficiently taken up than side-dressed (i.e., placed on or in the soil near the roots of a growing crop) or broadcast commercial fertilization because it is immediately available to the root system and arrives at a steady and available form with each irrigation event (Cahn, 2013)

- The fraction of nitrogen applied by fertilization that is not taken up by crops or lost in other ways (mostly in the form of nitrate), is eventually leached below the root zone and travels downward (Provin and Hossner, 2001).
- Because of the confined nature of groundwater⁹ underlying the CSIP service area, and because of the under-drained character of most of the fields, the nitrogen not taken up by plants does not reach groundwater and thus does not impact groundwater quality. According to numerous hydrogeologic studies of the lower Salinas Valley, in the Pressure Subarea (the part of the Salinas Valley Groundwater Basin over which the CSIP service area overlies), a regionally extensive clay layer (the Salinas Valley Aquiclude), greatly restricts the downward movement of recharge from rainfall, irrigation, and to a lesser extent, the Salinas River, to the underlying water supply aquifers. See Response to Comment Q-14 and Draft EIR page 2-13 as amended in this Final EIR. The nitrogen in the tile drainage water can impact nitrogen levels in the downstream surface water, including the Monterey Bay/Pacific Ocean. The Proposed Project would not adversely impact nor, in fact, increase the amount of nitrogen discharged to surface waters because a large portion of the drainage water would be diverted to the RTP for treatment and water recycling. Nitrogen removed at the RTP and AWT Facility would be discharged to the ocean as previously discussed. There would be a net reduction in the nitrogen loading on water bodies downstream of the points of diversion (i.e., both from Blanco Drain and from Tembladero Slough).
- Introduction of recycled water to the CSIP service area has had the benefit of contributing some of the nitrogen needs of the crops grown in that area.
- The agricultural fields in the CSIP service area are (and have been for a long-time) under-drained with perforated tiles. These drain-tiles take drainage water, leached out of the root zone, and transfer it into surface drainage channels, which normally would end up in Monterey Bay. However, as indicated above, the Proposed Project would divert the drainage water to the RTP and reuse a portion of the tile drain water, thereby resulting in a net reduction in the nitrogen loading on water bodies downstream of the points of diversion (i.e., both from Blanco Drain and from Tembladero Slough).
- CSIP area growers that receive nearly 100% recycled water have cut back their nitrogen fertilization quantities to account for the nitrogen in recycled water. Growers in areas where recycled water was heavily supplemented with well-water have not been able to cut back their fertilizer applications. With the Proposed Project, most supplemental well water use would be replaced by additional recycled water use, thus fertilizer applications would be expected to be reduced. (Bob Holden, personal communication, August 2015)
- Currently, all growers in the CSIP service area receive the same (uniform) blend of recycled water and Salinas River water, with a nitrogen content that is significantly lower than what is in the present in recycled water alone.
- Providing treatment to remove nitrogen from the recycled water intended for irrigation of crops would require energy and costly additional processing, and would result in an increase in greenhouse gases (i.e., carbon dioxide) released into the atmosphere. It also takes energy and additional processing (and corresponding greenhouse gas release) to produce the nitrogen fertilizer that would have to be applied to make up for the nitrogen that is removed. Thus, nitrogen removal from recycled water intended for irrigation would have a doubly negative impact on greenhouse gas emissions into the atmosphere.

Groundwater quality in the CSIP area due to recycled water use is protected via a RWQCB permit issued to the Monterey County Water Resources Agency: Order No. 97-52 Recycled Water User Requirements for CSIP. This permit states that the discharge shall not cause (1) a significant increase of mineral constituent concentrations in underlying groundwater and (2) the concentration of chemicals in

⁹ A confined groundwater is an aquifer holding water under pressure by an impermeable geologic layer above it that does not allow water to pass through.

groundwater to exceed drinking water standards. Nitrate is considered to be a mineral and is regulated under state and federal drinking water standards. Thus, based on these permit provisions and the characteristics of the groundwater system in the CSIP area, there is no need to remove nitrogen in recycled water used for irrigation.

3.7 MASTER RESPONSE #7: WELL DEVELOPMENT/CONSTRUCTION WATER USE AND DISCHARGE

This master response addresses comments related to water use and discharge from development and construction of the proposed injection wells, including the following: L-11, L-23, L-24, L-41, and N-12.

The use and discharge of groundwater during well construction (drilling) and well development represent a one-time use of a relatively small amount of water, most of which will be recharged to the Seaside Groundwater Basin. Water use and discharge methods relating to the injection well construction are discussed in the Draft EIR (see pages 2-75 through 2-76 and 4.10-53 and 4.10-54; also, see Appendix L, pages 41 through 47) and are summarized below.

During well drilling, water is circulated in the borehole and combined with inert substances such as bentonite or gels to control density and viscosity (referred to as drilling fluids or mud). The purpose of the drilling fluids is to lubricate the drilling bit and transport cuttings of the natural geologic sediments to the surface. The amount of water required for each well will vary with the volume of the borehole and the amount of fluid loss (recharge) to the formation during the drilling process. Well drilling for four deep injection wells and four deep monitoring wells is expected to take approximately 5 days to complete for each well and is expected to require about 2,500 gallons of water per day for a total of 12,500 gallons (0.04 AF) of water per well for the deep injection wells. Water use will likely be less than one-half of that amount for the four shallow vadose zone wells. Total construction water is estimated at less than 1 AF for all project wells.

The source of the construction water for well drilling has not yet been identified, but it would likely be pumped from local groundwater, conveyed from a local fire hydrant, or hauled in from an out-of-basin source. After the well has been drilled, the drilling fluids will be flushed from the well and either disposed offsite or partially applied to the local land surface in compliance with Regional Water Quality Control Board (RWQCB) regulatory requirements. Water quality impact analyses of construction related discharges are provided on pages 4.10-55 through 4.10-56 and 4.11-56 through 4.11-62 of the Draft EIR.

After the wells have been drilled and installed, each well will be developed in order to maximize well yield. Well development consists of applying energy to the well-aquifer interface via both mechanical methods such as swabbing and pumping methods. Well development activities are conducted typically on all production and injection wells and have been performed on most, if not all, production wells in the Seaside Groundwater Basin. Pumping for well development serves two purposes: (1) it repairs clogging that may have occurred during drilling to restore the natural hydraulic properties, and (2) it alters the physical characteristics of the aquifer near the wellbore so that water flows more freely into the well. This process does not rely on an external water source and is accomplished by pumping local groundwater.

Almost all of the water pumped for well development can be conserved through land application, allowing the water to infiltrate into the local permeable soils at the drill sites and to percolate back into the groundwater system. This discharge method is considered to be a best management practice by the RWQCB and has been used by most of the nearby production wells and nearby Monterey Peninsula Water Management District Aquifer Storage and Recovery (ASR) wells drilled in the Seaside Groundwater Basin. For the Proposed Project, such discharge will be conducted in compliance with a RWQCB General Waste Discharge Requirement (WDR) order (General Order 2003-003) for Discharges to Land with a Low Threat to Water Quality (including well development water). The Order requires identification of any potential pollutants associated with the discharge and a monitoring program.

For the Proposed Project, well development will only apply to the four deep injection wells; vadose zone wells are not subject to the same type of well development requirements as the deep injection wells. Based on a reasonable assumption of the amount of time required to develop the four deep injection wells, approximately 3,600,000 gallons (11 AF) will be pumped from each well during development (Draft EIR, page 4.10-54).

The Seaside Basin Adjudication defines the *de minimus* amount for production as 5 AFY. While the estimated amount for well production for the Proposed Project is 11 AF per well, unlike production, the

groundwater pumped for development is not removed permanently from the groundwater basin. Through land discharge, the development water would be returned to the basin through local infiltration and percolation. In addition, any extra water pumped for aquifer testing and/or groundwater sampling would also be percolated back into the groundwater basin. Given the permeable soils at the Proposed Project site, only very small amounts of water would be lost to evaporation and actual consumption would be well below the estimated *de minimus* amount (see pages 16 and 37 in Appendix L, Draft EIR).

The option of discharging the development water into the Seaside Golf Course reservoir was raised as part of the public comments. Although technically feasible, that transport/conveyance would add unnecessary energy use and associated greenhouse gas emissions, potentially contributing to climate change impacts of the Proposed Project. It would also add to the Proposed Project cost. Because this potential alternative component (discharge of well construction and development water to the Seaside golf course reservoir) could result in increased environmental impacts and would not better meet the project objective to produce reasonably-priced water, it is not considered further in this EIR. Other production wells drilled in the Seaside Basin to date have used similar amounts of water during construction and development and have successfully discharged development water to the land surface for infiltration. Specifically, all of the ASR wells have employed this method (Joe Oliver, personal communication, ongoing).

Naturally-occurring hydrogen sulfide (H_2S) gas has been detected in low concentrations – up to about 0.75 mg/L – in several local Santa Margarita wells (Fugro, 1997). During construction of a nearby ASR well (ASR 3) drilled near the Seaside Middle School, development water was conveyed offsite to another discharge location due to the short-term odor problems associated with naturally-occurring H_2S . The Monterey Peninsula Water Management District monitors H_2S in the ASR wellfields; detections to date have been similar or lower than published values (Pueblo Water Resources, 2014). These concentrations are not a health concern for drinking water or as an air pollutant, but can affect the taste and odor of the water¹⁰. The dissolved H_2S can volatilize when development water is exposed at the surface. This volatilization created a localized short-term nuisance for odor during discharge of development water at the ASR 3 wellsite. The remote location of the Proposed Project injection well sites would eliminate this public concern. Specifically, as shown and described in the Draft EIR on pages 4.3-26 through 4.3-28 and pages 4.14-29 through 4.14-41, the nearest sensitive receptors to this site are residences located west of General Jim Moore Boulevard at distances of 500 to 700 feet from the nearest proposed well sites and about 1,200 feet from the proposed back-flush facility. The Seaside Middle School is located approximately 700 feet northwest of the Injection Well Facilities site. Given the low H_2S concentrations, the distance to receptors, and the fact that nearby ASR 1 and ASR 2 wells (located within 300 feet of residences in the City) did not experience problems with H_2S odor nuisances during development water discharge, there is no need to mitigate or treat development water at the Proposed Project site. Nonetheless, monitoring for H_2S gas will be part of the health and safety program during the well construction field program and will be considered for the groundwater monitoring program to be developed for the Proposed Project Engineering Report.

In response to this comment regarding H_2S emissions, the text of the air quality impact analysis on page 4.3-28 for odors during construction has been revised to further explain the conclusion that odor impacts during construction would be less than significant. See **Chapter 5, Changes to the Draft EIR**.

Development discharge composed of groundwater from the deeper aquifer will be recharged into and primarily replenish the shallow aquifer. This would, in effect, transfer a small amount of groundwater from the deeper aquifer to the shallow aquifer, which are hydraulically connected. As stated on page 4.10-19 of the Draft EIR, most of the recharge to the Santa Margarita Aquifer is assumed to occur by leakage from the overlying Paso Robles Aquifer, especially in areas where the lower part of the Paso Robles Aquifer is relatively permeable. As discussed in the Draft EIR (pages 4.10-18 through 4.10-19), both aquifer

¹⁰ Taste and odor complaints have not occurred for the water quality of potable water that is sourced from the ASR wells due to dilution by the injected water from the Carmel River system. Although odor issues can result from release of H_2S , H_2S was only detected in low concentrations. Humans detect the odor of H_2S at very low concentrations, where there are no known health issues (U.S. Department of Labor, Occupational Safety and Health Administration, *Hydrogen Sulfide Information* found at: <https://www.osha.gov/SLTC/hydrogensulfide/hazards.html>, accessed August 2015).

systems have been over-drafted historically. The replenishment of the shallow aquifer will increase water levels locally, which may increase local rates of vertical leakage into the deeper aquifer. Water remaining in the shallow aquifer would be available for extraction by downgradient production wells, many of which are at least partially screened in the Paso Robles Aquifer, including the nearby Paralta well. A recent study (Yates, et al., 2005) estimated that approximately 15% of the production in the Paralta well is from the shallow Paso Robles Aquifer. Although the percolating water will require a lag time (up to about 200 days) prior to reaching the water table, the transport time will be shortened with additional recharge and a steady state condition of replenishment will occur at the water table. A recent field program documented highly permeable sands throughout the vadose zone. Importantly, all of the percolating water will be conserved in the basin.

This one-time movement of water pumped from the deeper Santa Margarita Aquifer into the shallow Paso Robles Aquifer is too small to have a significant impact on deeper water levels according to the significance criteria for groundwater impacts (see page 4.10-45 in the Draft EIR). Nonetheless, because the Proposed Project has injection capacity for both aquifers, an equivalent amount of injection water previously targeted for the shallow aquifer could be re-allocated to the deeper aquifer, if warranted. Ongoing monitoring of water levels by the Monterey Peninsula Water Management District – including before, during, and after construction of the Proposed Project – will allow for real-time adjustments to be made to the amounts injected into either of the two Seaside Basin aquifers as needed.

3.8 MASTER RESPONSE #8: WELL MAINTENANCE AND BACKFLUSH WATER AMOUNTS AND DISCHARGE

This master response addresses comments related to amount and discharge of well maintenance and backflush water, including the following: L-12, M-21, and N-4.

Operation of the Proposed Project will involve maintenance of the deep injection wells through a process referred to as backflushing. Backflushing consists of periodic pumping of deep injection wells for the purpose of maintaining injection capacity (see pages 35 to 38 in Appendix L of the Draft EIR). As described in the Draft EIR, injection rates typically decrease because of numerous factors such as air entrainment, filtration of suspended or organic material, bacterial growth, precipitates due to geochemical reactions, swelling of clay colloids, dispersal of clay particles due to ion exchange, and/or mechanical compaction of aquifer materials. Pumping the injection well (backflushing) reverses the flow in the well, alters the geochemical environment, and dislodges clogging particles. In this manner, backflushing repairs some of the wellbore damage that occurs over time and restores injection rates.

Optimal backflushing rates and schedules are best determined once the project is in operation and actual injection rates can be monitored. Backflushing would be conducted only as needed, based on injection rate monitoring. The project proponent would not backflush unnecessarily as it would result in additional costs that could be avoided. Backflushing operations at the nearby Monterey Peninsula Water Management District ASR wellfield include weekly pumping of each well for several hours at twice the original injection rate. For planning purposes, these operations have been assumed to be applicable to the Proposed Project injection wells. Assuming a maximum injection design of 1,000 gallons per minute (gpm) for the deep injection wells, a maximum backflushing design of 2,000 gpm has been assumed.

This is considered a maximum amount of backflushing because the highly treated (purified recycled) water injected by the Proposed Project will likely result in lower clogging rates than the water injected into the ASR wells and may require less frequent backflushing. In addition, only two to three wells will operate at any given time to accommodate the monthly injection schedule envisioned for the Proposed Project, with at a minimum one back-up well (see Draft EIR Appendix L page 30; see also Draft EIR Table 2-9). Only active wells will be subject to periodic backflushing. Further, if the Proposed Project wells are injecting at rates lower than the design rate of 1,000 gpm (which will occur during most months), the extraction for backflushing would be conducted at a rate lower than the design rate of 2,000 gpm. To estimate the maximum weekly amount for purposes of designing the backwash discharge facilities (i.e., percolation basins), the Proposed Project assumes up to four hours of weekly backflushing at up to 2,000 gpm, producing approximately 480,000 gallons (1.47 AF) per well per week (page 36, Appendix L, Draft EIR). For three active wells, backflushing would produce a maximum of about 229 AFY, which is less than but close to the amount of Proposed Project water allocated for the Paso Robles Aquifer for some years (Table 2-9, Draft EIR).

Water pumped for backflushing would be discharged into a small surface basin constructed near the injection wellfield as part of the Proposed Project. The basin would be located on the Aromas Sand, which comprises the upper 300- to 400-feet of vadose zone beneath the Proposed Project Injection Well Facilities area. This geologic unit was determined to be highly permeable in a recent nearby field investigation (see page 16 in Appendix L). Water will be conveyed from the well to the basin and allowed to infiltrate into the permeable site sediments and percolate to the water table. By allowing the water to recharge, pumped water would be conserved in the groundwater basin. This approach for infiltration of back-flushed water was conceptually approved by the SWRCB Division of Drinking Water (DDW) (June 2014).

Discharge of groundwater backflushed from the deeper aquifer will be recharged into and primarily replenish the shallow aquifer. Although this removes a small amount of groundwater from the deeper aquifer, replenishment of the shallow aquifer is beneficial to the basin. As discussed in the Draft EIR (pages 4.10-18 to 4.10-19), both aquifer systems have been over-drafted historically. The replenishment of the shallow aquifer will increase water levels locally, which may increase local rates of vertical leakage into the deeper aquifer. Water remaining in the shallow Paso Robles Aquifer will be available for

extraction by downgradient production wells that are at least partially screened in the Paso Robles Aquifer, including the nearby Paralta well. A recent study (Yates, et al., 2005) estimated that approximately 15% of the production in the Paralta well is from the shallow Paso Robles Aquifer. Although the percolating water will require a lag time (up to about 200 days) prior to reaching the water table, the transport time will be shortened with continued recharge and a steady state condition of replenishment will occur at the water table. Importantly, all of the percolating water will be conserved in the basin.

This transfer of water pumped from the deeper Santa Margarita Aquifer into the shallow Paso Robles Aquifer is too small to have a significant impact on deeper water levels according to the groundwater significance criteria (see page 4.10-45 in the Draft EIR). Except for the short amount of time when wells are pumped, water will be continually injected into Proposed Project wells, which will more than compensate for any short-term lowering of water levels.

Further, because the Proposed Project has injection capacity for both aquifers, an equivalent amount of injection water previously targeted for the shallow aquifer could be re-allocated to the deeper aquifer, if warranted. Ongoing monitoring of water levels by the Monterey Peninsula Water Management District will allow for real-time adjustments to be made to the amounts injected into either of the two Seaside Basin aquifers as needed.

The option of discharging the backflush water into the Seaside Golf Course reservoir was raised in a comment on the Draft EIR. Although technically feasible, the transport/conveyance associated with this concept would add unnecessary costs to the Proposed Project, as well as increase energy use, potentially increasing the impact of greenhouse gas emissions. Further, if the water is not recharged back into the basin, the well maintenance may complicate the amount of downgradient extraction planned as part of Proposed Project operations and result in a reduced ability for the Proposed Project to meet its objectives. An additional comment suggested re-routing the backflushed water through the sanitary sewer to the RTP and AWT Facility then, after treatment, returning it to the Seaside Basin via injection as an offsetting flow. This would amount to treating the same water twice, would require a substantial use of energy to convey the water to and from the treatment plant (increasing impacts related to greenhouse gas emissions and energy demand), and is not warranted given the planned operation of the Proposed Project. Because these potential alternative components (discharge of well backflush water to the Seaside golf course reservoir or back to the RTP) would result in increased environmental impacts and would not better meet the project objective to produce reasonably-priced water, they are not considered further in this EIR.

Finally, a comment suggested that the backflush water be considered for mitigation and treatment relating to H_2S gas. As previously discussed in Master Response #7: Well Development/Construction Water Use and Discharge, naturally-occurring H_2S gas has been detected in low concentrations – up to about 0.75 mg/L – in groundwater samples from local Santa Margarita wells (Fugro, 1997). These concentrations could potentially result in a short-term odor when H_2S volatilizes from groundwater in the back-flush basin, but would result in a less-than-significant odor nuisance impact and would not create or increase human health or ecological risks for the following reasons:

- The injection well sites are located a minimum of 500 feet from any sensitive receptors (i.e., City of Seaside residences). Most wells are more than 1,000 feet from potential receptors.
- The backflush water will be composed mostly of the highly-treated purified recycled water that does not contain H_2S .
- Nearby ASR wells are operated in the same manner related to routine well backflushing and discharge of backflush water to a similar surface basin. These facilities are located in closer proximity to residences in the City of Seaside with no complaints from nearby residents.

Given the initial low H_2S concentrations, the distance to sensitive receptors (closest residences located more than about 500 to 600 feet away), and the dilution of H_2S with Proposed Project water, there is no need to mitigate or treat development water at the Proposed Project site. Nonetheless, monitoring for H_2S gas will be part of the health and safety program during the well construction field program and will be considered for the groundwater monitoring program to be developed for the Proposed Project Engineering Report.

In response to this comment, the text of the air quality impact analysis on pages 4.3-30 through 4.3-31 for odors during construction has been revised to further clarify the less than significant impacts of odors during construction. See **Chapter 5, Changes to the Draft EIR**.

3.9 MASTER RESPONSE #9: FORT ORD ENVIRONMENTAL ISSUES AT THE INJECTION WELL FACILITIES

This master response addresses comments related to Fort Ord environmental issues, including the following: W-1 through W-15e.

3.9.1 Introduction

The Proposed Project is being developed, in part, on lands associated with the former Fort Ord Military Base. In particular, the Injection Well Facilities area in the Seaside Groundwater Basin overlaps a small portion of Site 39, a large area of the former base referred to as the Inland Ranges. Site 39 was defined by the U.S. Army to address environmental investigations and cleanup associated with Inland Range activities, including training for small arms and high explosive ordnance using rockets, artillery, mortars and grenades.

Historical activities at Fort Ord, including Site 39, and environmental response actions are summarized in the Draft EIR (Section 4.9 Hazardous Materials; see pages 4.9-12 through 4.9-16). Areas of groundwater contamination from former Fort Ord activities are shown on Figure 4.9-3 of the Draft EIR; these areas are outside the Seaside Groundwater Basin and several miles north of the Injection Well Facilities site (Figure 4.9-2 of the Draft EIR).

Activities related to Site 39 – with a particular focus on the portions overlapping the Injection Well Facilities site – are discussed in a Recharge Impacts Assessment Report, provided in the Draft EIR as Appendix L (see pages 13 and 14 in Appendix L, Draft EIR). The boundaries of Site 39 and the locations of the Proposed Project injection wells are shown on Figure 4 in Appendix L. Groundwater quality in the Proposed Project area of the Seaside Groundwater Basin is discussed in Section 7.3 of Appendix L (see pages 56 to 74, Appendix L, Draft EIR). A field program conducted for the Proposed Project analyzed the potential for soil and groundwater pollutants from Fort Ord activities to the Proposed Project area; results of that program are presented in a separate report referenced in the Draft EIR (page 4.10-80, Todd Groundwater, 2015) and summarized in the Draft EIR Appendix L (pages 65 to 67 and 72 to 77).

As discussed in the Draft EIR, the Injection Well Facilities site and vicinity is also located within the former Fort Ord Seaside Munitions Response Area (pages 4.9-39 and 4.9-40) where the U.S. Army found munitions and explosives of concern in the uppermost soil profiles as a result of former military operations. The parcels associated with the Injection Well Facilities site have already been cleared of unexploded ordnance (see page 4.9-40 of the Draft EIR). Nonetheless, Proposed Project construction and operation on these parcels will be required to comply with the Fort Ord Reuse Authority Right-of-Entry process and the City of Seaside Municipal Code Chapter 15.34 (i.e., the “Ordnance Remediation District Regulations of the City, Ordinance 924”) (page 4.9-40 of the Draft EIR). These regulations require certain procedures with respect to Proposed Project construction and operation activities on Fort Ord lands to ensure worker safety and to mitigate the potential for impacts from hazardous materials including munitions and explosives. Finally, mitigation measures for impacts related to hazardous materials releases during construction are provided in the Draft EIR (pages 4.9-37 through 4.9-39).

3.9.2 Site 39 Environmental Activities and Cleanup

Site 39 covers about 8,000 acres of upland, largely-undeveloped lands that are bounded by Eucalyptus Road to the north, Barloy Canyon Road to the east, South Boundary Road to the south, and General Jim Moore Boulevard to the west (Figure 4, Appendix L, Draft EIR). The site overlies portions of the Seaside Groundwater Basin including most of the Northern Inland Subarea and the western half of the Laguna Seca Subarea. Site 39 extends to the east and northeast, covering lands outside the Seaside Groundwater Basin (compare Figures 1 and 4, Appendix L, Draft EIR).

The Proposed Project Injection Well Facilities site is located on the northwestern corner of Site 39 where remediation has been completed to a level acceptable to the USEPA and California Department of Toxic

Substances Control (DTSC) for planned urban development (see proposed well locations and Site 39 on Figure 4, Appendix L, Draft EIR). The property has been transferred to the Fort Ord Reuse Authority (FORA), the organization responsible for planning, financing, and implementing the conversion of former Fort Ord military lands to civilian activities, and is scheduled to be annexed into the City of Seaside. The perimeter area identified for redevelopment is shown in blue on Figure 4 (Appendix L, Draft EIR). Development associated with the Proposed Project involves the installation and operation of injection wells and related facilities.

Site 39 contained at least 28 firing ranges that were used for small arms and high explosive ordnance training using rockets, artillery, mortars and grenades. Range 18 (HA-18) and Range 19 (HA-19) are the closest ranges to the Proposed Project Injection Well Facilities site (approximately 200 feet south and east), with Range 48 (HA-48) about one-half mile to the northeast. The range fans for HA-18, HA-19, and HA-48 (along with numerous other Site 39 range fans) are shown on Figure 4 (in Appendix L of the Draft EIR). As shown on the figure, the proposed injection wells and facilities are on a perimeter road along the outer edge of HA-18 and HA-19; proposed well sites are not located in the direction of firing (which was toward the upland central area of Site 39).

Considerable munitions and explosives of concern (MECs) have been documented in various areas of Site 39. The specific ordnance types include rounds from shotguns, mortars, M74 rockets, recoilless rifles, aircraft, grenades, artillery, howitzers, mines, anti-tank weapons (bazookas), bombs, naval ordnance, Bangalore torpedoes, C-4, TNT, military dynamite, and shaped charges. Functions for these items included high explosives, heat generating, armor piercing, white phosphorous, smoke tracer, illumination, incendiary, and photo flash devices. As a result of the spontaneous ignition of a white phosphorous grenade in August 2009, an MEC sweep was conducted at Range 48. This surface sweep removed MEC or MEC-like items using physical and demolition methods.

Since 1978, Fort Ord has been participating in the Installation Restoration Program (IRP). The purpose of this program is to identify, investigate, and remediate any contamination from chemical use and hazardous materials. There are no IRP sites in the vicinity of the Proposed Project Injection Well Facilities, indicating a lack of heavy chemical usage in this area.

Initial environmental investigations began on Site 39 around 1984. Since that time, numerous investigation and remediation activities have occurred. During these investigations, metals and various compounds associated with explosives have been detected in soil, along with MEC. Soil remediation, including MEC clearance, has been more extensive in areas targeted for redevelopment. As previously mentioned, the portions of Site 39 targeted for redevelopment are shown in blue on Figure 4 (in Appendix L, Draft EIR). No groundwater contamination has been documented on Site 39.

Remediation for HA-18 and HA-19 was considered complete in 2010 and consisted of soil removal (largely for lead and copper) and clearance of potential MEC. A geophysical survey conducted in and near the Proposed Project area (LFR and Weston, 2011) encountered only one MEC and one discarded military munitions close to the utility corridor (also referred to as the Borderland Area along the Natural Resource Management Area owned by the Bureau of Land Management) perimeter fence. As of 2014, the U.S. Army's remedial activities located near the Proposed Project Injection Well Facilities site involved habitat restoration (www.fortordcleanup.com). On-going contaminant investigations are being conducted in other areas of Site 39 by the U.S. Army BRAC (2014) and others with oversight by the USEPA and DTSC (EPA, 2015d).

Most of the lands targeted for redevelopment but requiring contaminant cleanup and investigation in the City of Seaside and other jurisdictions, – including the parcels associated with the Proposed Project wells – are now owned by the FORA. FORA has signed an Environmental Services Cooperative Agreement (ESCA) with the U.S. Army to allow transfer of approximately nine parcels (3,340 acres) that were associated with military munitions. Under ESCA, FORA is responsible for addressing munitions response actions. FORA and their contractors are working with regulatory agencies including the DTSC and USEPA to conduct additional munitions remediation activities, scheduled for completion in 2015.

Most of the ESCA parcels, including the area containing the Injection Well Facilities, will ultimately be transferred to the City of Seaside. The ESCA parcels that contain the Injection Well Facilities were less impacted by former Fort Ord activities than other areas of Site 39, and have already been cleared of MEC

and approved for future development. Nonetheless, the parcels remain within the former Fort Ord Seaside Munitions Response Area and are subject to restrictions by the FORA Right-of-Entry process and the Seaside Municipal Code regarding land disturbance and safety precautions regarding ordnance (see pages 4.9-39 and 4.9-40 of the Draft EIR).

3.9.3 General Information on Fort Ord Environmental Investigation and Remediation

To provide context for responding to comments in letter W regarding the appropriateness or adequacy of the U.S. Army's investigation and remedial activities, the Fort Ord Superfund process is summarized below. The U.S. Army's remedial actions have been conducted in compliance with Superfund requirements and under USEPA (and other regulatory) oversight. The Draft EIR focuses on soil and groundwater conditions in the vicinity of the Proposed Project and reports on field investigations and technical analyses conducted specifically to support analysis of the Proposed Project's environmental setting and potential impacts, not to provide overall former Fort Ord information.

The former Fort Ord Military base was designated a Superfund site in 1990 (i.e., it was placed on the National Priorities List¹¹ for cleanup). In compliance with Superfund requirements, potentially contaminated sites were identified and characterized during a Remedial Investigation (RI), and cleanup alternatives were evaluated in an initial Feasibility Study (FS) (HLA, 1995) and subsequent studies. These documents were prepared under regulatory agency oversight and have received public review. Cleanup remedy decisions are documented in the USEPA Records of Decision (RODs). Regulatory agencies overseeing the Fort Ord cleanup include USEPA (Region 9), DTSC, and the RWQCB. Remedial actions are being, or have been implemented at the former Fort Ord sites in accordance with the RODs. Individual sites included in Operable Units (OUs) either have or will have reports specific to those areas. Such reports will be or have been placed in information repositories at specific locations as part of the Fort Ord Administrative Record, a specialized file required by Superfund that contains all information considered or relied on to select the cleanup remedy at the former Fort Ord sites. It also contains key technical reports and administrative guidance for the cleanup of this National Priorities List cleanup site (U.S. Army 2011a, 2014; U.S. Army Corps of Engineers, 2007 and 2012).

Since the RI study in 1995, additional base-wide environmental assessments have been conducted for the former Fort Ord base (Fort Ord Cleanup, 2015). As with other Superfund sites, Fort Ord has been divided into soil and groundwater cleanup sites including those requiring no action, interim action, and/or remedial action. This is done to expedite site cleanup and closure under Superfund. Additionally, there are three OUs that are designated as such due to the considerable investigations and ongoing remedial actions to address groundwater contamination. Finally, there are Military Munitions Response Program sites including munitions response sites (MRSSs) that have been identified from archive searches, interviews, and visual inspections.

Soil investigations continue to be conducted by the U.S. Army and FORA. These are periodically updated in five-year reports (U.S. Army Corps of Engineers, 2007 and 2012). Regarding the concerns expressed in comment letter W about the Parker Flats area that is the site of a proposed Monterey Horse Park, Artillery Hill, and the Veteran's Cemetery, it is noted that all of these areas are outside of the Injection Well Facilities site and implementation of cleanup activities and proposed projects at those sites have no impact on the Proposed Project. The U.S. Army is continuing to evaluate all additional lands in Site 39 as the MEC are cleared from the site and will remediate soil contamination where present in concentrations above established permissible levels.

¹¹ The National Priorities List is the list of national priorities among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States and its territories. The National Priorities List is intended primarily to guide the USEPA in determining which sites warrant further investigation.

3.9.4 Fort Ord Groundwater Contamination North of the Injection Well Facilities Site

Groundwater contamination on the Fort Ord Superfund site is largely confined to areas in the northern and northwestern portions of the Fort Ord facility, located several miles north of the Proposed Project Injection Well Facilities site (see Figures 4.9-2 and 4.9-3, Draft EIR). Areas of contamination have been designated as specific Sites and OUs for purposes of response and remedial actions. Four such areas, OU-1, OU-2, Sites 2/12, and the OU Carbon Tetrachloride (OUCTP), contain groundwater plumes contaminated with volatile organic compounds (VOCs). One VOC plume near the City of Marina has been remediated with no further action required. For other areas, groundwater treatment systems have been constructed and are currently operational. Contaminated groundwater at Fort Ord is not being used as a drinking water source (Fort Ord Clean Up, 2015; Fort Ord BRAC, 2014; EPA, 2015d). There are no groundwater impacts related to Fort Ord activities that have been identified close to the Injection Well Facilities site and there is no risk that operation of the proposed wells will be impacted by, or will interfere with the groundwater remediation to the north.

3.9.5 Chemical Risk and Analytical Methods

The USEPA requires adherence to specific regulations and procedures for Superfund and other environmental investigations. These are governed by USEPA documents including SW-846 Methods (EPA, 1986 (revised 2005), 2015a, 2015b, and 2015c). Additionally, California requires that environmental testing laboratories conducting USEPA Methodology be approved under the Environmental Testing and Accreditation Program (ELAP) and the National Environmental Laboratory Accreditation Program (NELAP) (SWRCB, 2015a). For munitions or explosive chemical analysis, there are two currently approved USEPA Methods: 8330A and 8330B (EPA, 2015c).

These approved USEPA analytical methods have been developed specifically to test for contaminants related to explosives being released to soil or water. Documentation for USEPA Method 8330 states the following:

“This method is intended for the trace analysis of explosives and propellant residues by high performance liquid chromatography (HPLC) using a dual wavelength UV detector. This method provides a direct injection procedure for high level water samples, an extraction procedure for soils and sediments as well as a low level method for the extraction of water samples. The use of solid-phase extraction, Method 3535, has been shown to provide equal or superior results and is preferred for low level aqueous samples. All of these compounds are either used in the manufacture of explosives or propellants, are impurities in their manufacture, or they are the degradation products of compounds used for that purpose. Stock solutions for calibration are available through several commercial vendors.”

These methods allow for the detection of the munitions and explosive chemicals at very low levels. The current reporting limit in soils for USEPA Method 8330 is 0.080 mg/kg (0.080 parts per million or 80 parts per billion). For groundwater collected as part of the Proposed Project field program, monitoring and production wells reporting limits for USEPA Method 8330B varied from 0.098 to 0.49 micrograms per liter (µg/L) or parts per billion (ppb) (see Appendix D in Appendix L of the Draft EIR).

Determination of chemical risk is commonly evaluated as part of a risk assessment that includes a chemical exposure assessment; low-level concentrations of numerous different constituents cannot simply be added together to produce a high level of risk (see EPA, 1986). For information on baseline human health and ecological risks at the Fort Ord site, please refer to the final base-wide remedial action/feasibility study (Fort Ord Cleanup, 2015). For the area of the Proposed Project, no chemicals have been detected at sufficient concentrations in groundwater that would trigger an assessment for human health or ecological risk.

3.9.6 Field Program for the Proposed Project

In order to evaluate soil and groundwater conditions for the Proposed Project Injection Well Facilities, MRWPCA conducted a hydrogeologic investigation and field program in 2013-2014 (Todd Groundwater, 2015; see reference on pages 4.10-70 and 4.10-80 in the Draft EIR). One objective of the field program was to evaluate the potential for recharge from the Proposed Project to leach legacy Fort Ord chemicals remaining in the soil, which may result in impacts to groundwater. In addition, the field program was designed to evaluate the potential for the Proposed Project wells to be impacted by, or cause migration of, any existing groundwater contamination from former Fort Ord activities. The field program is summarized in Appendix L of the Draft EIR (pages 56 through 74).

The field program involved soil and groundwater sampling in the vicinity of the Injection Well Facilities site, including geologic coring and sampling throughout the 400-foot thick vadose zone, installation of a new monitoring well, and sampling and analysis of about 300 constituents in groundwater from six monitoring and production wells surrounding the Injection Well Facilities site (including the new monitoring well). Both upgradient and downgradient wells were included. Field methods, analyses, and results associated with the field program were presented in a hydrogeological report (Todd Groundwater, 2015), which is referenced in the Draft EIR and summarized in Appendix L (pages 3, 57 to 58, 60 to 77, especially pages 65 to 67 and 72 to 74 in Appendix L, Draft EIR). Analytical results of groundwater sampling are summarized as Appendix D in Appendix L.

As presented in Appendix L (see Appendix D within Draft EIR Appendix L), groundwater samples were analyzed for constituents with drinking water standards (under California Code of Regulations (CCR) Title 22) and numerous other constituents and parameters to characterize local groundwater (about 300 total constituents, see Todd Groundwater, 2015). The analyses also included constituents of concern identified with former Fort Ord activities including explosives, pesticides, and metals. These analyses included 137 individual chlorinated pesticides and polychlorinated biphenyl (PCB) using USEPA Method 508 (see Table D-1D in Appendix L of the Draft EIR), nitrogen and phosphorous pesticides using USEPA Method 507 (Table D-1E), explosives using USEPA Method 8330B (Table D-1M), and CCR Title 22 metals with USEPA Method 200.7, 200.8, 218.6, and 245.1 (Table D-1B). Additional analyses included chlorinated acids (EPA Method 515.1), other organic compounds (diquat, entdohall and glyphosate by USEPA Methods 549.2, 548.1, and 547, respectively), VOCs (EPA Method 524.2), semi-volatile organic compounds (SVOCs) (EPA Method 525.2), haloacetic acids (EPA Method 522.2), pharmaceutical and personal care products (PPCPs) (EPA Methods 1625M and 1694M), and radiogenic elements (various analytical methods).

Regarding the constituents listed in attachments to comment letter W, the Draft EIR analyses included almost all of the VOCs, explosives, and metals that were provided as an Attachment (Table 2) in the comment letter. In addition, analyses included more than one-third of the SVOCs provided in Tables 1 and 2 in the comment letter. Because SVOCs are less mobile, analyses focused on key indicator SVOCs. About one-half of the munitions chemicals on Tables 4 and 5 were included, along with many of the pesticides on Table 6. The field program focused specifically on indicator constituents for which analytical methodologies had been developed and approved by USEPA and constituents that are more soluble and mobile in the environment, and were suitable for determining baseline groundwater chemistry and potential impacts of the Proposed Project on Seaside Basin groundwater.

The analyses indicated that groundwater beneath the Proposed Project area had not been impacted by Fort Ord constituents of concern. None of the pesticides were detected above method detection limits or above maximum contaminant levels (MCLs) (for those constituents with established MCLs). None of the explosives were detected above the Method Reporting Limit (MRL). One munitions compound, 2,6 dinitrotoluene (2,6-DNT) was detected at low levels (too low to be quantified by the laboratory) in three groundwater samples, but was also detected in laboratory blank samples at similar or higher levels. Laboratory blanks contain no groundwater and consist of in-laboratory water only. These blanks are used for quality assurance and quality control (QA/QC) purposes, and detections in the blanks indicate laboratory contaminants. This indicates that 2,6-DNT was inadvertently introduced into the samples in the laboratory and does not occur in groundwater. Elevated turbidity in samples from two wells resulted in some elevated concentrations of naturally-occurring metals and naturally-occurring radiogenic constituents, but overall, data indicated that groundwater had not been contaminated. Except for these

metals and radiogenic elements influenced by turbidity, all constituents met drinking water standards (see Table 14, page 64, Appendix L of the Draft EIR). The samples with elevated turbidity indicate the presence of small particles of aquifer material or pre-development solids that were entrained in the groundwater sample during collection. These particles cause laboratory analysis interference by not allowing measurement of the dissolved concentrations constituents in groundwater on which compliance with water quality standards are based. Therefore, the concentrations of these metals and radiogenic parameters are not representative of actual concentrations in groundwater.

The field program also evaluated the potential for the Proposed Project to leach any legacy chemicals from the soil and vadose zone into groundwater (Todd Groundwater, 2015; summarized on pages 72 to 74 of Appendix L in the Draft EIR). Analytical data from soil core samples and detailed geochemical modeling did not identify any significant impacts associated with this migration pathway.

Collectively, the results of the field program indicate that the Proposed Project will not impact, or be impacted by, Fort Ord constituents of concern (pages 75 to 77, Appendix L, Draft EIR).

3.9.7 Proposed Project Mitigation and Monitoring

During the development and construction of the Proposed Project Injection Well Facilities, several mitigation measures have been identified to mitigate Impact HH-2: *Accidental Release of Hazardous Materials during Construction* pursuant to the Seaside Municipal Code. Mitigation Measure HH-2c requires detailed descriptions of the disposal method for soil, the approved disposal site, and written documentation that the disposal site will accept the waste. For areas within the Seaside Munitions Response Area Site 39, the materials disposal plans will be reviewed and approved by FORA and the City of Seaside. The contractor will develop a groundwater dewatering control and disposal plan specifying how the contractor will remove, handle, and dispose of groundwater impacted by hazardous substances in a safe, appropriate, and lawful manner. The plan must identify the dewatering locations at which potential contaminated groundwater is likely to be encountered (if any), the method to analyze groundwater for hazardous materials, and the appropriate treatment and/or disposal methods.

Regional groundwater monitoring is ongoing. The Monterey Peninsula Water Management District conducts a basin-wide groundwater monitoring program with support from the Seaside Basin Watermaster. Components of the program also serve as the monitoring program for the ASR Project. Additionally, the California American Water Company (CalAm) monitors the water quality from their production wells in the basin in compliance with drinking water requirements per CCR Title 22 requirements including analysis of organochlorine pesticides in groundwater.

Monitoring wells will be constructed as part of the Proposed Project and will provide ongoing monitoring in the Seaside Groundwater Basin as described in the Draft EIR (page 2-74; see also pages 38 to 40 and Figure 10 in Appendix L). These wells will also provide baseline data prior to project implementation. A detailed monitoring program will be developed in compliance with the Final Groundwater Replenishment Regulations (SWRCB, 2015b) and in coordination with the State Division of Drinking Water as part of the required Engineering Report for the Proposed Project. For more detailed information on these regulatory requirements, please see Appendix D, Pure Water Monterey Groundwater Replenishment Project Water Quality Statutory and Regulatory Compliance Technical Report, in the Draft EIR.

3.10 MASTER RESPONSE #10: MARINA COAST WATER DISTRICT AND CITY OF MARINA WATER SUPPLY ISSUES

This master response addresses comments related to Marina Coast Water District and City of Marina water supply issues, including the following: H-1, H-2, H-3, H-4, H-5, H-6, H-7, H-8, H-9, H-10, H-11, H-12, H-13, H-14, H-15, H-16, H-17, H-18, H-19, H-20, H-21, H-42, H-49, H-51, H-58, H-60, H-62, H-64, H-65, H-66, J-1, J-2, J-3, K-1, K-2, K-3, K-4, S-6, T-3, T-4, and T-5. This master response was prepared with assistance from Schaaf & Wheeler Consulting Engineers and Perkins Coie, CEQA and water rights attorneys for MRWPCA.

MRWPCA is in discussions with Marina Coast Water District (MCWD) regarding the potential use of the RUWAP alignment for the proposed Product Water Conveyance Pipeline, and the terms and conditions under which this alignment could be utilized. The potential environmental impacts of constructing the pipeline in the RUWAP alignment are discussed in this EIR.

MRWPCA and the Monterey Peninsula Water Management District are seeking to achieve agreement with all parties with potentially affected water rights through the Definitive Agreement or another instrument, as contemplated in the 2014 Source Waters Memorandum of Understanding (Source Waters MOU), to which MCWD is a party. It is expected that the Definitive Agreement will be executed after the certification of the Final EIR.

In the 2014 Source Waters MOU, the parties specifically acknowledged (1) the 1989 Annexation Agreement by which MCWD became a member entity of MRWPCA, (2) the 1992 Agreement between MRWPCA and Monterey County Water Resources Agency, and its amendments in May 1995 (First Amendment), February 1998 (Second Amendment), and May 2002 (Third Amendment).

As discussed in Draft EIR Section 4.18.3.4, MCWD has recycled water rights arising from the 1989 MRWPCA Annexation Agreement. MCWD does not question the EIR's characterization of its recycled water right under this agreement. However, MCWD does have concerns about how the EIR addresses its right to recycled water arising from two additional agreements: (1) a 2009 MOU between MRWPCA and the MCWD relating to recycled water for the RUWAP MOU executed in June 2009; and (2) a Three-Way MOU between MRWPCA, Monterey County Water Resources Agency, and MCWD relating to the abandoned Regional Water Supply Program (2009 Three-Way MOU). MCWD also is concerned about its obligations to the former Fort Ord. Each of these issues is discussed in greater detail below.

MCWD also inquired whether the Proposed Project is consistent with the Fort Ord Reuse Plan. The 1997 Fort Ord Base Reuse Plan was not specific on the source for augmented water supply, but the FORA Board approved the RUWAP hybrid alternative in 2005, and later allocated recycled water supply from the RUWAP to the member jurisdictions (2007). As discussed in this master response, the MCWD recycled water rights discussed in this EIR address both the City and the FORA assumptions for recycled water use. The Proposed Project's implementation would not affect the ability of MCWD to implement an augmentation project for its customers, and thus the Proposed Project would be consistent with the Fort Ord Reuse Plan.

The City of Marina has inquired into the Proposed Project's potential impacts on the water allocations for the City of Marina and the former Fort Ord (herein referred to as the Ord Community, consistent with MCWD's documents), and has asked whether there will be a mechanism to protect the City of Marina's and the Ord Community's allotment from assignment to another party. Both the City of Marina and Ord Community are served by the MCWD, and thus the water available to these areas depends on the water received by MCWD. MRWPCA and the Monterey Peninsula Water Management District do not control how MCWD distributes recycled water it receives under the 1989 Annexation Agreement, the 1996 Annexation Agreement, and the RUWAP MOU.

3.10.1 RUWAP MOU

MCWD suggests that the Draft EIR does not acknowledge MCWD's right to recycled water under the RUWAP MOU. While the Draft EIR acknowledges these rights (see Draft EIR at 4.18-21 to 4.18-22), language has been added to provide additional detail. See **Chapter 5, Changes to the Draft EIR**. MCWD and MRWPCA entered into a MOU in 2009 providing that MRWPCA and MCWD would supply up to 1,427 AFY to the RUWAP. For the summer months of May through August, MRWPCA would commit 650 AFY of recycled water from MRWPCA entitlements for the RUWAP. From April to September, MCWD would commit an additional 300 AFY from its entitlements for the RUWAP, for a total of 950 AFY of recycled water in the summer that would be available to the RUWAP Recycled Water Project should that project be completed. The recycled waters allotted to MCWD are a portion of MRWPCA's entitlements to recycled water in the Third Amendment of the 1992 Agreement between MRWPCA and Monterey County Water Resources Agency (Third Amendment).

Certain parties have disputed the validity of the Third Amendment. If the Third Amendment, or portions of the Third Amendment, were to be found invalid, the assignment of MRWPCA's recycled waters to MCWD in the RUWAP MOU may also be found to be invalid. However, for purposes of the analysis in this EIR, MRWPCA assumes the Third Amendment is valid and enforceable and that MCWD has an existing right to 650 AFY of recycled water from MRWPCA in the months of May through August.

The EIR recognizes that the RUWAP Recycled Water Project is a reasonably foreseeable future project for purposes of its cumulative impacts analysis, rather than as an existing condition or a future background condition. This determination in the EIR considers that the RUWAP MOU entitles MCWD to the recycled water addressed in that MOU only if the RUWAP improvements are completed and MCWD pays the capital and operational costs including loan repayment to the U.S. Bureau of Reclamation for construction of the SVRP. The RUWAP MOU does not require MRWPCA or any other entity to contribute to the cost of completing such improvements. Because the RUWAP Recycled Water Project has not been finished and there does not appear to be a plan for completing the RUWAP Recycled Water Project improvements in the near term. Specifically, no budget exists for construction,¹² recycled water distribution system improvements are not funded, and user agreements have not been drafted or signed. Thus, the EIR analyzes the RUWAP Recycled Water Project as a cumulative project.

As shown in **Table 3-D**, the Proposed Project would not prevent MRWPCA from delivering to MCWD the full amount of water contemplated by the 1989 MRWPCA Annexation Agreement and the RUWAP MOU. If MCWD completes construction of the RUWAP Recycled Water Project, pays for the capital, operational, and loan repayment costs, and is then able to exercise its rights under these agreements, less of the existing quantity of recycled water would be available for irrigation through CSIP during some months. This effect would result from MCWD's exercise of its senior water right regardless of whether the Proposed Project is constructed and implemented. At this time, MCWD's urban irrigation customer demands are estimated to be approximately 360 AFY between April and September of each year and 540 AF total annually (MCWD, personal communication, Andy Sterbenz with Bill Kocher, July 2015). **Table 3-D** show this short-term interim demand and its effects on average annual recycled water deliveries to the CSIP distribution system based on a month-by-month analysis of supplies and demands data. Similarly, **Table 3-D** shows the effect on availability of water to the growers through the CSIP should MCWD ultimately exercise the full amount of its rights under its existing agreements.

It is possible that a modification of the amount of recycled water committed to MCWD could be made in connection with the Definitive Agreement contemplated by the 2014 Source Waters MOU. Both MCWD and MRWPCA are parties to the Source Waters MOU. The Source Waters MOU states that the Definitive Agreement may result in an Amendment to the 1992 Agreement and the amendments thereto and that any remaining applicable terms of the Third Amendment would be restated in the Definitive Agreement. A change in the terms of the Third Amendment could necessitate a change in the terms of the RUWAP MOU.

MRWPCA and the Water Management District may pursue a shared easement to accommodate the Proposed Project Product Water Conveyance pipeline in some portions of the RUWAP alignment while

¹² The RUWAP recycled water project is not included for funding in MCWD's 5-year Capital Improvement Program.

also leaving space for completion of the planned separate RUWAP pipeline. It is also possible that in the future these agencies may decide to jointly use a single pipeline for both the Project Water Conveyance and the RUWAP Recycled Water Project by Marina Coast Water District.

Joint use of a shared pipeline is beyond the scope of the Proposed Project. Pursuant to the State Water Resources Control Board Groundwater Replenishment Regulations (June 2014), recycled water used for subsurface application must undergo advanced treatment (e.g., beyond tertiary treatment) such as that proposed for the AWT Facility. Thus, tertiary recycled water and purified recycled water cannot mix together in the same pipeline without compromising the regulatory compliance aspects of the groundwater replenishment component of the Proposed Project. Joint use of the Product Water Conveyance pipeline with the RUWAP Recycled Water Project would necessitate that MCWD receive purified recycled water from the proposed AWT Facility (taking into consideration a 19% loss of water that occurs through the reverse osmosis system as part of the separation process; this process loss is called “reject”) rather than tertiary treated recycled water from the SVRP (which does not result in a reject loss in its process). In the event that the agencies choose to explore this option in the future, it is confirmed that there would be sufficient source water to accommodate this potential configuration. However, this configuration could reduce total availability of recycled water by up to 270 AFY (with 180 AF of the total occurring in April through September) compared to scenarios in which either the Coastal Alignment or a separate parallel pipeline following the RUWAP alignment were used for Product Water Conveyance for the Proposed Project’s objectives. **Table 3-D** shows the total amount of recycled water that would be available to MCWD and the growers served by CSIP if (a) a single pipeline were used both for the RUWAP and Product Water Conveyance (see “Shared Pipeline Scenarios” columns); and (b) MCWD urban irrigators receive the full amount of recycled water contemplated by the 1989 Annexation Agreement and the RUWAP MOU (see “Product Water = RUWAP MOU Quantities” columns). Under this scenario, MCWD would receive its full allocation but approximately 220 AFY less recycled water would be available to CSIP compared to the “Separate Pipeline” scenarios depicted in **Table 3-D**, in which the Product Water Conveyance pipeline is separate from the RUWAP pipeline.

Table 3-D also shows the total amount of recycled water that would be available to MCWD and the growers served by the CSIP if (a) a single pipeline were used both for the RUWAP and Product Water Conveyance (see “Shared Pipeline Scenarios” columns); and (b) the amount of water contemplated by the 1989 Annexation Agreement and RUWAP MOU were reduced to account for the approximately 19% reverse osmosis reject loss that would occur at the AWT Facility (See “AWT Influent Flows = 2009 RUWAP MOU Quantities” columns). Under this scenario, MCWD would receive approximately 19% (or 270 AFY, with 180 AF in April through September) less water, but the same amount of recycled water would be available to CSIP as compared to the scenario where MCWD receives its full allocation of treated recycled water from the SVRP using a separate pipeline.

If a single pipeline were used both for the RUWAP and the Product Water Conveyance, there may be upgrades needed to the system, such as modifications to the Advanced Water Treatment Facility. Any such modification would be analyzed in a separate CEQA process if such a project were proposed. In addition, MCWD and MRWPCA would need to enter into an agreement for completion and joint use of the RUWAP pipeline. Through that agreement, the parties may also agree to reduce the amount of water committed to MCWD under the RUWAP MOU. Alternatively, the parties may agree to commit additional secondary wastewater as influent to the AWT Facility to enable the AWT Facility to deliver up to the MCWD full allotment of planned recycled water demands (and no more than the RTP receives as influent from MCWD).

3.10.2 2009 Three-Way MOU

The Draft EIR does not refer to the 2009 Three-Way MOU between MRWPCA, MCWD, and MCWRA because the 2009 Three-Way MOU recitals provide that the underlying basis for the MOU was the Regional Water Supply Program (also known as the Regional Desalination Project), and that the MOU was focused on only planning-level activities relating to the Regional Desalination Project. The planning process for this project was terminated (California Public Utilities Commission Decision 12-07-008). Because the basis for the 2009 Three-Way MOU no longer exists, the 2009 Three-Way MOU can no longer serve its intended purpose and is thus without further force and effect. MCWD is therefore not

entitled to additional recycled water from MRWPCA or MCWRA under the 2009 Three-Way MOU, and thus the Three-Way MOU need not be discussed in this EIR.

3.10.3 Agreements between MCWD and Fort Ord Reuse Authority

MCWD is concerned that changes to its recycled water rights could impact its ability to deliver recycled water as obligated under agreements between MCWD and FORA for water demands within the former Fort Ord area, such as Monterey Downs and Monterey Horse Park. At the core of MCWD's concerns is the viability of its right to recycled water under the RUWAP MOU. MRWPCA's intentions regarding the RUWAP MOU are discussed above.

To the extent that MCWD will develop other projects to make up for any shortfall in its obligations to FORA, those projects are speculative at this point and are not impacts of the Proposed Project. Thus, these speculative future projects need not be evaluated in this EIR.

Table 3-D.

Estimated Annual Recycled Water Yields Under Various Scenarios of MCWD Demand and Pipelines

	Existing	No Proposed Project with Long-Term MCWD Use (Note 1a)		Proposed Project with No MCWD Use			Proposed Project with all MCWD Use Scenarios	Shared Pipeline Scenarios						Separate Pipelines Scenarios			
								Short-term MCWD Use (Note 1b)		Product Water Flows = 2009 RUWAP MOU Quantities (Note 2a)		AWT Influent Flows = 2009 RUWAP MOU Quantities (Note 2b)		Short-term MCWD Demand (Note 1c)		Long-term MCWD Demand (Note 2c)	
Year Type (Notes 4 & 5)	SVRP to CSIP (Note 1)	SVRP to MCWD	SVRP to CSIP	AWT to SGB (injection amount)	MCWD	SVRP to CSIP	AWT to SGB (injection amount)	AWT to MCWD	SVRP to CSIP	AWT to MCWD	SVRP to CSIP	AWT to MCWD	SVRP to CSIP	SVRP to MCWD	SVRP to CSIP	SVRP to MCWD	SVRP to CSIP
April to September																	
Normal/wet building reserve				1,755	0	14,160	1,755	360	13,720	950	12,990	770	13,210	360	13,810	950	13,210
Normal/wet reserve full (Note 6)	10,310	950	10,090	1,755	0	13,620	1,755	360	13,190	950	12,460	770	12,680	360	13,270	950	12,680
Drought year use reserve for CSIP	10,460	950	9,340	855	0	14,560	855	360	14,110	950	13,380	770	13,610	360	14,200	950	13,610
Total Annual																	
Normal/wet building reserve				3,700	0	18,410	3,700	540	17,980	1,427	17,250	1,156	17,470	540	18,060	1,427	17,470
Normal/wet reserve full (Note 6)	13,000	1,427	14,340	3,500	0	17,880	3,500	540	17,440	1,427	16,710	1,156	16,940	540	17,530	1,427	16,940
Drought year use reserve for CSIP	15,470	1,427	15,700	2,500	0	21,200	2,500	540	20,680	1,427	19,830	1,156	20,090	540	20,780	1,427	20,090

Notes:

1a. This scenario shows MCWD long-term demands (in accordance with the approved RUWAP Recycled Water Project and 2009 RUWAP MOU) and the resulting expected SVRP deliveries to CSIP without the Proposed Project implemented. This assumes the SVRP Modifications would be implemented as part of the RUWAP. The SVRP Modifications have not yet been built and thus are also a component of the Proposed Project. Because there would be no drought reserve under this scenario, all normal/wet year deliveries would be the same.

1b. This scenario shows MCWD short-term demands and the expected SVRP deliveries to CSIP that might occur within the first 2 years of operation of the GWR Project with a pipeline shared with RUWAP. The estimated MCWD demand is based on existing customers along the RUWAP pipeline alignment- specifically, for Bayonet and Blackhorse Golf Courses, CSUMB sports fields, and Marina Heights streetscapes (MCWD, 2015).

1c. This scenario shows MCWD short-term demands and the resulting SVRP deliveries to CSIP that might occur within the first 2 years of operation of the GWR Project with separate pipelines for RUWAP and Proposed Project. The estimated MCWD demand is based on existing customers along the RUWAP pipeline alignment- specifically, for Bayonet and Blackhorse Golf Courses, CSUMB sports fields, and Marina Heights streetscapes (MCWD, 2015).

2a. This scenario shows the expected delivery to existing irrigation through CSIP plus planned/proposed demands from MCWD when adequate wastewater inflows from MCWD are sent to RTP to produce the full 2009 RUWAP MOU allotment (assuming shared pipeline for RUWAP and Proposed Project). Under this scenario, 1,761 AFY of MCWD wastewater inflow is needed for MCWD demands of 1,427 AFY due to 19% of treated water being discharged as reverse osmosis concentrate to the outfall. Specifically:

AWT Facility Product Water Flows to meet 2009 RUWAP MOU Quantities	AWT Flows			
	Influent	Product	Influent	Product
	APR-SEP (note 4)	APR-SEP (note 4)	Annual	Annual
MCWD	370	300	959	777
MRWPCA	802	650	802	650
Total	1,172	950	1,761	1,427

2b. This scenario shows the expected delivery to existing irrigation through CSIP plus planned/proposed demands when 950 AFY of wastewater inflows from MCWD are sent to RTP (assuming shared pipeline for RUWAP and Proposed Project). Under this scenario 1,427 AFY of MCWD wastewater inflow is used to produce 1,156 AFY for MCWD due to 19% of treated water being discharged as reverse osmosis concentrate to the outfall (AWT inflow for MCWD limited to 950 AFY for April - September). Specifically:

AWT Influent Flows limited to MCWD's 2009 RUWAP MOU Quantities	AWT Flows			
	Influent	Product	Influent	Product
	APR-SEP (note 4)	APR-SEP (note 4)	Annual	Annual
MCWD	300	243	777	629.37
MRWPCA	650	526.5	650	526.5
Total	950	770	1,427	1,156

2c. Under this scenario, the assumed delivery to existing irrigation through CSIP plus planned/proposed demands when 950 AFY wastewater inflows from MCWD are sent to RTP. Under this scenario, 1,427 AFY of source water is needed for MCWD demands of 1,427 AFY because this scenario assumes MCWD recycled water comes from the SVRP and is delivered using separate pipelines.

3. Use of SVRP recycled water by CSIP irrigators for Normal/Wet years assumes the average SVRP deliveries to CSIP in 2009 – 2013. Use of SVRP recycled water for drought year conservatively assumes SVRP deliveries in 2013 as a baseline.

4. Under the 2009 RUWAP MOU, MCWD committed to provide 300 AFY from April to September while MRWPCA committed to provide 650 AFY from May to August. These calculations assume the 950 AFY spread across April to September and that MCWD's 300 AFY commitment would be used in April and September.

5. Since the CSIP system was built, CSIP irrigators have also received supply from CSIP supplemental groundwater wells (operated by MRWPCA) and, since 2009, from the Salinas River Diversion Facility (SRDF). These sources would continue to be available in the future under all scenarios (i.e., with no changes due to RUWAP nor the Proposed Project). The SRDF is expected to provide approximately 3,427 AFY to CSIP based on the full historical record of availability (a 5-year average, 2009 through 2013). Because the expected yields to CSIP from SRDF would not be affected by the Proposed Project nor by RUWAP, these yields are not included in the totals. Single drought year from SRDF to CSIP (2013) was 6,094 AFY; however, in multiple drought years no water is expected to be available from the SRDF (as demonstrated by years 2014 and 2015).

6. This assumes no diversion of at Tenbladeno Slough when the drought reserve is full.

3.11 MASTER RESPONSE #11: PROPOSED PROJECT'S RELATIONSHIP TO THE PROPOSED MONTEREY PENINSULA WATER SUPPLY PROJECT

This master response addresses comments related to the Proposed Project's relationship to the Monterey Peninsula Water Supply Project, including the following: L-21, P-10, P-11, P-12, S-13, S-14, T-2, V-6, and V-7.

3.11.1 Overview of the Proposed Monterey Peninsula Water Supply Project

As described on pages 2-11 through 2-12 of the Draft EIR, CalAm, working with local agencies, has proposed construction and operation of a CalAm-owned and operated desalination project (known as the Proposed Monterey Peninsula Water Supply Project (Proposed MPWSP). CalAm is an investor-owned utility that is regulated by the California Public Utilities Commission (CPUC); the Proposed MPWSP is identified as CPUC Application A.12-04-019. The Proposed MPWSP is designed to provide the replacement water CalAm needs to comply with the State Water Resources Control Board Cease and Desist Order and the Seaside Groundwater Basin Adjudication, and to satisfy forecasted demand.

In its application to the CPUC for approval of the Proposed MPWSP, CalAm proposed a three-pronged approach. The three prongs, or components, consist of: (1) desalination, (2) groundwater replenishment, and (3) ASR. The CPUC is the CEQA lead agency for the Proposed MPWSP, and published a Notice of Preparation of an EIR in October 2012. The Notice of Preparation identified Proposed MPWSP facilities and improvements, including: a seawater intake system; a 9 mgd desalination plant; desalinated water storage and conveyance facilities; and expanded ASR facilities.

The Proposed MPWSP Notice of Preparation also explains that if the groundwater replenishment project component of the Proposed Project is timely approved and implemented, CalAm's proposed desalination plant would be a smaller, a 5.4 mgd plant and CalAm would enter into an agreement to purchase 3,500 AFY of purified recycled water from the Proposed GWR Project. After publication of the Notice of Preparation, CalAm stated that, to fully satisfy their Proposed MPWSP objectives, the full-sized desalination plant would need to be a 9.6 mgd plant, and the smaller desalination plant, proposed to be constructed if the MRWPCA Proposed Project is implemented, would need to be a 6.4 mgd plant.

The Proposed MPWSP Draft EIR was released in April 2015 and it addresses both the proposed 9.6 mgd desalination plant and a proposed "MPWSP Variant," which assumes a 6.4 mgd desalination plant and purchase of 3,500 AFY of purified recycled water for groundwater replenishment from the Proposed Project.

3.11.2 Relationship of the Proposed Project to the Proposed MPWSP

The Proposed Project is designed to provide part of the replacement water needed for CalAm to comply with the Cease and Desist Order and the Seaside Groundwater Basin Adjudication. The Proposed Project would not produce all of the needed replacement water; the primary goal of the Proposed Project is to produce 3,500 AFY and deliver the water to the Seaside Basin where CalAm can extract the same amount and also reduce its Carmel River diversions by that same amount. The Proposed Project could provide this quantity of replacement water even if the CPUC denies CalAm's application to construct and operate a desalination plant. In other words, the Proposed Project could accomplish its objective, and be useful in reducing Carmel River diversions, independent from approval of CalAm's proposed desalination plant.

While the Proposed Project could proceed as an independent project, the Proposed GWR Project is related to CalAm's project in that the groundwater replenishment component of the Proposed Project would reduce the size of CalAm's proposed desalination plant if such plant is approved by the CPUC. As explained in the preceding section, if the Proposed Project's groundwater replenishment component is timely approved and implemented, CalAm's proposed desalination plant would be reduced in size from a 9.6 mgd plant to a 6.4 mgd plant.

3.11.3 Proposed Project Components in Common with the Proposed MPWSP

The Draft EIR on page 2-78 describes how both the Proposed GWR Project and the Proposed MPWSP Project include some of the same CalAm Distribution System components (referred to as the Transfer and Monterey pipelines in this EIR).

CalAm would use existing Seaside Groundwater Basin wells, in addition to existing treatment facilities and existing pipelines in its Monterey District Service area, to recover, treat and deliver potable water from the Seaside Groundwater Basin to its customers; the water that CalAm extracts would include a blend of the Proposed GWR Project purified recycled water along with other groundwater from the Basin.

In addition to using existing wells, treatment facilities, and pipelines, CalAm would need to construct additional pipeline segments to deliver the full amount of extracted water to its customers. Because the CalAm system was initially built to deliver water from Carmel Valley to the Monterey Peninsula cities, a hydraulic trough currently exists in the CalAm peninsula distribution system that prevents water delivery at adequate quantities from the Seaside Groundwater Basin to most of Monterey, and all of Pacific Grove, Pebble Beach, Carmel Valley, and the City of Carmel areas. The hydraulic trough is an area of the CalAm distribution system with very small pipe diameters and very low elevation such that the required high flow rates of water and high pressures needed to convey water from the north between two pressure zones of the system cannot be achieved with the current infrastructure. This system deficiency would need to be addressed regardless of whether the Proposed GWR Project is implemented by itself, the Proposed MPWSP with the full-size desalination plant is implemented without the Proposed GWR Project, or the variant to the Proposed MPWSP that includes both a smaller desalination plant and the Proposed GWR Project is implemented. Under all three of these scenarios, for CalAm to be able to deliver increased quantities of water extracted from the Seaside Groundwater Basin to its customers, the company would need to construct pipeline improvements to bridge this trough.

As part of the Proposed MPWSP, CalAm is proposing to construct two new pipelines--the Transfer and Monterey pipelines--to bridge this trough. In addition, CalAm is proposing to construct a new Terminal Reservoir to add storage and pressure equalization within the water supply system; however, MRWPCA understands that the Terminal Reservoir would not be needed if the Proposed GWR Project is implemented by itself. Therefore, the Transfer and Monterey Pipelines are the only CalAm Distribution System components proposed to be built by CalAm and included in the analysis of impacts of the Proposed GWR Project.

While MRWPCA would not be approving, constructing or operating the CalAm distribution improvements, the improvements would be needed for full operation of a stand-alone Proposed GWR Project, and therefore they are included in the environmental evaluation of the Proposed GWR Project. These same CalAm improvements are also included in the Proposed MPWSP as a component of that project. The proposed alignment of these pipelines is shown in Figures 2-38, CalAm Distribution System Pipeline: Eastern Terminus, and 2-39, CalAm Distribution System Pipeline: Western Terminus¹³ of the Draft EIR. Chapter 6 of the Draft EIR (see pages 6-36 to 6-44) also describes and analyzes alternatives to the proposed CalAm Distribution System Pipeline alignments presented in Chapter 2 and analyzed in Chapter 4.

¹³ Alternative routes for the Monterey and Transfer Pipelines have been submitted to the CPUC by CalAm. The alternative routes are addressed in this EIR within Chapter 6, Alternatives to the Proposed Project, of the Draft EIR on pages 6-36 to 6-44.

3.11.4 Treatment of the Proposed MPWSP in this EIR

This EIR assumes that the Proposed GWR Project would be built with or without implementation of the desalination plant that is part of the Proposed MPWSP. If the Proposed GWR Project is built, then a desalination plant constructed by CalAm would be built at the smaller size of 6.4 mgd rather than the larger 9.6 mgd size that also is undergoing evaluation in the Proposed MPWSP EIR. The Proposed GWR Project EIR, therefore, considers the version of the Proposed MPWSP that includes the smaller (6.4 mgd) CalAm desalination plant as a cumulative project.

CalAm's CPUC Application A.12-04-019 calls the project scenario that includes a smaller (6.4 mgd) desalination plant scenario the "MPWSP Variant," and states that the smaller desalination plant along with the Proposed GWR Project would be capable of meeting the total demand of 15,296 AFY for CalAm's Monterey District service area (Monterey District) as well as all other project objectives for the Proposed MPWSP. Under the Proposed MPWSP Variant, the total water produced by the CalAm desalination plant would be 6,252 AFY, compared to 9,752 AFY if CalAm were to construct the larger desalination plant. The Proposed MPWSP Variant would require fewer subsurface slant wells (seven wells) for the seawater intake system as compared to the larger desalination plant that requires ten wells.

Notably, both the Proposed MPWSP (with a 6.4 mgd desalination plant) and the Proposed GWR Project include the CalAm Distribution System: Monterey and Transfer Pipelines. The CalAm Distribution System Pipelines are needed to supply water from the Seaside Basin to CalAm customers whether either the Proposed MPWSP or the Proposed GWR Project is implemented, and also is needed if both the Proposed MPWSP (with a 6.4 mgd desalination plant) and the Proposed GWR Project is implemented. A summary of the facilities required to be built and operated for the MPWSP Variant are provided in Appendix Y of the Draft EIR.

Regardless of the size of the desalination plant, the Proposed MPWSP would also include improvements to existing Seaside Groundwater Basin ASR system facilities to enable CalAm to inject desalinated product water into the groundwater basin for subsequent extraction and distribution to customers. CalAm's proposed improvements to the ASR system would also increase the efficiency and long-term reliability of the ASR system for injecting Carmel River water into the groundwater basin. Approximately 1,300 AFY of water would be produced by the ASR system according to the CPUC and CalAm documents. The Proposed MPWSP also includes over 30 miles of pipelines, two pump stations, and water storage tanks. The Proposed MPWSP area extends approximately 14 miles, from the proposed CalAm desalination plant site located in unincorporated Monterey County in the north to the western terminus of the proposed Monterey Pipeline in the City of Pacific Grove, and east approximately 8 miles to the unincorporated community of Hidden Hills along Highway 68. See Figure 4.1-2, Proposed MPWSP Location Map, in the Draft EIR for Proposed MPWSP facilities shown overlain with the GWR Facilities that would be built if the Proposed MPWSP with a 6.4 mgd desalination plant were built.

Cumulative analyses within each resource topic section of Chapter 4 of the Proposed GWR Project Draft EIR address a cumulative scenario of combined implementation of the Proposed GWR Project plus the Proposed MPWSP (with 6.4 mgd desalination plant). The cumulative sections also include an analysis of the Proposed GWR Project combined with all other cumulative projects listed in Table 4.1-2 as applicable to each resource area and geographic area of study.

3.12 MASTER RESPONSE #12: ADEQUACY OF SCOPE AND RANGE OF ALTERNATIVES

This master response addresses comments related to the adequacy of the scope and range of alternatives, including the following: H-20, H-21, H-65, H-66, H-67, L-11, L-12, L-16, L-17, L-21, L-35, P-10, P-12, R-7, S-12, S-13, S-14, U-2, U-3, U-4, U-6, V-3, V-4, V-10, Z-3a through Z-3e, AA-11, AA-13, and AA-14.

3.12.1 CEQA Requirements for Alternatives

CEQA Guidelines Section 15126.6 requires the consideration of a range of reasonable alternatives to the proposed project. The purpose of the alternatives analysis, according to CEQA Guidelines Section 15126.6(a), is to describe a range of reasonable alternative projects that could feasibly attain most of the objectives of the proposed project and to evaluate the comparative merits of the alternatives. The Guidelines further require that discussion focus on alternatives capable of eliminating significant adverse impacts of the project or reducing them to a less-than-significant level, even if the alternative would not fully attain the project objectives or would be more costly.

The range of alternatives evaluated in an EIR is governed by a “rule of reason,” which requires the evaluation of alternatives “necessary to permit a reasoned choice.” An EIR need not consider alternatives that have effects that cannot be reasonably ascertained and/or are remote and speculative. Alternatives considered must include those that offer substantial environmental advantages over the proposed project and may be feasibly accomplished in a successful manner considering economic, environmental, social, technological, and legal factors. In accordance with the CEQA Guidelines, the alternatives considered in the Draft EIR included a reasonable range of alternatives that could: (1) accomplish most of the basic objectives of the project and (2) avoid or substantially lessen one or more of the significant effects of the project.

3.12.2 Draft EIR Alternatives

Chapter 6, Alternatives to the Proposed Project, of the Draft EIR provides a discussion of the following alternatives:

- Alternatives Considered but Eliminated
- No Project
- Alternatives to Proposed Project:
 - Reduced Seaside Basin Replenishment Alternative
 - Component by component alternatives for Source Water Diversion and Use, for Product Water Conveyance, and for CalAm Distribution System Improvements
 - Three overall alternatives to the Proposed Project were considered, that combined component by component alternatives into overall alternatives. Table 6-6 of the Draft EIR provides an overview of environmental impacts of the following overall alternatives compared to the Proposed Project:
 - Alternative A: Reduced Seaside Basin Replenishment and Alternative Monterey Pipeline
 - Alternative B: Reduced Source Water Alternative # 2 (No Tembladero Slough) and Alternative Monterey Pipeline
 - Alternative C: Reduced Source Water Alternative # 7 (Salinas Source Waters Only) and Alternative Monterey Pipeline

The CEQA Guidelines state that an EIR need not consider every conceivable alternative to a project, and that an EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative. However, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.

The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. On pages 6-24 to 6-52 of the Draft EIR, under the Alternatives Section, each of the selected alternatives is described, evaluated, and compared to the Proposed Project. The Draft EIR contains a description of the alternative followed by an evaluation of each alternative.

The Draft EIR also discusses the alternatives that were considered, but eliminated from further analysis, including water supply alternatives and alternatives to components of the Proposed Project (Section 6.2.1 Alternative Water Supplies Considered but Eliminated and Section 6.2.2 Alternative Components of the Proposed Project Considered but Eliminated). The Draft EIR reviewed previous water supply projects in the Monterey Peninsula, the former Fort Ord, and Salinas Valley areas in order to document past efforts at developing water supplies that were intended to achieve similar objectives of the Proposed Project, as well as to address specific comments raised in response to the Notice of Preparation for this EIR. The Draft EIR (pages 6-7 to 6-24) discusses the alternatives eliminated from the detailed analysis, referencing an explanation of the alternatives considered and the rationale for elimination of the particular alternative from more detailed evaluation.

In addition, for those alternatives selected for further evaluation, the ability of each alternative to reduce potential impacts is discussed. The Draft EIR identifies that the alternatives chosen for this analysis were developed to avoid or substantially reduce the significant impacts associated with the Proposed Project.

Chapter 6 of the Draft EIR consists of a detailed analysis of the potential environmental impacts of each alternative project component and each overall project alternative, including a separate discussion of each environmental issue area for each alternative, and provides sufficient information about each alternative to allow meaningful analysis in comparison with the Proposed Project. While an EIR must “include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project” (See CEQA Guidelines § 15126.6(d)), “[t]he discussion of alternatives need not be exhaustive....” The Draft EIR provides both a discussion on the comparison of the impacts for each alternative and further presents this comparison in a matrix format on pages 6-47 to 6-52 of the Draft EIR, (Tables 6-6). The use of a matrix format is expressly authorized by CEQA Guidelines § 15126.6, (d), which states “a matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison.”

In accordance with the CEQA Guidelines, the alternatives in the Draft EIR and this document include those that 1) could accomplish most of the basic objectives of the project and 2) could avoid or substantially lessen one or more of the significant effects of the project. To implement the Proposed Project and enable the MRWPCA to achieve its objectives, the MRWPCA will make a decision to approve the Proposed Project, an alternative to the Proposed Project or to not approve the project (i.e., no project action) and not achieve the Proposed Project objectives.

See Section 3.12.3 below for a discussion of the basic objectives of the Proposed Project.

3.12.3 Alternatives’ Ability to Meet Project Objectives

Several comments on the Draft EIR expressed their preference for specific alternatives or requested that additional alternatives be reviewed. Under CEQA Guidelines Section 15126.6(a), an EIR must describe a range of reasonable alternatives which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project. The range of alternatives examined in the Draft EIR necessarily is focused on those alternatives capable of meeting the project objectives.

As stated on pages 2-17 through 2-18 of the Draft EIR (and presented in the 2013 Notice of Preparation and its 2014 supplement in Draft EIR, Appendix A), the Proposed Project’s primary objective is to replenish the Seaside Groundwater Basin with water to replace a portion of CalAm’s water supply as required by state orders. Another objective of the Proposed Project is to provide additional water to the RTP that could be used for crop irrigation through the Salinas Valley Reclamation Plant and Castroville Seawater Intrusion Project (CSIP) system. Project objectives are restated below:

The primary objective of the Proposed Project is to replenish the Seaside Groundwater Basin with 3,500 AFY of purified recycled water to replace a portion of CalAm's water supply as required by state orders. The Draft EIR further identifies that to accomplish this primary objective, the Proposed Project would need to meet the following objectives:

- *Be capable of commencing operation, or of being substantially complete, by the end of 2016 or, if after 2016, no later than necessary to meet CalAm's replacement water needs;¹⁴*
- *Be cost-effective such that the project would be capable of supplying reasonably-priced water; and*
- *Be capable of complying with applicable water quality regulations intended to protect public health.*

Secondary objectives of the Proposed Project are also identified:

- *Provide additional water to the Regional Treatment Plant that could be used for crop irrigation through the Salinas Valley Reclamation Plant and CSIP system;*
- *Develop a drought reserve to allow the increased use of Proposed Project source waters as crop irrigation within the area served by the CSIP during dry years;*
- *Assist in preventing seawater intrusion in the Seaside Groundwater Basin;*
- *Assist in diversifying Monterey County's water supply portfolio.*

No new alternatives suggested or recommended in comments on the Draft EIR are capable of meeting the project objectives to the extent that the Proposed Project would; although some would meet one or more to a lesser degree.

As noted above, alternatives considered must include those that offer substantial environmental advantages over the proposed project and may be feasibly accomplished in a successful manner considering economic, environmental, social, technological, and legal factors. The new alternatives suggested in comments were reviewed against these established guidelines. No new alternatives suggested in comments on the Draft EIR meet these criteria as discussed below.

3.12.4 New Alternatives Suggested or Recommended by Commenters

Certain comment letters expressed their preference for an alternative to the Proposed Project or components thereof. Some comments express the need to add a project alternative or to consider alternatives to individual components of the Proposed Project. This section addresses the following comments: H-20, H-65, H-66, H-67, L-11, L-12, L-16, L-17, L-10, L-21, P-10, P-12, R-7, S-14, U-2, U-3, U-4, U-6, V-3, V-4, and V-10, Z-1, and Z-3a through Z-3e, AA-9 through AA-14. See also the individual responses to the above comments in **Chapter 4, Comments and Responses on the Draft EIR** for specific responses.

3.12.4.1 Alternatives to Project Components Suggested by Commenters

Alternatives to Product Water Conveyance Pipeline

Comments H-20, H-66, H-67, J-5, L-16, L-17, V-4, AA-9, and AA-10 relate to alternatives for product water conveyance pipeline alignments, including comments on the two primary options (the RUWAP alignment option and the Coastal alignment option) and recommendations for new alternatives for portions of the proposed alignments.¹⁵

¹⁴ The Draft EIR clarifies that the Proposed MPWSP has been delayed to the point where it is not possible for CalAm to meet the State Water Resources Control Board Cease and Desist Order 2009-60 deadline of December 31, 2016.

¹⁵ Comments P-10, P-12, L-21, AA-13 and AA-14 address alternatives to the CalAm Distribution System: Monterey Pipeline and are addressed below.

Certain comments identify a preference for the Regional Urban Water Augmentation Project (RUWAP) alignment option over the Coastal alignment option for the Product Water Conveyance pipeline. The Draft EIR provides a comparison of environmental impacts of the RUWAP alignment to the impacts of the Coastal alignment, including the ability to avoid impacts to coastal resources, such as impacts to the riparian, wetland, and coastal dune resources. Some comments identify a rationale for selection of other alignments over the Coastal Alignment including identifying that the product water conveyance pipelines would be close to, or near, resources or would impact coastal resources (see comments V-4, V-10, AA-9 through A-11). For these comments, **Chapter 4** of this Final EIR provides individual responses regarding environmental issues of the alternatives and the ability of the alternative to meet project objectives. Comments that express an opinion on which alternative in the Draft EIR is preferred by the commenter are referred to decision makers (H-66, H-67, J-5, V-4, and AA-11). Chapter 6, Alternatives to the Proposed Project, in the Draft EIR fully addresses the various alignments and rationale for alternative conveyance alignments. The Draft EIR, page 6-34, concludes the RUWAP alignment is environmentally superior to the Coastal alignment alternative, consistent with the above comments.

Comments L-16 and L-17 suggest alternative alignments for the Product Water Conveyance pipeline between General Jim Moore Boulevard and the Injection Well Facilities in the City of Seaside area. Although alternatives to the proposed alignment were identified during project planning (including use of Eucalyptus Road from its intersection with General Jim Moore Boulevard to the Injection Well Facilities well cluster sites), the current proposed alignment (following an existing access road to the Blackhorse Reservoir site and then to Eucalyptus Road) is the preferred alignment because it would result in the least environmental impacts and would meet all of the project objectives. Comments L-16 and L-17 suggest alternative alignments that would follow General Jim Moore Boulevard further south before turning toward the Injection Well Facilities at either Eucalyptus Road or near the southernmost injection wells. In both of these two alternatives, the pipeline would be longer than the Proposed Project alignment. Using General Jim Moore to Eucalyptus Road would be approximately 600 feet longer than the Proposed Project alignment, and would require additional grade change beyond the proposed alignment. Following General Jim Moore to the southernmost injection well site would be approximately 2,500 feet longer than the Proposed Project alignment in General Jim Moore; although it may eliminate the pipelines between Eucalyptus Road and the injection well cluster sites, if the co-located electrical conduit can also follow General Jim Moore Boulevard to the southernmost Injection well site. The construction of either of these alternative pipelines would occur in much closer proximity to the sensitive receptors located near General Jim Moore Boulevard within the City of Seaside.

These suggested alternative alignments would have increased environmental impacts during construction in comparison to the Proposed Project including: greater amount and more severe dust, air pollution, and noise impacts on sensitive receptors, such as residences in the City of Seaside and the Seaside Middle School, due to the location being closer to the receptors and more construction activities occurring. In addition, a longer route would have incrementally greater impacts during construction due to ground disturbance on the less-than-significant impacts of hydrology and water quality, and traffic/transportation impacts during construction would be greater. During operation these alternative alignments would have greater electricity demand (and the associated greenhouse gas emissions to produce the electricity) due to the more steep and varying hydraulic grade lines. For these reasons, the recommended alternative pipeline routes between General Jim Moore Boulevard and the Injection Well Facilities are not considered in detail in the EIR.

Alternatives to Disposal of Well Maintenance Back-flush Water

In comments L-11 and L-12, the City of Seaside requests that well construction/development and well maintenance (back-flush) water be conveyed to Seaside's Bayonet and Blackhorse water supply reservoir (referred to as the Seaside golf course reservoir), north of Eucalyptus Road and east of General Jim Moore Boulevard. As discussed in Master Responses #7 and #8 above, although technically feasible, discharge of these waters to the Seaside golf course reservoir would require additional energy for transport/conveyance adding unnecessary energy use and associated greenhouse gas emissions, potentially contributing to greater climate change impacts of the Proposed Project. In addition, groundwater sent to the golf course reservoir would not re-enter the groundwater basin, requiring additional product water to be produced by the Proposed Project, which in turn would necessitate a larger

AWT Facility using more power to produce the net amount of 3,500 AFY for the Seaside Basin. This suggested alternative would also add to the Proposed Project cost. Because this potential alternative component (discharge of well construction and development water to the Seaside golf course reservoir) would not reduce the environmental impacts of the Proposed Project and would not better meet the project objective to produce reasonably-priced water, it is not considered further in this EIR.

Alternatives to CalAm Distribution System: Transfer and Monterey Pipelines

Comments AA-13 and AA-14 discuss the Monterey Pipeline and state a preference that an alternative to that pipeline be implemented. The Proposed Project's Monterey Pipeline would potentially be located within an Ecologically Sensitive Habitat Area (ESHA); specifically, central dune scrub (silver dune lupine – mock heather scrub) that supports habitat for Smith's blue butterfly and eucalyptus trees that provide habitat for Monarch butterflies as identified on page 4.5-92 of the Draft EIR. The alternatives analysis in the Draft EIR describes and evaluates an alternative to the Monterey Pipeline and determines that the Alternative Monterey pipeline would avoid the significant impacts related to impacts to sensitive habitats (see page 6-41, Table 6-5), and thus the Alternative Monterey Pipeline would achieve the requested avoidance of ESHA.

The Draft EIR also explains that the proposed Monterey Pipeline would be within an area that is subject to shoreline hazards, such as flooding due to coastal erosion and sea level rise (see Draft EIR pages 4.8-38 and 4.11-92). The alternatives analysis in the Draft EIR describes and evaluates an alternative to the Monterey Pipeline and determines that the Alternative Monterey pipeline would avoid the significant impacts related to impacts to flooding and coastal erosion/sea level rise (see page 6-41, Table 6-5), and thus the Alternative Monterey Pipeline would achieve the requested risk minimization. The Draft EIR page 6-46 concludes that implementation of the Alternative Monterey Pipeline would be environmentally superior to the Proposed Project.

In addition, comments P-10, P-12, and L-10 note that CalAm has presented an alternative to the Proposed Project version of the CalAm Distribution System: Transfer and Monterey Pipelines. See the individual responses to those comments and Master Response #11: Proposed Project's Relationship to the Proposed Monterey Peninsula Water Supply Project.

3.12.4.2 Alternatives to the Proposed Project Suggested by Commenters

Reduced Seaside Basin Replenishment Alternative

Comment H-65 questions the conclusion in the Draft EIR about the environmental impacts of the Reduced Seaside Basin Replenishment Alternative being the same as those of the Proposed Project. The alternatives analysis in the Draft EIR presents a comparison of these impacts to support this conclusion in Section 6.3.1.1 on page 6-24. The analysis provided in Master Response #10 and in **Appendix BB** clarifies and supports the conclusions about the effects that would occur on the amount of recycled water available to CSIP in the event that the RUWAP Recycled Water Project is implemented. Under the scenarios when the Proposed Project is implemented, if MCWD implements the RUWAP Recycled Water Project, it would not change the Proposed Project's use of source waters.

Increased Proposed Project Yield or AWT Facility Size Alternatives

Comments U-3 and U-6 recommend larger project alternatives with increased AWT Facility annual yield, or with increased AWT Facility yield to deliver the same amount of water to the Seaside Groundwater Basin only during winter months. Comment U-3 requests that the EIR consider an alternative to the Proposed Project that could provide all the water demands projected by CalAm for their service area. Per the Draft EIR (Chapter 2), the amount of new supply proposed to be supplied for the groundwater replenishment part of the Proposed Project is an average of 3,500 AFY, to reduce Cal-Am's use of the Carmel River system by the same amount. A larger AWT Facility with a capacity to produce more than 3,500 AFY on average and up to 14,000 AFY or more was not analyzed in this EIR as it would not reduce any significant effects of the Proposed Project.

A larger AWT Facility with a capacity to produce the entire 3,500 AF during the winter months was not analyzed in this EIR because it also would not reduce the significant environmental effects of the Proposed Project. In addition, the scenario of using the AWT Facility only during the winter months was determined to be infeasible by the MRWPCA during early project planning due to engineering and operational considerations.

Alternative Water Supply Sources

Comments U-2 and U-3 suggest including analyses of alternative desalination projects, including the Monterey Bay Regional Water Project, proposed by DeepWater Desal, LLC, and the Peoples' Moss Landing Water Desalination Project. As stated on page 6-10, the Monterey Bay Regional Water Project, proposed by DeepWater Desal, LLC, and the Peoples' Moss Landing Water Desalination Project are not considered to be alternatives to the Proposed Project. They would not achieve the objective of providing replacement water for the Monterey District service area customers within the timeframe specified in the Proposed Project objectives. Neither of the proposed desalination projects would be alternatives that would avoid or reduce the environmental effects of construction or operation of the Proposed Project. Neither the Monterey Bay Regional Water Project (DeepWater Desal, LLC) nor the People's Moss Landing Water Desalination Project would be implemented by the MRWPCA.

Comment U-4 requests that the EIR consider the use of slant or slope wells in the Carmel Bay as an alternative water supply. Although not explicitly stated in the comment, it is assumed that the comment intended that the slant wells would be built to collect seawater or brackish groundwater for a desalination plant. The range of alternatives considered as stated above are considered reasonable. Designs and locational information about any potential slant well near Carmel Bay (in addition to the required desalination plant, brine disposal, pipelines and pumps) have not been presented; however, it is a reasonable assumption that such a project would have additional environmental impacts, and the amount of analysis, planning and permitting needed to implement a new potential slant well and the required associated collection and distribution infrastructure preclude that component from meeting the basic project objective of timing. For the reasons stated above, this alternative seawater desalination alternative (i.e. one with slant wells collecting water from Carmel Bay) is not analyzed further in this EIR.

Comments V-3 and Z-3a suggest that additional storm water capture opportunities should be considered as a primary alternative to source waters. A thorough evaluation and constraints analysis was conducted during project planning to determine the most appropriate source waters for the Proposed GWR Project, as detailed in Chapter 6, pages 6-15 through 6-20. The Draft EIR documents why no other stormwater or urban diversions were pursued as source water for the Proposed Project and how the yields of any potential capture of these sources is far less than the amount required to meet the project objectives.

Comments Z-3b, Z-3d, and Z-3e propose alternatives such as urban recycled water projects, which have been considered by other local agencies (see Alternatives Considered but Eliminated in Section 6.2 of the Draft EIR). The cost of centralized urban reuse projects for residential and commercial land uses is very high due to the amount of new treatment systems and/or pipelines and pumps needed to collect wastewater, recycle wastewater, and return it to customers as urban irrigation water. These types of alternatives would not reduce environmental impacts because the amount of new infrastructure (including at a minimum, distribution pumps and pipelines) needed to meet the basic project objectives would dramatically increase the construction and operational impacts of the Proposed Project. Because the environmental impacts would be much greater and these alternatives are not considered to be feasible they are not considered further in this EIR.

Comments Z-3b, Z-3d, and Z-3e suggest capturing untreated wastewater (i.e., not sending the wastewater to the RTP), and treating it to a level needed to reuse and recycle it within the Monterey Peninsula. Local jurisdictions that collect wastewater do not currently have the capacity, treatment or distribution system in place nor (with the exception of Pacific Grove) are any such projects in the planning stages such that these can be evaluated as an alternative to the Proposed Project (i.e., projects that would capture Monterey Peninsula wastewater flows, treat/recycle it for use locally); therefore, they are not considered to be feasible and are not considered further in the EIR. Pacific Grove is planning a project to capture untreated wastewater, but that water is proposed to meet a different objective

(replacing their golf course and cemetery potable water irrigation). Accordingly, the Pacific Grove project would not accomplish any of the project objectives for the Proposed GWR Project.

Comment Z-3c suggests upgrading the Los Padres Dam and Reservoir including potentially increasing storage at the reservoir. The Monterey Peninsula, Carmel Bay and Southern Monterey Bay Integrated Water Management Plan (Monterey Peninsula Water Management District, 2014) states that: “Enlarging the capacity of Los Padres Reservoir (e.g., dredging or building a higher spillway) or construction of a new reservoir is limited by economic, safety, and environmental constraints and is not considered to be feasible at this time.” The permitting obstacles of this type of project may also deem it to be infeasible. Maintenance dredging of the Los Padres Reservoir to retain existing storage capacity has been considered as an option, however, according to MPWMD staff summary prepared for the July 21, 2014 MPWMD Board meeting¹⁶: “Los Padres Reservoir is a more difficult and expensive site to address sediment issues than at the San Clemente Reservoir, where a unique situation allowed sediment to remain in place. A fundamental issue with Los Padres Dam that needs to be addressed with any proposed project is both short term and long term management of sediment. The long term average sediment inflow is about 20 AFY or the equivalent of about 2,200 tandem truckloads of sediment annually. Sediment starvation downstream of the dam continues to degrade the river through the armoring effect (winnowing of spawning gravel) and downcutting into the riverbed. Failure to address this degradation will compromise efforts to improve habitat for steelhead by reducing diversions and may lead to further destabilization of streambanks in the lower 15 miles of the river.”

Request for the Proposed Project to be Considered an Independent Project

Comments S-13, S-14, and T-2 suggest that the Draft EIR for the Proposed Project should analyze the Proposed Project as an independent project from the Monterey Peninsula Water Supply Project (desalination project). The Proposed Project is separate and independent from the Monterey Peninsula Water Supply Project, and can go forward without the Monterey Peninsula Water Supply Project. The EIR’s cumulative impacts sections recognize the potential that the Monterey Peninsula Water Supply Project also might be approved and implemented, and the EIR discloses the combined effects of the two projects along with other past, present and reasonably probable future projects. However, the Draft EIR evaluates independently the potential environmental effects of constructing and operating the infrastructure needed to divert the proposed new source waters to the RTP, treat those source waters, use tertiary treated irrigation water within the area served by the Castroville Seawater Intrusion Project, convey purified water to Injection Well Facilities, inject purified water into the Seaside Basin, and convey extracted water to CalAm customers. See also Master Response #11: Proposed Project’s Relationship to the Proposed Monterey Peninsula Water Supply Project, above. See also Additional No Project Alternative in Section 3.12.5 below.

3.12.4.3 Summary of Why the EIR does not Include the Suggested New or Different Alternatives in the EIR

In accordance with Section 15126.6 of the CEQA Guidelines, “the range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.” Based on the discussions above, no additional alternatives were considered necessary to be added in the Final EIR because the alternatives suggested either would not reduce identified significant impacts and/or would increase the significant project impacts, or would not feasibly meet most of the basic project objectives.

¹⁶<http://www.mpwmd.dst.ca.us/asd/board/boardpacket/2014/20140721/02/item2.htm>

3.12.5 Additional No Project Alternative Requested

Comment R-7 requests that the EIR include a No Project Alternative scenario to address the potential for the larger desalination project proposed by Cal Am moving forward if the Proposed Project is not implemented. Other comments state that the Draft EIR should explore additional analysis specific to the No Project alternative, including other projects identified that could occur if the Proposed Project is not implemented.

CEQA Guidelines Section 15126.6(e)(2) states that the No Project alternative shall discuss the existing conditions, as well as “what would reasonably be expected to occur in the foreseeable future if the project were not approved based on current plans and consistent with available infrastructure and public services.”

The Draft EIR accordingly addresses the No Project Alternative as a no build alternative whereby the Proposed Project would not be built and no impacts would occur due to construction and operation of the Project in comparison with current conditions. The MPWSP has not been approved for implementation, and development of the MPWSP would necessitate substantial infrastructure improvements. The MPWSP is a separate project, undergoing its own CEQA review. Accordingly, it is considered throughout the analysis of cumulative impacts in the EIR for the Proposed Project.

CEQA Guidelines Section 15126.6(e)(3)(B) states “If the project is other than a land use or regulatory plan, for example a development project on identifiable property, the ‘no project’ alternative is the circumstance under which the project does not proceed.” This subsection of the CEQA Guidelines goes on to state that if “disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this ‘no project’ consequence should be discussed.”

Here, the MPWSP has been proposed by CalAm independent from the Proposed Project, and the MPWSP is not a consequence of disapproval of the Proposed Project. Nevertheless, the Draft EIR discusses the potential for the desalination component of the MPWSP to be a smaller capacity if the Proposed Project is approved and implemented. This Master Response provides additional information comparing the impacts of the MPWSP to a scenario under which the Proposed Project is constructed along with a smaller desalination plant (called the MPWSP Variant in the EIR for the MPWSP).

3.12.6 Comparison of the Impacts of the MPWSP to the Impacts of the MPWSP Variant

As explained in Master Response #11, if the Proposed GWR Project is approved and implemented, CalAm’s Proposed MPWSP with a 6.4 mgd desalination plant (“MPWSP Variant”) may be approved by the CPUC rather than the MPWSP that includes a desalination plant sized at 9.6 mgd. While neither the MPWSP or the MPWSP Variant is considered to be an alternative to the Proposed Project (as discussed on page 6-9 and 6-10 of the Draft EIR), the following text provides an additional discussion of the MPWSP based on the information recently published in the Draft EIR for the MPWSP.

The Proposed MPWSP (9.6 mgd plant) is described in the Draft EIR for the Proposed GWR Project on pages 2-11 through 2-12. The total water produced by the 9.6 mgd MPWSP desalination plant would be 9,752 AFY (compared to 6,252 AFY with the 6.4 mgd desalination plant). All of CalAm’s proposed facilities located south of Reservation Road would be constructed, identical for both desalination plant sizes. The 9.6 mgd MPWSP desalination plant would require three more subsurface slant wells than the MPWSP Variant with the 6.4 mgd desalination plant (10 versus 7 for the 6.4 mgd plant) for the Seawater Intake System. The 9.6 mgd desalination plant would have a larger capacity than the 6.4 mgd desalination plant, and the MPWSP with the 9.6 mgd plant would require more electricity, maintenance activities, and larger brine disposal facilities than the MPWSP Variant.

If the Proposed MPWSP (9.6 mgd plant) identified above is implemented, this would result in a greater severity of some impacts compared to MPWSP Variant, particularly related to marine water quality and marine biological resources. The Proposed MPWSP (9.6 mgd plant) would have greater marine water

quality and biological impacts than the MPWSP Variant because the mixing water from the Proposed Project would not be available to dilute the desalination plant brine before the brine is discharged to the ocean outfall. Potential biological and other construction impacts related to slant well construction would also be increased due to the additional slant wells proposed, compared to the number of slant wells that would be constructed under the MPWSP Variant. Potential operational impacts to the Salinas Valley Groundwater Basin would be increased also due to the slant well operation and related impacts, compared to the MPWSP Variant. Construction impacts of the 9.6 mgd desalination plant would be greater than construction of the MPWSP Variant. Timing for approval and implementation of the MPWSP and the MPWSP Variant are unknown.

See <http://www.cpuc.ca.gov/Environment/info/esa/mpwsp/index.html> for more information on the Proposed MPWSP planning schedule. This link also contains a link to download a copy of the Draft EIR for the Proposed MPWSP and the MPWSP Variant.

CHAPTER 4 COMMENTS AND RESPONSES ON THE DRAFT EIR

4.1 INTRODUCTION

This section provides responses to the comments received on the Draft EIR. A list of the comment letters is presented in **Section 2.2**, and copies of each of the comment letters are included in this section, with responses to each comment provided following the letter.

4.2 COMMENT LETTERS AND RESPONSES TO COMMENTS

Each letter and comment card received as a comment on the Draft EIR is included herein and assigned a letter of the alphabet. Within that letter or card, all individual comments are assigned numbers located in the right-hand margin of the letter. Responses to each comment are provided immediately following each comment letter. In those instances in which a comment states an agency position or opinion and does not comment on issues relevant to the environmental analysis presented in the Draft EIR, the response reads: "No response is required." If the comment is directed at Monterey Regional Water Pollution Control Agency Board regarding the decision on the project, the response reads: "The comment is referred to the decision makers for their consideration." Typically, these comments do not raise issues relevant to the environmental analysis. Where the response notes an addition or deletion to the text, tables, or figures in the Draft EIR, the reader is directed to **Chapter 5, Changes to the Draft EIR**.



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse and Planning UnitEdmund G. Brown Jr.
GovernorKen Alex
Director

June 8, 2015

Bob Holden
Monterey Regional Water Pollution Control Agency
5 Harris Court, Building D
Monterey, CA 93940

Subject: Monterey Peninsula Groundwater Replenishment (Pure Water Monterey) Project
SCH#: 2013051094

Dear Bob Holden:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 5, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2013051094
Project Title Monterey Peninsula Groundwater Replenishment (Pure Water Monterey) Project
Lead Agency Monterey Regional Water Pollution Control Agency

Type EIR Draft EIR
Description The proposed Pure Water Monterey Groundwater Replenishment Project would divert new source waters to the MRWPCA Regional Treatment Plant for two purposes: 1) to create purified recycled water for recharge of the Seaside Groundwater Basin to replace 3,500 acre-feet per year of CalAm's current water supplies, enabling CalAm to reduce its diversions from the Carmel River by the same amount, and 2) to provide additional recycled water to growers within the existing Castroville Seawater Intrusion Project's service area for crop irrigation. Water sources proposed to be recycled, treated and reused by the GWR Project include municipal wastewater.

Lead Agency Contact

Name Bob Holden
Agency Monterey Regional Water Pollution Control Agency
Phone 831 645 4634 **Fax**
email
Address 5 Harris Court, Building D
City Monterey **State** CA **Zip** 93940

Project Location

County Monterey
City Seaside, Marina
Region
Lat / Long
Cross Streets Major streets include Hwy 1
Parcel No. numerous

Township	Range	Section	Base
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Proximity to:

Highways Hwy 1, 156, 68, 183
Airports Monterey Peninsula, Marina
Railways
Waterways Salinas and Carmel Rivers, other creeks/ditches, sloughs
Schools numerous
Land Use Various

Project Issues Archaeologic-Historic; Air Quality; Biological Resources; Coastal Zone; Drainage/Absorption; Economics/Jobs; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Aesthetic/Visual; Forest Land/Fire-Hazard; Agricultural Land

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Services, California; Caltrans, District 5; Air Resources Board; State Water Resources Control Board, Division of Financial Assistance; State Water Resources Control Board, Division of Water Quality; State Water Resources Control Board, Division of Water Rights; Native American Heritage Commission; State Lands Commission

Date Received 04/22/2015 **Start of Review** 04/22/2015 **End of Review** 08/05/2015

Note: Blanks in data fields result from insufficient information provided by lead agency.

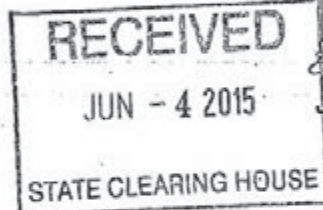
STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor

CLEAR
6-5-15
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CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

JENNIFER LUCCHESI, Executive Officer
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922



Established in 1938
June 5, 2015

Contact Phone: (916) 574-1890
Contact FAX: (916) 574-1885

File Ref: SCH #2013051094

Bob Holden
Principal Engineer
Monterey Regional Water Pollution Control Agency
5 Harris Court, Building D
Monterey, CA 93940

**Subject: Draft Environmental Impact Report (EIR) for Pure Water Monterey
Groundwater Replenishment Project, Monterey County**

Dear Mr. Holden:

The California State Lands Commission (CSLC) staff has reviewed the subject Draft EIR for the Pure Water Monterey Groundwater Replenishment Project (Project), which is being prepared by the Monterey Regional Water Pollution Control Agency (MRWPCA). The MRWPCA, as a public agency proposing to carry out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on sovereign lands, the CSLC will act as a responsible agency.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low

water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

Based on a review of our records, the proposed source water pipeline crossing near the Blanco Drain Diversion will extend across the bed of the Salinas River which at this location is natural, navigable, tidal, and meandered on both banks of the Rancho Plat. The MRWPCA will be required to obtain a lease for the portion of pipeline crossing the Salinas River. Please contact Drew Simpkin, Public Land Management Specialist (see contact information below), for more information regarding CSLC jurisdiction and leasing requirements.

Project Description

The MRWPCA proposes to provide purified recycled water to recharge a groundwater basin and augment the existing Castroville Seawater Intrusion Project's crop irrigation supply. MRWPCA's objectives and needs for the Project are as follows:

- Replenish the Seaside groundwater basin with 3,500 acre-feet per year;
- Commence operation of the Project by the end of 2016;
- Supply reasonably-priced water to end users; and
- Comply with water quality regulations.

From the Project Description, CSLC staff understands that the Project would include the following components.

- Source Water Diversion and Storage. New facilities would be constructed to divert and convey new source water through the existing municipal wastewater collection system to the Regional Wastewater Treatment Plant. One of the pipelines for conveyance would be placed under the Salinas River, using directional drilling methods.
- Treatment Facilities at the Regional Wastewater Treatment Plant. A new advanced water treatment plant would be constructed at the existing Regional Wastewater Treatment Plant site.
- Product Water Conveyance. New pipelines, a pump station and appurtenant facilities would be constructed to move the product water from the Regional Wastewater Treatment Plant to the Seaside Groundwater Basin for injection.
- Injection Well Facilities. New injection well facilities would be constructed including back-flush facilities, pipelines, electricity distribution facilities, and electrical or motor control building.
- Distribution of Groundwater from Seaside Basin. Two new California American Water Company (CalAm) water distribution pipelines would be constructed to deliver the extracted groundwater to CalAm customers.

The Draft EIR identifies Alternative B as the Environmentally Superior Alternative. Alternative B would eliminate using source water from Tembladero Slough, which would avoid significant and unavoidable noise impacts, and would require an alternative route for the Monterey Pipeline, which would reduce significant construction impacts, including the need for a transfer pipeline.

Environmental Review

CSLC staff requests that the MRWPCA consider the following comments on the Project's Draft EIR.

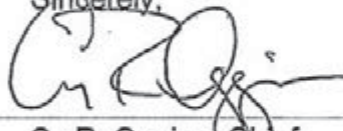
Biological Resources

1. Drilling Noise: The EIR evaluates the impacts of noise and vibration impacts on birds from directional drilling and associated sheet pile driving activities during construction of the Monterey pipeline. In addition to assessing noise impacts on birds, the EIR should be revised to disclose whether sheet pile driving will be needed for the other area of directional drilling to take place under the Salinas River, and then evaluate the significance of noise and vibration impacts on fish from both the directional drilling and possible pile driving. If impacts are found to be significant, mitigation measures could include species-specific work windows as defined by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service. CSLC staff recommends that the EIR discuss any consultation that has taken place with these agencies to minimize the impacts of the Project on sensitive species, and the outcome of those consultations.

Thank you for the opportunity to comment on the Draft EIR for the Project. As a responsible agency, the CSLC will need to rely on the Final EIR for the issuance of any new lease as specified above and, therefore, we request that you consider our comments prior to certification of the EIR.

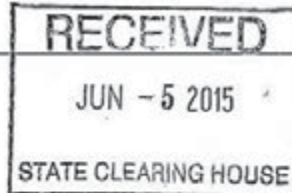
Please send copies of future Project-related documents, including electronic copies of the Final EIR, Mitigation Monitoring and Reporting Program (MMRP), Notice of Determination (NOD), CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning environmental review to Holly Wyer, Environmental Scientist, at (916) 574-2399 or via e-mail at Holly.Wyer@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Drew Simpkin, Public Land Management Specialist, at (916) 574-2275, or via email at Drew.Simpkin@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
H. Wyer, CSLC
D. Simpkin, CSLC
J. Rader, CSLC



See Letter C
EDMUND G. BROWN JR.
GOVERNOR
MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

CLEAR
6-5-15
E

JUN 04 2015

In Reply Refer to:
JMH:32263

Monterey Regional Water Pollution Control District
c/o Mr. Bob Holden
gwr@mrwpca.com

Dear Mr. Holden:

NOTICE OF COMPLETION FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR PURE WATER MONTEREY GROUNDWATER REPLENISHMENT PROJECT OF MONTEREY COUNTY WATER POLLUTION CONTROL AGENCY (SCH # 2013051094) IN MONTEREY COUNTY

The State Water Resources Control Board (State Water Board), Division of Water Rights (Division) has received the Notice of Completion for the Draft Environmental Impact Report (DEIR) for the Pure Water Monterey Groundwater Replenishment Project (Project).

The purpose of this letter is to make you aware that portions of the Project may require a water right approval from the State Water Board and provide comments on the DEIR for you to consider related to any such approval.

Portions of the Project that may require a water right approval include (1) the diversion of surface water from four locations (Tembladero Slough, Reclamation Ditch, Blanco Drain, and Lake El Estero) and (2) a reduction in discharge of treated wastewater to the Salinas Industrial Wastewater Treatment Facility evaporation/percolation ponds.

If a water right approval is needed, the State Water Board will act as a Responsible Agency for this project. Accordingly, the State Water Board may need to rely on your California Environmental Quality Act (CEQA) document for the Project to support the Division's evaluation of the requested approval. Therefore, you should ensure that any CEQA document prepared for the project considers all potential direct and indirect environmental impacts associated with the diversion and use of water.

Diversion of Surface Water

Diversion and use of surface water from the four locations listed in the DEIR (Tembladero Slough, Reclamation Ditch, Blanco Drain, and Lake El Estero) requires an appropriate water right permit. (Wat. Code, § 1200 et seq.) The first step to acquiring an appropriate water right permit is to file an Application to Appropriate Water by Permit.

To authorize the portions of the project that propose the diversion of surface water from three of the four locations listed in the DEIR (Tembladero Slough, Reclamation Ditch, and Blanco Drain), the Monterey County Water Resources Agency has filed Water Right Application 32263 with the State Water Board. The proposed Lake El Estero point of diversion is not included in any water right filing with the State Water Board.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov



JUN 04 2015

c/o Mr. Bob Holden

-3-

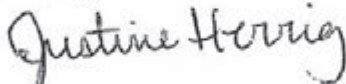
See Letter C

Order in response to an unauthorized diversion or threatened unauthorized diversion pursuant to Water Code section 1831.

Staff Contact

If you have any questions, please contact me at Justine.Herrig@waterboards.ca.gov or (916) 341-5759. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Justine Herrig, P.O. Box 2000, Sacramento, CA, 95812-2000.

Sincerely,



Justine Herrig
Environmental Scientist
Coastal Lahontan Unit
Division of Water Rights

ec: Monterey County Water Resources Agency
c/o David Chardavoyne
chardavoyne@co.monterey.ca.us

Monterey County Water Resources Agency
c/o Brent Buche
bucheb@co.monterey.ca.us

Monterey County Water Resources Agency
c/o Shaunna Juarez
juarezsl@co.monterey.ca.us

Central Coast Water Regional Water Quality Control Board
c/o Lisa McCann
Lisa.McCann@waterboards.ca.gov

Central Coast Water Regional Water Quality Control Board
c/o Harvey Packard
Harvey.Packard@waterboards.ca.gov

Department of Fish and Wildlife
c/o James Rosauer
James.Rosauer@wildlife.ca.gov

Department of Fish and Wildlife
c/o Annette Tenneboe
Annette.Tenneboe@wildlife.ca.gov

Letter A: Governor's Office of Planning and Research, State Clearinghouse #1

- A-1** The letter states the State Clearinghouse submitted the Draft EIR to selected state agencies for review, and has attached the two letters of comment that the State Clearinghouse received during the public review period. Specifically, the California State Lands Commission (see letter D) and the State Water Resources Control Board (see letter C) submitted their letters to the State Clearinghouse. No further response is required. The Monterey Regional Water Pollution Control Agency has complied with the State Clearinghouse review requirements as required pursuant to CEQA.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
<http://www.dot.ca.gov/dist05/>

Letter B

*Serious drought
Help save water!*

May 20, 2015

MON-1-Var.
SCH# 2013051094

Bob Holden
Monterey Regional Water Pollution Control Agency
5 Harris Court, Building D
Salinas, CA 93940

Dear Mr. Holden:

COMMENTS TO PURE WATER MONTEREY PROJECT

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the above referenced project and offers the following comment.

- Any work within the State right-of-way will require an encroachment permit issued from Caltrans. Detailed information such as complete drawings, biological and cultural resource findings, hydraulic calculations, environmental reports, traffic study, etc., may need to be submitted as part of the encroachment permit process.

B-1

If you have any questions, or need further clarification on items discussed above, please don't hesitate to call me at (805) 542-4751.

Sincerely,

A handwritten signature in blue ink, appearing to read "JOHN J. OLEJNIK".

JOHN J. OLEJNIK
Associate Transportation Planner
District 5 Development Review Coordinator
john.olejnik@dot.ca.gov

Letter B: California Department of Transportation (Caltrans)

- B-1** The comment provides information on potential permit requirements of any project components within the State right-of-way; an encroachment permit would be obtained prior to any work within the State right-of-way.



Letter C



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

JUN 04 2015

In Reply Refer to:
JMH:32263

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If a water right approval is needed, the State Water Board will act as a Responsible Agency for this project. Accordingly, the State Water Board may need to rely on your California Environmental Quality Act (CEQA) document for the Project to support the Division's evaluation of the requested approval. Therefore, you should ensure that any CEQA document prepared for the project considers all potential direct and indirect environmental impacts associated with the diversion and use of water.

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FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 | www.waterboards.ca.gov



C-1

C-2

Lake El Estero is a surface water body that collects water from four tributary streams and a portion of the City of Monterey's stormwater collection system. The City of Monterey operates Lake El Estero to manage excess stormwater by pumping water from the lake to Del Monte Beach to accommodate stormwater inflow to the lake. The proposed diversion from Lake El Estero would operate either by modification of the existing pump utilized by City of Monterey or installation of a new gravity system on the lake bank, both of which would divert water, up to 87 acre-feet per year, into the municipal wastewater system adjacent to Lake El Estero. Diversion and use of water from Lake El Estero, as proposed in the DEIR, will require an appropriative right from the State Water Board.

C-2
Con't

To ensure that the portions of the Project involving Lake El Estero comply with water rights requirements, the Project should either 1) be designed to avoid diversion of water from Lake El Estero by altering the City's stormwater collection facilities to capture stormwater before it enters Lake El Estero or 2) establish a valid basis of right for diversion and use of water in Lake El Estero, either by including the Lake El Estero point of diversion in Water Right Application 32263 or by filing a separate water right application.

C-3

More information regarding water right applications is available at:
<http://www.waterboards.ca.gov/waterrights/>

Reduction in Discharge of Treated Wastewater

Any owner of a wastewater treatment plant that proposes to change the point of discharge, place of use, or purpose of use of treated wastewater must obtain approval of the State Water Board if the change will result a decrease in flow in any portion of a watercourse. (Wat. Code, § 1211 et seq.)

The Project proposes to include, as a source of water, a portion of the agricultural wash water that is currently treated at the Salinas Industrial Wastewater Treatment Facility. After treatment, the treated wastewater is discharged into percolation ponds adjacent to the Salinas River. These ponds primarily function via percolation through seepage into the Salinas River with an estimated flow of 3 cubic feet per second into the Salinas River. Under the Project, an estimated 3,733 acre-feet per year of treated wastewater may be redirected to the municipal wastewater collection system, therefore reducing flow into the Salinas River by up to 2,170 acre-feet per year. Changing the place of use and purpose of use for treated wastewater, as proposed in the DEIR, will require the approval of the State Water Board because the change will result in a reduction of the discharge of treated wastewater to the Salinas River. More information regarding wastewater change petitions is available at:

C-4

http://www.waterboards.ca.gov/waterrights/water_issues/programs/applications/wastewaterchange/

Comments Regarding the Draft Environmental Impact Report

The DEIR should ensure consideration of all potential direct and indirect environmental impacts associated with the diversion and use of water including, but not limited to, analyzing the availability of unappropriated water; impacts of the diversion of water to instream resources including development of mitigation measures that may include fish screens and bypass flows, and; impacts of reducing the discharge of treated wastewater to the Salinas River.

C-5

Notes Regarding Compliance with California Water Rights Law

Unauthorized diversion and use of water is considered a trespass and subject to enforcement action under Water Code sections 1052 and 1831. Pursuant to Water Code section 1052, any diversion of water not covered by a valid basis of right may be subject to Administrative Civil Liability of up to \$500 per day without further notice. The State Water Board also may issue a Cease and Desist

C-6

Order in response to an unauthorized diversion or threatened unauthorized diversion pursuant to Water Code section 1831.

C-6
Con't

Staff Contact

If you have any questions, please contact me at Justine.Herrig@waterboards.ca.gov or (916) 341-5759. Written correspondence or inquiries should be addressed as follows: State Water Resources Control Board, Division of Water Rights, Attn: Justine Herrig, P.O. Box 2000, Sacramento, CA, 95812-2000.

Sincerely,

ORIGINAL SIGNED BY:

Justine Herrig
Environmental Scientist
Coastal Lahontan Unit
Division of Water Rights

ec: Monterey County Water Resources Agency
c/o David Chardavoyne
chardavoyne@co.monterey.ca.us

Monterey County Water Resources Agency
c/o Brent Buche
bucheb@co.monterey.ca.us

Monterey County Water Resources Agency
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Central Coast Water Regional Water Quality Control Board
c/o Lisa McCann
Lisa.McCann@waterboards.ca.gov

Central Coast Water Regional Water Quality Control Board
c/o Harvey Packard
Harvey.Packard@waterboards.ca.gov

Department of Fish and Wildlife
c/o James Rosauer
James.Rosauer@wildlife.ca.gov

Department of Fish and Wildlife
c/o Annette Tenneboe
Annette.Tenneboe@wildlife.ca.gov

Letter C: State Water Resources Control Board

- C-1** The State Water Resources Control Board (State Board) provides information on components of the project that may require water rights approval by the State Board and describes the requirement for the CEQA document to consider all potential direct and indirect environmental impacts associated with diversion and use of the water. The Draft EIR, as modified herein, provides information and analysis necessary for the State Board's review and approval of water rights applications for the Proposed Project. See also Master Response #3: Availability, Reliability, and Yield of Source Waters in **Chapter 3, Master Responses to Comments**.
- C-2** The State Board clarifies that the proposed point of diversion at Lake El Estero would require an appropriative right from the State Board to divert up to 87 AFY into the municipal wastewater system. This correction has been made in the EIR, and such an application will be pursued if the proposed Lake El Estero diversion is implemented as part of the project. This application would be separate and apart from Application 32263 (and the sub-applications) filed by MCWRA. In response to this comment, changes have been made to Section 4.18 (see changes to pages 4.18-24, 4.18-32, and 4.18-34 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**).
- C-3** See the response to comment C-2, above.
- C-4** The State Board clarifies that the proposed reduction of discharge of treated wastewater at the Salinas Industrial Wastewater Treatment Facility (Salinas Treatment Facility) to percolation ponds adjacent to the Salinas River would require the State Board's approval of a wastewater change petition. A wastewater change petition will be pursued for the proposed reduction in wastewater discharge. In response to this comment from the State Board, changes have been made to Section 4.18 (see changes to pages 4.18-15, and 4.18-30 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**).
- C-5** The Draft EIR, in Sections 4.4, 4.5, 4.10, and 4.11 and accompanying technical reports, provides description and analysis of the potential impacts (including individual and combined, and direct and indirect) related to instream resources and surface water flows due to the Proposed Project. The following sections of the Draft EIR as modified in this Final EIR (see **Chapter 5, Changes to the Draft EIR**) analyze operational impacts of reduced flows in the waterbodies downstream of the surface water (Reclamation Ditch Tembladero Slough, Blanco Drain and Lake El Estero) and wastewater diversions (i.e., the impacts of reducing the discharge of wastewater at the Salinas Treatment Facility):
- *Fisheries:* See Appendices F-Revised and G that are summarized as relevant to the Proposed Project in Section 4.4.4.4 (see pages 4.4-44 through 4.4-53 of the Draft EIR). *This section provides mitigation measures BF-1a, BF-1b, BF-1c, and BF-2 or Alternate BF-2 for all significant impacts on fisheries resources.*
 - *Other aquatic/riparian habitat and wildlife:* See Section 4.5.4.4 (pages 4.5-96 through 4.5-106 of the Draft EIR) that is based on detailed biological resource characterizations in Appendices H and I and related hydrologic analyses in the next bullet.
 - *Hydrology and water quality:* See Appendices N, O-Revised, P, Q-Revised, and R (*that assess the availability of unappropriated water*) which are summarized in the Draft EIR on pages 4.10-57 through 4.10-64 (effects on groundwater systems in the Salinas Valley), 4.11-64 through 4.11-75 (surface water quality and related hydrologic impacts).

In addition to the Draft EIR parts above, see also response to comment F-5, F-8, G-3 through G-13, and Master Response #3: Availability, Reliability, and Yield of Source Water Supplies, Master Response #4: Reduction in Surface Water Flows, and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

- C-6** The State Board notes the importance of compliance with California water rights law and potential consequences for non-compliance. The Draft EIR acknowledges the need to obtain water rights in Chapter 2 (see page 2-88), in Section 4.18, Water Supply and Wastewater Services (see page 4.18-13 through 4.18-15 as amended in this Final EIR), and in **Appendix C-Revised** (as replaced in this Final EIR). In response to comments on the Draft EIR, some of these sections have been modified as shown in **Chapter 5, Changes to the Draft EIR** of this document.

CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



Established in 1938

June 5, 2015

JENNIFER LUCCHESI, Executive Officer
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1890

Contact FAX: (916) 574-1885

File Ref: SCH #2013051094

Bob Holden
Principal Engineer
Monterey Regional Water Pollution Control Agency
5 Harris Court, Building D
Monterey, CA 93940

**Subject: Draft Environmental Impact Report (EIR) for Pure Water Monterey
Groundwater Replenishment Project, Monterey County**

Dear Mr. Holden:

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The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On navigable non-tidal waterways, including lakes, the State holds fee ownership of the bed of the waterway landward to the ordinary low

D-1

water mark and a Public Trust easement landward to the ordinary high water mark, except where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

Based on a review of our records, the proposed source water pipeline crossing near the Blanco Drain Diversion will extend across the bed of the Salinas River which at this location is natural, navigable, tidal, and meandered on both banks of the Rancho Plat. The MRWPCA will be required to obtain a lease for the portion of pipeline crossing the Salinas River. Please contact Drew Simpkin, Public Land Management Specialist (see contact information below), for more information regarding CSLC jurisdiction and leasing requirements.

Project Description

The MRWPCA proposes to provide purified recycled water to recharge a groundwater basin and augment the existing Castroville Seawater Intrusion Project's crop irrigation supply. MRWPCA's objectives and needs for the Project are as follows:

- Replenish the Seaside groundwater basin with 3,500 acre-feet per year;
- Commence operation of the Project by the end of 2016;
- Supply reasonably-priced water to end users; and
- Comply with water quality regulations.

From the Project Description, CSLC staff understands that the Project would include the following components.

- Source Water Diversion and Storage. New facilities would be constructed to divert and convey new source water through the existing municipal wastewater collection system to the Regional Wastewater Treatment Plant. One of the pipelines for conveyance would be placed under the Salinas River, using directional drilling methods.
- Treatment Facilities at the Regional Wastewater Treatment Plant. A new advanced water treatment plant would be constructed at the existing Regional Wastewater Treatment Plant site.
- Product Water Conveyance. New pipelines, a pump station and appurtenant facilities would be constructed to move the product water from the Regional Wastewater Treatment Plant to the Seaside Groundwater Basin for injection.
- Injection Well Facilities. New injection well facilities would be constructed including back-flush facilities, pipelines, electricity distribution facilities, and electrical or motor control building.
- Distribution of Groundwater from Seaside Basin. Two new California American Water Company (CalAm) water distribution pipelines would be constructed to deliver the extracted groundwater to CalAm customers.

The Draft EIR identifies Alternative B as the Environmentally Superior Alternative. Alternative B would eliminate using source water from Tembladero Slough, which would avoid significant and unavoidable noise impacts, and would require an alternative route for the Monterey Pipeline, which would reduce significant construction impacts, including the need for a transfer pipeline.

D-1
Con't

D-2

Environmental Review

CSLC staff requests that the MRWPCA consider the following comments on the Project's Draft EIR.

Biological Resources

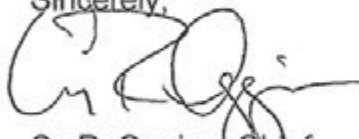
1. Drilling Noise: The EIR evaluates the impacts of noise and vibration impacts on birds from directional drilling and associated sheet pile driving activities during construction of the Monterey pipeline. In addition to assessing noise impacts on birds, the EIR should be revised to disclose whether sheet pile driving will be needed for the other area of directional drilling to take place under the Salinas River, and then evaluate the significance of noise and vibration impacts on fish from both the directional drilling and possible pile driving. If impacts are found to be significant, mitigation measures could include species-specific work windows as defined by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service. CSLC staff recommends that the EIR discuss any consultation that has taken place with these agencies to minimize the impacts of the Project on sensitive species, and the outcome of those consultations.

D-3

Thank you for the opportunity to comment on the Draft EIR for the Project. As a responsible agency, the CSLC will need to rely on the Final EIR for the issuance of any new lease as specified above and, therefore, we request that you consider our comments prior to certification of the EIR.

Please send copies of future Project-related documents, including electronic copies of the Final EIR, Mitigation Monitoring and Reporting Program (MMRP), Notice of Determination (NOD), CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning environmental review to Holly Wyer, Environmental Scientist, at (916) 574-2399 or via e-mail at Holly.Wyer@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Drew Simpkin, Public Land Management Specialist, at (916) 574-2275, or via email at Drew.Simpkin@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
H. Wyer, CSLC
D. Simpkin, CSLC
J. Rader, CSLC

Letter D: California State Lands Commission

- D-1** The California State Lands Commission provides background information about the California State Lands Commission's jurisdiction and identifies the specific project component that would require a lease from this agency. The project proponents will obtain the required lease before constructing the pipeline crossing the Salinas River near the Blanco Drain diversion.
- D-2** No response is necessary; the comment reiterates information presented in the Draft EIR, describing the Proposed Project (consistent with Chapter 2 of the Draft EIR) and the Environmentally Superior Alternative (consistent with Chapter 6 of the Draft EIR).
- D-3** According to E2 Consulting Engineers, the engineers that provided preliminary design services for the proposed Blanco Drain diversion pipeline that would be drilled beneath the Salinas River, no sheet pile driving would be needed for the directional drilling to take place under the Salinas River. MRWPCA has begun consultation with the United States Fish and Wildlife Service (USFWS) (email correspondence dated June 24, 2015 between Erin Harwayne, DD&A, and Douglass Cooper, USFWS) and the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) (telephone conversation between William Snider, HDR, and Joyce Ambrosius, NMFS, June 20, 2015). The Proposed Project would have no impact on fish due to noise during construction. The short duration of construction and the lack of fish in the vicinity of the construction site during the directional drilling construction phase would ensure that the construction would result in less-than-significant impacts. To ensure that construction would be adequately protective of fish in the unlikely event that any are within the Salinas River near the site of the construction, Mitigation Measure BF-1a on page 4.4-44 of the Draft EIR has been amended to limit directional drilling construction under the Salinas River to the months of June through November, which are outside of the South-Central California Coast steelhead migration. See changes to page 4.4-44 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**. See also Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
777 Sonoma Avenue, Room 325
Santa Rosa, California 95404

June 3, 2015

Bob Holden, Principal Engineer
Monterey Regional Water Pollution Control Agency
Administration Office
Harris Court, Building D
Monterey, California 93940

Dear Mr. Holden:

Thank you for the opportunity to comment on the Monterey Regional Water Pollution Control Agency's (MRWPCA) Draft Environmental Impact Report (DEIR) for the Pure Water Monterey Groundwater Replenishment Project (Project). MRWPCA is the Lead Agency under the California Environmental Quality Act (CEQA).

The project includes the collection of a variety of new source waters and conveyance of that water to the Regional Wastewater Treatment Plant for treatment and recycling. The water would then be used for two purposes: replenishment of the Seaside Groundwater Basin with purified recycled water to replace some of California American Water's (CAW) existing drinking water supplies; and provision of additional recycled water supply for agricultural irrigation in northern Salinas Valley. The new source waters would supplement the existing incoming wastewater flows, and would include the following: 1) water from the City of Salinas agricultural wash water system, 2) stormwater flows from the southern part of Salinas and the Lake El Estero facility in Monterey, 3) surface water and agricultural tile drain water that is captured in the Reclamation Ditch and Tembladero Slough, and 4) surface water and agricultural tile drain water that flows in the Blanco Drain.

NOAA's National Marine Fisheries Service (NMFS) is responsible for the administration of the Federal Endangered Species Act (ESA) as it applies to threatened and endangered anadromous salmonids. South-Central California Coast (S-CCC) steelhead Distinct Population Segment (DPS) are listed as threatened under the ESA and are present in the Carmel River and the Salinas River. Populations of steelhead within the S-CCC DPS are at critically low levels. NMFS recently completed its recovery plan for S-CCC steelhead (NMFS 2013) and determined steelhead in the Salinas River (including Gabilan Creek) is an essential population to recover for the viability of the S-CCC DPS. Surface water diversions and passage impediments were identified as a significant threat to steelhead survival and recovery in the Salinas River

E-1

E-2



watershed. NMFS's primary concerns are impacts that may affect the S-CCC steelhead DPS and their designated critical habitat including decreased flows in the Salinas River and the Reclamation Ditch/Tembladero Slough. Any adverse impacts must be minimized to assure this species does not become extinct. Decreasing flows can delay the migration of upstream adults and downstream juveniles within the system. Decreased flows can contribute to increased water temperatures and a decrease in water quality, both detrimental to salmonids. Demands on water resources (*i.e.*, groundwater and surface water) in the Salinas River and Gabilan Creek watersheds have dramatically altered each system's hydrology and therefore have impaired historical passage flows and the number of days available for migration of S-CCC steelhead. Any additional decrease in flows could result in jeopardy to the species.

E-2
Con't

NMFS applauds the Pure Water project to address CAW's overdrafting of the Carmel River causing adverse impacts on S-CCC steelhead. NMFS has been working with CAW to find an alternate source of water for municipal use for many years. NMFS supports using recycled water to reduce CAW's diversions from the Carmel River system by up to 3,500 acre-feet per year.

E-3

NMFS has provided only broad, general comments focused primarily on Section 4.4 Biological Resources: Fisheries and Appendix G. Our comments are as follows:

Salinas River:

In 2007, NMFS consulted with the U.S. Army Corps of Engineers on Monterey County Water Resources Agency's (MCWRA) Salinas Valley Water Project (SVWP). In our 2007 Biological Opinion (BiOp) (NMFS 2007), we established a flow prescription MCWRA is required to follow. Minimum migration flows were established for this flow prescription. On Page 4.4.5 of the DEIR under Flow Considerations, there are multiple references to MCWRA's 2001 Draft Environmental Impact Report/Environmental Impact Statement for the SVWP as the citation to determine what flows are needed for steelhead migration in the Salinas River for the Pure Water project. During consultation on the SVWP, NMFS rejected these flows because they were inadequate for steelhead passage. The DEIR's Table 4.4-2 provides source documents for flow thresholds for migration of different life stages of steelhead. The table uses MCWRA 2001 to establish the flow criteria while only citing NMFS 2007 for timing of migration. It is unclear why the DEIR chose to use MCWRA 2001 instead of NMFS 2007. Using this obsolete data causes an inherent flaw in the flow analysis for the DEIR. Determining impacts to S-CCC steelhead based on this data is misleading and inaccurate. Unless there is better data available that NMFS is unaware of, Pure Water DEIR needs to use flow criteria based on the flow data found in NMFS 2007 to complete a robust analysis of impacts from changes in stream flow that may interfere with fish migration.

E-4

The DEIR states that flow into the Salinas River may decrease due to withdrawals from the various sources for the Project. MCWRA is required to meet the flow prescription in NMFS' 2007 SVWP BiOp even if a decrease in flow is due to the Pure Water Project. We recommend you coordinate with MCWRA to ensure they are willing to provide additional flows from their reservoirs if needed for the Project to be implemented.

E-5

Section 2.7.2.7 describes the need to install a pipeline under the Salinas River from Blanco Drain. NMFS agrees using a trenchless method to install the pipe under the river can minimize

E-6

affects to S-CCC steelhead habitat. However, trenchless construction can potentially result in frac outs releasing drilling muds into rivers and causing adverse impacts to habitat. NMFS is concerned the trenchless method may not be the proper construction method due to the sandy nature of the Salinas River. Please ensure this construction method would result in the least amount of impacts to listed species.

E-6
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NMFS is very supportive of removing agricultural runoff high in pesticides and nutrients from entering the Salinas River. For years we have requested MCWRA to either implement actions to improve water quality in the Blanco Drain (*i.e.*, vegetated treatments) or divert the Blanco Drain runoff so it does not enter the river. However, removing storm water runoff that historically entered the river and provided additional winter flows for steelhead migration is a concern to NMFS. The Project must ensure that flows are not decreased to a point that would impact migration of S-CCC steelhead.

E-7

Reclamation Ditch and Tembladero Slough:

In Appendix G, Hagar Environmental Science (HES) acknowledges there are inherent errors associated with the methods used to assess minimum passage flow estimates which would yield an accuracy of +/- 30%. More data, particularly those that address California Department of Fish and Wildlife protocols for passage suitability, must be collected and analyzed to provide a better assessment of potential impacts to fish passage from surface water diversions at the two locations, Reclamation Ditch and Tembladero Slough (particularly the Davis Road location). The DEIR is relying on limited and potentially inaccurate data to determine impacts to steelhead migration in the Reclamation Ditch and Tembladero Slough. NMFS does not agree the bypass flows for the Reclamation Ditch or the Tembladero Slough are adequate for passage of adult steelhead and recommends working with NMFS to identify needed flows for steelhead migration, especially in the Reclamation Ditch.

E-8

On pages 48-49 of Appendix G, HES assumes steelhead will not be in the Reclamation Ditch when flows are below a certain flow threshold, which may not be accurate. It is possible that adult steelhead enter the system on the declining hydrograph of a storm when flows then recede to levels lower than these thresholds. For example, diverting up to 6 cubic feet per second (cfs) from the Reclamation Ditch during March (Table 8) would leave only 2 cfs (or less) in the channel and would therefore potentially expose adult steelhead to stranding, poaching or predation and/or poor water quality. The diversions would expose steelhead to these threats in the Reclamation Ditch until (and if) subsequent storms improved passage.

E-9

In conclusion, NMFS disagrees with the identified minimum flows for steelhead passage in both the Salinas River and the Reclamation Ditch/Tembladero Slough since they were determined from an incomplete analysis. Because of this, it is difficult to assess if the effects and mitigation determination in the DEIR is accurate or adequate to protect steelhead. We recommend the DEIR reevaluate impacts to listed species with more accurate passage flow data that are acceptable to NMFS.

E-10

The Pure Water Project will most likely need a U.S. Army Corps of Engineers Clean Water Act (Section 404) permit. To issue a permit, the Corps must consult with NMFS under the ESA. NMFS strongly recommends MRWPCA work with us early on in the development/design phase

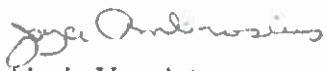
E-11

to ensure the project will avoid impacts to listed species and their designated critical habitat, while improving groundwater replenishment within Monterey County.

E-11
Con't

Please contact Ms. Joyce Ambrosius at (707) 575-6064, or via email at joyce.ambrosius@noaa.gov should you have any questions regarding this letter.

Sincerely,


for Alecia Van Atta
Acting Assistant Regional Administrator
California Coastal Office

cc: Julie Vance, CDFW, Fresno
Rich Svindland, CAW, Sacramento
Copy to Chron File

Literature Cited

- Monterey County Water Resources Agency. 2001. Draft Environmental Impact Report/Environmental Impact Statement for the Salinas Valley Water Project. Online at: http://www.mcwra.co.monterey.ca.us/SVWP/DEIR_EIS_2001/index.htm.
- National Marine Fisheries Service (NMFS). 2007. Biological opinion issued to the U.S. Army Corps of Engineers for the Monterey County Water Resources Agency's Salinas Valley Water Project in Monterey County, California. National Marine Fisheries Service, Long Beach, California. SWR/2003/2080. ARN151422SWR2003SR8711. June 21, 2007. 122 pages.
- NMFS. 2013. South-Central California Coast Steelhead Recovery Plan. West Coast Region, California Coastal Area Office, Long Beach, California.

Letter E: National Oceanic and Atmospheric Administration

- E-1** The National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) reiterates information presented in the Draft EIR describing the Proposed Project; no response necessary.
- E-2** NMFS presents background information regarding its jurisdiction and the status of the South-Central California Coast (S-CCC) steelhead Distinct Population Segment (DPS). The information provided by NMFS is consistent with the description in the Draft EIR in Sections 4.4.2.2 and 4.4.3.1. Comments regarding NMFS responsibility for the administration of the Federal Endangered Species Act (FESA) are acknowledged. Further, MRWPCA understands that NMFS' primary concerns are impacts that may affect the S-CCC steelhead DPS and its designated critical habitat including decreased flows in the Salinas River, the Reclamation Ditch, and Tembladero Slough.

The EIR recognizes a variety of existing man-made alterations in the Salinas River and Reclamation Ditch watersheds, including surface water diversions, passage barriers, and channel alterations that have substantially degraded habitat conditions. The analysis in the Draft EIR (Section 4.4.4.4 under Impact BF-2, as amended in this Final EIR) shows that potential impacts to S-CCC steelhead and its habitat from Proposed Project flow diversions would be less than significant in the Salinas River and less than significant with implementation of recommended mitigation measures in the Reclamation Ditch.

While there is evidence to show that a population of steelhead exists in the Salinas River watershed, it should be noted there is no evidence of a population in the Reclamation Ditch watershed. Nonetheless, the analysis for the Draft EIR and Final EIR conservatively assumes S-CCC could be present downstream of the Proposed Project diversion at Davis Road in the Reclamation Ditch and in the Tembladero Slough.

As noted in the Draft EIR Section 4.4, the United States Fish and Wildlife Service (USFWS), NMFS and CDFW will be consulted about the Proposed Project's potential direct or indirect effects on federally-listed threatened, endangered, or candidate species at the Proposed Project's sites and surrounding areas and to identify measures to reduce such effects. The goal of this process is to address NMFS's primary concerns of potential effects on the S-CCC steelhead DPS and its designated critical habitat, which include decreased flows in the Salinas River and the Reclamation Ditch/Tembladero Slough. The lead agency agrees that adverse impacts must be minimized.

See also Master Response #4: Reduction of Surface Water Flows and #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**, and **Chapter 5, Changes to the Draft EIR** (specifically, changes within Draft EIR section 4.4).

- E-3** NMFS commends the Proposed Project for addressing the overdrafting of the Carmel River and adverse impacts on S-CCC steelhead in the Carmel River. NMFS states support of the use of recycled water to reduce Cal-Am's diversions from the Carmel River system by up to 3,500 AFY. The comment is referred to the decision makers for their consideration as it states an opinion of the Proposed Project.
- E-4** As stated in this comment, the Biological Opinion (BO) for the Salinas Valley Water Project SVWP (NMFS, 2007) includes prescriptions that are to be implemented to enhance upstream migration of adult steelhead and downstream migration of juvenile, smolt and kelt steelhead within the Salinas River essentially between San Antonio River and the Pacific Ocean. NMFS notes that the Draft EIR does not reference the 2007 flow prescriptions from the BO for the

SVWP (NMFS, 2007). Additional language has been added to the Draft EIR to identify the 2007 flow prescriptions. In this response, HDR, fishery biologists for the Draft EIR, provides the rationale for the flow passage requirements used in the Draft EIR analysis and also addresses the NMFS 2007 criteria, as discussed below and in **Chapter 5, Changes to the Draft EIR**, under the section titled Changes to Section 4.4, Biological Resources: Fisheries. The 2007 criteria compliance point is upstream of the Proposed Project for both migration life stages. The criteria were based on evaluation of flows required to provide suitable conditions to accommodate S-CCC steelhead migrations past channel conditions that were considered unique to the Salinas River and required river-specific hydraulic passage criteria. The rationale, development, and identification of these conditions and flows required to meet those criteria within the Salinas River are reported by NMFS (2005)¹ and were the basis for the flow prescriptions provided in the BO (NMFS, 2007).

The Draft EIR recognized the required flow prescriptions (see Page 4.4-6 of the Draft EIR) but did not include those criteria in the evaluation of project effects on migration within the Proposed Project area for several reasons, as discussed below. Nonetheless, this Final EIR in **Chapter 5, Changes to the Draft EIR**, Section 4.4, now includes an evaluation of the Proposed Project's potential effects on the flow prescriptions in the 2007 NFS BO based on NMFS' comment letter. The evaluation concludes that the Proposed Project's diversions would not significantly affect the conditions for upstream and downstream migration as defined in the 2007 BO.

The Draft EIR included passage criteria developed by MCWRA (MCWRA, 2001) for the lower Salinas River to assure a comprehensive evaluation of fish passage within the range of conditions that would be affected by implementation of the Proposed Project based on the following:

- The study reach addressed by NMFS to assess channel conditions and relevant passage criteria did not include the reach downstream of Spreckels and therefore did not directly address channel conditions in the Salinas River that would be affected by the Proposed Project.
- The maximum potential reduction in flow to the Salinas River resulting from the Proposed Project is 9 cfs, from a combination of direct diversion of up to 6 cfs in the Blanco Drain and the cessation of 3 cfs of percolation into the river from the SIWTF ponds. The maximum diversion would occur between July through September when the SIWTF ponds are dry. This is outside the S-CCC steelhead migration windows. The maximum potential reduction in flow to the river downstream of the confluence with Blanco Drain during the migration period (October through June) is 6 cfs. Based on an evaluation threshold of 10 percent, the Proposed Project Draft EIR found that significant impacts could occur when baseline flows are 65 cfs or less within the Salinas River. Inasmuch as the BO prescriptions are several fold greater than the flows potentially affected by the Proposed Project, the Draft EIR focused on potential conditions within the Project area that might be affected by the Proposed Project's maximum diversion rate.

Although the conditions assessed in the MCWRA 2001 SVWP EIR were rejected as representative of conditions being addressed in the BO for the SVWP, the biologists who prepared the Draft EIR determined that including the evaluation of the Proposed Project effects

¹ NMFS. 2005. Salinas Valley water project flow proposal for the biological needs of steelhead in the Salinas River. Report prepared by the Santa Rosa office of NMFS, Southwest Region for MCWRA, Santa Rosa, California

on migration conditions as described in the MCWRA 2001 SVWP EIR would provide a comprehensive assessment of potential Proposed Project effects on steelhead within the study area. Channel conditions downstream of Spreckels potentially differ from those evaluated for fish passage upstream of the Proposed Project diversions due to variation in channel geometry (width), vegetation, flood facilities and flow. The Draft EIR considers these variations as sufficient reason to address fish passage within this reach using “standard” passage criteria as provided in Table 4.4-7 of the Draft EIR as modified in this Final EIR. See changes to page 4.4-37 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.

To respond to the comment, additional evaluation of the Proposed Project effects, using the prescribed flows specified in the NMFS 2007 SVWP BO, has been performed for this Final EIR. The additional analysis confirms the conclusions in the Draft EIR and augments the Draft EIR’s assessment of flow conditions required for upstream and downstream steelhead passage in the Project area. See also Master Response #4: Reduction of Surface Water Flows and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

- E-5** MRWPCA agrees with the comment and will continue coordination with MCWRA to ensure flow prescriptions in the NMFS 2007 SVWP BO are met. See also comment M-36, response to comment T-9, and Master Response #4: Reduction of Surface Water Flows, and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
- E-6** The proposed approach for drilling under the Salinas River will comply with NMFS’ request to ensure impacts to species are minimized. Mitigation Measure BT-2c: Avoidance and Minimization of Construction Impacts Resulting from Horizontal Directional Drilling under the Salinas River (Applies to Blanco Drain Diversion) requires completion and implementation of a Frac-Out Plan to avoid or reduce accidental impacts resulting from horizontal directional drilling (HDD) beneath the Salinas River. Mitigation Measure BT-2c from the Draft EIR Biological Resources, Terrestrial Section, has been revised and expanded in this Final EIR to explain when and how the plan would be prepared and reviewed, and to describe the contents. Mitigation Measure BT-2c requires that the Frac-Out Plan be submitted to CDFW, NMFS, USFWS, and the Regional Water Quality Control Board during the project permitting and may be subject to approval by those agencies prior to commencement of HDD activities for the Blanco Drain Diversion construction. See revisions to page 4.5-94 of the Draft EIR in **Chapter 5, Changes to the Draft EIR** to see the full text of this mitigation measure including required biological monitoring. See also response to comment H-36 and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
- E-7** The comment states NMFS support for proposed removal of agricultural runoff carrying high levels of pesticides and nutrients that would otherwise enter the Salinas River. NMFS’ primary concerns are impacts that may affect the S-CCC steelhead DPS and their designated critical habitat including decreased flows in the Salinas River. See the response to comment E-2, Master Response #4: Reduction of Surface Water Flows and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
- E-8** NMFS identifies the statement in Appendix G to the Draft EIR that acknowledges there are inherent errors associated with the methods and models standardly used to assess fish passage and notes that the analysis assumes a +/- 30% accuracy to account for this. NMFS does not agree the amount of data used to evaluate the potential effects of Proposed Project’s two diversions on fish passage in Reclamation Ditch is adequate and suggests the evaluation would benefit from working with NMFS to identify more precise flow recommendations.

As described in Appendix G, there are no critical passage sections downstream of the Proposed Project diversion near Castroville. As further described in Master Response #4 to clarify the Appendix G conclusions, this reach is tidally influenced and a set of tide gates just

upstream of Moss Landing Harbor influences water levels up to the Highway 183 crossing upstream of the point of diversion. Based on the technical analysis and mitigation measures prepared by HDR and Hager Environmental Science (HES) fisheries biologists, the Draft EIR found that project impacts to fisheries from diversions at this location would be less than significant; however barriers upstream of the proposed Castroville diversion point pose more of a challenge.

In response to NMFS' concerns, Schaaf and Wheeler conducted detailed supplemental analysis of passage at two locations in the watershed – one at the USGS Reclamation Ditch gage at San Jon Road and the other near the mouth of Gabilan Creek within the City of Salinas (see **Appendix CC** in this Final EIR and response to comment E-10 below). Although the latter passage impediment is not affected by the proposed diversion in the Reclamation Ditch at Davis Road, the analysis in Gabilan Creek helps illuminate just one of the many constraints in this sub-watershed to establishing a persistent population of steelhead. See Figures 4.4-6a and 4.4-6b on pages 4.4-67 and 4.4-68 of the Draft EIR. The results of the passage analysis show that the flow rate necessary to provide passage near the mouth of Gabilan Creek into the upper reaches of the watershed is more than two times the flow required for passage downstream of Davis Road in the Reclamation Ditch. No anadromous steelhead spawning and rearing have been recorded in this sub-watershed and there is evidence to suggest the potential historic spawning and rearing habitats near the headwaters of Gabilan Creek may be inaccessible due to numerous barriers at road crossings and the presence of a stock pond at the base of the headwaters.

Nonetheless, the Final EIR conservatively assumes S-CCC could be present in the Reclamation Ditch below the proposed diversion site at Davis Road, and determines that it is possible to divert low and high seasonal flows from the Reclamation Ditch (with well-defined rules to protect passage windows) without further reducing the possibility of fish passage downstream of the proposed Davis Road diversion.

The reach in the Reclamation Ditch that will be affected by Proposed Project diversions includes two known fish passage impairments downstream of the Davis Road point of diversion, as described on page 4.4-39 of the Draft EIR and in Appendix G. The Schaaf and Wheeler Technical Memo on Fish Passage included as **Appendix CC** in this Final EIR focuses on the more severe of the two barriers studied in Appendix G – the weir at the USGS Reclamation Ditch gage at San Jon Road. The analysis allows for a more accurate characterization of passage flow thresholds based on current passage criteria and concludes that the Proposed Project could adversely affect passage of adult and juvenile (smolt) steelhead when flows at the weir are in a range of 75 to 81 cfs for adult passage and 40 to 46 cfs for juvenile passage. The Proposed Project's diversions at Davis Road will be operated to avoid reducing passage opportunities as required by Mitigation Measures BF-2a (or alternate Mitigation Measure BF-2b) as amended in this Final EIR (see changes to pages 4.4-48 and 4.4-49 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**). In order to divert up to 6 cfs of flow while still maintaining the required 75 and 40 cfs instream, flow diversions could occur when flows are below 75 cfs or in excess of 81 cfs (during adult migration season), and below 40 cfs or in excess of 46 cfs (during juvenile migration season). According to Schaaf & Wheeler, these passage flows could be feasibly implemented while still achieving the Proposed Project objectives, see **Appendix CC**.

The Proposed Project will be operated to provide passage and to avoid reducing flow below the identified passage thresholds. The project proponents are required to work with NMFS to confirm needed flows for steelhead migration in the Reclamation Ditch. To ensure adequate passage flows in the Reclamation Ditch, the final facility design and flows would be approved by NMFS in accordance with Mitigation Measure BF-2a, or Alternate Mitigation Measures BF-2a (see pages 4.4-48 through 4.4-50 of the Draft EIR, as amended in **Chapter 5 Changes to the Draft EIR**, and Master Response #5: Fisheries Impact Analyses). The lead agency is committed to working with NMFS to confirm needed flows for steelhead migration in the Reclamation Ditch.

- E-9** Based on the best available information, there is no established population of steelhead in the Reclamation Ditch or its tributaries. The Proposed Project is not likely to adversely affect the opportunity or likelihood of a population becoming established. (HDR, 2015).

The potential for the Proposed Project to result in additional occurrences of migrating adults being stranded on the declining limb of a storm hydrograph, as suggested in this comment, is extremely low. Post-storm flow recessions in the Reclamation Ditch watershed typically occur within hours. The statement in Appendix G of the Draft that steelhead will not be in the Reclamation Ditch when flows are below a certain flow threshold is based in part on the expectation that adult steelhead would not hold in the stream as flows rapidly decline to near 8 to 14 cfs. However, as stated above in the response to comment E-2, the Proposed Project will be operated according to well-defined rules to avoid creating conditions that would strand or otherwise harm adult steelhead if they were present.

The final facility design and flows would incorporate passage flows acceptable to NMFS (see last paragraph on page 4.4-50 of the Draft EIR), Master Response #4: Reduction of Surface Water Flows, and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

- E-10** This Final EIR contains the requested evaluation of impacts to steelhead in the Salinas River to include evaluation of the Proposed Project's effects on the flow prescriptions identified in the 2007 SVWP BO (NMFS). As reported in Appendix O of the Draft EIR (which has been revised in this Final EIR document as shown in Appendix O revisions in **Chapter 5, Changes to the Draft EIR**) and in Master Response #4: Reductions in Surface Water Flow, the Proposed Project will not affect the frequency or duration of flows prescribed in the SVWP BO for enhancement of adult upstream migration and juvenile, smolt and kelt downstream migrations.

Schaaf & Wheeler has also prepared a technical memorandum, attached as **Appendix CC** to this Final EIR, containing the results of further analysis of passage flow at the USGS gage at San Jon Road (Schaaf and Wheeler, 2015). This technical memo assesses hydraulic conditions through structures that may present obstacles to upstream and downstream anadromous fish migration in the Reclamation Ditch/Gabilan Creek watershed. Two sites are analyzed: the Reclamation Ditch at the San Jon Road bridge/weir, and Gabilan Creek at the Laurel Road culvert; however, only the analysis of the San Jon Road weir is relevant to potential impacts from the Proposed Project. The purpose of the analysis is to determine (1) whether the weir poses an obstacle to fish passage, and if so, under what range of flows, (2) whether withdrawals of up to 6 cfs from the Reclamation Ditch at Davis Road for the Proposed Project will reduce the likelihood of fish passage downstream of the proposed diversion point, and (3) if withdrawals will reduce the likelihood of fish passage downstream of the diversion point, the range of flows at which withdrawals should be curtailed in order to maintain fish passage.

Initially, Schaaf and Wheeler applied FishXing v3.0, a publicly available modeling program from the US Forest Service, to assess passage flow requirements. The program allows the user to model flow through various stream/road crossing structures. It also allows the user to evaluate the ability of fish and other aquatic species to navigate these structures based on species-specific physiological parameters such as minimum required water depth, swimming speed and endurance. FishXing was initially used to calculate water surface profiles through the San Jon Road weir to determine what ranges of flows might allow for successful upstream passage of adult steelhead and downstream passage for juveniles.

Due to the complexity of the San Jon Road barrier and limitations of the FishXing model, Schaaf and Wheeler has since created a more detailed and reliable Hydrologic Engineering Centers River Analysis System (HEC-RAS) model to more precisely determine passage flows

in this area. The results of the HEC-RAS model are suitable for identifying minimum flows required for fish passage in the affected reach of Reclamation Ditch and evaluating potential effects on steelhead passage conditions. See also the response to comment E-11, Master Response #4: Reduction of Surface Water Flows and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

- E-11** It is acknowledged that the Proposed Project will require federal actions that are subject to consultation under the federal Endangered Species Act and MRWPCA will work with NMFS as early as necessary to avoid impacts to listed species and their designated critical habitat. See also Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.



Letter F



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Coast Regional Water Quality Control Board

June 5, 2015

Bob Holden, Principal Engineer
Monterey Regional Water Pollution Control
Agency
gwr@mrwpca.com

Dear Mr. Holden:

DRAFT EIR FOR PURE WATER MONTEREY GROUNDWATER REPLENISHMENT PROJECT

The Central Coast Regional Water Quality Control Board appreciates the opportunity to review and comment on the draft environmental impact report for the Pure Water Monterey Groundwater Replenishment Project. We have the following comments:

1. The project would rely upon supply water from multiple sources, including domestic wastewater, industrial wastewater, agricultural return waters, and storm water, all conveyed to the treatment facility via existing municipal wastewater collection and conveyance systems. The draft EIR does not directly address the possibility of sanitary sewer overflows (SSOs), except to say in section 4.18.2.2 that:

"Local cities and sanitation districts are responsible for maintenance and extension of sewer lines, and the Monterey Regional Water Pollution Control Agency (MRWPCA) is responsible for development and operation of treatment facilities, trunk main pipelines and pump stations."

This is contradicted to some degree in section 2.7.2.7 where it is explained that:

"The Blanco Drain Pump Station would be similar to the Reclamation Ditch and Tembladero Slough Pump Stations, configured to operate autonomously based upon diversion settings. A system operator would visit the site once a day to check for alarms, vandalism and to visually inspect the intake screen for clogging. The site is adjacent to the Monterey County Water Resources Agency's Blanco Drain Pump Station, and may require separate visits by operators from the two agencies or the two agencies can enter into an agreement for shared maintenance responsibilities."

And in section 2.7.2.8, which states:

"The Lake El Estero diversion pump station would operate autonomously, based upon lake levels and water levels in the receiving sanitary sewer. System operators from the City would visit the site with the same frequency as operators visit the existing pump

F-1

DR. JEAN-PIERRE WOLFF, CHAIR | KENNETH A. HARRIS JR., EXECUTIVE OFFICER

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station, approximately once per week when not operating and multiple times per day while in operation.”

As the already complex MRWPCA system becomes even more complicated, responsibilities for dealing with SSOs need to be unambiguous whenever and wherever they might occur. To that end, please add a section in the EIR that clearly delineates which public entities are responsible for both maintaining the infrastructure and responding to and cleaning up SSOs that may occur anywhere in the sanitary sewer systems connected to the proposed project.

F-1
Con't

2. In the *Wetland Delineation* section in section 4.5.2.1 *Biological Project Study Area*, the list of agencies with jurisdiction over the potential wetlands in affected reaches should include the Central Coast Water Board. Wetlands are considered waters of the state and are protected by the Central Coast Water Board. Please identify the Central Coast Water Board along with the other agencies with jurisdiction over wetlands.

F-2

3. Central Coast Water Board staff found several errors in the DEIR's section 4.11.3.1 *Federal and State Regulations*, regarding Central Coast Water Board requirements and authorities as they relate to the Clean Water Act. Please edit the text to reflect the following statements.

- a. Section 401 Water Quality Certifications are issued to protect water quality and the beneficial uses of water from projects that may result in discharges of dredge and fill.
- b. The Central Coast Water Board does not issue waivers of Section 401 Water Quality Certifications.
- c. The Central Coast Water Board only issues Section 401 Water Quality Certifications for projects that may discharge dredge or fill to waterbodies that are under the jurisdiction of the USACOE.
- d. The Central Coast Water Board may issue other waste discharge requirements (permits) for discharges of dredge or fill to waterbodies not under the jurisdiction of the USACOE, but that are waters of the state.

F-3

4. The discussion in section Impact BT-2 *Construction Impacts to Sensitive Habitats* regarding the *Tembladero Slough Diversion Affected Reaches* insufficiently identifies potential threats to state waters. The State has jurisdiction over “any surface water or groundwater, including saline waters, within the boundaries of the state” (California Water Code section 13050(e)), a broader definition than waters of the U.S.

F-4

Please edit this discussion to identify the approximately 0.2 acres of permanent impacts to other waters of the U.S. and 0.01 acres of impacts to coastal wetlands as impacts to waters of the state that require mitigation to protect water quality and beneficial uses, and to reduce impacts to a less-than-significant level.

Central Coast Water Board staff finds that additional discussions regarding impacts, within section Impact BT-2 *Construction impacts to Sensitive Habitats*, also fail to identify impacts to waterbodies and wetland or riparian habitats as impacts to waters of the state. Please also edit these sections to identify impacts to waterbodies and wetland or riparian habitats as impacts to waters of the state.

5. Permanent structures or hardscapes located within a waterbody can cause erosional problems within these sensitive habitats downstream, upstream, or at the location of the structure/hardscape.

The DEIR should include an assessment of potential impacts to fluvial geomorphological processes in sensitive habitats due to construction of permanent structures or hardscape in a waterbody. The fluvial geomorphological assessment should include:

F-5

- a. Assessment of the potential for undercutting or erosion to upstream, opposite, and/or downstream banks and bed.
- b. Assessment of the response of the waterbody morphology to changes in flow velocity and channel capacity, cross section, length, or gradient.

Should potentially negative impacts on fluvial geomorphological processes in the sensitive habitats be discovered based on the assessment, mitigation identified in the EIR should include assessment of structure or hardscape redesign to alleviate the potential negative fluvial geomorphological impacts.

6. Mitigation Measure BT-2a *Avoidance and Minimization of Impacts to Riparian Habitats and Wetland Habitats* is not sufficient to reduce the potential impacts to riparian and wetland habitats to a less than significant level because:

- a. The mitigation measure identifies placing construction fencing around these habitats to protect the habitats from construction activities. While construction fencing is necessary, it is insufficient to prevent impacts from construction activities that involve the movement and use of materials such as sediment, concrete, hazardous chemicals, and fluids, including water, that may discharge to riparian and wetland habitats.

F-6a

To sufficiently protect water quality and the beneficial uses of water and reduce impacts from construction areas to a less than significant level, mitigation should be included such as:

- i. To protect against spills and fluids leaking from equipment, the project should maintain an on-site spill plan and on-site spill containment measures that can be easily accessed.
- ii. Refueling or maintaining vehicles and equipment should only occur within a specified staging area that is at least 100 feet from a waterbody (including riparian and wetland habitat) and that has sufficient management measures that will prevent fluids or other construction materials including water from being transported into waters of the state. Measures should include confined concrete washout areas, straw wattles placed around stockpiled materials and plastic sheets to cover materials from becoming airborne or otherwise transported due to wind or rain into surface waters.

- b. Impacts to riparian and wetland habitat that are proposed to be mitigated must be identified as either temporary or permanent. A 1:1 replacement-to-loss ratio is

F-6b

insufficient to mitigate permanent impacts to less-than-significant levels for this habitat, and may also be insufficient for temporary impacts.

The state's goal is that there be no net loss of wetlands. To meet this goal the state issued a policy, commonly referred to as the "No Net Loss Policy" for wetlands. To uphold the policy and to protect waters, permanently impacted wetland and riparian habitat should be replaced at a higher ratio than 1:1. A higher ratio is necessary because re-established or rehabilitated habitat may fail to provide the same functions as the impacted habitat, and the additional re-established habitat that is the result of a higher mitigation ratio may serve to offset the loss of functions in the impacted habitat.

Permanent impacts should be mitigated at a ratio of at least 2:1. A larger replacement ratio should be required if any of the following apply:

- i. There is a lag between the time of impact and time of replacement.
- ii. The mitigation site is not at or near the impact site.
- iii. The replacement habitat will be of lesser quality than the impact habitat considering characteristics such as species diversity and abundance, physical and chemical characteristics.
- iv. The replacement habitat will provide less ecological function than the impact habitat.
- v. Other differences between the two habitats that may lead to a replacement habitat of lesser value than the impact habitat.

Temporary impacts should be mitigated at a 1:1 replacement-to-loss ratio, or greater, taking into consideration the reasons for increasing the permanent impact ratio.

- c. The DEIR mentions preservation as a means of mitigation. Using preservation for mitigation of permanent loss of habitat results in a net loss of habitat. Preservation should not be used as mitigation for permanent impacts.

If preservation of habitat were to be used as mitigation for temporary impacts, development of the mitigation ratio should take into consideration the above reasons for increasing the permanent impact ratio.

7. The discussion regarding regulatory requirements in Impact Statement HS-2: *Construction Impacts to Surface Water Quality due to Earthmoving, Drainage Alterations, and Use of Hazardous Chemicals* (p.4.11-61) is insufficient. The *All Project Components* discussion appropriately includes identification of the NPDES Construction General Permit and Municipal Stormwater Permit requirements. However, the discussion lacks identification of the requirements of the Central Coast Water Board for discharges of dredge and fill to waters of the state.

The action of moving earth within waters of the state (such as with trenching or excavation) is considered a discharge and requires a permit. If the U.S. Army Corps of Engineers (USACOE) claims jurisdiction in the subject waterbody where the discharge may occur, the Central Coast Water Board also will need to review the action and potential discharge and issue a Clean Water Act Section 401 Water Quality Certification if the Central Coast Water Board can determine that the action will be protective of water

F-6b
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F-6c

F-7

quality and the beneficial uses of water. If the USACOE does not take jurisdiction, the Central Coast Water Board may issue waste discharge requirements (a permit) for impacts to waters of the state.

F-7
Con't

8. The DEIR should ensure consideration of all potential direct and indirect environmental impacts associated with the diversion and use of water including, but not limited to, analyzing the availability of unappropriated water; impacts of the diversion of water to instream resources including development of mitigation measures that may include fish screens and bypass flows; and impacts of reducing the discharge of treated wastewater to the Salinas River, reduction in flows to both the Salinas River and the coastal sloughs in the area (e.g., Elkhorn Slough (a National Estuarine Reserve), and Moro Cojo Slough).

F-8

9. The DEIR includes and relies on technical reports and analyses evaluating the potential environment effects of the various proposed surface-water diversions due to reduced flows in portions of the watershed, with an emphasis on fisheries beneficial uses. The appendices include independent analyses of the potential downstream effects for the following diversions: the Reclamation Ditch and Tembladero Slough, the Blanco Drain, and the Salinas Industrial Wastewater Treatment Facility. The appendices also include analyses of the combined potential effects of the Salinas Industrial Wastewater Treatment Facility, City of Salinas (southwest portion) stormwater runoff, and Blanco Drain diversions on the Salinas River at a point just downstream of the Salinas River Diversion Facility rubber dam, as well as water supply yield studies for the Reclamation Ditch and Blanco Drain diversions, and an urban runoff capture/yield study for the Lake El Estero diversion (not tributary to the Salinas River or Sloughs).

F-9

However, the DEIR does not appear to include analyses of the potential cumulative effects of all the proposed diversions on downstream portions of the watershed due to reduced flow. More specifically, the DEIR and supporting technical documents provided within the appendices do not appear to contain analyses of the cumulative decrease in surface water flows to downstream portions of the watershed, particularly the Old Salinas River, Tembladero Slough, and Elkhorn Slough, due to all of the proposed project diversions. This portion of the watershed consists of a complex and interconnected system of brackish tidal and wetland habitats supporting a variety of social and environmental functions, not the least of which is providing habitat to state and federally listed species. Potential short- and long-term effects of decreased surface water flows and shallow groundwater recharge in the coastal portions of the watershed do not appear to be adequately evaluated in the DEIR and could result in potentially significant impacts associated with the following CEQA environmental resource topics:

- a. Aesthetic (AE-3) impacts associated with the degradation of visual quality of sites and surrounding areas due to the reduction of brackish tidal and wetland habitats and associated vegetation.
- b. Air Quality and Greenhouse Gas (AQ-9C) impacts. The loss of coastal wetland and tidal ecosystems can result in decreased carbon sequestration due to reduced vegetative growth and the release of potentially significant amounts of carbon dioxide through mineralization of organic matter buried in saturated, anaerobic sediment as it is dried out and exposed to oxygen. Coastal wetland and tidal ecosystems play a significant role in regional and global carbon cycles because they are an important sink for and can store large amounts of atmospheric carbon in the form of vegetation and soil organic matter.

F-9a

F-9b

<p>c. Biological Resources – Fisheries (BF-2 and BF-3) and Marine Biological Resources (MR) impacts associated with interference with fish migration and reduction in fish habitat or fish populations due to reduced flow and loss of habitat or changes in brackish habitat due to insufficient freshwater flows and mixing.</p>	<p>F-9c</p>
<p>d. Biological Resources – Terrestrial (BT-5, BT-6 and BT-7) impacts associated with the loss of sensitive habitat and native wildlife nursery sites, the loss/taking of special-status species, and the inhibited movement of native wildlife due to changes in wetland and tidal habitat.</p>	<p>F-9d</p>
<p>Analyses of cumulative flow diversion and watershed habitat response are needed to more definitively evaluate potential impacts in downstream portions of the watershed. These analyses will need to account for seasonal variations in diversion and instream flows with respect to the most critical physical, chemical, and biological habitat and fish and wildlife needs. This is particularly true during the dry season when natural flows are the lowest and recycled water needs are the highest.</p>	<p>F-9e F-9 Con't</p>
<p>Although the project benefits outlined in section 2.1.2 of the DEIR are very significant, the report relies heavily on them in support of the proposed project in the absence of more robust analyses of potential watershed-scale cumulative impacts associated with reduced flow due to the multiple proposed diversions. In particular, the potential benefits of diverting low-quality or polluted water from the watershed appear to be more heavily weighted in the DEIR, primarily via qualitative analyses and comparisons, than reduced flow and associated habitat impacts. More robust analyses of potential cumulative impacts may show that water quality improvements via the proposed diversions are less meaningful in the greater context due to the loss or modification of critical habitat as a result of reduced flows. Any projects in the watershed should achieve co-equal goals of protecting or improving water quality and maintaining, if not increasing, natural flows necessary to support viable freshwater, brackish tidal, and wetland habitats associated with the Salinas River, Old Salinas River, Tembladero Slough, and Elkhorn Slough.</p>	<p>F-9f</p>
<p>10. It's clear that the agencies involved have carefully studied the effects of the injection and extraction of potable water and recycled water in the Seaside groundwater basin as part of this project and as part of the ongoing aquifer storage and recovery project. Although there are some uncertainties associated with the potential geochemical effects of injecting highly treated and subsequently stabilized recycled water into the aquifer (short circuiting, for example), the project proponents are well versed on these and other related issues, have a good monitoring program in place, and will ultimately be injecting better quality water overall into an existing trough in the basin. We expect that any additional issues that come up can be dealt with via our permitting authority over the project, including permits for the advanced treatment facility and ocean outfall.</p>	<p>F-10</p>
<p>Overall, we are supportive of the goals of this project, especially its ability to lessen the impacts of CalAm's proposed desalination project by decreasing the size of that facility. We look forward to working with MRWPCA as this project advances.</p>	

If you have any questions, please contact Jon Rokke of Water Board staff at (805) 549-3892 or jon.rokke@waterboards.ca.gov.

Sincerely,



Digitally signed by Harvey C. Packard
Date: 2015.06.05 15:04:05 -07'00'

for Kenneth A. Harris Jr.
Executive Officer

cc: Matthew Keeling, Water Board Staff
Kim Sanders, Water Board Staff

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ECM# 805968

Letter F: Central Coast Regional Water Quality Control Board

- F-1** The Proposed Project would include new pump stations and wet wells at the proposed source water diversion sites at the Reclamation Ditch at Davis Road, Tembladero Slough at the Castroville Pump Station, Blanco Drain near the Salinas River, and potentially, at Lake El Estero. These new facilities would divert source waters to the existing sewer systems when capacity is available and if needed to meet project objectives. The Proposed Project would include level sensors in the receiving manholes, enabling automatic shut off of diversion pumps before any sanitary sewer system overflows (SSOs) occur or upon any overflow elsewhere downstream in the system. When this shutoff occurs, water would remain in the relevant water body (Reclamation Ditch, Tembladero Slough, Blanco Drain, and Lake El Estero); accordingly, the new source waters would cease to contribute to sanitary sewer flows if an overflow occurs in the system. The MRWPCA operations and maintenance staff would have responsibility for maintenance and operation of all pump stations except Lake El Estero, which would be operated by the City of Monterey.

The current and proposed responsibility for sanitary sewer system operations and maintenance and overflows are described in the MRWPCA's Sewer System Management Plan (SSMP) found at: http://mrwpca.org/ssmp/MRWPCA_Combined_SSMP_2013_Final.pdf and in the Draft EIR, on pages 2-48, 2-53, 2-55, and 2-57 (under the subheadings "Operations and Maintenance"). The SSMP is a summary of the policies, procedures, and activities that apply to the planning, management, operation, and maintenance of the MRWPCA sanitary sewer system. This SSMP is intended to meet the requirements of the State Water Resources Control Board. The structure (section numbering and nomenclature) of the SSMP follows the General Waste Discharge Requirements for Wastewater Collection Agencies, State Water Resources Control Board Order Number 2006-0003 dated May 2, 2006. The SSMP provides information on existing procedures to prevent and respond to SSOs. In addition, MRWPCA is in the process of updating the 2013 Sewer System Management Plan including making changes to better address interruptible sewer flows and the update is anticipated to be completed by the end of 2015 or early 2016 (Garrett Haertel, MRWPCA, September 11, 2015).

- F-2** Section 4.5.2.1, Biological Project Study Area, does not identify any jurisdictional agencies. However, the text on page 4.5-4 of the Draft EIR (in Section 4.5.2.2) has been amended in Chapter 5, Changes to the Draft EIR to include the RWQCB as an agency with jurisdiction over wetlands. The EIR describes the jurisdiction of the Central Coast RWQCB over wetlands and waters of the state under Section 401 of the Clean Water Act and the Porter-Cologne Water Quality Control Act of 1969 in the following sections: Section 4.5.3.2, Regulatory Framework: State (on pages 4.5-40 through 4.5-43 of the Draft EIR), and Section 4.11.3.1, Regulatory Framework: Federal and State (on page 4.11-30 through 4.11-31 and 4.11-36 of the Draft EIR), as amended in this Final EIR in **Chapter 5, Changes to the Draft EIR**.
- F-3** The text in Table 4.5-5 and Section 4.11.3, Regulatory Framework, have been clarified to reflect the regulatory authority of the RWQCB related to the Clean Water Act. Specifically, the last full paragraph on page 4.11-30 of the Draft EIR has been amended in response to this comment (see **Chapter 5, Changes to the Draft EIR**).
- F-4** The construction impacts discussion in Section 4.5.4.3 (i.e., Impact BT-2: Construction Impacts to Sensitive Habitats) on pages 4.5-87 through 4.5-94 of the Draft EIR have been amended in accordance with this comment. See **Chapter 5, Changes to the Draft EIR**.
- F-5** The proposed diversion structures for the Reclamation Ditch, Tembladero Slough, and Blanco Drain would not change the cross-section of the channel. They consist of a screened channel-bottom inlet to a pump station wet well located in the bank. The area around the inlet will be hardscaped to prevent erosion and scour, as described and shown in Draft EIR Appendix P,

(on page 21 and Appendix C of Appendix P) and Draft EIR Appendix Q-Revised (on page 16 and Appendix C of Appendix Q-Revised), as amended in this Final EIR. Proposed hardscaping (grouted riprap) to protect diversion facilities and adjacent streambanks from erosion are proposed to have similar roughness to existing conditions (weathered uniform channel), so that there would not be a significant change in flow velocity near the proposed diversion facilities. The Draft EIR described permanent diversion facilities consistent with the technical design in Appendices P and Q-Revised on pages 2-51 through 2-52 of the Draft EIR in Chapter 2, Project Description. The Draft EIR presents analyses of the impacts of the diversions on the channel hydrology and erosion characteristic (i.e., fluvial geomorphology) on pages 4.11-64 through 4.11-75 (in particular, see the bottom of page 4.11-72 through the top of 4.11-74). This section summarizes the conclusions from Appendix P of the Draft EIR (page 33), and identifies a potential impact that may occur due to rapid water level fluctuations triggered by diversions at the Reclamation Ditch diversion site. The presence of diversion structures and the operation of diverting water at the Tembladero Slough Diversion site would not result in substantial erosion or sedimentation because maximum diversions would rarely affect water levels due to the pooling, backwater effect of the Potrero Tide Gates and wide channel in this reach of the water body. The flow rate of water within the area of the Tembladero Slough diversion is very low (relatively small diversions compared to total flows are proposed), and therefore, risks of adverse fluvial geomorphological changes are considered less than significant. Mitigation Measure HS-4 (Management of Surface Water Diversion Operations) on page 4.11-75 of the Draft EIR would reduce the impact at the Reclamation Ditch Diversion site to less than significant. The comment requests that if negative impacts on fluvial geomorphological processes occur during operation, the structures and hardscapes shall be redesigned to alleviate the negative impacts. Based on this comment, Mitigation Measure HS-4 on page 4.11-75 of the Draft EIR has been modified as shown in Chapter 5, Changes to the Draft EIR.

In addition, the Draft EIR analyzes operational impacts of the surface water diversions on fish and other aquatic habitat and wildlife in Section 4.4.4.4 (see pages 4.4-44 through 4.4-53) and Section 4.5.4.4 (pages 4.5-96 through 4.5-106), respectively, as modified in this Final EIR (see **Chapter 5, Changes to the Draft EIR**).

- F-6a** In response to this comment, page 4.5-92 of the Draft EIR has been amended to include the requirement for Mitigation Measure BT-1a to be implemented to reduce Impact BT-2 to a less-than-significant level (see **Chapter 5, Changes to the Draft EIR**). In addition, Mitigation Measures BT-1a on pages 4.5-75 and 4.5-76 of the Draft EIR has been amended as shown on **Chapter 5, Changes to the Draft EIR**.
- F-6b** Mitigation Measure BT-2a on page 4.5-92 of the Draft EIR has been modified as shown in **Chapter 5, Changes to the Draft EIR** in response to this comment and Comment F-6c.
- F-6c** The intention of the preservation requirement within Mitigation Measure BT-2a, above, is to minimize the construction footprint and prevent impacts to nearby, off-site habitat. As shown above, in response to comment F-6b, the language of Mitigation Measures BT-2a on page 4.5-92 of the Draft EIR has been clarified to describe the intention of the preservation requirement. See **Chapter 5, Changes to the Draft EIR**.
- F-7** The discussion on page 4.11-62 of the Draft EIR has been modified to describe the RWQCB's jurisdiction over waters of the state as provided and the potential for the RWQCB to issue waste discharge requirements (a permit) for impacts to waters of the state. See **Chapter 5, Changes to the Draft EIR**.
- F-8** The Draft EIR analyzes potential direct and indirect environmental impacts of diversion and use of water. Specifically, the items listed in the comment are addressed as follows in this EIR:

- *Availability of unappropriated water:* The State Water Resources Control Board determines the availability of unappropriated surface flow. Therefore, water rights applications 32263A, 32263B, 32263C for permits to divert source waters to the Proposed Project have been submitted to the SWRCB. The detailed technical analyses of water availability (i.e., estimated yield) is provided in the following locations in the Draft EIR (as modified in this Final EIR) in **Appendices B-Revised, F-Revised, G, O-Revised, P, and Q-Revised.**² For a summary of the analyses, see Draft EIR, Chapter 2, Project Description on pages 2-23 through 2-26 (existing data related to flow quantities in each proposed source water), and 2-42 through 2-57 (estimated yields and methods/timing of diversion of each source water, which are inter-related) as amended in this EIR (see **Chapter 5, Changes to the Draft EIR**).
- *Impact of the diversion of water to instream resources including development of mitigation measures that may include fish screens and bypass flows, including the following specific issues as requested in the comment:*
 - *Development of mitigation measures for fisheries:* The Draft EIR includes an analysis and mitigation measures for impacts to fisheries, including the requirements for fish screens and bypass flows, in sections 4.4.4.2 through 4.4.4.4 of the Draft EIR, as modified in this Final EIR (see pages 4.4-38 through 4.4-51 of the Draft EIR). The final facility design and flows will incorporate passage acceptable to NMFS (see last paragraph on page 4.4-50 of the Draft EIR) and Master Response #5: Fisheries Impact Analyses. The Project will require federal actions that are subject to consultation under the Endangered Species Act and the MRWPCA proposes to begin working with NMFS as early as necessary to avoid impacts to listed species and their designated critical habitat. See also Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
 - *Impacts of reducing the discharge of treated wastewater to the Salinas River:* The Draft EIR contains detailed hydrogeologic, hydrology, and water quality analyses of loss of percolated wastewater to the Salinas River in Appendices N and O-Revised. These technical analyses are summarized in the Draft EIR on pages 4.10-57 through 4.10-64 (effects on groundwater systems in the Salinas Valley), 4.11-64 through 4.11-75 (surface water quality and related hydrologic impacts). In addition, Appendix F-Revised provides detailed analyses of the impacts of the diversion on fisheries resources in the Salinas River, which is summarized in the Draft EIR on pages 4.4-38 through 4.4-53 (fisheries). Based on the above information and detailed species and habitat surveys of the affected reaches of water bodies downstream in Appendices H and I, pages 4.5-60, 4.5-97 through 4.5-105 of the Draft EIR provide an analysis of the reduction in discharge to the Salinas River on other aquatic species and habitat (including all the proposed flow reductions combined). The analysis of flow reduction in the Salinas River used conservative assumptions to determine the impacts of loss of percolated agricultural wash water to the river. Specifically, the Draft EIR analyses of effects on the beneficial uses in the Salinas River and Old Salinas River channel assume year-round loss of percolation from the Salinas Treatment Facility ponds, when the Proposed Project would continue to use the ponds for storage and percolation in the winter months and divert the water to the Regional Treatment Plant only in the summer. Operational impacts to hydrologic function, and biological species and habitat in the Salinas River were determined to be less than significant as described in the Draft EIR. See also response to comment

² Changes to the Appendices indicated with “–Revised” have been amended or replaced in this Final EIR as shown in **Chapter 5, Changes to the Draft EIR**.

G-2, G-3 and Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**. It is noted that the State Water Resources Control Board has jurisdiction over changes to points of discharge for wastewater. A wastewater change petition is being prepared for submittal to them.

- *Reduction in flows to the coastal sloughs in the area (e.g., Elkhorn Slough (a National Estuarine Reserve), and Moro Cojo Slough.* See the response to comment G-2, G-3 and Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**. The Proposed Project impacts, including the combined impacts of all proposed surface water, urban runoff, and wastewater diversions, would not have a significant adverse impact on brackish tidal and wetland habitat the downstream portions of the watershed including Old Salinas River channel, Tembladero Slough, Elkhorn Slough, and Moro Cojo Slough during project operations as documented on pages 4.5-97 through 4.5-105 of the Draft EIR. The final facility design and flows will incorporate passage acceptable to NMFS (see last paragraph on page 4.4-50 of the Draft EIR) and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

F-9 The RWQCB notes that the Draft EIR relies on technical reports and analyses evaluating the potential environment effects of the various proposed surface water diversions due to reduced flows in portions of the watershed. The Draft EIR and appendices include analyses of the potential downstream effects for the combined diversions at the Reclamation Ditch, Tembladero Slough, Blanco Drain, Salinas stormwater, and the Salinas Industrial Wastewater Treatment Facility (Salinas Treatment Facility). As recognized by the comment, the technical analysis addresses the combined potential effects of the Salinas Treatment Facility, City of Salinas (southwest portion) stormwater runoff, and Blanco Drain diversions on the Salinas River at a point just downstream of the Salinas River Diversion Facility rubber dam, as well as water supply yield studies and impact analyses for the Reclamation Ditch, Tembladero Slough, and Blanco Drain diversions, and an urban runoff capture/yield study for the Lake El Estero diversion.

The RWQCB states that the Draft EIR does not appear to include an analysis of the cumulative effects of all Proposed Project diversions on downstream portions of the Salinas River, particularly the Old Salinas River, Tembladero Slough and the Elkhorn Slough. See individual responses below (F-9a through F-9e) addressing this comment by topical area. The Draft EIR analyzes the combined impacts of all proposed surface water, urban runoff, and wastewater diversions, and concludes that the Proposed Project would not have a significant adverse operational impact on brackish tidal and wetland habitat in the downstream portions of the watershed including Old Salinas River channel, Tembladero Slough, Moss Landing Harbor, and the Elkhorn Slough. See Draft EIR pages 4.5-97 through 4.5-105 as amended in this Final EIR in **Chapter 5, Changes to the Draft EIR** and Master Response #4: Reduction of Surface Water Flow in **Chapter 3, Master Responses to Comments** that provides clarification about the assumptions and rationale for the hydrology and biological resources analysis in the Draft EIR to address this comment.

F-9a The combined diversions from all Proposed Project components would have a less-than-significant impact on the brackish tidal and wetland habitats and associated vegetation as discussed in response to comment F-8, F-9, G-2, and G-3, and Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**. Accordingly, the Proposed Project would not result in a significant impact on these habitats downstream of the Proposed Project diversion facilities and thus would not result in a significant aesthetic or visual impact.

F-9b As described in the Draft EIR pages 4.5-97 through 4.5-105 and in Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**, the

combined diversions from all Proposed Project components would have a less-than-significant impact on coastal wetland and tidal ecosystems and thus no measurable or detectable change to air quality or climate change related to loss of coastal wetland and tidal ecosystem carbon cycle influences. See also responses to comments F-8, F-9 and F-9a, G-2 through G-13, and **Appendix AA**.

F-9c The Draft EIR addresses potential short- and long-term effects of decreased surface water flows and shallow groundwater recharge in the coastal portions of the watershed in the following sections (as amended in this Final EIR):

- Biological Resources: Fisheries (see Section 4.4),
- Biological Resources: Terrestrial (see Section 4.5),
- Hydrology/Water Quality: Groundwater (see Section 4.10), and
- Hydrology/Water Quality: Surface Water (see Section 4.11)

These sections account for seasonal variations in diversions from all source waters and instream flows for biological habitat and fish and wildlife needs based upon accepted fish passage requirements as clarified in Master Response #4: Reduction of Surface Water Flows and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**. The Draft EIR addresses the potentially significant impacts to habitat based upon variable flow criteria and combined project diversions and proposes mitigation measures to reduce potential impacts including direct and indirect and impacts to fisheries/aquatic resources. As discussed in the Draft EIR (Impact BF-2), the Proposed Project would result in a minor reduction to flows in the Salinas River. This reduction would not reduce fish habitat, and changes to steelhead migration flows would result in less-than-significant impacts on fisheries in the Salinas River. See also changes to Section 4.4 in **Chapter 5, Changes to the Draft EIR** that provides additional and amended mitigation measures for fisheries in response to comments.

F-9d The Draft EIR found that Proposed Project construction impacts to special-status species and habitat, and construction impacts to riparian, federally protected wetlands as defined by Section 404 of the Clean Water Act, or other sensitive natural community would be less-than-significant with mitigation. See the responses to comments F-8, F-9, F-9c, G-2, G-3, and Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**. In the response to comments and additional technical analyses contained herein, this Final EIR supports and clarifies the findings in the Draft EIR that the proposed source water diversions would not result in a measurable / detectable change in the features downstream of the points of diversion that are important to the health and viability of biological resources and ecosystem services (flows, quality/salinity, water levels, surface/groundwater interaction).

F-9e See the responses to comments F-8, F-9, F-9a through F-9d, G-2, G-3, and Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**.

F-9f See the responses to comments F-8, F-9, F-9a through F-9d, G-2, G-3, and Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**.

F-10 The RWQCB's permitting jurisdiction is acknowledged. The comment is supportive of the analysis of groundwater impacts on the Seaside Groundwater Basin; no further response is necessary. The final paragraphs state an opinion of the Proposed Project and these statements are referred to decision makers for their consideration.



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EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

Letter G



June 5, 2015

Monterey Regional Water Pollution Control Agency
Administration Office
Attention: Bob Holden, Principal Engineer
5 Harris Court, Building D
Monterey, California 93940
E-mail: gwr@mrwpca.com

**Subject: Draft Environmental Impact Report, SCH# 2013051094
Pure Water Monterey Groundwater Replenishment Project**

Dear Mr. Holden:

The California Department of Fish and Wildlife (Department) has reviewed the Draft Environmental Impact Report (DEIR) for the Pure Water Monterey Groundwater Replenishment Project (Project).

According to the DEIR, the Project would divert new source waters to the Monterey Regional Water Pollution Control Agency (MRWPCA) Regional Treatment Plant for two purposes: 1) to create purified recycled water for recharge of the Seaside Groundwater Basin to replace 3,500 acre-feet per year of California American Water Company's (CalAm) current water supplies, enabling CalAm to reduce its diversions from the Carmel River by the same amount, and 2) to provide additional recycled water to growers within the existing Castroville Seawater Intrusion Project service area for crop irrigation. Water sources proposed to be recycled, treated and reused by the GWR Project include municipal wastewater, City of Salinas industrial wastewater, City of Salinas and City of Monterey urban stormwater runoff, and surface water diversions from El Estero Lake, Blanco Drain, Reclamation Ditch and Tembladero Slough. Purified water from a new Advanced Water Treatment Facility at the Regional Treatment Plant would be conveyed through a new Product Water Conveyance pipeline and booster pump station to new Injection Well Facilities in the City of Seaside for recharge to the Seaside Basin. CalAm would extract water from its existing wells, and would deliver the water to its customers via two new pipelines and its existing distribution system. Recycled water produced for crop irrigation would be distributed through the existing Castroville Seawater Intrusion Project system. The Project is being proposed by the MRWPCA in partnership with the Monterey Peninsula Water Management District (MPWMD).

The Project would be located within northern Monterey County and would include new facilities located within unincorporated areas of the Salinas Valley and within the cities

G-1

Conserving California's Wildlife Since 1870

of Salinas, Marina, Seaside, Monterey, and Pacific Grove, and within former Fort Ord areas in Seaside and Marina.

G-1
Con't

The following provides the Department's comments and recommendations regarding the Draft EIS/EIR.

Elkhorn Slough:

The Lower Salinas/Tembladero Slough is an important freshwater and sediment source for the Elkhorn Slough estuary. Estuaries by definition are a mixture of freshwater and marine habitats, and one of the last remaining sources of freshwater for Elkhorn Slough is the Old Salinas River channel, which conveys both Salinas River and Tembladero Slough flows. Freshwater pulses have been documented as originating in the Old Salinas River channel and moving far up into Elkhorn Slough with incoming tides. Further loss of freshwater inputs into Elkhorn Slough is a significant adverse impact as it would likely lead to additional loss of fresh/brackish water habitats and negatively impact the biological resources dependent upon these habitats.

G-2

The DEIR is incomplete in that it did not analyze direct, indirect, and cumulative impacts to the Lower Salinas River and Elkhorn Slough estuary resulting from proposed surface water diversions from the Salinas River, Tembladero Slough, Blanco Drain, and Reclamation Ditch (which is historically the lower portion of Gabilan Creek and tributary to Tembladero Slough thence Lower or Old Salinas River). Due to this omission it is unlikely that the true geographic extent of direct and cumulative impact analysis has been determined for the DEIR.

G-3

The omission of analysis of impacts to Elkhorn Slough does not serve the full public disclosure intent of the California Environmental Quality Act (CEQA). CEQA Guidelines Section 15088.5 (a) states that significant new information requiring recirculation of an Environmental Impact Report (EIR) includes:

- (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- (3) A feasible project alternative or mitigation measure considerably different from others analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- (4) The draft EIR was so fundamentally and basically inadequate and conclusionary in nature that meaningful review and comment were precluded.

G-4

Based on the omission of any discussion or analysis of impacts to Elkhorn Slough in the DEIR, the Department believes that all four of the above mentioned criteria that necessitate recirculation of an EIR have been met.

G-4
Con't

The Department recommends recirculating the DEIR with a thorough analysis of impacts to the Elkhorn Slough estuary. The DEIR should address the following information:

G-5

- The percentage of Elkhorn Slough's freshwater inputs, in a variety of climate and irrigation scenarios, that will be removed by the range of alternatives considered in the proposed project.
- How the proposed removal of freshwater from Tembladero Slough and the Salinas River will affect the biota and ecosystem services of Elkhorn Slough.
- How the proposed Project will guarantee continued adequate provision of freshwater to maintain the historical baseline extent of estuarine habitats in Elkhorn Slough.
- The specific analyses, including what flow data, used to determine effects of the proposed Project on the biota and ecosystem services of Elkhorn Slough.
- Project-related impacts to foraging and refugia habitat of young out-migrating steelhead.
- Minimum flow requirements in Old Salinas River, Reclamation Ditch, Tembladero Slough, and Blanco Drain that are necessary to avoid or minimize impacts to the Elkhorn Slough estuary.
- What information will be submitted to the State Water Resources Control Board (SWRCB) pursuant to Water Code Section 1260 (j), to address potential effects on fish and wildlife in the Old Salinas River, Reclamation Ditch, Tembladero Slough, Blanco Drain and the Elkhorn Slough estuary.
- How information on minimum flow requirements in the above mentioned water bodies is addressed in any Water Rights application submitted to the State Water Quality Control Board.

G-6

G-7

G-8

G-9

G-10

G-11

G-12

Water from the Lower Salinas/Tembladero Slough is highly polluted and the dominant source of nitrate loading to Elkhorn Slough, with the Tembladero Slough accounting for two orders of magnitude more nitrate than the Old Salinas River channel. This proposal

G-13

proposes to reduce nitrate load to Elkhorn Slough by reducing flow of Tembladero Slough. Reduction of fresh water flow to an estuary negatively impacts brackish water habitats and the species that exist there. The DEIR should provide an analysis of the impacts of reduced flow to Elkhorn Slough.

G-13
Con't

Lake El Estero: The DEIR states that the diversion and use of surface water from Tembladero Slough, Reclamation Ditch, and Blanco Drain will require an appropriative water right permit pursuant to Water Code Section 1200 et seq. Lake El Estero is a historic water body that collects surface water from tributaries and a portion of the City of Monterey's stormwater collection system. The DEIR should be changed to reflect that the proposed diversion and use of up to 87 acre-feet per year (afy) of water from Lake El Estero will require an appropriative right from the State Water Resources Control Board (SWRCB).

G-14

Tricolored Blackbird: According to the DEIR, tricolored blackbirds (*Agelaius tricolor*) have been documented to occur immediately adjacent to the Project Study Area along the Product Water Conveyance: Coastal alignment option. Suitable habitat is also present at the Salinas Treatment Facility site, Blanco Drain Diversion site, Lake El Estero, and the three Affected Reaches. Page 4.5-25 of the DEIR states that the tricolored blackbird is a California Department of Fish and Wildlife species of special concern. The tricolored blackbird was listed by the Fish and Game Commission as State endangered on an emergency basis and the DEIR should be updated to reflect the correct listing status.

G-15

Department Jurisdiction

Trustee Agency Authority: The Department is a Trustee Agency with responsibility under CEQA for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Division 13 (commencing with Section 21000) of the Public Resources Code).

G-16

Responsible Agency Authority: The Department also has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered, pursuant to Fish and Game Code Section 2081. If the Project could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), the Department may need to issue an Incidental Take Permit for the Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (Sections 21001{c},

G-17

21083, Guidelines Sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports Statement of Overriding Consideration (SOC). The CEQA Lead Agency's SOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code Section 2080.

G-17
Con't

Lake and Streambed Alteration Agreement: The Department has regulatory authority over activities occurring in streams and/or lakes along with riparian habitat associated with and supported by watercourses, that could adversely affect any fish or wildlife resource, pursuant to Fish and Game Code sections 1600 *et seq.* If a Project could substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake; or deposit or dispose of debris, waste, sediment, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, notification of Lake or Streambed Alteration to the Department is required.

G-18

Acquisition of a Lake and Streambed Alteration Agreement (LSAA) for this Project is required for surface water diversion and redirection, in addition to stream crossings and other jurisdictional features. For projects of this nature, consultation with the Department is recommended well in advance of Project implementation. A substantial diversion of water from a jurisdictional feature is subject to Fish and Game Code (Code) sections 1600 *et seq.*, and failure to notify is a violation of the Code. It is important to note that the Department is required to comply with CEQA in the issuance or extension of an LSAA. For this particular Project, the Department would be acting as a Responsible Agency and would need to rely upon the CEQA document prepared for the Project. If the CEQA document prepared by the Lead Agency (MRWPCA) is insufficient for the Department to make its own Findings or Notice of Determination, the Department might need to assume the role of Lead Agency and prepare a subsequent CEQA document. The LSAA process is administered through the Central Region Office in Fresno and can be initiated by contacting the Lake and Streambed Alteration Program at (559) 243-4593.

Water Rights

The diversion and use of surface water from Tembladero Slough, Reclamation Ditch, Blanco Drain, and El Estero Lake will require an appropriate water right permit from the SWRCB pursuant to Water Code Section 1200 *et seq.*

G-19

As proposed in the DEIR, the Project may redirect an estimated 3,733 afy of treated wastewater to the municipal wastewater collection system, thus reducing flow into the Salinas River by up to 2,170 afy. Changing the place of use and purpose of use for

treated wastewater will require approval of the SWRCB under a waste water change petition pursuant to Water Code Section 1211.

G-19
Con't

The Department, as Trustee Agency, is consulted by the SWRCB during the water rights permit application and change petition process to provide terms and conditions designed to protect fish and wildlife prior to appropriation of the State's water resources. Certain fish and wildlife are reliant upon aquatic ecosystems, which in turn are reliant upon adequate flows of water. The Department therefore has a material interest in assuring that adequate water flows within streams for the protection, maintenance and proper stewardship of those resources. The Department provides, as available, biological expertise to review and comment on environmental documents and impacts arising from project activities.

G-20

If you have any questions regarding these comments, please contact Annette Tenneboe, Senior Environmental Scientist (Specialist), at (559) 243-4014, extension 231; annette.tenneboe@wildlife.ca.gov, or by writing to the California Department of Fish and Wildlife at 1234 East Shaw Avenue, Fresno, California 93710.

Sincerely,



Gerald Hatler
Acting Regional Manager

ec: See Page Seven

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Letter G: California Department of Fish and Wildlife

- G-1** The California Department of Fish and Wildlife (CDFW) accurately summarizes the project features; no response is necessary.
- G-2** The Elkhorn Slough is considered an estuary. Freshwater inflows typically enter estuaries from the top of the basin and move through the system toward the ocean, creating and maintaining a brackish environment with salinities lower than that of seawater (which has salinity of about 34 ppt). Direct tributaries to Elkhorn Slough include Carneros Creek (located at the northeasternmost portion of the Elkhorn Slough) and several unnamed smaller streams, all of which are seasonal. As explained below, due to the system geometry, Elkhorn Slough also receives some freshwater from the Moss Landing Harbor (that receives flows from the Moro Cojo Slough and the Old Salinas River Channel) on rising tides. As opposed to most estuaries, freshwater mixed with seawater in the harbor is pushed up into Elkhorn Slough. **Figure 4.5-3new** provided at the end of **Chapter 5, Changes to the Draft EIR** shows the key surface water features discussed in this response.

The Proposed Project would divert flows from the Reclamation Ditch/Tembladero Slough system and reduce inflows to the Salinas River. The Tembladero Slough and, at times, Salinas River flows into the Old Salinas River channel, which also receives inflows as surface and agricultural land tile drainage water from surrounding agricultural lands. The Old Salinas River connects to the Moss Landing Harbor through a tide gate (called the Potrero Road Tide Gate), which limits the upstream transportation of seawater on rising tides. Similarly, Moro Cojo Slough connects to Moss Landing Harbor through a separate tide gate. On falling tides, water from the Old Salinas River and from Moro Cojo Slough moves through their respective tide gates and into the Moss Landing Harbor and then into the Monterey Bay. The Elkhorn Slough connects to the Moss Landing Harbor at the harbor inlet channel, and drains into the Monterey Bay on falling tides (see **Figure 4.5-3new**). On rising tides, the blended water in the harbor mouth (flows from the Old Salinas River, Moro Cojo Slough and Elkhorn Slough) is carried back into Moss Landing Harbor and Elkhorn Slough.

The Proposed Project would typically divert flows during the months of April through September, with peak flow diversions occurring during the months of July through September. The average salinity of the Elkhorn Slough near its confluence with the Moss Landing Harbor (as measured at the LOBO sampling site, L01, ¼ mile east of the Highway 1 bridge) in the dry summer months equals the salinity of the Monterey Bay (between 33 and 35 ppt). At site L01, dry season salinities (July through September) are shown in **Figure 4-A, Elkhorn Slough Salinity Measurements at LOBO Sampling Sites**, below.

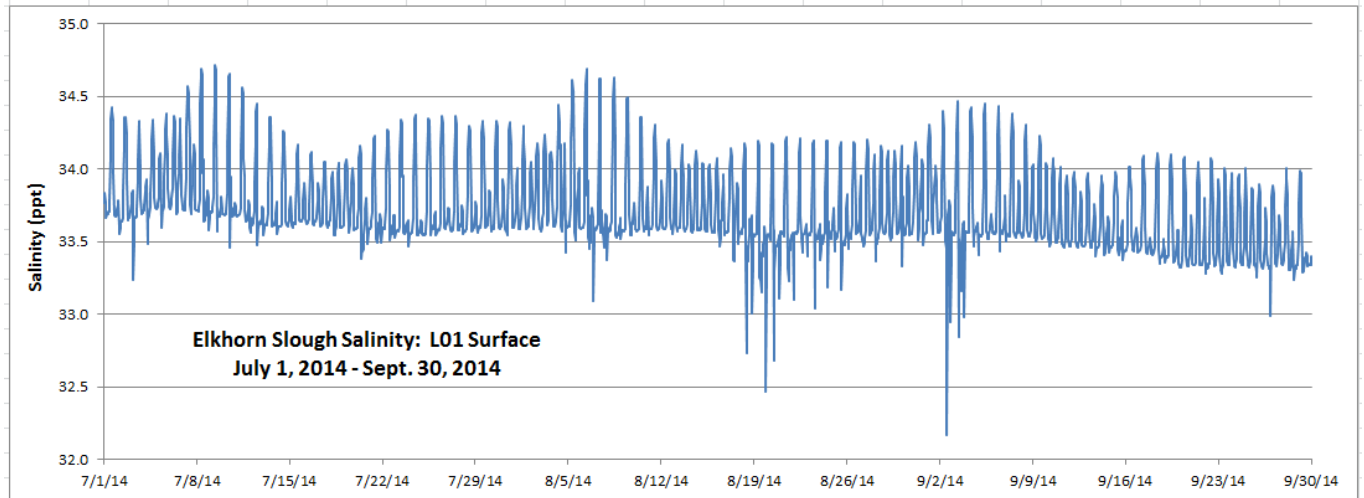


Figure 4-A. Elkhorn Slough Salinity Measurements at LOBO Sampling Site L01 (July – September 2014) (Source: MBARI, 2015 at: <http://www.mbari.org/lobo/loboviz.htm>)

Freshwater inflows from the Old Salinas River account for less than one percent of the total flow exchanged in Elkhorn Slough during a tidal cycle (see **Appendix AA**) and do not affect the water levels or temperature in the slough due to the overwhelming influence of the ocean tides. As documented in **Appendix AA**, the maximum possible effect of diverting a portion of these freshwater flows would be a less than 1% salinity increase (i.e., the difference in salinity at the confluence of the slough with the harbor would be approximately 0.40 ppt or 400 mg/L according to **Appendix AA**). This change in salinity is much lower than the typical range of salinities in the ocean environment and greater changes in salinities are seen in the Elkhorn Slough on a daily basis during the summer months as shown in **Figure 4-A**, above. In comparison, typical storm events (which occur ten or more times in most years) drop the salinities in Elkhorn Slough at the L01 sampling site down to lows on the order of 8,000 to 9,000 mg/L, a reduction of 75% in salinity. These storm events are a far more important contributor to salinity variation in the Slough than the agricultural tile drainage and crop land surface runoff that the Proposed Project would divert. Given the existing conditions of salinity and freshwater contributions to the slough, the ecosystems, plants, and animals in the Elkhorn Slough would not be impacted by the Proposed Project diversions.

During the wet winter season, extended higher flows in the Reclamation Ditch/Tembladero Slough can occasionally push through a rising tide and continue to contribute freshwater to Moss Landing Harbor and indirectly to Elkhorn Slough. During these wet periods, Carneros Creek and the other direct tributaries to Elkhorn Slough would also be contributing flows. The Proposed Project would not typically be diverting substantial quantities of surface water from October through March, so these seasonal inflows would not be interrupted. During dry-season rain events, flows in the Reclamation Ditch rise and fall quickly due to the rapid response of urban drainage area. These storm peaks exceed the proposed diversion rates by several orders of magnitude, so these storm pulses of freshwater would be reduced by Proposed Project diversions by only a small amount, if at all.

The proposed dry-season diversions do not have the potential to substantially change the water levels nor salinity of Elkhorn Slough (even with a reduction of freshwater input) as discussed in this response. Evaluation of the potential direct and indirect hydrology and water quality impacts to the Elkhorn Slough is included in the Draft EIR in section 4.11 which is clarified in Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments**. Based on these analyses, the Project Study area for the fisheries and terrestrial biological resources analyses is considered to be appropriate. See also response to comment

G-3, below, and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

Chapter 3, Master Responses to Comments, and the Schaaf & Wheeler technical memo in **Appendix AA** of this Final EIR provide detailed water flow and quality analysis.

G-3 CDFW states that the Draft EIR is inadequate in that it did not analyze direct, indirect, and cumulative impacts to the Lower Salinas River and Elkhorn Slough estuary resulting from proposed surface water diversions from the Salinas River, Tembladero Slough, Blanco Drain, and Reclamation Ditch.

Master Response #6: Nutrients in Recycled Water and Ocean Outfall Discharges in **Chapter 3, Master Responses to Comments**, notes numerous comments on the Draft EIR that echo the Draft EIR's conclusions regarding the Proposed Project's water quality benefits, including comments from National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), CDFW, the City of Salinas, and Surfrider.

To put project impacts in perspective, overall past activity of Moss Landing Harbor dredging, tide gates, development and farming of land in the Elkhorn Slough watershed are the major contributors to impacts to environment as documented in the watershed assessments and studies by various academic and institutional organizations, including MBARI and CCOWS (Casagrande and Watson, 2006; Nicol et al., 2010; Inman et al. 2014). As a result of the previous modifications, dry-weather flows in and out of the Elkhorn Slough are dominated by ocean tides entering and leaving via the harbor mouth. See http://oceanservice.noaa.gov/education/kits/estuaries/media/supp_estuar01a_tide.html for a photo documentation of the effects of tidal flows in the Elkhorn Slough. The Elkhorn Slough Tidal Wetland Project Team stated the following in their 2007 Elkhorn Slough Tidal Wetland Strategic Plan:

"Over the past 150 years, human actions have altered the tidal, freshwater, and sediment processes that are essential to support and sustain Elkhorn Slough's estuarine habitats. Approximately 50 percent, or 1000 acres, of the tidal marsh in Elkhorn Slough has been lost since 1870 due to human activities. Major physical modifications to the estuary have caused and are currently causing high rates of habitat loss and degradation in Elkhorn Slough. Human impacts have resulted in ongoing marsh loss and estuarine habitat erosion, degraded water quality conditions, increased levels of pollution, eutrophication, and increased numbers of invasive species. Almost 73,250 cubic yards of sediment are exported each year from Elkhorn Slough into Monterey Bay from habitat erosion. Bank erosion rates along the main channel of Elkhorn Slough range from 1 to 2 feet per year. These rapid changes not only affect the estuary's animals and plants, but also impact neighboring private lands, public access sites, and railroad and road infrastructure." (Elkhorn Slough Tidal Wetland Project Team, 2007)"

In addition, the Draft EIR (pages 4.5-106 through 4.5-108) assesses cumulative impacts on terrestrial biological resources, including wetlands and riparian habitats. The Draft EIR found that the Proposed Project would not considerably contribute to significant cumulative impacts to terrestrial biological resources, and would result in less than significant cumulative impacts. Information provided in Master Response #4, responses to comments F-8, F-9, F-9a-f, G-2, above, and in this response provide additional evidence to support and clarify the cumulative impact conclusion that the Proposed Project would not have a considerable contribution to any cumulative impacts on the biological resources and ecosystems of the lower Salinas Valley watersheds. The Proposed Project would not have a considerable contribution to any cumulative impacts on the biological resources and ecosystems of the lower Salinas Valley watersheds, including the Elkhorn Slough. In addition to information provided in this response, this conclusion is also supported by information in the responses to comments F-8, F-9, G-2,

and Master Response #4: Reduction in Surface Water Flows. Together with the analysis in the Draft EIR, this evidence shows the lack of changes to hydrology and water quality in the Elkhorn Slough and thus the lack of adverse hydrology/water quality and biological resources/ecosystem services impacts to the Elkhorn Slough due to the Proposed Project. Additional information is included in Master Response #1: Adequacy of the Draft EIR, and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments** and in **Appendix AA**.

Draft EIR Proposed Project Study Areas for Relevant Topics (Hydrology/Water Quality, Biological Resources: Fisheries, and Biological Resources: Terrestrial)

The Draft EIR addresses hydrology and water quality of surface water, fisheries, and terrestrial habitat and species in three sections (4.11, 4.4, and 4.5). This section of the response presents the study area considered for each relevant topical section relevant to this comment.

Hydrology and Water Quality of Surface Waters. Section 4.11 addresses water bodies within the Tembladero Slough and Old Salinas River Channel including through and to the tide gates at Potrero Road and downstream areas. Under Section 4.11.2, the Environmental Setting of the Hydrology and Water Quality: Surface Water section addresses the following study area: “This section addresses natural drainages and water bodies (rivers and sloughs) and man-made drainages (agricultural ditches drainages and urban stormwater systems). The geographic area for these water systems, and thus the project area of impact for this topic is northern Monterey County, including the watersheds of the Salinas River (and the inter-related watershed of the Gabilan Creek/Reclamation Ditch system that includes the watersheds that feed the Tembladero Slough and Blanco Drain), and smaller more urban watersheds in the Monterey Peninsula area.” The section details all of the study area for the analysis of impacts to surface water hydrology and water quality and includes among other areas, the Old Salinas River Channel between the Old Salinas River Channel gated outlet and the Potrero Tide Gate near Moss Landing Harbor and the *Moss Landing Harbor and Elkhorn Slough*. Because some change in water flow would occur to the Moss Landing Harbor and Elkhorn Slough (albeit less than significant, as documented in the Draft EIR Section 4.11.4.4), these water bodies were included in the study area for the analysis of *Hydrology and Water Quality of Surface Waters*.

Biological Resources: Fisheries. In Section 4.4 (Biological Resources: Fisheries), the study area was defined as the immediate vicinity of each diversion site and upstream and downstream areas that could be influenced by diversion actions associated with the Proposed Project. The potentially affected water bodies included the Salinas River and the Salinas River Lagoon. Fish habitat areas upstream of the immediate project vicinity that could be influenced by Proposed Project diversion actions are the Arroyo Seco, San Antonio, and Nacimiento Rivers. In addition, this section considers the Reclamation Ditch Diversion, which connects to Tembladero Slough and ultimately the Old Salinas River, and upstream Reclamation Ditch tributaries including Gabilan Creek. This section also considers Lake El Estero in Monterey and upstream tributaries within the El Estero watershed. Based on the substantial evidence in the hydrologic analyses in Appendices N, O, P, and Q and the expertise of the hydrologists at Schaaf & Wheeler (Daniel Schaaf, P.E. and Andrew Sterbenz, P.E.), the fisheries biologist at HDR (William Snider, PhD), wetland and terrestrial biologists at DD&A, less than significant operational impacts to fisheries were identified in the downstream reaches at and below the Tembladero Slough diversions and no impacts to fisheries would occur in the Moss Landing Harbor nor in Elkhorn Slough or in the ocean. Therefore, based on the analysis presented in

the Draft EIR, as clarified in this Final EIR,³ the fisheries impact analysis and study area are appropriately defined.

Biological Resources: Terrestrial (including aquatic species and habitat, except fish). In Section 4.5 (Biological Resources: Terrestrial), the Biological Project Study Area was defined to include areas where permanent and temporary impacts may occur to biological resources as a result of project construction and operation. The Project Study Area was defined using input from the project technical team, preliminary project plans, and assessor parcel information as well as expert opinion of the biologists and hydrologists preparing the analysis. Relevant information from these sources was combined using Geographic Information Systems (GIS) software to create the final Project Study Area. In reference to the locations mentioned in the comment, the surface areas and surrounding impact areas of the Old Salinas River Channel, Reclamation Ditch, Tembladero Slough, and Blanco Drain were included. The analysis further defined “Affected Reaches” as portions of the Reclamation Ditch, Tembladero Slough, and the Old Salinas River Channel and adjacent habitat areas that would be subject to potential affects of the operation of the project as a result of changes in hydrology and water quality due to the proposed diversions. Based on the hydrologic analyses in Appendices N, O-Revised, P, and Q-Revised and the expertise of the hydrologists at Schaaf & Wheeler (Daniel Schaaf, P.E. and Andrew Sterbenz, P.E.), wetland and terrestrial biologists at DD&A, less than significant operational impacts to terrestrial (wetland/aquatic) habitat and non-fish species were identified in the downstream reaches at and below the Reclamation Ditch and Tembladero Slough diversions. In addition, as documented in the Draft EIR and clarified in Master Response #4: Reduction in Surface Water Flows, no impacts to terrestrial (wetland/aquatic) would occur in or near the following water bodies: tributaries to the Reclamation Ditch, Salinas River, Salinas River Lagoon, Moss Landing Harbor, Elkhorn Slough, Moro Cojo Slough, and the ocean/Monterey Bay. Therefore, based on the analysis presented in the Draft EIR, as clarified in this Final EIR,⁴ the review of potential impacts to Moss Landing Harbor and Elkhorn Slough and the determination of the study area for the biological resources: terrestrial analyses is appropriate.

Responses to comments F-9, F-9a through F9-e, and G-2, above, Master Response #4: Reduction in Surface Flows, and **Appendix AA**, in this Final EIR present descriptions, analyses, and rationale regarding the water quality and hydrologic functions of the water bodies (Tembladero Slough, Old Salinas River Channel, Moro Cojo Slough, Moss Landing Harbor, and Elkhorn Slough) downstream of the proposed diversions. In these responses and the accompanying technical analyses, the additional analysis in the Final EIR reinforces the Draft EIR’s findings that the proposed source water diversions would not result in a measurable / detectable change in the features downstream of the points of diversion that are important to the health and viability of biological resources and ecosystems (including flows, quality/salinity, levels, surface/groundwater interaction, and plant uptake). Biological resources (including other aquatic species/biota, habitat, and ecosystem services) in the water bodies (Salinas River, Salinas River Lagoon, Old Salinas River Channel, Tembladero Slough, Moss Landing Harbor, Elkhorn Slough, Moro Cojo Slough, Monterey Bay and the Pacific Ocean) would not be significantly impacted by the Proposed Project diversions (individually and in combination), nor would the diversions result in a considerable contribution to any cumulative impacts).

G-4 CDFW references the comments in G-2 and G-3 and concludes that Draft EIR requires recirculation. See the responses to comments G-2 and G-3 above, and Master Response #1:

³ The information added about fisheries in this Final EIR supports the existing analysis and conclusions, and clarifies inquiries within comments on the Draft EIR.

⁴ The information added about terrestrial biological resources in this Final EIR supports the existing analysis and conclusions, and clarifies inquiries made within comments on the Draft EIR.

Adequacy of the Draft EIR, Master Response #4: Reduction in Surface Water Flows (including **Appendix AA**), and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**. The information provided in the Final EIR does not constitute new information triggering recirculation.

- G-5** See the response to comment G-2 and G-3, above, Master Response #4: Reduction in Surface Water Flows (including **Appendix AA**), and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
- G-6** See the response to comment G-2 and G-3, above, Master Responses: #4: Reduction in Surface Water Flows (including **Appendix AA**), and Master Responses #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
- G-7** Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments** and **Appendix AA** of this document demonstrate that the Proposed Project would not result in detectable changes to salinity and freshwater availability in the Elkhorn Slough on an average daily, monthly, or annual basis and thus would have a less-than-significant impact on the estuarine habitats in Elkhorn Slough.
- G-8** See Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments** and **Appendix AA** of this document.
- G-9** The biological resources sections of the Draft EIR (Section 4.4), as amended in this Final EIR (see **Chapter 5, Changes to the Draft EIR**), adequately evaluate impacts to foraging and refugia habitat of young out-migrating steelhead due to the Proposed Project. See Master Response #4: Reduction in Surface Water Flows and Master Response #5: Fisheries Impact Analyses, in **Chapter 3, Master Responses to Comments**.
- G-10** See Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments** and **Appendix AA** of this document.
- G-11** The proposed diversions will be subject of a water rights application process, including submittal of information required by California Water Code Section 1260(j). In July 2015, the MCWRA submitted amended applications for the water rights to divert from the three surface water diversion points (i.e., Reclamation Ditch, Tembladero Slough, and Blanco Drain) for the benefit of the Proposed Project (MCWRA, 2015). The State Board has clarified that an additional application is required for diversions from Lake El Estero. Such an application will be pursued if the Lake El Estero waters are used for the Proposed Project. The analysis of effects of the Proposed Project diversions on fish and wildlife is contained within this EIR.
- G-12** Minimum flow requirements likely will be determined based on the NMFS Biological Opinion for the Proposed Project. Draft EIR Section 4.4, as modified in this Final EIR, provides a detailed analysis of the potential effects on fisheries. Draft EIR section 4.5, as modified in this Final EIR, provides a detailed analysis of the potential effects on other aquatic species habitat and biological resources. Refer to **Chapter 5, Changes to the Draft EIR**, in the following sections: Changes to 4.4 Biological Resources: Fisheries and Changes to 4.5 Biological Resources: Terrestrial. See also Master Response #4: Reduction in Surface Water Flows (including **Appendix AA**) and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
- G-13** See Master Response #4: Reduction in Surface Water Flows (including **Appendix AA**) and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

- G-14** Pages 4.18-32 through 4.18-34 of the Draft EIR have been updated as requested in this comment; see **Appendix C-Revised** and **Chapter 5, Changes to the Draft EIR**.
- G-15** The Draft EIR on page 4.5-25 acknowledges that the tricolored blackbirds (*Agelaius tricolor*) have been documented to occur immediately adjacent to the Coastal Alignment of the Product Water Conveyance pipeline and that suitable habitat exists at the Salinas Treatment Facility, Blanco Drain Diversion, Lake El Estero and the three Affected Reaches of water bodies downstream of the proposed points of diversion. The text on page 4.5-25 of the Draft EIR has been updated to reflect that the Fish and Game Commission recently listed this species as endangered under the California ESA on an emergency basis. See **Chapter 5, Changes to the Draft EIR**.
- G-16** The comment states the CDFW's responsibility and authority as a Trustee agency. The relevant text in this comment has been added to the Draft EIR on pages 4.4-31 and 4.5-42. See **Chapter 5, Changes to the Draft EIR**.
- G-17** The comment describes CDFW's role as a responsible agency under Fish and Game Code 2081. The Draft EIR also acknowledges this role on page 2-88 in Table 2-22 and on pages 4.5-41 and 4.5-42. No further response is necessary.
- G-18** The comment states the CDFW's responsibility and authority under the Fish and Game Code sections 1600 et seq and that the Proposed Project would be required to obtain a Lake and Streambed Alteration Agreement. The project proponents will obtain Lake and Streambed Alteration Agreements for surface water diversions, rediversions, and stream crossings.
- G-19** Pages 4.18-32 through 4.18-34 of the Draft EIR have been updated as requested in this comment; **Appendix C-Revised** and **Chapter 5, Changes to the Draft EIR**.
- G-20** The comment provides information on the California Department of Fish and Wildlife's authority, and expertise related to the water rights permit application process and is not a comment on the environmental analysis in the EIR. No response is necessary.



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Letter H

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June 4, 2015

VIA ELECTRONIC & REGULAR MAIL

Monterey Regional Water Pollution Control Agency
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Re: Pure Water Monterey Groundwater Replenishment Project (SCH No. 2013051094) -
Marina Coast Water District's Comments on the Draft Environmental Impact Report

Dear Mr. Holden:

Thank you for the opportunity to comment on the Pure Water Monterey Groundwater Replenishment Project ("GWR Project") and the associated Draft Environmental Impact Report ("DEIR"). The purpose of this letter is twofold.

First, this letter provides Marina Coast Water District's ("MCWD") comments on the proposed water sources and Product Water Conveyance pipeline alignment for the GWR Project. As explained below, MCWD supports the Monterey Regional Water Pollution Control Agency's ("MRWPCA's") proposed use of agricultural wash water, Salinas City storm water, and surface water flows from the Reclamation Ditch, Blanco Drain, Tembladero Slough, and Lake El Estero as source waters for the GWR Project. MCWD also supports the use of "unused secondary treated effluent" as source water so long as MCWD's senior contractual rights to recycled water from MRWPCA are fully protected or a mutually beneficial resolution of those rights is achieved that allows MCWD to meet the present and planned future water supply needs of the City of Marina and Ord Community. MCWD similarly supports exploring mutually beneficial uses of the Regional Urban Water Augmentation Project (RUWAP) pipeline alignment that can meet the present and planned future needs of MCWD, the Fort Ord Reuse Authority ("FORA"), and the GWR Project.

Second, this letter provides MCWD's comments on the adequacy of the DEIR under the California Environmental Quality Act ("CEQA") (Public Resources Code § 21000 et seq.) and the CEQA

H-1

H-2

Guidelines (Cal. Code Regs., titl.14, § 15000 et seq.). As explained herein, MCWD believes clarifications to the DEIR are necessary to ensure it complies with CEQA.

H-2
Con't

I. GWR Source Waters and MCWD's Senior Contractual Rights to Recycled Water.

Section 4.18 of the DEIR (Water Supply and Wastewater Systems) accurately states that MCWD has an existing agreement in place with MRWPCA that entitles it to receive tertiary treated recycled water from the Regional Treatment Plant up to the volume of wastewater it conveys to the treatment plant. (DEIR, p. 4.18-8.) While the DEIR recognizes MCWD's senior recycled water rights, the EIR needs to clarify MRWPCA's contractual obligation to provide 650 AFY of MRWPCA's summer recycled water and 300 AFY of MCWD's senior summer recycled water to MCWD for the Ord Community as described below.

MRWPCA has already admitted to these contractual obligations in related filings with the California Public Utilities Commission ("CPUC").¹ In MRWPCA's July 25, 2012 Reply Brief "Regarding Water Rights for a Groundwater Replenishment Project," pages 3-4, filed with the CPUC, MRWPCA's long-time water rights attorney, Martha H. Lennihan, stated the following:

MRWPCA proposes to use unused flows into the Regional Treatment Plant during a time when (1) the CSIP demand is fully satisfied and (2) MCWD's firm right is untouched (keeping in mind that MCWD does not have use for more than a fraction of that firm right). MCWD is capped at 300 AF during the six month period from April through September. MCWD can take the amount it deferred taking during these months during the remaining six months of October through March. This means that MCWD has the most supply during months when there is typically far less demand.
* * *

H-3

It merits note that MRWPCA has already committed the majority of its most valuable supply to the MCWD RUWAP, in the form of 650 AF of "summer" water that can be used during the period of May through August. MRWPCA's Opening Brief analysis further assumes that MRWPCA will also provide most of the water needed for RUWAP during April and September, another significant contribution to MCWD. *Without this MRWPCA water, the MCWD RUWAP would not be feasible ...* In addition to its own Annexation Agreement water, MCWD now can use the most valuable element of MRWPCA's water right.

¹ MCWD understands that successful implementation of the GWR Project could affect the sizing of a desalination facility proposed by the California-American Water Company ("Cal-Am") in CPUC Application ("A.") 12-04-019, as part of its Monterey Peninsula Water Supply Project ("MPWSP"). CPUC approval, in addition to other applicable state and regulatory approvals, would be required in order for Cal-Am, an investor-owned regulated public utility, to construct and operate the MPWSP.

(Exhibit “A”, emphasis added.)

The June 2009 MCWD/MRWPCA MOU.

DEIR Section 4.18.3.4 under “Marina Coast Water District’s Legal Agreements” generally discusses MCWD’s contractual rights to recycled water. On June 5, 2009, MCWD and MRWPCA entered into a 50-year Regional Urban Water Augmentation Project Memorandum of Understanding (“RUWAP MOU”). (Attached as Exhibit “B”.) While the DEIR quotes Section 1.2 of the RUWAP MOU (DEIR, p. 4.18-22), Section 2 of the RUWAP MOU sets forth MRWPCA’s express contractual commitment to MCWD and RUWAP by stating:

The MRWPCA hereby commits 650 AFY of recycled water during the months of May through August each year from MRWPCA entitlements. MCWD hereby commits 300 AFY of recycled water during the months of April through September each year from MCWD entitlements. The MRWPCA and MCWD commit additional quantities of recycled water as needed during the months of September through April from MRWPCA entitlements and October through March from MCWD entitlements to assure delivery of the agreed water commitments to RUWAP.

While Section 1.1 of the 2009 RUWAP MOU has the standard CEQA language disclaiming an irreversible commitment of resources to actually construct the facilities necessary to implement the recycled water allocation for the 300 AFY allocation to the Monterey Peninsula, Section 1.1 goes on to state:

MCWD has complied with the requirements of CEQA for a lead agency and MRWPCA has complied with the requirements of CEQA for a responsible agency in the consideration and approval of this MOU. MCWD and the MRWPCA shall each comply with their respective requirements under CEQA to implement the RUWAP in accordance with the RUWAP EIR.

Thus, both MRWPCA and MCWD have fully complied with their obligations under CEQA in order to support: (a) MRWPCA’s commitment of 650 AFY of summer recycled water to MCWD for the Ord Community; (b) MCWD’s separate commitment of 300 AFY of summer recycled water to the Ord Community; and (c) the commitment by both agencies to supply 477 AFY recycled water during other months to the Ord Community - for a total of 1,427 AFY. The EIR should clarify that these senior contractual rights currently exist.

The July 2009 MRWPCA/MCWD/MCWRA MOU.

The DEIR fails to mention that one month later on July 1, 2009, MRWPCA, MCWD, and MCWRA entered into a MOU (“Three-Way MOU”, attached as Exhibit “C”), which referenced the RUWAP EIR and in Exhibit B to the MOU provided for a “Seasonal Cap on Urban Tertiary Treated Waste Water Allocations” of 766 AFY (exclusive of MCWD’s 300 AFY summer allocation) during the months of May through August. Under the RUWAP MOU, MRWPCA committed to provide 650 AFY during the months of April through September (6 months) of each

H-4

H-5

H-6

year, whereas the Three-Way MOU committed both MRWPCA and MCWRA to provide more recycled water over only four months.

H-6
Con't

Following the discussion in DEIR Section 4.18.3.4 of “Marina Coast Water District’s Legal Agreements” and Monterey County Water Resources Agency’s Rights,” at the top of page 4.18-24, the DEIR lists three contracts, which must be addressed in negotiating a “Definitive Agreement”, i.e., the 1989 MRWPCA/MCWD Annexation Agreement, the 1992 MRWPCA/Monterey County Water Resources Agency (“MCWRA”) Agreement as amended, and the 1996 MRWPCA/MCWD Annexation Agreement. However, no mention is made of MRWPCA’s contractual commitments to MCWD under the 2009 RUWAP MOU and the 2009 Three-Party MOU. The DEIR’s conclusion that the GWR Project would not adversely impact MCWD’s ability to use its share of recycled water similarly fails to mention and account for MRWPCA’s existing contractual commitment to provide at least 950 AFY of summer recycled water to MCWD under these two MOUs and, therefore, the DEIR’s conclusion is unsupportable:

Impact of the Proposed Project on MCWD Rights to Recycled Water. The RUWAP Recycled Water Project is a cumulative project because although portions have been constructed, it is not yet operating because it lacks funding for critical transmission infrastructure and user agreements. Because the Proposed Project would rely upon new source waters during the irrigation months of April through September to meet its needs (see Appendix B), it would not have an adverse impact on the ability of Marina Coast Water District to use its share of recycled water from the existing municipal wastewater flows as described in the 1989, and 1996 Agreements that are described above in Section 4.18.3.4. The MOU indicates that the Proposed Project would not use secondary effluent flows that represent the amount of wastewater committed to use by Marina Coast Water District. In the future, when Marina Coast completes construction of its recycled water system and enters into user agreements with urban irrigators, the wastewater flows committed to those demands would be provided.

H-7

(DEIR, p. 4.18.38.) While this could be considered an oversight on the DEIR’s part, there is significant evidence to the contrary.

During a May 13, 2015 meeting between MRWPCA management and MCWD management, MRWPCA management stated that because of the insistence by MCWRA for MRWPCA to provide all available recycled water to the Castroville Seawater Intrusion Project (“CSIP”), especially during the summer months, the 1,427 AFY of recycled water allotted to MCWD for the Ord Community, including the 650 AFY during the summer, could not be provided to MCWD.

H-8

In addition, DEIR Appendix B, Source Water Assumptions Memorandum, shows that MRWPCA is committing all its summer-recycled-water to MCWRA and the CSIP. As listed at the top of page 6 of Appendix B, the proposed priority of source water usage lists “unused secondary treated effluent” as the first source water to use for the GWR Project. In other words, all secondary treated effluent that is not currently being used is allocated first to the GWR Project. No reservation is

H-9

made to later withdraw that recycled water from CSIP for delivery to MCWD pursuant to the 2009 RUWAP MOU or 2009 Three-Party MOU. Therefore, it appears the GWR Project's use of "unused secondary treated effluence" would result in MRWPCA being unable to meet its contractual obligation to supply both MCWD's 300 AFY senior April through September entitlement and the 650 AFY May through August water under the 2009 RUWAP MOU. If MRWPCA believes this is not the case, a table showing the monthly total for each source of GWR Project water (including how much recycled water would be produced from each source) compared with all proposed monthly distributions (e.g., CSIP, GWR Project Water, and MCWD full allotment of recycled water for Central Marina and the Ord Community) under both baseline scenarios should be added to the Final EIR. The table should show whether there are sufficient source waters for the GWR Project to provide MCWD with its 1,427 AFY of recycled water and meet all of the GWR Project's commitments and objectives.

H-9
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H-10

This analysis is of critical importance to MCWD because MCWD is contractually obligated under its agreements with FORA—unless the FORA Board directs otherwise—to require MRWPCA to fully comply with MRWPCA's contractual obligation to provide 950 AFY of summer water plus 477 AFY water during the other months as explained in Section I.A below. Otherwise, in MRWPCA's own words: "Without this MRWPCA water, the MCWD RUWAP would not be feasible." This in turn could result in potentially severe adverse impacts for recycled water supplies needed for proposed and planned future developments in the Ord Community as described in Section I.B below. Such a result would require substantial revisions to the DEIR as described in Section III below.

H-11

A. MCWD's Contractual Obligation to Provide Water Supplies for the Fort Ord Reuse Plan's Projected 2030 Water Supply Shortfall of 2,400 AF.

Pursuant to the September 21, 1993 Agreement between the United States of America and the MCWRA concerning Annexation of Fort Ord into Zones 2 and 2A of the Monterey County Water Resources Agency, the MCWRA allocated groundwater extraction rights of 6,600 AFY to the U.S. Army. Under the Fort Ord Reuse Plan, the Army retained 1,582 AFY and the balance was allocated by FORA to various local and State public agencies. The Reuse Plan projected a year 2030 water demand of 9,000 AFY. With only 6,600 AFY of groundwater available, the Ord Community would be 2,400 AFY short of the projected 2030 demand. (See DEIR, pp. 4.18-22 and 6-11.)

H-12

FORA's versus MCWD's Responsibility for Additional Water and Sewer Facilities for the Ord Community.

Under the 1998 Water/Wastewater Facilities Agreement ("1998 Agreement"), FORA transferred ownership of all of the then existing Ord water and sewer facilities to MCWD; title was transferred in 2001.² Under Section 3.2 of the 1998 Agreement, FORA has the responsibility to determine,

H-13

² After MCWD acquired the water and sewer infrastructure in the former Fort Ord, MCWD and MRWPCA have continually disagreed over whether MCWD's senior recycled water right extended to MCWD's Ord Community sewer flows absent MCWD's annexation of the Ord Community service area. (See DEIR Figure 4.18-1, Ord Community service area depicted as

in consultation with MCWD, what additional water and sewer facilities are necessary for MCWD's Ord Community service area to meet the Reuse Plan requirements. Once FORA determines that additional water supply and/or sewer conveyance capacity is needed, it is MCWD's responsibility to plan, design, and construct such additional water and sewer facilities (Section 3.2.1). Section 7.1.2 requires FORA to insure that MCWD recover all of its costs of furnishing the facilities to the service area:

7.1.2. MCWD Will Recover Costs. MCWD will recover all of its direct and indirect, short term and long term costs of furnishing the facilities to the service area. MCWD shall not be required to take any action in connection with furnishing the facilities to the service area unless and until a source of funds is secured from the service area to pay in full in a reasonable manner consistent with normal accounting practices all of MCWD's direct and indirect, short term and long term costs of the action to be taken by MCWD, including costs of administration, operation, maintenance and capital improvements to provide adequate system capacity to meet existing and anticipated service demands.

The division of responsibilities between FORA and MCWD is set forth in the following table:

FORA's Responsibility	MCWD's Responsibilities
Determine what additional water supply and sewer facilities are necessary for the Ord Community service area	Own, operate, and maintain all of the water and sewer facilities, including new additional facilities, for the Ord Community service area
Insure that MCWD recovers all of MCWD's costs of furnishing the facilities, including the capital and annual administration, operation, and maintenance costs of new additional facilities.	Plan, design, and construct additional water and sewer facilities determined necessary by FORA

Ord Development Areas.) As discussed above, the 2009 RUWAP MOU sidestepped that issue and provided the Ord Community service area with 1,427 AFY of recycled water.

H-13
Con't

The development of the recycled water component of the Regional Urban Water Augmentation Project (RUWAP) illustrates how joint FORA-MCWD planning for new additional facilities has been cooperatively carried out.

H-14

Regional Urban Water Augmentation Project.

In 2002, MCWD, in cooperation with FORA, initiated the RUWAP to explore water supply alternatives to provide the additional 2,400 AFY of water supply needed for the Reuse Plan. MCWD as the CEQA lead agency prepared a DEIR for RUWAP consisting of two primary alternatives: a 3,000 AFY Recycled Water Alternative and a 3,000 AFY Seawater Desalination Alternative. Additional alternatives analyzed included a Hybrid Alternative consisting of a 1,500 AFY of Recycled Water (allocating 1,200 AFY to the Ord Community and 300 AFY to the Monterey Peninsula) and 1,500 AFY of Seawater Desalination (allocating 1,200 AFY to the Ord Community and 300 AFY to replace MCWD's existing desalination plant).

H-15

During MCWD's environmental review of the RUWAP, in August 2003, MCWD and MRWPCA determined that up to 1,727 AFY of recycled water could be provided by the Regional Urban Recycled Water Distribution Project without the need for seasonal storage – allocating 1,427 AFY to the Ord Community and 300 AFY to the Monterey Peninsula. (See DEIR Section 6.2.1.2 for general discussion; see also RUWAP Addendum No. 2, p. 5.)³

MCWD certified the EIR for RUWAP in 2004 with Addendum No. 1 to the EIR was adopted in 2006 and Addendum No. 2 was adopted in February 2007. Addendum No. 2 designated a modified Hybrid Alternative as the preferred alternative.

FORA Board Resolution 07-10.

Upon the adoption of the modified Hybrid Alternative, the FORA Board adopted Resolution 07-10 (May 2007), which allocated 1,427 AFY of RUWAP recycled water to local and State public agencies, including 453 AFY to the City of Seaside and 134 AFY to Monterey County. (See FORA Board Resolution 07-10 attached as Exhibit "D".) A Resolution recital stated that the MCWRA and MRWPCA have entered into an agreement to provide up to 850 AFY of recycled water from May through August that MRWPCA has agreed to dedicate to RUWAP. Resolution 07-10 was FORA's determination under Section 3.2.2 of the 1998 Agreement, which requires MCWD to develop 1,427 AFY of recycled water for the Ord Community to help close the gap on the projected 2,400 AFY 2030 shortfall. Consequently, pursuant to Section 7.1.2 of the 1998 Agreement, FORA is obligated to approve MCWD's recovery of all of MCWD direct and indirect costs for furnishing that recycled water.

H-16

³ MCWD assumes MRWPCA has the RUWAP EIR and addendums in its files as they are referenced in the DEIR. If this is not the case, MCWD will provide these documents upon request.

B. Adverse Impacts on New Developments within the Ord Community if MRWPCA Cannot or Will Not Deliver MCWD's Full Allotment of RUWAP Recycled Water.

If MRWPCA is unable or unwilling to ensure its contractual commitment to MCWD for its full allotment of RUWAP recycled water, then there are immediate adverse impacts to new developments within the Ord Community. For example, the City of Seaside's DEIR for Monterey Downs and Monterey Horse Park has a projected non-potable (i.e., recycled) water demand for Phases I to III of 145.7 AFY and a total non-potable water demand for all 6 phases of 302.5 AFY. (See Monterey Downs and Monterey Horse Park DEIR available at http://seasidemontereydownsandveteranscemeteryspecificplan.com/Documents/deir/deir/01%20DRAFT%20EIR/Sec%2004-19_Water.pdf, including Table 4.19-11 on p. 4-19-23. Pages 4.10-22 and 4.19-23 of the Monterey Downs DEIR also explain the uses for the recycled water supplies:

- The recycled water demand reflects exterior uses for landscape irrigation and dust control.
- The residential front yards would be maintained by a HOA; therefore, those irrigation demands are included in the recycled water demand totals.
- Of the 587 AFY of future recycled water, FORA allocated 453 AFY to the City of Seaside and 134 AFY to the County of Monterey pursuant to FORA Resolution 07-10. The City of Seaside has in turn sub-allocated 430 AFY for Bayonet and Blackhorse Golf Courses with 157 AFY remaining unallocated.⁴
- The unallocated 157 AFY would be allocated to Phases I to III of the Monterey Downs Project.
- According to the 2010 UWMP, the water augmentation supply is expected to be on-line by 2016.⁵

If MRWPCA does not deliver summer recycled water to MCWD, then MCWD would be unable to provide recycled water to the Monterey Downs Project. If no recycled water is forthcoming from MRWPCA, then it is uncertain what steps (if any) the City of Seaside can take to provide potable water in substitution of the recycled water needed for Phases I to III in order to approve the Monterey Downs Project. Notably, the State Water Resources Control Board through emergency regulations due to the ongoing Drought has imposed severe limitations on the use of potable water for new exterior uses. It is unknown at this time whether those and other potable water use limitations will continue after the current drought emergency ends and thus constitute the "new normal" for potable water use.

Without that express reservation of contractual rights, one way that MRWPCA could meet its RUWAP MOU contractual obligation to MCWD would be to build new storage facilities to store Advanced Treated Water for summer use within the Ord Community. Assuming it is feasible to store but not use Advanced Treated Water from September through April, all of the cost for such storage facilities would need to be borne by MRWPCA if that new arrangement is agreeable to

⁴ The City of Seaside has not officially allocated recycled water for irrigation of the two golf courses with a demand of approximately 430 AFY or the remaining 157 AFY to this Project.

⁵ The water augmentation supply discussed in the 2010 UWMP is based on the RUWAP hybrid alternative, discussed above.

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FORA and to MCWD who would have to own, operate, and maintain those facilities. Another way would be for MRWPCA and MCWD to reach a mutually beneficial resolution of those rights acknowledged in the applicable Definitive Agreements, subject to FORA's approval.

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II. Comments on RUWAP Alignment for Product Water Conveyance pipeline alignment.

Section 2.9.1.1 of the DEIR states "MRWPCA and the Water Management District may pursue agreements and permits to use a portion or portions of the pipeline originally proposed and/or constructed for the Recycled Water Project by Marina Coast Water District (i.e., converting the purpose of the pipeline for use by the Proposed Project to convey advanced treated Product Water from the AWT Facility to the Injection Well Facilities) or they may pursue a shared easement to accommodate both pipelines in some portions of the alignment." (DEIR, p. 2-67 and 2-68.) As MCWD stated in its comments on the GWR Project's Notice of Preparation ("NOP") requesting the DEIR include this alternative, MCWD is willing to discuss potential access to RUWAP facilities for the GWR project. MCWD appreciates MRWPCA's inclusion of this alternative in the DEIR and remains willing to discuss potential mutually beneficial options for use of the RUWAP facilities and/or alignment by the GWR Project. That said, such options must ensure that MCWD can meet its contractual obligations to provide water supplies to the Ord Community as discussed above.

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III. Comments on GWR Project DEIR.

The following paragraphs detail MCWD's comments on the DEIR's compliance with CEQA and the CEQA Guidelines.

A. Summary (Chapter "S")

CEQA Guidelines Section 15123 states that the summary "shall identify: (1) [e]ach significant effect with proposed mitigation measures **and alternatives that would reduce or avoid that effect; ...** and (3) [i]ssues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects." (CEQA Guidelines, 15123, subd. (b), emphasis added.) The DEIR's Summary does not identify or discuss alternatives that would reduce or avoid the project's significant effects in the text or summary tables (Tables S-1 and S-2). Nor does the DEIR's Summary include a discussion of the issues to be resolved. The Summary should be revised to include the required information.

H-22

B. Introduction (Chapter 1)

Section 1.4 the DEIR on p. 1-5 should be clarified to note that the citations in the first paragraph are to the CEQA Guidelines and not the CEQA statute. This section should be further clarified to note that a project's impacts must be reduced to a less than significant level where feasible or the lead agency must adopt a Statement of Overriding Considerations for any impacts that remain significant after all feasible mitigation is adopted. As the cited Section 15092 of the CEQA Guidelines provides:

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(b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless **either**:

(1) The project as approved **will not have a significant effect** on the environment, or

(2) The agency has:

(A) **Eliminated or substantially lessened all significant effects** on the environment **where feasible** as shown in findings under Section 15091, and

(B) **Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.**

H-24

(CEQA Guidelines, 15092, subd. (b), emphasis added.) The current wording in this section suggests a statement of overriding considerations is not required under CEQA if a project's impacts are substantially lessened. Therefore, the section needs to be clarified.

C. Project Description (Chapter 2)

Section 2.3.2.4 of the DEIR (p. 2-10) states that in "recent submittals to the California Public Utilities Commission, CalAm estimates that it needs a total supply source of 15,296 AFY to satisfy the Cease and Desist Order and forecasted demand. In order to do this, CalAm will need to augment its water supplies by 9,752 AFY, which includes water to satisfy a requirement to return water to the Salinas Valley to offset the amount of fresh water in the feed water from the desalination plant's slanted coastal intake wells." There is no support for these statements. As the GWR Project is not contingent on approval of Cal-Am's proposed desalination plant's slanted coastal intake wells, MCWD suggests removing the statements from the DEIR. MCWD will provide separate comments regarding the larger MPWSP EIR, including its comments on the required return water to the Salinas Valley to offset the amount of groundwater in the feed water from Cal-Am's proposed desalination plant's slanted coastal intake wells should Cal-Am demonstrate the right to take such water and should that alternative be approved, to the CPUC.

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H-26

Section 2.3.3 of the DEIR (p. 2-10) states the geographic extent of seawater intrusion in Salinas Valley Groundwater Basin's 180-Foot and 400-Foot Aquifers is shown in Figure 2-7. The EIR should clarify that substantial information gaps exist regarding the level of seawater intrusion into the 180-Foot and 400-Foot Aquifers and that current data indicates the significant areas shown on the Figure 2-7 maps as having chloride levels above over 500 mg/L actually do not. (See e.g., Draft Monterey Peninsula Water Supply Project Groundwater Modeling and Analysis, April 17, 2015, Figures 43 and 44 [available at <http://www.cpuc.ca.gov/Environment/info/csa/mpwsp/deir/AppendixE2.pdf>], Monterey Peninsula Water Supply Project Baseline Water and Total Dissolved Solids Levels Test Slant Well Area, April 20, 2015, Figures 3-4, 3-5, and Table 2 [available at http://www.watersupplyproject.org/Websites/coastalwater/files/Content/4985953/HWG_BASEL].

H-27

INE_TM-20-Apr-15_1_1_.pdf]; DEIR, Table 4.10.6 [stating 100 mg/L median chloride level for wells in 180-Foot and 400-Foot Aquifers at locations between Salinas and the Salinas River].)

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This section further states that several projects have been developed to address this seawater intrusion, but then only mentions projects implemented by MCWRA. MCWD, as well as other others, have implemented numerous projects to eliminate the long-term overdraft condition of the Salinas Valley Groundwater Basin and address seawater intrusion. For example, between 1985 and 2000, the District constructed both a seawater desalination plant (currently inactive) and a wastewater recycling facility (the recycling facility was retired when the MCWD connected to the MRWPCA system). More recently MCWD has implemented numerous water conservation programs, including, among others: (1) the Water Conservation Commission; (2) a conservation rate structure; (3) an AMR meter reading system with leak detection; (4) the California State University Monterey Bay student learning partnership and student internship programs; (5) free conservation devices (showerheads, faucet aerators, leak detection tablets, etc.); (6) free water conservation education materials (e-flyers, newsletter, magnets and stickers, Restaurant and commercial business placards, water conservation website, etc.); (7) a landscape demonstration garden; (8) high-efficiency clothes washer and toilet rebates; (9) leak and high water use and detection notification procedures; (10) free property surveys; (11) landscape walk-throughs and irrigation system checks; (12) water use investigations, water use data logs, and water use charts and tables; (13) property certification on resale; (14) in-school water education classes and assemblies; (15) landscape building standards and plan check procedures; (16) water-wise landscape incentives for turf removal, conversion from sprinkler to drip irrigation, "smart" controller replacement, rail and soil moisture shut-off switches, etc.; (17) regional participation in Water Awareness Committee of Monterey County Inc. A significant portion of MCWD's budget is allocated to water conservation programs. MCWD will spend approximately \$465,155.00 on its conservation programs over the next year alone. MCWD estimates that its conservation programs reduce pumping for the Salinas Valley Groundwater Basin by approximately 520 to 600 acre-feet of water per year. In addition, MCWD entered into a recorded annexation agreement with MCWRA, Resources Agency, the City of Marina, the J.G. Armstrong Family, and RMC Lonestar dated March 1996 (Annexation Agreement). The Annexation Agreement binds the current property owner (CEMEX) and anyone seeking to obtain property from CEMEX to pumping 500 acre/feet per year for use on the property. MCWD has also adopted a Water Shortage Contingency Plan for staged voluntary and mandatory conservation efforts. MCWD request the EIR clarify that other entities, including MCWD, have developed projects and programs to address this seawater intrusion that are not discussed in the DEIR. MCWD further requests the DEIR list the Annexation Agreement as one of the projects addressing seawater intrusion in this section.

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Table 2-22 in the Chapter (pp. 4.2-87 - 4.2-90) does not appear to include contractual agreements with local agencies for urban runoff water. (See the last paragraph on page 4.18-33 stating that MRWPCA will need to obtain contractual water rights from the applicable local agencies for urban runoff water.) The Table should be updated to include these agreements.

H-31

D. Environmental Setting, Impacts, and Mitigation Measures (Chapter 4)

• **Air Quality and Greenhouse Gas (Section 4.3)**

The DEIR should expand its discussion of Greenhouse Gas (GHG) emissions to address why the Project would not impede the attainment of the GHG reduction target provided for in Executive Order B-30-15 (available at <http://gov.ca.gov/news.php?id=18938>).

H-32

• **Biological Resources: Fisheries (Section 4.4)**

The last paragraph of the “Reclamation Ditch” section on page 4.4-42 states potential construction-related impacts would be avoided and reduced to less-than-significant levels by Mitigation Measures BF-1a and BF-1b (4.4-44) and implementation of best management practices (BMPs). There is no discussion of what BMPs would be applied. Applicable BMPs should be added to the mitigation measures. In addition, Mitigation Measure BF-1b requires pre-construction surveys for tidewater gobies or other fish species, but does not specify when and where the surveys will be done. The mitigation should specify particular methods that will be used for surveys (i.e., are there agency-approved protocols?). The mitigation also states that if fish are present, “appropriate measures in consultation with applicable regulatory agencies” will be implemented. There does not appear to be a performance standard attached to BF-1b or indicate whether an incidental take permit would be required. Please clarify this mitigation measure.

H-33

Mitigation Measure BF-2a (4.4-48 and 4.4-49) requires diversions to maintain steelhead migration flows. The mitigation should specify what level of flows will be maintained (e.g., the flows referenced in Table 4.4-8). Mitigation Measure Alternate BF-2a also requires modifications to the existing San Jon weir. The DEIR should clarify whether the modifications would be in compliance with specific design requirements such as NMFS’ Anadromous Salmonid Passage Facility Design criteria and specifications. The mitigation measure should also state when the modifications would be built.

H-34

• **Biological Resources: Terrestrial (Section 4.5)**

As a general comment on Section 4.5, to the extent that mitigation measures derive from, or are consistent with agency guidance the DEIR should cite and refer to such guidance. In addition, a number of mitigation measures state that buffers will be provided around the species or area to be protected. The mitigation measures should specify the distance of the buffer (e.g., a buffer of 100 feet from the protected area).

H-35

Mitigation Measure BT-2a (pp. 4.5-92 - 4.5-93) states that when designing the facilities at component sites, the MRWPCA shall site and design project features to avoid impacts to the riparian and wetland habitats shown in Attachment 8 of Appendix H and Appendix I, including direct habitat removal and indirect hydrology and water quality impacts, to the greatest extent feasible while taking into account site and engineering constraints. MCWD notes that the RUWAP alignment for the Product Water Conveyance would avoid impacts to riparian and wetland habitats from the Product Water Conveyance pipeline and therefore should be considered the environmentally superior alternative/option. Mitigation Measure BT-2c (pp. 4.5-94 - 4.5-95)

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requires the project proponents to prepare and implement a Frack-Out Plan. The mitigation should specify when the plan must be prepared and examples of actions that will be addressed in the plan. As drafted, the mitigation appears to be vague and it is not clear if it will actually reduce these impacts to less-than-significant levels.

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• **Hydrology and Water Quality: Groundwater (Section 4.10)**

In Section 4.10.2.3 (Salinas Valley Groundwater Basin and Study Area) includes a number of statements regarding the Salinas Valley Groundwater Basin that must be clarified to provide an adequate description of the environmental setting and evaluate the Project's potential direct and cumulative impacts.

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First, the DEIR states that Dune Sand Aquifer contains mostly saline to brackish water due to proximity with the ocean and seawater intrusion and is consequently not used as a water supply. (DEIR, p. 4.10-5, citing Kennedy/Jenks 2004.) This statement should also be clarified to note that the Dune Sand Aquifer recharges the 180-foot aquifer and therefore provides an indirect source of water supply in the Salinas Region as recognized later in the DEIR on p. 4.10-66. In addition, the Final EIR should identify the geographic extent of seawater intrusion into the Dune Sand Aquifer to the extent it is known and provide an estimate of groundwater within the aquifer that is not seawater intruded.

H-38

Second, the DEIR states that "[w]ater-level data from existing wells within the 180-Foot Aquifer in the study area indicates that the direction of groundwater flow is from the ocean southeast toward the City of Salinas..." (p. 4.10-7). The DEIR, however, does not appear identify the study area for the EIR or include well data to support this statement. A map showing the Salinas Valley Groundwater Basin study area and wells levels within the 180-Foot Aquifer in the study area should be included in the EIR to support this statement.

H-39

Third, the DEIR in this section also states the geographic extent of seawater intrusion in Salinas Valley Groundwater Basin's 180-Foot and 400-Foot Aquifers is shown in Figure 2-9. (DEIR, p. 4.10-9.) This appears to be typographical error; the DEIR is likely referring to Figure 2-7. Assuming the reference is to the Figure 2-7 maps, as noted above, the EIR should clarify that information gaps exist regarding the level of seawater intrusion into the 180-Foot and 400-Foot Aquifers and that current data indicates significant areas shown on the Figure 2-7 maps as having chloride levels above over 500 mg/L actually do not. (See e.g., Draft Monterey Peninsula Water Supply Project Groundwater Modeling and Analysis, April 17, 2015, Figures 43 and 44 [available at <http://www.cpuc.ca.gov/Environment/info/esa/mpwsp/deir/AppendixE2.pdf>], Monterey Peninsula Water Supply Project Baseline Water and Total Dissolved Solids Levels Test Slant Well Area, April 20, 2015, Figures 3-4, 3-5, and Table 2 [available at http://www.watersupplyproject.org/Websites/coastalwater/files/Content/4985953/HWG_BASELINE_TM-20-Apr-15_1_1_.pdf]; DEIR, Table 4.10.6 [stating 100 mg/L median chloride level for wells in 180-Foot and 400-Foot Aquifers at locations between Salinas and the Salinas River].) The DEIR further states that seawater intrusion has resulted in degradation of groundwater supplies, requiring urban and agricultural wells within the affected area to be abandoned or destroyed.

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(DEIR, p. 4.10-9 citing MCWRA, 2001.) The EIR should identify the affected area, the location of wells that that EIR indicates were required to be abandoned or destroyed, and whether conditions have changed within the affected areas since the 2001 report cited to support the DEIR's statements.

H-41

The DEIR's Plans and Policies Consistency Analysis must also be clarified if implementation of the Project could result in MCWD not being provide its full allotment of recycled water for the Marina and Ord communities as discussed above. For example, the DEIR states that the Project is consistent with City of Marina Policy 3.3 (p. 4.10-30 [Table 4.10-11]). Assuming all of MCWD's recycled water rights are protected under the Project, MCWD agrees the Project is consistent with this policy. If MCWD's recycled water rights are not protected, however, the Project would conflict with the City's policy to minimize the consumption of water for urban purposes and make maximum possible use of recycled water. The Final EIR should confirm the Project is consistent with the City's policy.

H-42

Table 4.10-9 (p. 4.10-43) includes the Seaside Basin water balance, but does not indicate whether the numbers are based on a single year or averages over multiple years. The time-frame or year used to calculate the water balance should be explained in the Final EIR.

H-43

As noted in the DEIR, comments on the NOP for the GWR project (including MCWD's NOP comments) requested the EIR: (a) evaluate both the travel time and volume of water moved between injection and extraction sites in order to determine what portion of injected water can be safely extracted and when; (b) Confirm with the State Water Resources Control Board (SWRCB), Division of Drinking Water (formerly, California Department of Public Health) the required residence time between injection and extraction for all proposed water sources prior to the publication of the Draft EIR; (c) Confirm the capacity of the Seaside Basin is sufficient, within that predetermined residence time, for the injection of the Proposed Project purified recycled water; and (d) confirm with the SWRCB, Division of Drinking Water (DDW) that the horizontal distance required between points of injection and extraction are adequate in the event those two modes of operation are simultaneously occurring. (DEIR, p. 4.10-2.) While the DEIR acknowledges the Final Groundwater Replenishment with Recycled Water Regulations ("Groundwater Replenishment Regulations") went into effect June 18, 2014, it only provides a generally description of the regulations in the DEIR at pp. 4.10-35 and 4.10-36. The DEIR's analysis of Impact GW-6 (Operational Groundwater Quality: Seaside Basin) fails to discuss the GWR Project's compliance with these regulations and simply concludes that based on an assessment (included in Appendix D) that "the water quality results of the AWT Facility pilot plant testing (using ozone, MF, and RO), the stabilized RO sample, information on the predicted performance and water quality of the proposed full-scale AWT Facility based on other existing groundwater replenishment projects, and related research/studies ... the Proposed Project would comply with ... SWRCB Regulations (for groundwater replenishment), including MCLs, NLs, total organic carbon, and other numeric water quality-based requirements; and Central Coast Basin Plan objectives" The EIR should clarify how the project complies with the Groundwater

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Replenishment Regulations and include mitigation ensuring compliance with the Groundwater Replenishment Regulations.

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On page 4.10-63, the DEIR references Figure 4.10-9 as showing wells in the CSIP area whose production would be reduced or eliminated by delivering the additional crop irrigation water produced by the Proposed Project. It is impossible to tell from Figure 4.10-9 where the production or monitoring wells are located. A revised Figure should be included in the EIR where the location of the wells are clearly marked. Notably, the current version of Figure 4.10-9 appears to show that some of the CSIP production wells are within the portion of the 400-Foot Aquifer that is shown to be seawater intruded based on Figure 2-7. On page 4.10-64, however, the DEIR indicates that all of the CSIP wells are inland of the intrusion front in the 400-foot aquifer. A clear map is needed to confirm this information. In addition, historical and baseline information of TDS and chloride levels at the CSIP production and monitoring wells are needed to understand the environmental setting and evaluate the Project's impact on the Salinas Valley Groundwater Basin. MCWD requests this information be provided in the Final EIR.

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The DEIR analysis of Impact GW-3: Operational Groundwater Depletion and Levels: Salinas Valley Groundwater Basin concludes that the GWR Project would have a net beneficial impact with respect to seawater intrusion and overall groundwater storage and levels in the Salinas Valley Groundwater Basin. (DEIR, pp. 4.10-57 - 4.10-64.) This conclusion is only supported if MCWD's rights to 1,727 AFY of recycled water (including 650 AFY of summer recycled water under the 2009 RUWAP MOU and MCWD separate right to 300 AFY of summer recycled water) are fully protected. If this is not the case, additional groundwater pumping in the Marina and Ord portions of the Salinas Valley Aquifer will likely be necessary to support planned growth in these area as discussed above. The DEIR does not address potential groundwater impacts in the Marina/Ord portions of Salinas Valley Groundwater from additional groundwater pumping, therefore, the EIR would be inadequate. The DEIR's analysis of Impact GW-5 - Operational Groundwater Quality: Salinas Valley (pp. 4.10-65 - 4.10-70) and its cumulative impacts analysis (pp. 4.10-75 - 4.10-78) would be inadequate for these same reasons. Notably, the DEIR avoided any analysis of cumulative groundwater impacts based on its conclusion that direct and indirect impacts of the GWR Project would be beneficial (see pp. 4.10-65 - 4.10-70).

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Chapter 4.11, Hydrology/Water Quality: Surface Water

Mitigation Measure HS-4 states:

Rapid, imposed water-level fluctuations shall be avoided when operating the Reclamation Ditch Diversion pumps to minimize erosion and failure of exposed (or unvegetated), susceptible banks. This can be accomplished by operating the pumps at an appropriate flow rate, in conjunction with commencing operation of the pumps only when suitable water levels or flow rates are measured in the water body. Proper control shall be implemented to ensure that mobilized sediment would not impair downstream habitat values and to prevent adverse impacts due to water/soil interface adjacent to the Reclamation Ditch and Tembladero Slough.

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(DEIR, p. 4.11-75.) The measure appears vague and unenforceable. The phrases “appropriate flow rate” and “suitable water levels or flow rates” should be defined or tied to a quantifiable performance standard.

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- **Land Use, Agriculture, and Forest Resources (Section 4.12)**

The DEIR’s discussion of Impact LU-2: Operational Consistency with Plans, Policies, and Regulations fails to address the Project’s consistency with applicable plans, policies, and regulations relating to groundwater resources and public services relating to water supply. (See DEIR, pp. 4.12-37 - 4.12-43.) As addressed above, if MCWD’s senior recycled water rights are not protected, the GWR Project would conflict with the City of Marina’s policy to minimize the consumption of water for urban purposes and make maximum possible use of recycled water. The GWR would also likewise conflict with the Fort Ord Reuse Plan if this was the case. The Final EIR should confirm the Project is consistent with the plans, policies, and regulations of the City of Marina and the Ord Community (e.g., Fort Ord Reuse Plan).

H-51

- **Noise and Vibration (Section 4.14)**

The DEIR’s Approach to Analysis states: “an exterior noise level that exceeds 70 dBA Leq during the daytime is used as the threshold for substantial construction noise where the duration of construction noise exceeds two weeks.” (DEIR, p. 4.14-23.) What is the basis for selecting two weeks to measure whether a noise impact is significant? Is there any support for this time frame? Some of the noise impacts analyses rely on that time frame to conclude impacts would be less than significant even though the construction noise level would exceed the threshold (e.g., discussion of RUWAP Alignment construction on page 4.14-34, discussion of Coastal Alignment construction on page 4.14-36, discussion of Monterey Pipeline construction on pages 4.14-41 to 4.14-42) because construction would affect sensitive receptors for less than two weeks. Without support for the two-week time frame, the DEIR may be avoiding feasible mitigation measures that could reduce construction noise. Notably, the RUWAP EIR determined that construction noise impacts are potentially significant and includes the following noise mitigation for pipeline construction:

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|---------|--|
| 4.11-R1 | The construction contractor shall limit exterior construction related activities to the hours between 7:00 a.m. and 7:00 p.m. on weekdays and Saturdays, and between 10:00 a.m. and 7:00 p.m. on Sundays and holidays. |
| 4.11-R2 | The contractor shall locate all stationary noise-generating equipment as far as possible from nearby noise-sensitive receptors. Where possible, noise-generating equipment shall be shielded from nearby noise-sensitive receptors by noise-attenuating buffers. Stationary noise sources located 500 feet from noise-sensitive receptors shall be equipped with noise reducing engine housings. Portable acoustic barriers shall be placed around noise-generating equipment that is located less than 200 feet from noise-sensitive receptors. |

H-54

- 4.11-R3 The contractor shall assure that construction equipment powered by gasoline or diesel engines have sound control devices at least as effective as those provided by the original equipment manufacturer (OEM). No equipment shall be permitted to have an unmuffled exhaust.
- 4.11-R4 The contractor shall assure that noise-generating mobile equipment and machinery are shut-off when not in use.
- 4.11-R5 Residences within 500 feet of a construction area shall be notified of the construction schedule in writing, prior to construction. The Project Applicant and contractor shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and written into the construction notification schedule sent to nearby residences.

H-54
Con't

Mitigation measure R-1 was subsequently modified to allow some nighttime construction along specific roadways to reduce traffic impacts from construction where sensitive noise receptors are located an adequate distance (at least 1/4 mile) from the construction activities and where approved by the relevant local jurisdiction through their encroachment permit process in an addendum to the EIR:

H-55

4.11-R1: The construction contractor shall limit exterior construction related activities to the hours of restriction consistent with the noise ordinance of, and encroachment permits issued, by the relevant land use jurisdictions between 7:00 a.m. and 7:00 p.m. on weekdays and Saturdays, and between 10:00 a.m. and 7:00 p.m. on Sundays and holidays. If alternative traffic control measures are unavailable and if approved by staff of the relevant City identified below through their encroachment permit, nighttime construction may be conducted for the following segments of road (as identified in the Higgins' Associates letter dated October 17, 2006) provided that sensitive receptors (in this case, residences, nursing homes, and hotels/motels) are located an adequate distance from construction activities (as determined by the relevant land use jurisdiction):

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- Reservation Road between Seacrest Avenue and Crescent Avenue [Marina - preferred alignment]
- Fremont Street between Kimball Avenue and Airport Boulevard [Seaside – preferred alignment]
- Del Monte Avenue between Park Avenue and Camino Aguajito [Monterey – alternative alignment]

Del Monte Avenue between Camino Aguajito and Figueroa Street [Monterey – preferred alignment]

If the RUWAP alignment is selected for the GWR Project, the foregoing mitigation should be included in the EIR. The DEIR should also consider whether similar nighttime work is needed to address the GWR Projects' traffic impacts through consultation with affected local jurisdictions. As nighttime construction is not currently proposed as part of the GWR Project for the RUWAP pipeline alternative, it does not appear such consultation has occurred to date.

H-57

- **Public Services, Utilities, and Recreation (Section 4.16)**

The DEIR's conclusion for Impact PS-4 (operational impacts on public services) appears to have been cut and pasted without change from Impact PS-1. As a result, it does not address the GWR Project's potential operational impacts to public services. (See DEIR, p 4.16-17.) Moreover, the conclusory discussion of Impact PS-4 fails to mention, much less disclose, the GWR Project's potential impacts to the public services of water supplies if MCWD's full allotment of recycled water is not provided. (See DEIR, pp. 4.16-16 - 4.16-17.) If MCWD's senior recycled water rights are not protected, MCWD would likely be required to construct new facilities (or alter existing facilities) to meet its contractual obligations to FORA as discussed above. Therefore, this potential impact must be addressed in the EIR unless MRWPCA can demonstrate it can and will provide MCWD's full allotment of recycled water.

H-58

- **Water Supply (Section 4.18)**

The DEIR incorrectly suggests that all of MCWD's water supply currently comes from groundwater wells located in the 900-foot-deep aquifer of the Salinas Valley Groundwater Basin. (DEIR, p. 4.18-8.) Historically, MCWD supplied its Marina service area with water from wells screened in the 180-Foot and 400-Foot aquifers. Between 1960 and 1992, some of those wells indicated varying degrees of seawater intrusion and were replaced, first moving from the 180-Foot aquifer to the 400-Foot aquifer, and later moving to the Deep Aquifer. The District currently operates 4 wells in the Deep Aquifer -- Wells 10, 11, 12 and 34. (See MCWD Service Area Map for locations of these wells, attached as Exhibit "E" to the letter.) **MCWD also operates 4 wells that draw from the 180-Foot and 400-Foot Aquifers -- Wells 29, 30, 31, and 35.** (See MCWD Service Area Map for locations of these wells, attached as Exhibit "E" to the letter.)

H-59

Table 4.18.5 (DEIR, p. 1.18-19) in Section 4.18.3.4 (Memorandum of Understanding and Legal Agreements) must be updated to acknowledge the 2009 RUWAP MOU attached as Exhibit "B" and 2009 Three-Party MOU attached as Exhibit "C" This section should also acknowledge under the "Memorandum of Understanding Regarding Source Waters and Water Recycling (MOU) (October 2014)" on this same page that MCWD's recycled water right entitlements may be made contractually available by MCWD to another Party and may be made available to MCWRA for the CSIP if not utilized by MCWD, or its assignee, in any given year. (See DEIR Appendix B including 2014 MOU, p. 2)

H-60

Section 4.18.2.2's discussion of Municipal Wastewater Collection Systems suggests that MCWD only maintains and operates wastewater collection systems in the former Fort Ord community. (DEIR, pp. 4.18-11 and 4.18-12) The EIR should clarify that MCWD's service area includes both

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the City of Marina and Ord Community and that MCWD is responsible for maintaining its service area's sewer system, which includes 20 lift stations and 110 miles of pipeline.

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The DEIR's Plans and Policies Consistency Analysis for Water Supply and Wastewater must also be clarified if implementation of the Project could result in MCWD not being provided its full allotment of recycled water. Like DEIR Section 4.10, this section also states that the Project is consistent with City of Marina Policy 3.3 (p. 4.18-17 [Table 4.18-4]). Again, assuming all of MCWD's recycled water rights are protected, MCWD agrees the GWR Project is consistent with this policy. The Final EIR should confirm whether the Project is consistent with the City's policy here also. For the reasons noted above, this Section should also confirm the GWR Project is consistent with the Fort Ord Reuse Plan.

H-62

In the last paragraph of 4.18-33, the DEIR states that MRWPCA will need to obtain contractual water rights from the applicable local agencies for urban runoff water. The project description should be updated to include these water rights agreements as indicated in MCWD's comments on that chapter.

H-63

As addressed in Section I of this letter, the DEIR's analysis of the GWR's Project's potential impacts to MCWD's senior rights to recycled water does not appear to include the 2009 RUWAP MOU and the 2009 Three-Party MOU. For the same reasons outlined in Section I, the "Cumulative Impact Conclusion" must be updated to reflect consideration of these MOUs and confirm adequate supplies will be available to provide 950 AFY of summer water plus 477 AFY water during the other months. Without this recycled water, the MCWD RUWAP would not be feasible, which would likely result in potentially severe adverse impacts for recycled water supplies needed for proposed and future developments in the Ord Community as described in Section I.B above. It would also likely result in potentially severe adverse impacts to groundwater and likely force MCWD to construct new facilities (or alter existing facilities) to meet its contractual obligations to FORA as discussed above. This would result in cumulative impacts that would need to be addressed in the DEIR under CEQA.

H-64

E. Alternatives (Chapter 5)

The DEIR concludes the Reduced Seaside Basin Replenishment Alternative will have "nearly the same environmental impacts as the Proposed Project, since all facilities are assumed to be constructed under this alternative, even though there would be a reduction of water provided to the Seaside Groundwater Basin." (DEIR, p. 6-24.) Please confirm this conclusion is accurate for the GWR Project's potential impacts to water supplies in light of the above comments.

H-65

If the MRWPCA cannot confirm adequate supplies will be available with implementation of the GWR Project to meet all MCWD's senior recycled water rights (including provide 950 AFY of summer water plus 477 AFY water during the other months for the Ord Community as explained in Section I.A above), the EIR must be revised to include an alternative that would provide MCWD's full allotment of recycled water.

H-66

Finally, the DEIR's conclusion in Section 6.3.2.3 (Alternatives for Product Water Conveyance) that the analysis of the potential impacts between the two alternative Product Water Conveyance Systems (RUWAP alignment and Coastal alignment) shows that they are very similar does not actually determine whether either alternative is environmentally superior. It appears, however, that the RUWAP alignment is the environmentally superior alternative based on the EIR's analysis. As the DEIR states:

...the primary difference in impacts is in construction and operational impacts to riparian habitat and federally protected wetlands as defined by Section 404 of the Clean Water Act; specifically, the impacts of the RUWAP alignment option would be less than significant while the Coastal alignment option would be significant, but reduced to less than significant with mitigation in this EIR (specifically, Mitigation Measures BT-2, and BT-6). The Coastal alignment option of the Product Water Conveyance pipeline could impact Locke Paddon Lake that contains wetlands and riparian habitat in the City of Marina, and the RUWAP alignment would not affect those habitats.

(DEIR, p. 6-34.) Therefore, it would appear to be beyond dispute that the RUWAP alignment is the environmentally superior to the Coastal alignment alternative. (See also MCWD's comment on Mitigation Measures BT-2 above). Given this conclusion, CEQA would require selection of the RUWAP alignment alternative if it is feasible. As noted above, MCWD looks forward to working MRWPCA assess whether a mutually beneficial use of the RUWAP pipeline or RUWAP pipeline alignment is feasible.

* * *

MCWD hope these comments assist MRWPCA in its evaluation of the DEIR's compliance with CEQA. MCWD continues to look forward to working with MRWPCA in advancing regional goals through implementation of the GWR Project.

Sincerely,



Howard Gustafson, President
Board of Directors

H-66
Con't

H-67

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of California-
American Water Company (U 210 W) for
Approval of the Monterey Peninsula Water
Supply Project and Authorization to Recover
All Present and Future Costs in Rates

Application No. A.12-04-019
(Filed April 23, 2012)

**REPLY BRIEF OF THE
MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY
REGARDING WATER RIGHTS
FOR A GROUNDWATER REPLENISHMENT PROJECT**

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A Professional Corporation
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Date: July 25, 2012

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**REPLY BRIEF OF THE
MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY
REGARDING WATER RIGHTS
FOR A GROUNDWATER REPLENISHMENT PROJECT**

I.

INTRODUCTION

The Monterey Regional Water Pollution Control Agency (MRWPCA) files this Reply Brief in response to the comments of others in their opening briefs on the water rights for a groundwater replenishment (GWR) project.

MRWPCA's Opening Brief provided a substantive evaluation of the water rights, including a quantitative analysis. Responses to the vast majority of the comments made in the opening briefs of others are already contained in MRWPCA's Opening Brief (which the others had not yet had the opportunity to see due to the concurrent filing.) To the extent there may now be substantive responses

to MRWPCA's Opening Brief in the reply briefs of others, MRWPCA will need the opportunity to respond to those reply briefs.

In addition to the content provided in MRWPCA's Opening Brief, below we provide responses on additional issues raised in the opening briefs of others.

II.

FURTHER RESPONSES AND CLARIFICATION

A. No Infringement on MCWD or MCWRA Rights. MRWPCA proposes to use water for the GWR project in a manner that does not incur on the water rights of either the MCWD or the MCWRA. During the Initial Term, the bulk of the GWR water – 2,987 AFY or almost 70% of project need - is proposed to be provided from the remainder of MRWPCA's 3,900 AFY right, after deducting the amount MRWPCA committed to the MCWD project referred to as the RUWAP¹. There is adequate influent to satisfy both the MCWD and MRWPCA rights. Section 3.03 (d) of the 1992 Agreement, as amended, makes it clear that MRWPCA's commitment of its incoming wastewater flows to the SVRP for the CSIP, up to 29.6 million gallons per day, excludes flows to which MCWD and MRWPCA are entitled.

For a 3,500 AFY GWR project, an additional approximately 1,340 AFY would need to come from unused water during the twenty-one years of the Initial Term when the project is anticipated to be

¹ This is the amount for a 1,485 AFY RUWAP. MCWD currently proposes to proceed with either a 780 AFY RUWAP (see MCWD 2010 Urban Water Management Plan, Table 4.4), or a 1,000 AFY RUWAP (see Coastal Water Project FEIR, Table 5.2), therefore only a portion of the MRWPCA commitment will be needed.

in operation.² MRWPCA proposes to use unused flows into the Regional Treatment Plant during a time when (1) the CSIP demand is fully satisfied, and (2) MCWD's firm right is untouched (keeping in mind that MCWD does not have use for more than a fraction of that firm right). MCWD is capped at 300 AF during the six month period from April through September. MCWD can take the amount it deferred taking during these months during the remaining six months of October through March. This means that MCWD has the most supply during months when there is typically far less demand. MRWPCA's use of surplus water during the deepest of these winter months, targeted at November through February, is feasible due to the storage provided by the Seaside Groundwater Basin. This design harms neither of the other two agencies. It has the potential to significantly benefit the Monterey Peninsula community members.

During the Extended Term, no unused water would be required. In this context, opposition to near term use of otherwise unused surplus winter water for a GWR project serves no purpose.

B. MCWD Approval is Not Required Under the Three-Way MOU or Otherwise. In its Opening Brief MRWPCA set forth a conservative analysis of water availability, which assumes that all of MCWD's water is used by MCWD, even though there is no evidence that this will occur, particularly during the remaining approximately twenty-one years of the Initial Term. The analytical approach MRWPCA has employed addresses any legitimate concern of MCWD.

It merits note that MRWPCA has already committed the majority of its most valuable supply to the MCWD RUWAP, in the form of 650 AF of "summer" water that can be used during the period of

² Or a larger portion could easily come from the winter surplus, the lowest amount of which is 3,775 AF (MRWPCA Opening Brief, page 11.)

May through August. MRWPCA's Opening Brief analysis further assumes that MRWPCA will also provide most of the water needed for RUWAP during April and September, another significant contribution to MCWD. Without this MRWPCA water, the MCWD RUWAP would not be feasible.³ In addition to its own Annexation Agreement water, MCWD now can use the most valuable element of MRWPCA's water right. In spite of all this, MCWD now vehemently objects to MRWPCA's use of the water remaining to it for the benefit of other members of the region. This is true even though the use is proposed to be undertaken in a manner fully respecting MCWD's Annexation Agreement amount, only a portion of which can actually be used by MCWD; and in spite of the severe need on the Monterey Peninsula for that water. This is contrary to the public interest, and conflicts with the Constitutional requirement to maximize the reasonable and beneficial uses of water.

MCWD does not have approval rights over any MRWPCA (or MCWRA) use of water pursuant to the 2009 Three-Way MOU. MCWD asserts that:

“ . . . [MCWD]'s 2009 Three-Way Recycled MOU⁴ with MRWPCA and MCWRA governs the terms and conditions under which replenishment and recycling projects may be undertaken with recycled water provided by MRWPCA, and the MOU requires MCWD's approval for any such project or project components.” (MCWD Opening Brief, page 14.)

To the contrary, this MOU is now moot. Even if it were not, MCWD mischaracterizes the MOU, as set forth below.

////

³ Theoretically, MCWD could undertake the RUWAP using winter water if it constructed sufficient storage. However, this is very expensive infrastructure with some considerable operational challenges.

⁴ The MOU is actually entitled “Monterey Regional Water Supply Program Recycled Water Three-Way Memorandum of Understanding,” entered into on June 1, 2009. A copy is attached hereto as Exhibit A.

The 2009 Three-Way MOU recitals make clear that the predicate for the MOU was the Regional Water Supply Program (also known as the Regional Project or Regional Desalination Project, or RDP⁵), and that the MOU focus would be on planning-level activities relating to the RDP. Those recitals state in relevant part:

“WHEREAS, the Regional Water Supply Program is an alternative analyzed in California-American Water Company’s (Cal-Am) Coastal Water Project (CWP) Draft Environmental Impact Report (DEIR), and has recycled water elements identified for urban reuse to benefit Cities on the Monterey Peninsula, the northern communities of Monterey County, agricultural interests and the United States Army; and,

WHEREAS, the recycled water elements of the Regional Water Supply Program appear to be cost effective for ratepayers and to reduce recycled water cost to the agricultural community; and,

WHEREAS, the Participating Entities believe it is necessary and appropriate and that there is an urgency to review and analyze the technical, managerial, financial and environmental feasibility of the recycled water elements for a Final Environmental Impact Report for the Regional Water Supply Program through the CWP process (FEIR); and,

WHEREAS, evaluation of the feasibility of the Regional Water Supply Program recycled water elements requires coordination and collaboration between the Participating Entities; and,

WHEREAS, the Participating Entities signatory to this MOU desire to cooperatively engage in recycled water supply planning and jointly analyze proposed project elements”

The MOU is specific that its very purpose is to review and analyze “*recycled water elements for a Final Environmental Impact Report for the Regional Water Supply Program through the CWP Process. . .*” and that “*evaluation of the feasibility of the Regional Water Supply Program recycled water elements requires coordination and collaboration between the Participating Entities. . .*” The MOU is dated after the Regional Water Supply Program DEIR was completed in January 2009. The

⁵ The Regional Water Supply Program is also known as the Regional Project, or the RDP. See attached “Memorandum of Understanding Regarding Cooperative Planning and Joint Analysis for a Monterey Regional Water Supply Program,” entered into on June 1, 2009, fourth recital. A copy is attached hereto as Exhibit B.

Final EIR was completed in October 2009. This process, referred to as the CWP Process in the MOU, has been terminated. (CPUC Decision 12-07-008, July 18, 2012, regarding Application 04-09-019.)

The basis for the MOU no longer exists. The MOU can no longer serve its intended purpose, and is without further force and effect.⁶ This is reinforced by the fact that one of the three “Participating Entities” is opposing rather than participating in the current proposal, and is the only entity insisting that the MOU has ongoing vitality.

Assuming solely for argument’s sake that the MOU retains some viability, MCWD offers no support for its position that the MOU “governs” terms and conditions of projects, and that MCWD “approval” is required for the other parties’ recycled water projects. The MOU was actually a planning level MOU, to coordinate the parties’ recycled water efforts in the context of the RDP and the Coastal Water Project. MCWD’s interpretation of the MOU to entitle MCWD to control, and have veto power over⁷, the other two parties’ projects would be an invalid and clearly unintended delegation of the parties’ rights held per those existing agreements.

The MOU was not intended to change any existing agreements. The existing agreements speak for themselves as to the rights, obligations, limitations, and responsibilities of the parties. Those

⁶ Where an assumption necessary to a contract no longer exists through no fault of a party seeking to avoid performance, three closely related defenses work to excuse performance: an implied condition of the contract not met; performance is impossible; purpose of the contract has been frustrated by an unanticipated supervening circumstance to the extent that value of performance is substantially destroyed. *Habitat Trust for Wildlife, Inc. v. City* (2009) 175 Cal.App.4th 1306, 1335-1336; *La Cumbre Golf and Country Club v. Santa Barbara Hotel Co.* (1928) 205 Cal. 422, 425-426; *H. Hackfeld & Co., Ltd. v. Castle* (1921) 186 Cal. 53, 57-58.

⁷ In its May 25, 2012 filing entitled “Marina Coast Water District’s Response in Opposition to the Motion of California-American Water Company (U 210 W) to Deny Marina Coast Water District Party Status,” at page 7, footnote 7, MCWD states, “MCWD has an equal seat at the table in developing analytical criteria under the MOU.” MCWD thus acknowledges that the criteria need to be developed, that they are “analytical” criteria, and that MCWD has an equal role. In MCWD’s present assertion of unilateral control MCWD has ramped up the “equal seat” to the status of first among equals.

agreements govern, and the MOU is explicit that it does not amend them.⁸ Projects must be measured by their consistency with those agreements and other applicable law. If the committee or members thereof were to attempt something more, such as assertion of the control MCWD claims, MRWPCA would have no choice but to terminate its participation in MOU process.

There is no support for MCWD's position. The MOU is null and void.

C. Use of the SVRP. Some parties have expressed concern regarding MRWPCA's use of the SVRP for the GWR project. MRWPCA does not propose to use the SVRP for the GWR project. A different treatment train, to be provided at a new advance treatment facility, would be used for the GWR project, as set forth in our Opening Brief. This produces water of a quality eligible for injection into the Seaside Basin.

III.

OUTFALL AGREEMENT

MCWD asserts that it has priority rights to the full amount of capacity provided in the outfall agreement for the RDP. The issues regarding that outfall agreement are addressed in the Cal Am Opening Brief.

III.

CONCLUSION

The GWR project has the potential to contribute significantly to a solution for the Monterey Peninsula. To the extent reasonable, MRWPCA is willing to put its resources to work in furtherance of

⁸ See 7th Whereas clause in Exhibit A.

a successful project. Those resources are the bulk of what is needed, but not all that is needed. Whether the others whose collaboration is needed will collaborate is yet to be seen. If they do, a GWR project should be eminently feasible.

Dated: July 25, 2012

Respectfully submitted,

/s/ Martha H. Lennihan

Martha H. Lennihan
LENNIHAN LAW
A Professional Corporation
Attorney for Monterey Regional Water Pollution
Control Agency

ATTACHMENTS

Exhibit A – Monterey Regional Water Supply Program Recycled Water Three-Way
Memorandum of Understanding

Exhibit B – Memorandum of Understanding Regarding Cooperative Planning and Joint Analysis
for a Monterey Regional Water Supply Program

All correspondence, pleadings, orders and notices in this proceeding should be directed to the following:

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EXHIBIT A

**Monterey Regional Water Supply Program
Recycled Water Three-Way
Memorandum of Understanding**

**DUPLICATE
ORIGINAL**

This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into as of the first day of June 2009, among the Monterey Regional Water Pollution Control Agency (MRWPCA), Marina Coast Water District (MCWD), and Monterey County Water Resources Agency (MCWRA), referred to collectively in this MOU as the "Participating Entities."

WHEREAS, the Regional Water Supply Program is an alternative analyzed in California-American Water Company's (Cal-Am) Coastal Water Project (CWP) Draft Environmental Impact Report (DEIR), and has recycled water elements identified for urban reuse to benefit Cities on the Monterey Peninsula, the northern communities of Monterey County, agricultural interests and the United States Army; and,

WHEREAS, the recycled water elements of the Regional Water Supply Program appear to be cost effective for ratepayers and to reduce recycled water cost to the agricultural community; and,

WHEREAS, the Participating Entities believe it is necessary and appropriate and that there is an urgency to review and analyze the technical, managerial, financial and environmental feasibility of the recycled water elements for a Final Environmental Impact Report for the Regional Water Supply Program through the CWP process (FEIR); and,

WHEREAS, evaluation of the feasibility of the Regional Water Supply Program recycled water elements requires coordination and collaboration between the Participating Entities; and,

WHEREAS, the Participating Entities signatory to this MOU desire to cooperatively engage in recycled water supply planning and jointly analyze proposed project elements; and,

WHEREAS, Participating Entities have previously entered into bi-lateral agreements with each other concerning recycled water; and,

WHEREAS, Participating Entities recognize a need to memorialize a common interpretation of their existing agreements without changing any existing agreements, to facilitate analyzing the feasibility of proposed recycled water projects.

WHEREAS, this MOU is intended as a preliminary agreement for planning-level activities relating to the Regional Water Supply Program. This Agreement is not intended to and shall not be interpreted to constitute, directly or indirectly, a commitment by the Parties to undertake any project or action, including but not limited to a project or action involving any element of the Regional Water Supply Program. The Parties acknowledge and agree that no commitment to undertake any project or action may occur until environmental review has been completed in accordance with CEQA. The Parties specifically intend to avoid any commitments or actions that would, in light of all surrounding circumstances, commit the Parties as a practical matter to any project or project element prior to the completion of environmental analysis in accordance with CEQA.

NOW, THEREFORE, BE IT RESOLVED, that for purposes of evaluating the feasibility of urban recycled water project elements of the Regional Water Supply Program for the FEIR, the Participating Entities will use and encourage others to use the recycled water demand schedules for irrigation season (typically March through October) recycled water supply and for recycled

water supply during the non-irrigation season (typically November through February as shown on Exhibit A and the schedule water for urban reuse as shown on Exhibit B (exclusive of the MCWD 300 acft irrigation season allocation); and,

BE IT FURTHER RESOLVED, that the recycled water elements of the Regional Water Supply Program shall be consistent with the Regional Urban Water Augmentation Project Environmental Impact Report certified by MCWD on October 27, 2004, Addendum No. 1 to the RUWAP EIR certified on November 15, 2006, and Addendum No. 2 certified on February 14, 2007; and,

BE IT FURTHER RESOLVED, that in evaluating the feasibility of future urban recycled water projects, the Participating Entities shall use and shall encourage others to use the concept that in addition to the demand schedules shown on Exhibits A and B each of the Participating Entities shall be able to make use of the available recycled water (approximately 6,500 afy currently and up to approximately 10,000 afy at plant capacity) from the remainder of the irrigation and non-irrigation season available recycled water consistent with all other agreements associated with recycled water allocations made between MCWD, MCWRA and MRWPCA. Preference shall be given in analysis of future projects for expansion of urban reuse to include groundwater replenishment projects, additional irrigation project storage, or other urban reuse projects. So long as non-irrigation season water is not used for urban reuse, then MCWRA may plan and analyze the feasibility of using such water to develop additional irrigation projects including storage for expansion of the existing Castroville Seawater Intrusion Project and other prospective agricultural irrigation projects; and,

BE IT FURTHER RESOLVED, that for planning and feasibility analysis, each proposed project that would use recycled water not allocated in schedules shown on Exhibits A and B shall be required to satisfy criteria jointly developed by a committee consisting of the Board Chair and General Manager from each Participating Entity that would include but not be limited to 1) confirming customers for the recycled water, 2) having a completed project description, 3) having completed environmental review under CEQA and 4) having an approved financing mechanism for the prospective project. Every two years the joint committee will review and recommend priorities and schedules for feasibility analysis; and,

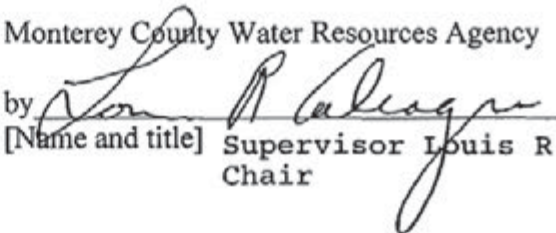
BE IT FURTHER RESOLVED, that the payment of costs shall be consistent with Exhibit C (actual costs will be paid by the customers who use recycled water whether MCWD or MRWPCA) with the clarification that all infrastructure debt service paid prior to the date recycled water is delivered for prospective projects described above will also be subject to the same provisions for ongoing debt service payments identified in sections 3 and 4, of debt service paid by MCWRA for the Salinas Valley Reclamation Project bridge financing. The Committee, as referenced above, will review and clarify these costs to assure equity between all parties; and,

The Effective date shall be the date this MOU is last executed by any of the Parties.

Dated: 6/18, 2009

Monterey County Water Resources Agency

by


[Name and title] Supervisor Louis R. Calcagno
Chair

Dated: 7/10, 2009

Marina Coast Water District

by 

[Name and title]

HOWARD GUSTAFSON, PRESIDENT

Dated: 7/10, 2009

Monterey Regional Water Pollution Control
Agency

by 

[Name and title]

LOU CALCAGNO, CHAIR

APPROVED AS TO FORM AND CONTENT

CHARLES J. MCKEE, General Counsel, Monterey County Water Resources Agency

By 

Irv Grant, Deputy General Counsel

EXHIBIT A
MCWRA DEMAND SCHEDULE

MONTH	REGIONAL PLANT WASTEWATER AVAILABLE FOR RECYCLING AT PLANT CAPACITY (IN ACRE-FEET)	MCWRA'S DEMAND SCHEDULE FOR RECYCLED WATER
JANUARY	2,390	190
FEBRUARY	2,440	480
MARCH	2,410	1,620
APRIL	2,410	2,410
MAY	2,490	2,490
JUNE	2,480	2,480
JULY	2,500	2,500
AUGUST	2,520	2,520
SEPTEMBER	2,520	2,520
OCTOBER	2,490	1,650
NOVEMBER	2,450	340
DECEMBER	2,370	250
TOTAL	29,470	19,450

1. Source: (MRWPCA/MCWRA – 6/16/92 - Exhibit B)
2. Exception for irrigation season shown in Exhibits B

EXHIBIT B
SEASONAL CAP ON URBAN
TERTIARY TREATED WASTE WATER ALLOCATION

MONTH	TYPICAL MONTHLY SEASONAL SPREAD (AF)	CUMULATIVE SEASONAL ALLOCATION (AF)
MAY	163	766 AF*
JUNE	202	
JULY	218	
AUGUST	183	

- EXCLUSIVE OF MCWD 300 AF ALLOCATION.
- *EXHIBIT B IS THE DESIGN NUMBER, SEASONAL VARIATION MAY INCLUDE 11% VARIANCE

REV. 12/20/01

EXHIBIT C
CALCULATION OF PAYMENTS FOR URBAN RECYCLED WATER
PURSUANT TO THIS MOU

Urban Recycled Water customers (URWC) shall pay the Actual Costs of tertiary treated water to which it takes delivery for its use. The Actual Costs will be calculated from the cost components which comprise MRWPCA's existing budget and actual spreadsheet model(s) for the annual SVRP and CSIP costs.

The four cost elements that comprise the Actual Costs will be computed as follows:

- (1) **SVRP O&M Costs:** The SVRP O&M budget will be calculated based on the Total Tertiary Treated Water Production needed to serve both the CSIP and M&I uses of tertiary treated water. The amount to be paid by URWC will be computed using the formula below, in which:
 A = Total Tertiary Treated Water Production, AFY
 B = Tertiary Treated Water Production delivered to URWC for URWC use, AFY
 C = Total O&M Expenditures from the SVRP O&M budget, excluding debt service
 D = Amount to be paid by URWC

$$D = \frac{B \times C}{A}$$

- (2) **Supplemental Well Pumping Cost:** The amount to be paid by URWC will be computed as indicated in Section 2.G. of Amendment No. 3 of the Agreement between MRWPCA and MCWRA.

S = Amount to be paid by URWC

- (3) **SWRCB Loan Contract Debt Service:** The amount to be paid by URWC will be computed using the formula below, in which:

A = Total Tertiary Treated Water Production, AFY
 B = Tertiary Treated Water Production delivered to URWC for its use, AFY
 E = SVRP SWRCB Loan Debt Service
 F = Amount to be paid by URWC

$$F = \frac{B \times E}{A}$$

- (4) **Bureau Loan Contract Debt Service:** The amount to be paid by URWC will be computed using the formula below, in which:

A = Total Tertiary Treated Water Production, AFY
 B = Tertiary Treated Water Production delivered to URWC for its use, AFY
 G = SVRP Bureau Loan Debt Service, computed pursuant to Article 9 (b) (1) and 9 (c) of Bureau Loan Contract
 H = Additional interest charged by the Bureau for the Bureau loan on the SVRP pursuant to Article 9 (b) (2) of Bureau Loan Contract
 I = Amount to be paid by URWC

$$I = \frac{B \times G}{A} + H$$

EXHIBIT B

**DUPLICATE
ORIGINAL**

**MEMORANDUM OF UNDERSTANDING
REGARDING
COOPERATIVE PLANNING AND JOINT ANALYSIS
FOR A
MONTEREY REGIONAL WATER SUPPLY PROGRAM**

This Memorandum of Understanding ("MOU") is made and entered into as of June 1, 2009, by and between the Monterey Regional Water Pollution Control Agency ("MRWPCA"), Marina Coast Water District ("MCWD"), and Monterey County Water Resources Agency ("MCWRA") (collectively, the "Parties").

RECITALS

WHEREAS, MCWRA is the lead agency and MRWPCA and MCWD are responsible agencies for adopting this planning MOU; and

WHEREAS, the California Public Utilities Commission ("CPUC") is presently considering a proposal from California American Water Company to construct the Coastal Water Project ("CWP"), and a Draft Environmental Impact Report ("DEIR") has been prepared for that project and is now under consideration by the CPUC for preparation and certification of a Final Environmental Impact Report ("FEIR"); and,

WHEREAS, the CPUC is currently conducting two parallel proceedings for water supply in Monterey County, an environmental impact report process and a rate proceeding (CPUC proceeding number A.04-09-019 ("Proceeding")), and the Parties believe that the establishment of a planning framework in accordance with this MOU will facilitate the resolution of issues now pending before the CPUC; and

WHEREAS, the Monterey Regional Water Supply Project ("Regional Project") has been identified in the DEIR as an alternative to the CWP, with components that may benefit cities on the Monterey Peninsula, the communities of North Monterey County; agricultural interests in North Monterey County, and the United States Army; and

WHEREAS, the Parties believe that the Regional Project has potential for the most benefit, least cost and least environmental impact of the alternatives being considered in the DEIR; and

WHEREAS, the DEIR states that the Regional Project has the support of staff at the CPUC; and

WHEREAS, the Parties support a collaborative institutional and political approach to facilitating analysis of the environmental, technical, managerial and financial feasibility of the Regional Project to foster and promote cost-effective, regionally beneficial and environmentally sensitive regional water supply planning; and

WHEREAS, the Parties recognize that water supply issues confronting north Monterey County and the Monterey Peninsula are significant, and require focused technical and cooperative political effort to resolve; and,

WHEREAS, the Parties further recognize that there is an urgency to identify and adequately analyze and plan, fully in accordance with all applicable laws, a water supply solution for North Monterey County, the MCWD service area and the Monterey Peninsula; and,

WHEREAS, the Parties have, the ability to furnish financial resources and in-kind assistance in support of the cooperative planning and joint analysis contemplated by this MOU ; and,

WHEREAS, the Parties wish by this MOU to provide a common planning framework to conduct planning-level analysis for the Regional Project and elements of the Regional Project, excepting surface water diversion and/or groundwater for use outside MCWRA Zone 2C, as to which the Parties have not yet analyzed and come to a common position; and

WHEREAS, nothing in this MOU is intended to infringe upon or otherwise restrict the independent authority of each Party; and,

WHEREAS, this MOU is intended as a preliminary agreement for planning-level activities relating to the Regional Project. This Agreement is not intended to and shall not be interpreted to constitute, directly or indirectly, a commitment by the Parties to undertake any project or action, including but not limited to a project or action involving any element of the Regional Project. The Parties acknowledge and agree that no commitment to undertake any project or action may occur until environmental review has been completed in accordance with CEQA. The Parties specifically intend to avoid any commitments or actions that would, in light of all surrounding circumstances, commit the Parties as a practical matter to any project or project element prior to the completion of environmental analysis in accordance with CEQA.

NOW, THEREFORE, in consideration of the mutual agreements made herein, and the mutual benefits to be provided, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Parties will negotiate in good faith agreements to analyze the feasibility of a) brackish water supply wells for a potential desalination plant; b) ocean outfall brine disposal; and, c) urban reuse of recycled water so that the FEIR can be used for future decisions by the Parties. The Parties' respective governing bodies may consider adoption of these agreements within thirty (30) days after the Effective Date.

2. If the CPUC certifies an FEIR for the Regional Project and approves a project based on the certified FEIR, the Parties may cooperate and use the certified FEIR as the basis for analyzing and acting on the implementation of a regional water supply project if in compliance with all applicable laws.

3. The Parties shall further negotiate a cost sharing agreement for the equitable sharing of expenses for technical support and provision of in-kind assistance necessary to implement this MOU, the approval of such agreement to be a condition precedent to further performance pursuant to their MOU. Such negotiations shall commence immediately upon the Effective Date and either successfully conclude or terminate within sixty (60) days after the Effective Date.

4. The Parties support the negotiation and execution of an agreement between MRWPCA and MCWD to implement the project described in the environmental impact report certified by MCWD on October 27, 2004, by Resolution 2004-56 ("RUWAP EIR") for the Regional Urban Water Augmentation Project in accordance with CEQA, and Addendum No. 1 to the RUWAP EIR certified on November 15, 2006, and Addendum No. 2 certified on February 14, 2007.

5. The Effective date shall be the date this MOU is last executed by any of the Parties.

Dated: 6/18, 2009

Monterey County Water Resources Agency

by 

[Name and title] Supervisor Louis R. Calcagno
Chair

Dated: 7/10, 2009

Name and title]
Marina Coast Water District

by 

[Name and title]
HOWARD GUSTAFSON, PRESIDENT
Monterey Regional Water Pollution Control
Agency

Dated: 7/10, 2009

by 

[Name and title]
LOU CALCAGNO, CHAIR

APPROVED AS TO FORM AND CONTENT

CHARLES J. MCKEE, General Counsel, Monterey County Water Resources Agency

By 

Irv Grant, Deputy General Counsel

6-5-09

MEMORANDUM OF UNDERSTANDING

Regional Urban Water Augmentation Project

This Memorandum of Understanding ("MOU") is made by and between Marina Coast Water District ("MCWD") and the Monterey Regional Water Pollution Control Agency ("the MRWPCA"), individually each a Party and collectively the Parties to this MOU, who agree as follows:

1. Regional Urban Water Augmentation Project (RUWAP).

1.1 **RUWAP Planning, EIR.** The Parties have been planning the Regional Urban Water Augmentation Project ("RUWAP"), for which MCWD is the lead agency under the California Environmental Quality Act ("CEQA"). Under the RUWAP, MCWD would provide recycled and desalinated water service to areas on the former Fort Ord ("Ord Area") to meet the projected water demands of the redevelopment requirements of the former Fort Ord as anticipated by the *Fort Ord Base Reuse Plan* and its accompanying EIR. MCWD certified an environmental impact report ("EIR") for the RUWAP in accordance with CEQA on October 27, 2004, by Resolution 2004-56, adopted Addendum No. 1 to the RUWAP EIR on November 15, 2006, and adopted Addendum No. 2 on February 14, 2007. Collectively, the EIR, Addendum No. 1 and Addendum No. 2 are referred to in this MOU as the "RUWAP EIR." This MOU is not intended to and shall not be interpreted or implemented to make an irreversible commitment of resources either formally or as a practical matter under the circumstances for any activities mentioned in this Agreement that may result in changes to the physical environment and that are not described and analyzed under the California Environmental Quality Act. MCWD has complied with the requirements of CEQA for a lead agency and MRWPCA has complied with the requirements of CEQA for a responsible agency in the consideration and approval of this MOU. MCWD and the MRWPCA shall each comply with their respective requirements under CEQA to implement the RUWAP in accordance with the RUWAP EIR.

1.2 **Project Description.** The RUWAP EIR analyzes desalination and recycled water project alternatives to provide up to 3,000 acre-feet per year (AFY) of water, or 600 AFY more than the primary project objective of obtaining 2,400 AFY of water for redevelopment of the former Fort Ord. Under the selected Hybrid Water Alternative, MCWD would provide 2,400 AFY for redevelopment of the former Fort Ord, 300 AFY of recycled water could be provided for the Monterey Peninsula and an additional 300 AFY of desalinated water could be provided to supply MCWD's other service areas. As a result of Addendum 2 to the RUWAP EIR, up to 1,727 AFY of recycled water would be used for the project. The RUWAP EIR, in Section 3.2, anticipates that subsequent project-level environmental review will be necessary prior to implementing the component to provide 300 AFY to the Monterey Peninsula.

1.3 **FORA Water Allocation.** The Fort Ord Reuse Authority ("FORA") Board of Directors has allocated 1,427 AFY of recycled water expected to be produced by the RUWAP to FORA's member jurisdictions with land use jurisdiction on the former Fort Ord. FORA's Board has left open the possibility that an additional 300 AFY may be made available from the MRWPCA, should the MRWPCA decide not to dedicate that recycled water to the Monterey Peninsula area. For a 1,727 AFY project, approximately 1,150 AFY of recycled water will be needed during the six months of April through September.

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1.4 Parties' Intent. MCWD and the MRWPCA each have contractual rights to use recycled water from MRWPCA's regional treatment plant ("RTP"). MCWD has agreed to defer taking more than 300 AFY of its recycled water between April and September, and may take the balance of its entitlement between October and March, including the portion deferred from the preceding April through September period. MRWPCA has access to an additional 766 AFY of recycled water, with an agreed 11 percent variance, during the months of May through August (exclusive of MCWD's entitlement), and certain additional amounts during the months of September through April. Efforts will be made to not exceed the 766 AFY except during dry years. The RUWAP benefits from combining the rights of MCWD and MRWPCA. The Parties intend by this MOU to provide terms to implement the recycled water portion of the RUWAP as analyzed in the RUWAP EIR, as efficiently and cost-effectively as possible to benefit the customers and ratepayers of the Parties.

2. Cooperative Use of Recycled Water. MCWD and the MRWPCA will supply recycled water from MRWPCA's regional treatment plant ("RTP") as described and analyzed in the RUWAP EIR for the adopted Hybrid Alternative. The recycled water will be supplied by direct delivery from the RTP by such means as the Parties may agree, consistent with the RUWAP EIR. Under the adopted Hybrid Alternative, the MRWPCA and MCWD will supply recycled water equivalent to the FORA recycled water allocations of 1,427 acre-feet per year ("AFY"). As discussed in the RUWAP EIR, MRWPCA will undertake project-level environmental review of feasibility of providing 300 AFY to the Monterey Peninsula pursuant to prior discussions and understandings. The MRWPCA hereby commits 650 AFY of recycled water during the months of May through August each year from MRWPCA entitlements. MCWD hereby commits 300 AFY of recycled water during the months of April through September each year from MCWD entitlements. The MRWPCA and MCWD commit additional quantities of recycled water as needed during the months of September through April from MRWPCA entitlements and October through March from MCWD entitlements to assure delivery of the agreed water commitments to RUWAP.

3. Future Projects.

3.1 The Parties will meet and confer in good faith to evaluate the environmental, technical, managerial and financial feasibility of (a) a project to use the RTP outfall to transport and discharge brine byproduct from a water desalination facility, and (b) a ground water replenishment project to inject and store recycled water in the Seaside Groundwater Basin, and (c) any other recycled water project mutually identified by the Parties.

3.2 Concepts for all such discussions and negotiations will include that the Parties will share use and the proportional operations and maintenance ("O&M") and capital costs of the MRWPCA's RTP outfall should MCWD need to dispose of desalination brine, and the capital and O&M costs of any jointly used recycled water transmission/distribution facilities.

3.3 MCWD and MRWPCA each may continue discussions and negotiations with third parties about evaluating the feasibility of supplying recycled water to such third parties notwithstanding the provisions of this section 3.

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4. Treatment Plant Facilities.

4.1 The elements of the RUWAP EIR for facilities on the RTP site to deliver recycled water for the RUWAP to the RTP site boundary ("RTP Additions") include recycled water pumping plant, tank modifications, flow metering and a pipeline to the MRWPCA property line. Upon execution of this MOU, MRWPCA will analyze the feasibility of MRWPCA implementing the elements of the RUWAP EIR for the RTP Additions. Based on that analysis, MRWPCA will determine how to proceed with respect to the RTP Additions and will notify MCWD of that determination within 90 days after execution of this MOU. After receiving notice of MRWPCA's determination, MCWD will notify the MRWPCA in writing when MCWD has obtained a firm financing commitment for the Backbone Transmission Facilities. Upon notification from MCWD, MRWPCA will seek a preliminary financing commitment for the RTP Additions. MRWPCA must notify MCWD in writing that MRWPCA has obtained a preliminary financing commitment for the RTP additions in writing within 90 days after MCWD has provided notification of its financing commitment for the backbone facilities.

4.2 If MRWPCA obtains a preliminary financing commitment and determines to finance, construct, own and operate and be responsible for the RTP Additions, MRWPCA shall coordinate the construction schedule for the MRWPCA RTP Additions with the construction schedule for MCWD's backbone transmission facilities. If any of the following occurs: (a) MRWPCA does not obtain a financing commitment or (b) MRWPCA determines not to construct the RTP Additions or (c) MRWPCA does not construct the RTP additions in coordination with the construction schedule for the backbone transmission facilities, MCWD, acting as lead agency under the RUWAP EIR may finance, construct, own and operate and be responsible for, facilities on the RTP site, in close coordination and consultation and cooperation with MRWPCA in connection with the location and operation of the RTP Additions and their interface with the RTP.

4.3 The costs of the RTP Additions will be invoiced with the wholesale cost (\$/AF) of recycled water, including Municipal and Industrial charges for water in accordance with U.S. Bureau of Reclamation loan procedures, treatment and operational costs (e.g., labor, power, repair and maintenance) involved in pumping water to the MRWPCA property line, and amortized capital charges. MRWPCA and MCWD will consult with each other regularly and will evaluate, plan, design and construct the RTP Additions in accordance with the California Environmental Quality Act and other applicable provisions of law.

4.4 The agency that finances and constructs the RTP Additions shall be responsible for obtaining permits and approvals and for complying with all laws to design and construct the RTP Additions.

5. Backbone Transmission Facilities. When MRWPCA has secured project funding for the treatment plant facilities identified in paragraph 4, or if MCWD is obligated to finance and construct the RTP Additions pursuant to section 4 of this MOU, MCWD will proceed to finance, construct, own and operate, in consultation with MRWPCA, and have full responsibility for, backbone transmission facilities ("the backbone") to deliver recycled water for the RUWAP from the southern boundary of the RTP site to MCWD's retail users in the Ord Area. The cost of these improvements will be included, along with the wholesale cost, in the retail cost of the water. The retail cost will include labor, power, repair and maintenance and amortized capital charges. MCWD will evaluate, plan, design and construct the

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backbone in accordance with the California Environmental Quality Act and other applicable provisions of law. MCWD, as lead agency, is responsible for:

- 5.1 necessary environmental review and compliance,
- 5.2 obtaining necessary permits and approvals, and
- 5.3 complying with all laws to design and construct the backbone.

6. Monterey Peninsula Extension Financing and Responsibility. MRWPCA will finance, construct, own and operate, and be responsible for any transmission facilities ("Monterey Peninsula extension") that MRWPCA decides after appropriate environmental analysis and review to build to deliver recycled water from the southern boundary of the former Ft. Ord to the Monterey Peninsula. The MRWPCA will include the cost of these improvements and a proportional share of the backbone costs, along with the wholesale cost, in the retail cost of the water. The retail cost of this water will include labor, power, repair and maintenance and amortized capital charges for the backbone. MRWPCA will evaluate, plan, design and construct the MRWPCA Recycled Water Facilities in consultation with MCWD, and in accordance with the California Environmental Quality Act and other applicable provisions of law. MRWPCA is responsible for necessary environmental review and compliance, and for obtaining any necessary permits and approvals and agreements and for complying with all laws to design and construct and operate the Monterey Peninsula Extension.

7. Recycled Water Delivery.

7.1 MRWPCA will use its best efforts to meet all MCWD demands for recycled water pursuant to this MOU. To help with water planning, MCWD will submit a monthly usage report and an annual demand estimate to MRWPCA. MRWPCA shall be liable to MCWD for actual damages and claims caused by non-permit compliant water quality as set forth below and the breach of this MOU, but shall not be liable to MCWD for damages from failure, suspension, diminution, or other variations of service occasioned by any cause beyond the control of MRWPCA. Such causes may include, but are not restricted to, acts of God, acts of war, or criminal acts of others, acts of MCWD, water shortages, power failures, fires, floods, earthquakes, epidemics, quarantine restrictions, strikes, or failure or breakdown of transmission or other facilities.

7.2 All water supplied from the RTP pursuant to this MOU shall meet all applicable standards of quality prescribed by laws and regulations or by separate agreement of the parties, so that the water may be used for the purposes specified herein. The Parties acknowledge that recycled water may not be suitable for certain salt-sensitive plants and turf. To aid in user education on water quality, MRWPCA will provide annual water quality reports to MCWD for distribution by MCWD to current and prospective customers.

7.3 MCWD will use its best efforts to meet all MRWPCA's demands for distribution of recycled water pursuant to this MOU. MCWD shall be liable to the MRWPCA for damages from the breach of this Agreement, but shall not be liable to the MRWPCA for damages from failure, suspension, diminution, or other variations of service occasioned by any cause beyond the control of MCWD. Such causes may include, but are not restricted to, acts of God, acts of war, or criminal acts of others, acts of the MRWPCA, water shortages, fires, floods, earthquakes, epidemics, quarantine restrictions, strikes, or failure or breakdown of transmission or other facilities.

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8. Curtailment of Delivery During Maintenance Periods.

8.1 Except in emergencies, the Parties may interrupt service to maintain or inspect the recycled water facilities only during the months of November through March. MCWD and MRWPCA shall exchange authorized schedules of planned facility maintenance, investigation, inspection and shutdown periods. Within 30-days of receipt of any such schedule, MRWPCA and MCWD shall meet and confer to review and approve the schedule.

(a) Planned facility maintenance does not include service interruptions due to emergency repairs.

(b) MRWPCA will make all reasonable effort to provide continuous service to MCWD in accordance with the approved schedule. If the supply of recycled water is interrupted or reduced at any time, MCWD may elect to receive at another time during the year, and the MRWPCA shall use its best efforts to provide the amount of recycled water not received during the interruption or reduction.

9. Time for Payment. Each Party shall invoice the other Party monthly, on or before the tenth day of each month, for charges under this MOU. The Parties shall pay promptly all charges invoiced, such invoices to be rendered on or about the fifth day of each month for charges incurred in the preceding month and to become due and payable within forty-five (45) days from date of invoice. If the billed Party contests an invoice submitted under this Section, it shall give the billing Party notice of the dispute at least ten (10) days prior to the day upon which payment of the stated amount is due. To the extent that billing Party finds the billed Party's contentions regarding the statement to be correct, it shall revise the statement accordingly and the billed Party shall make payment of the revised amounts within forty-five (45) days of receiving notice of the revised amount. If the billing Party rejects the billed Party's contentions or where time is not available for a review of such contentions prior to the due date, the billed Party shall make payment of the invoiced amount on or before the due date and make the contested part of such payment under protest and seek to recover the amount thereof from the billing Party.

10. Notices. All notices or other writings in this MOU provided to be given or made or sent, or which may be given or made or sent, by one party hereto to another, shall be deemed to have been fully given or made or sent when made in writing and deposited in the United States mail, registered, certified or first class, postage prepaid, and addressed as follows:

To MRWPCA:

General Manager
Monterey Regional Water Pollution Control Agency
5 Harris Court, Building D
Monterey, Ca 93940

To MCWD:

General Manager
Marina Coast Water District
11 Reservation Road
Marina, CA 93933

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The address to which any notice or other writing may be given or made or sent to any party may be changed upon written notice given by such party as provided above.

11. Severability. If a court of competent jurisdiction determines any term or condition in this MOU to be unenforceable, then such term or condition shall be null and void and shall be deemed severable from the remaining terms or conditions and shall not affect the validity of the remaining provisions of this MOU.

12. Section Headings. Section headings in this MOU are for convenience only and are not to be construed as a part of this contract or in any way limiting or amplifying the provisions hereof.

13. Waiver. None of these terms or conditions herein contained can be waived except by mutual written consent. The waiver by either Party of any breach or breaches hereof shall not be deemed, nor shall the same constitute, a waiver of any subsequent breach or breaches.

14. Use of Information. Both Parties shall have access to and any party may use and have copies of any information and writings associated with performance of this MOU, including but not limited to working papers, plans, specifications, designs, and environmental data and documents, developed by or for either party relating to production and delivery of recycled water pursuant to the RUWAP and as analyzed in the RUWAP EIR. One copy of such information shall be provided to the requesting party at no cost. Agreements entered into by either Party for the performance of this MOU will include a requirement that a copy of all such information and writings be made available to the Party at the Party's office for use by both Parties.

15. Counterparts. This MOU may be executed in counterparts, and each fully executed counterpart shall be deemed an original document, constituting one agreement, binding on and benefiting the parties and their successors and assigns.

16. Effect; Amendment. This MOU constitutes the full and complete agreement of the parties regarding its subject matter, and any prior agreements or arrangements are hereby superseded. This MOU may be amended or modified only by a writing signed by the parties.

17. Duty to Meet and Confer. If any dispute under this MOU arises, the Parties shall first meet and confer, in an attempt to resolve the matter between themselves. Each Party shall make all reasonable efforts to provide to the other party all the information that the Party has in its possession that is relevant to the dispute, so that both Parties will have ample information with which to reach a decision.

18. Disputes. The Parties must submit any disputes arising under this MOU to non-binding mediation before filing suit to enforce or interpret this MOU. Upon request by either Party, the Parties will within ten days select a single mediator to mediate the dispute within fifteen days of such selection. If the Parties cannot agree on a mediator within ten days, either Party may ask the then presiding Judge of the Monterey County Superior Court to select a mediator to mediate the dispute within fifteen days of such selection. If the dispute is not resolved within forty-five days of such selection, either Party may file suit to specifically enforce or interpret this MOU and to seek any damages to which the Party may be entitled.

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19. Administrators. MRWPCA and MCWD hereby designate their respective General Managers as their Administrators for this MOU. All matters concerning this MOU shall be submitted to the MOU Administrators or such other representatives as the MOU Administrators may designate for their respective agencies. Any Party may, in its sole discretion, change its designation of the MOU administrator and shall promptly give written notice to the other Parties of any such change.

20. Exhibits. Exhibits and Schedules attached to this Agreement are incorporated into this MOU by reference.

21. Assignment. MRWPCA and MCWD may assign their respective rights under this MOU, but neither MCWD nor MRWPCA may assign any obligations under this MOU without the prior written consent of the non-assigning party, which consent shall not be unreasonably withheld. As a condition precedent to the effectiveness of any assignment of obligations, the assignee shall agree in writing to perform the assigned obligations.

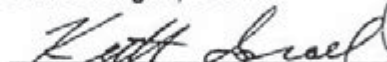
22. Reporting to Fort Ord Reuse Authority (FORA). As long as requested by FORA, MRWPCA and MCWD agree to report jointly to the Administrative Committee of FORA, or other entity within FORA as determined by the FORA Executive Officer on a quarterly basis. The subject of such reports will be the progress made under this MOU toward the objectives stated in paragraphs 1 through 3.

23. Term of MOU. This MOU shall be effective upon the date of the last duly authorized signature of the parties executing this MOU and shall remain in effect for a period of fifty (50) years from the date hereof, unless terminated earlier by mutual agreement. This MOU shall be automatically extended for successive ten (10) year terms after the initial fifty (50) year term unless either party gives written notice of termination not later than five (5) years before the end of the initial term or later term as extended per this section.

WHEREFORE, the parties have caused this MOU to be executed by persons authorized to execute the agreement on behalf of the parties, effective on the date of the last signature.

MRWPCA:

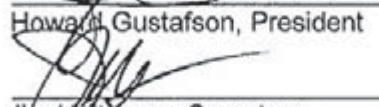

Lou Calcagno, Chair


Keith Israel, Secretary

Date: JUNE 8, 2009

DISTRICT:


Howard Gustafson, President


Jim Heitzman, Secretary

Date: 6-16-2009

6-5-09

APPROVED AS TO FORM:

Dated: July 14, 2009

NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation

By Lloyd W. Lowrey, Jr.
Lloyd W. Lowrey, Jr.
Legal Counsel for MCWD

Dated: June 8, 2009

WELLINGTON AND ASSOCIATES

By Robert R. Wellington
Robert R. Wellington
Legal Counsel for MRWPCA

EXHIBIT "C"
**DUPLICATE
ORIGINAL**

**Monterey Regional Water Supply Program
Recycled Water Three-Way
Memorandum of Understanding**

This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into as of the first day of _____, among the Monterey Regional Water Pollution Control Agency (MRWPCA), Marina Coast Water District (MCWD), and Monterey County Water Resources Agency (MCWRA), referred to collectively in this MOU as the "Participating Entities."

WHEREAS, the Regional Water Supply Program is an alternative analyzed in California-American Water Company's (Cal-Am) Coastal Water Project (CWP) Draft Environmental Impact Report (DEIR), and has recycled water elements identified for urban reuse to benefit Cities on the Monterey Peninsula, the northern communities of Monterey County, agricultural interests and the United States Army; and,

WHEREAS, the recycled water elements of the Regional Water Supply Program appear to be cost effective for ratepayers and to reduce recycled water cost to the agricultural community; and,

WHEREAS, the Participating Entities believe it is necessary and appropriate and that there is an urgency to review and analyze the technical, managerial, financial and environmental feasibility of the recycled water elements for a Final Environmental Impact Report for the Regional Water Supply Program through the CWP process (FEIR); and,

WHEREAS, evaluation of the feasibility of the Regional Water Supply Program recycled water elements requires coordination and collaboration between the Participating Entities; and,

WHEREAS, the Participating Entities signatory to this MOU desire to cooperatively engage in recycled water supply planning and jointly analyze proposed project elements; and,

WHEREAS, Participating Entities have previously entered into bi-lateral agreements with each other concerning recycled water; and,

WHEREAS, Participating Entities recognize a need to memorialize a common interpretation of their existing agreements without changing any existing agreements, to facilitate analyzing the feasibility of proposed recycled water projects.

WHEREAS, this MOU is intended as a preliminary agreement for planning-level activities relating to the Regional Water Supply Program. This Agreement is not intended to and shall not be interpreted to constitute, directly or indirectly, a commitment by the Parties to undertake any project or action, including but not limited to a project or action involving any element of the Regional Water Supply Program. The Parties acknowledge and agree that no commitment to undertake any project or action may occur until environmental review has been completed in accordance with CEQA. The Parties specifically intend to avoid any commitments or actions that would, in light of all surrounding circumstances, commit the Parties as a practical matter to any project or project element prior to the completion of environmental analysis in accordance with CEQA.

NOW, THEREFORE, BE IT RESOLVED, that for purposes of evaluating the feasibility of urban recycled water project elements of the Regional Water Supply Program for the FEIR, the Participating Entities will use and encourage others to use the recycled water demand schedules for irrigation season (typically March through October) recycled water supply and for recycled

water supply during the non-irrigation season (typically November through February as shown on Exhibit A and the schedule water for urban reuse as shown on Exhibit B (exclusive of the MCWD 300 acft irrigation season allocation); and,

BE IT FURTHER RESOLVED, that the recycled water elements of the Regional Water Supply Program shall be consistent with the Regional Urban Water Augmentation Project Environmental Impact Report certified by MCWD on October 27, 2004, Addendum No. 1 to the RUWAP EIR certified on November 15, 2006, and Addendum No. 2 certified on February 14, 2007; and,

BE IT FURTHER RESOLVED, that in evaluating the feasibility of future urban recycled water projects, the Participating Entities shall use and shall encourage others to use the concept that in addition to the demand schedules shown on Exhibits A and B each of the Participating Entities shall be able to make use of the available recycled water (approximately 6,500 afy currently and up to approximately 10,000 afy at plant capacity) from the remainder of the irrigation and non-irrigation season available recycled water consistent with all other agreements associated with recycled water allocations made between MCWD, MCWRA and MRWPCA. Preference shall be given in analysis of future projects for expansion of urban reuse to include groundwater replenishment projects, additional irrigation project storage, or other urban reuse projects. So long as non-irrigation season water is not used for urban reuse, then MCWRA may plan and analyze the feasibility of using such water to develop additional irrigation projects including storage for expansion of the existing Castroville Seawater Intrusion Project and other prospective agricultural irrigation projects; and,

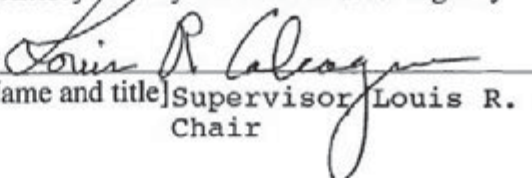
BE IT FURTHER RESOLVED, that for planning and feasibility analysis, each proposed project that would use recycled water not allocated in schedules shown on Exhibits A and B shall be required to satisfy criteria jointly developed by a committee consisting of the Board Chair and General Manager from each Participating Entity that would include but not be limited to 1) confirming customers for the recycled water, 2) having a completed project description, 3) having completed environmental review under CEQA and 4) having an approved financing mechanism for the prospective project. Every two years the joint committee will review and recommend priorities and schedules for feasibility analysis; and,

BE IT FURTHER RESOLVED, that the payment of costs shall be consistent with Exhibit C (actual costs will be paid by the customers who use recycled water whether MCWD or MRWPCA) with the clarification that all infrastructure debt service paid prior to the date recycled water is delivered for prospective projects described above will also be subject to the same provisions for ongoing debt service payments identified in sections 3 and 4, of debt service paid by MCWRA for the Salinas Valley Reclamation Project bridge financing. The Committee, as referenced above, will review and clarify these costs to assure equity between all parties; and,

The Effective date shall be the date this MOU is last executed by any of the Parties.

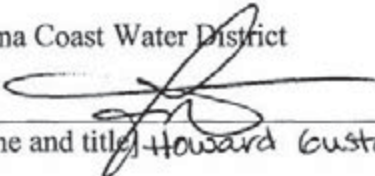
Dated: 6/18, 2009

Monterey County Water Resources Agency

by 
[Name and title] Supervisor Louis R. Calcagno
Chair


Dated: 7/10, 2009

Marina Coast Water District

by 
[Name and title] Howard Gustafson, President

Dated: 7/10, 2009

Monterey Regional Water Pollution Control
Agency

by 
[Name and title] Chair

APPROVED AS TO FORM AND CONTENT

CHARLES J. MCKEE, General Counsel, Monterey County Water Resources Agency


By 
Irv Grant, Deputy General Counsel

EXHIBIT A

MCWRA DEMAND SCHEDULE

MONTH	REGIONAL PLANT WASTEWATER AVAILABLE FOR RECYCLING AT PLANT CAPACITY (IN ACRE-FEET)	MCWRA'S DEMAND SCHEDULE FOR RECYCLED WATER
JANUARY	2,390	190
FEBRUARY	2,440	480
MARCH	2,410	1,620
APRIL	2,410	2,410
MAY	2,490	2,490
JUNE	2,480	2,480
JULY	2,500	2,500
AUGUST	2,520	2,520
SEPTEMBER	2,520	2,520
OCTOBER	2,490	1,650
NOVEMBER	2,450	340
DECEMBER	2,370	250
TOTAL	29,470	19,450

1. Source: (MRWPCA/MCWRA – 6/16/92 - Exhibit B)

2. Exception for irrigation season shown in Exhibits B

EXHIBIT B
SEASONAL CAP ON URBAN
TERTIARY TREATED WASTE WATER ALLOCATION

Month	Typical Monthly Seasonal Spread (af)	Cumulative seasonal Allocation (af)
MAY	163	766 AF*
JUNE	202	
JULY	218	
AUGUST	183	

- Exclusive of MCWD 300 AF allocation.
- *Exhibit B is the design number, seasonal variation may include 11% variance

Rev. 12/20/01

EXHIBIT C**CALCULATION OF PAYMENTS FOR URBAN RECYCLED WATER PURSUANT TO THIS MOU**

Urban Recycled Water customers (URWC) shall pay the Actual Costs of tertiary treated water to which it takes delivery for its use. The Actual Costs will be calculated from the cost components which comprise MRWPCA's existing budget and actual spreadsheet model(s) for the annual SVRP and CSIP costs.

The four cost elements that comprise the Actual Costs will be computed as follows:

- (1) **SVRP O&M Costs:** The SVRP O&M budget will be calculated based on the Total Tertiary Treated Water Production needed to serve both the CSIP and M&I uses of tertiary treated water. The amount to be paid by URWC will be computed using the formula below, in which:
- A = Total Tertiary Treated Water Production, AFY
 B = Tertiary Treated Water Production delivered to URWC for URWC use, AFY
 C = Total O&M Expenditures from the SVRP O&M budget, excluding debt service
 D = Amount to be paid by URWC

$$D = \frac{B}{A} \times C$$

- (2) **Supplemental Well Pumping Cost:** The amount to be paid by URWC will be computed as indicated in Section 2.G. of Amendment No. 3 of the Agreement between MRWPCA and MCWRA.

S = Amount to be paid by URWC

- (3) **SWRCB Loan Contract Debt Service:** The amount to be paid by URWC will be computed using the formula below, in which:

A = Total Tertiary Treated Water Production, AFY
 B = Tertiary Treated Water Production delivered to URWC for its use, AFY
 E = SVRP SWRCB Loan Debt Service
 F = Amount to be paid by URWC

$$F = \frac{B}{A} \times E$$

- (4) **Bureau Loan Contract Debt Service:** The amount to be paid by URWC will be computed using the formula below, in which:

A = Total Tertiary Treated Water Production, AFY
 B = Tertiary Treated Water Production delivered to URWC for its use, AFY
 G = SVRP Bureau Loan Debt Service, computed pursuant to Article 9 (b) (1) and 9 (c) of Bureau Loan Contract
 H = Additional interest charged by the Bureau for the Bureau loan on the SVRP pursuant to Article 9 (b) (2) of Bureau Loan Contract
 I = Amount to be paid by URWC

$$I = \frac{B}{A} \times G + H$$

Resolution 07-10

Resolution of the Authority Board)
 Allocating Recycled Water to Former)
Fort Ord Land Use Jurisdictions.)

THIS RESOLUTION is adopted with reference to the following facts and circumstances:

WHEREAS, the Fort Ord Reuse Authority ("FORA") and Marina Coast Water District ("MCWD") Boards of Directors approved the recycled/desalinated two component recommendation to implement the Fort Ord Water Augmentation Program ("Hybrid Alternative") June 10, 2005 at a joint meeting of the Boards, directing their respective staff to scope the project; and

WHEREAS, the Recycled Water Component ("recycled water project") of the Hybrid Alternative is approaching the bidding and construction stage of the project; and

WHEREAS, FORA Board of Directors is informed by MCWD and the Monterey Regional Water Pollution Control Agency ("MRWPCA") that 1,427 acre-feet per year ("AFY") of water is available for making a commitment at the MRWPCA property line to the recycled water project of the Hybrid Alternative; and

WHEREAS, Monterey County Water Resources Agency and MRWPCA have entered into an Agreement, which allows up to 850 AFY of recycled water from May through August that MRWPCA has agreed to dedicate to the recycled water project; and

WHEREAS, MCWD has agreed to provide 300 AFY of recycled water to the project from April through September in addition to the 850 AFY described above; and

WHEREAS, 950 AFY of these summer time flows of the 1,427 AFY of recycled water may be made available for use as stated above with the remainder being used the rest of the year; and

WHEREAS, allocation of the 1,427 AFY of recycled water to former Fort Ord jurisdictions is an appropriate means of providing initial assurance of access to the recycled water resource; and

WHEREAS, allocation of 1,427 AFY will take effect upon approval of this resolution by the FORA Board of Directors; and

WHEREAS, FORA jurisdictions have agreed to reserve 5% of the recycled water for line loss to be deducted from the total supply of recycled water available for distribution; and

WHEREAS, this 5% line loss factor may be adjusted in the future as further operational information is provided; and

WHEREAS, MCWD advises, in order to avoid over allocating water and potential over use of recycled water included in Exhibit A, a line loss of 10% may need to be applied in the future; and

WHEREAS, additional recycled water resources are anticipated to become available in the future that may be used to offset future operational line loss factors; and

WHEREAS, 300 AFY of additional recycled water (less the 5% line loss as measured within MCWD's service area) is currently proposed to be set aside to others by the MRWPCA; and

WHEREAS, the FORA Board acknowledges that the entity or entities using all or portions of the additional 300 AFY are required to pay an equitable prorata share of the cost of those Ord Community facilities that are necessary for delivery of the resource; and

WHEREAS, all or a portion of that 300 AFY of recycled water may be made available by MRWPCA action to former Fort Ord uses in the future; and

WHEREAS, moving forward with an allocation of recycled water at this time is essential for reuse of the former Fort Ord; and

WHEREAS, FORA has received advice from counsel that adopting an allocation of recycled water resource is appropriate given the pending agreements to deliver recycled water resources to member jurisdictions' projects; and

WHEREAS, FORA is allowed under the California Environmental Quality Act to allocate recycled water given that environmental impacts of the recycled water program (construct distribution systems and provide recycled water from the existing MRWPCA wastewater treatment facility to urban users within the Ord community) have been analyzed in a 2004 environmental impact report ("EIR") and two subsequent addenda; and

WHEREAS, the impacts of water allocations for redevelopment on Fort Ord were evaluated under the 1997 Base Reuse Plan EIR; and

WHEREAS, allocating recycled water resources to conserve potable water resources for such purposes meets the spirit and letter of the Fort Ord Base Reuse Plan; and

WHEREAS, the FORA Administrative Committee recommends that the FORA Board adopt the attached "List of Allocations" and criteria defined herein to implement a portion of the Hybrid Alternative.

NOW, THEREFORE, BE IT RESOLVED by the FORA Board of Directors that:

1. The attached recycled water resource allocation "List of Allocations" (Exhibit A) is adopted.
2. The prioritization/methodology/criteria for use of recycled water at the Ord Community are adopted for allocating recycled water to projects in the following hierarchy:
 - a. Existing development projects;
 - b. Development projects in the FORA Capital Improvement Program;
 - c. Development projects with Disposition and Development Agreements;
 - d. Development projects with Exclusive Negotiating Agreements;
 - e. Development projects that are flagship projects;
 - f. Best available Water Conservation efficiencies employed; and
 - g. Agreement to pay capacity or other fixed cost charge for receipt and acceptance of this recycled water.
3. FORA shall allow its member jurisdictions and Ord Community developers the right to use the recycled water set forth on Exhibit A at costs to be determined at a later date.
4. This action does not require any jurisdiction to accept recycled water resources beyond that required under the terms of existing agreements.
5. If a jurisdiction is unable to accept recycled water resources, those resources will be returned for future FORA Board allocation according to the principles noted in #2 above.

6. To allocate additional resources, if they become available, the FORA Board of Directors may revisit this allocation in Spring of 2008 or as a component of future planning.

7. A 5% line loss factor will be applied to all recycled water within the MCWD service area during the first 5 years of initial operation of the recycled water system, with future line loss factors to be applied for subsequent years of operation based on evidence derived from the first five years of operation. In the event line loss increases occur, additional recycled water resources are expected to account for the increased demand.

8. If the additional 300 AFY of water proposed to be set aside for others becomes available by MRWPCA action, the FORA Board will allocate those resources according to the same criteria listed in #2 above.

~~~~~

Upon motion by Mayor Mettee-McCutchon, seconded by Mayor Rubio, the foregoing resolution was passed on this 11<sup>th</sup> day of May 2007, by the following vote:

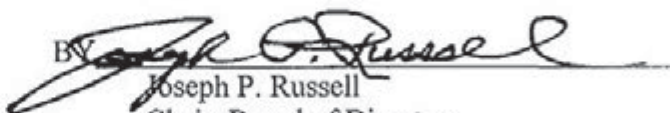
|              |     |                                                                                                                                     |
|--------------|-----|-------------------------------------------------------------------------------------------------------------------------------------|
| AYES:        | 12  | Directors Russell, Della Sala, Mettee-McCutchon, Wilmot, Potter, Salinas, Calcagno, Rubio, Mancini, Pendergrass, Davis, and McCloud |
| NOES:        | -0- |                                                                                                                                     |
| ABSTENTIONS: | -1- | Director Barnes                                                                                                                     |
| ABSENT:      | -0- |                                                                                                                                     |

I, Mayor Russell, Chair of the Board of Directors of the Fort Ord Reuse Authority of the County of Monterey, State of California, do hereby certify that the foregoing is a true copy of an original order of the said Board of Directors duly made and entered under Item 7c, Page 4, of the board meeting minutes of May 11, 2007 thereof, which are kept in the Minute Book resident in the offices of the Fort Ord Reuse Authority.

Date

6/8/07

BY

  
Joseph P. Russell  
Chair, Board of Directors  
Fort Ord Reuse Authority

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## Exhibit A

### List of Allocations<sup>1</sup>

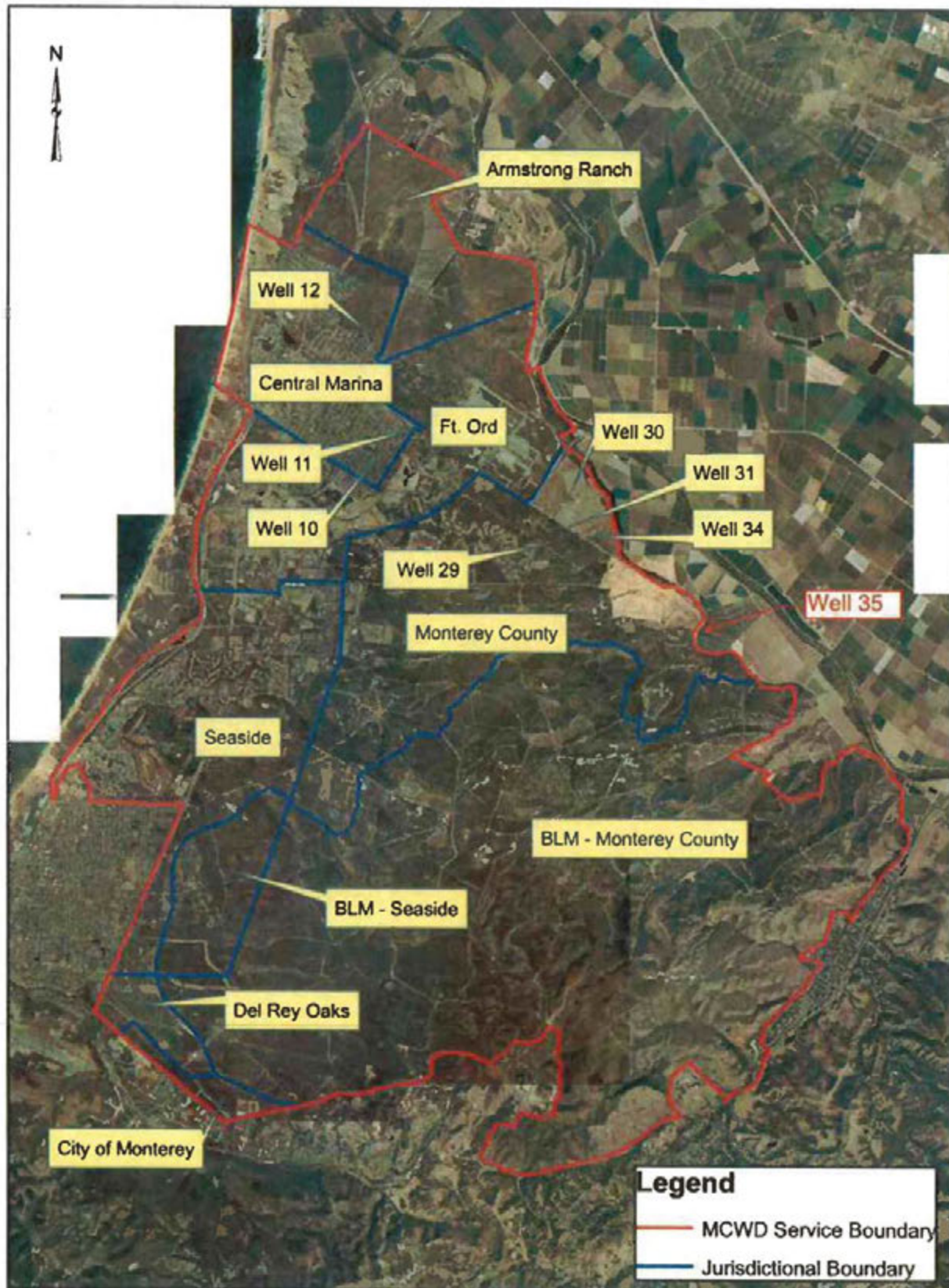
| Jurisdiction                                                | Acre-Feet per Year |
|-------------------------------------------------------------|--------------------|
| CSUMB                                                       | 87                 |
| UC MBEST                                                    | 60                 |
| County                                                      | 134                |
| Del Rey Oaks                                                | 280                |
| Seaside                                                     | 453                |
| Marina                                                      | 345                |
| Subtotal (amount to be allocated to Fort Ord jurisdictions) | 1359               |
| Line loss                                                   | 68                 |
| Former Fort Ord Total <sup>2</sup>                          | 1427               |

1. Please refer to paragraph #3 under the discussion section of the staff report for a description of how allocations were determined.

2. MRWPCA's planning efforts for recycled water, supported by studies performed in 1992, 1996, and 2003, have accommodated 300 AFY of recycled water to be set aside by MRWPCA for delivery south of the former Fort Ord to Monterey County, the City of Seaside, and the City of Monterey. Therefore, this 300 AFY plus the 1427 AFY in this "List of Allocations" equals a total of 1727 AFY.



# MCWD Service Area Map



**Letter H: Marina Coast Water District**

- H-1** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.
- H-2** Each of Marina Coast Water District's comments has been addressed in the individual responses, below, and in Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues. Clarifications to the Draft EIR have been made where necessary. See **Chapter 5, Changes to the Draft EIR**.
- H-3 through H-19** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.
- H-20** The text of Section 2.9.1.1 RUWAP Product Water Alignment on page 2-67 of the Draft EIR has been amended in response to this comment. See **Chapter 5, Changes to the Draft EIR**. See also Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues and Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.
- H-21** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues and Adequacy of Range and Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.
- H-22** The Summary chapter of the Draft EIR identifies alternatives considered (see Draft EIR in section S.5 on page S-5). The text of the Summary chapter of the Draft EIR has been amended to present a more detailed description of those alternatives by including Sections 6.3.3 and 6.4 of the Draft EIR in their entirety, starting on page S-5. See **Chapter 5, Changes to the Draft EIR**. The Summary section identifies areas of controversy (issues to be resolved) in section S.6 on page S-5 of the Draft EIR.
- H-23** This comment requests a change to the first paragraph of section 1.4 Project Approval and Understanding of the Draft EIR. The requested change has been made; see changes to page 1-5 of the Draft EIR within **Chapter 5, Changes to the Draft EIR**.
- H-24** The comment is correct that a Statement of Overriding Considerations must be adopted for any impacts that are found to be significant and not reduced to a less-than-significant level by mitigation.
- H-25** The last two sentences on page 2-10 of the Draft EIR have been amended to indicate the source of the statements more clearly in response to this comment. See **Chapter 5, Changes to the Draft EIR**.
- H-26** No response necessary; the comment is not germane to environmental impacts of the Proposed Project.
- H-27** The comment states that the Figure 2-7 of the Draft EIR, showing the geographic extent of seawater intrusion, is incorrect, and asserts that significant areas shown as having chloride levels above 500 mg/L actually do not.



Figure 2-7 of the Draft EIR (which has been updated in this Final EIR, **Figure 2-7rev** at the end of **Chapter 5, Changes to the Draft EIR**) combines two figures prepared by the Monterey County Water Resources Agency, which actively monitors seawater intrusion in the Salinas Groundwater Basin. The basis of the assertion in the comment is from data contained in a technical memorandum (Technical Memorandum - Monterey Peninsula Water Supply Project Baseline Water and Total Dissolved Solids Levels, Test Slant Well Area). The interpretation of that data appears to be incorrect for two reasons. First, the two MRWPCA Wells in the referenced Figure 3-5 of the above memorandum are screened in the same formation (per Table 1 of that report), but the monitor in Well No. 1 is set 20-ft deeper than the monitor in Well No. 2. The results show increasing salinity with depth, with the deeper water exceeding 500 mg/L TDS. Second, the comment references to Table 2. The two wells in that table with chloride levels below 500 mg/L (Wells MW-5M and MW-5S) also have nitrate levels over 10 mg/L, which indicates they may be partially screened in the A-Aquifer and not the 180-ft Aquifer. The MCWRA Seawater Intrusion maps are consistent with the data in the referenced Monterey Peninsula Water Supply Project Technical Memorandum.

- H-28** The Draft EIR on page 2-15 has been updated to include information provided in this comment. See **Chapter 5, Changes to the Draft EIR**.
- H-29** The Draft EIR on page 2-15 has been updated to include information provided in this comment. See **Chapter 5, Changes to the Draft EIR**.
- H-30** The Draft EIR on page 2-15 has been updated to include information provided in this comment. See **Chapter 5, Changes to the Draft EIR**.
- H-31** Table 2-22 in the Draft EIR on page 2-89 has been updated to include the requirement for reaching agreements with local agencies for urban runoff water as discussed in this comment. These agreements were described in the Draft EIR in Appendix C (which has been revised and included in this Final EIR as **Appendix C-Revised**) and on page 4.18-24. See **Chapter 5, Changes to the Draft EIR**.
- H-32** Executive Order B-30-15 was issued after the Draft EIR was published. The Executive Order does not contain any mandates for local government (i.e., the MRWPCA, the lead agency, and MPWMD, its project partner) nor for the implementation of water supply, water quality enhancement, or wastewater reuse projects such as the Proposed Project. Rather, the effect of the Executive Order will primarily be promulgation of new state regulations requiring an increase in energy efficiencies and use of alternative fuels. Such regulations would be expected to reduce GHG emissions associated with the Proposed Project's consumption of electricity. It is not clear that new regulations mandating use of alternative fuels would be in effect prior to project construction, but if such regulations were adopted prior to project construction, they would reduce the GHG emissions associated with construction equipment and deliveries. Any mandated energy/fossil fuel conservation and reductions in greenhouse gas emissions resulting from the implementation of Executive Order B-30-15 would also apply to the Proposed Project operations. In response to this comment, the Draft EIR text on page 4.3-9 has been amended to include a description of the Executive Order. See **Chapter 5, Changes to the Draft EIR**.
- H-33** The project proponents will comply with consultation requirements with the United States Fish and Wildlife Service (USFWS) and/or National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) to determine whether the project will have any direct or indirect effects on federally listed threatened, endangered, or candidate species at project sites and surrounding areas and identify measures to reduce such effects. The project proponents will also comply with the California Department of Fish and Wildlife (CDFW) consultation requirements. The key component of the proposed mitigation measures is

coordination with appropriate resource agencies and acquiring necessary permits to assure that the most protective measures are implemented during the construction phase to reduce impacts to listed species and to comply with the Federal Endangered Species Act (FESA) and California Endangered Species Act (CESA). This Final EIR contains changes to Mitigation Measures BF-1a and BF-1b, and an additional mitigation measure (Mitigation Measures BF-1c) for Impact BF-1 to enhance the requirements for avoidance and minimization of impacts to Tidewater Goby and Steelhead (see changes to Draft EIR page 4.4-44 in **Chapter 5, Changes to the Draft EIR**). The mitigation requires that pre-construction surveys identified in Mitigation Measure BF-1b must be consistent with requirements and approved protocols of the applicable resource agencies and performed by a qualified fisheries biologist. The current protocol can be found on the USFW webpage under tidewater goby protocol: <http://www.fws.gov/arcata/es/fish/goby/goby.html>.

The Draft EIR identifies potentially significant construction impacts to fisheries on pages 4.4-41 through 4.4-44 and mitigation measures that would reduce impacts to a less-than-significant level are provided on page 4.4-44 of the Draft EIR. These mitigation measures include Mitigation Measures BF-1a and BF-1b that require construction be timed to occur only outside of both adult and smolt steelhead migration periods (i.e., between June and November) and relocation of aquatic species during construction. The use of the term best management practices on page 4.4-42 is correct; however, section 4.4 of the Draft EIR did not identify these within the mitigation. BMPs are identified in section 4.5. The Draft EIR has been modified on page 4.4-44 to include the requirement to implement mitigation measure BT-1a from Section 4.5 (page 4.5-75) that would further reduce impacts to aquatic species during construction. Mitigation Measure BT-1a requires that the project proponent and its contractor implement Construction Best Management Practices (BMPs) for all Proposed Project components. Applicable BMPs as revised and expanded from page 4.5-75 of the Draft EIR are detailed in the Changes to the Draft EIR Section of this Final EIR. See also Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

**H-34** Modification to the San Jon weir would take place to mitigate for reduction in flows due to project operations that would result in reduced access to and from the Reclamation Ditch watershed, upstream of the Project. Bypass flow requirements have been developed to allow adult and smolt steelhead migration to have adequate flow to travel past this obstacle. The Proposed Project, with implementation of Mitigation Measure BF-2, will not cause flow to decline below those levels defined as threshold fish passage flows (Table 4.4-8). The diversion facilities are described and illustrated in Figure 1 and 2 of Appendix P, Reclamation Ditch Yield Study. This information is also summarized in the Draft EIR text on page 2-51 and the proposed site plans are shown on Figures 2-23 and 2-24 of the Draft EIR.

The flow requirements in this EIR may be further refined based on consultation with USFWS, NMFS, and CDFW. As noted above and in the Draft EIR Section 4.4, consultation with the USFWS, NMFS and CDFW is required. During such consultation, measures would be identified to reduce effects which may include specified flow criteria and design revisions for diversion facilities. Consultation may revise flow requirements as conditioned by agencies; if flow requirements are altered resulting in potential Project-related reduction in steelhead migration, the weir will need to be modified to allow steelhead passage. Any modifications would be consistent with fish passage requirements in effect at the time of design/construction. Consultation is a key component of the proposed mitigation measures; conditions of permits will assure that the protective measures are implemented during the construction phase are in compliance with the FESA and CESA. The final facility design for the diversion facilities will incorporate fish screens acceptable to CDFW and NMFS (see last paragraph on page 4.4-50 of the Draft EIR). This may require compliance with specific design requirements, such as NMFS' Anadromous Salmonid Passage Facility Design criteria and specifications mentioned in this comment letter; however, this will depend on requirements arising from the consultations with the resource agencies.

See also responses to letter E, response to H-33 above and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**. Mitigation Measure BF-1c cites requirements for consultation. To ensure compliance with FESA and CESA, the MRWPCA and/or implementing entity will obtain either Incidental Take Permits or written concurrence that implementation of the project will not result in take for steelhead and tidewater goby.

- H-35** Each mitigation measure in the Biological Resource: Terrestrial section is based on one or more of the following: current guidance documents and species specific protocols, site specific considerations, professional experience of DD&A staff biologists with all aspects of project planning, design, permitting, implementation and monitoring/reporting, and information provided at the relevant agencies' websites, including the following: U.S. Army Corps of Engineers' ([www.usace.gov](http://www.usace.gov)), the Regional Water Quality Control Board's (<http://www.swrcb.ca.gov/rwqcb3/>), U.S. Fish and Wildlife Service's ([www.fws.gov](http://www.fws.gov)), California Department of Fish and Wildlife's ([www.wildlife.ca.gov](http://www.wildlife.ca.gov)), California Coastal Commission's ([www.coastal.ca.gov](http://www.coastal.ca.gov)), and National Oceanic and Atmospheric Administration National Marine Fisheries Service's ([www.nmfs.noaa.gov](http://www.nmfs.noaa.gov)). Where buffers are standard for specific species, those were provided in the relevant mitigation measures (see the following locations where buffers were defined):

*Mitigation Measure BT-1i:* Conduct Pre-Construction Surveys for Monterey Dusky-Footed Woodrat (on page 4.5-82 of the Draft EIR): Surveys are to be conducted "in a buffer zone 100 feet out from the limit of disturbance"

*Mitigation Measure BT-1j:* Conduct Pre-Construction Surveys for American Badger (on page 4.5-82 of the Draft EIR): "...a minimum buffer of 200 feet in which no construction activities shall occur shall be maintained around the den"

*Mitigation Measure BT-1l:* Conduct Pre-Construction Surveys for Burrowing Owl (on pages 4.5-83 and 4.5-84 of the Draft EIR): "a construction-free buffer of 250 feet shall be established around all active owl nests"

For special status bats (Mitigation Measure BT-1g on page 4.5-81 of the Draft EIR) and avian species (Mitigation Measure BT-1K on page 4.5-83 of the Draft EIR), there is no standard buffer and none can be assigned because each species and site warrants its own unique buffer that should be developed by a qualified biologist in consultation with the relevant resource agency or agencies if the pre-construction surveys identify the presence of a bat or nesting bird.

- H-36** The comment notes that mitigation measure BT-2a requires avoidance of riparian and wetland habitat to the extent feasible and that the RUWAP alignment option for the Product Water Conveyance Pipeline avoids those habitats. See Draft EIR, pages 4.5-61, 4.5-91, 4.5-92, and 6-34 (comparative alternatives analysis). Table 6-4 has been edited to correct a typographical error in the columns for Coastal Alignment versus RUWAP alignment on the line item for BT-2. Mitigation Measure BT-2c on page 4.5-94 of the Draft EIR has been modified to address the timing of implementation of a Frac-out Plan and to provide a list of Plan components. See **Chapter 5, Changes to the Draft EIR**.
- H-37** See the responses to comments H-38 through H-41.
- H-38** The comment equates the "dune sand aquifer" near the coast with the shallow aquifer that occurs discontinuously throughout the 180/400-Foot Aquifer Subbasin. The water quality and recharge mechanisms associated with these two units differ, as the Draft EIR explains. The Draft EIR (page 4.10-5) specifically characterizes the dune sand aquifer as consisting of portions of sand dune deposits along the coast. In contrast, the Draft EIR (page 4.10-66)

discusses hydrogeologic conditions several miles inland near the Salinas Treatment Facility. Although the Salinas Valley Aquiclude is absent in some areas along the coastline—allowing greater vertical movement of groundwater from the dune sand aquifer to the 180-Foot Aquifer—that local detail is not particularly relevant to the Proposed Project. Lowering water levels in the 180-Foot Aquifer near the coast has and will cause saltwater to flow into that aquifer from the coast. Whether the exact flow path are downward from dune sands near the coastline or horizontally from offshore parts of the 180-Foot Aquifer and quantities of flow are not relevant to the Proposed Project's potential environmental adverse impacts on the Salinas Valley Groundwater Basin because groundwater interactions due to the Proposed Project do not adversely affect the water levels in the aquifers near the coast. In fact, the Proposed Project would result in a quantifiable benefit to the water levels and storage in the Salinas Valley Groundwater Basin, pressure subarea as discussed in Draft EIR pages 4.10-57 to 4.10-64.

**H-39** The seawater intrusion maps are provided in Figure 2-7 of the Draft EIR, as noted in comment H-40. Figure 2-7 has been updated in the Final EIR to include the most recent maps from the Monterey County Water Resources Agency. See **Chapter 5, Changes to the Draft EIR, Figure 2-7rev**. Figure 4.10-1 in the Draft EIR shows the Project Study Area for Section 4.10, Hydrology/Water Quality: Groundwater section and is referenced as such in the second sentence of the section. To show water levels as requested by the comments, a new **Figure 2-7a** has been added and is provided at the end of **Chapter 5, Changes to the Draft EIR**.

**H-40** As indicated in this comment, the Draft EIR contains a figure numbering error. Figure 2-7 of the Draft EIR shows the intrusion maps for the 180-Foot and 400-Foot Aquifers as discussed on page 4.10-10 of the Draft EIR, not Figure 2-9. In addition, newer seawater intrusion maps are available than the map included in the Draft EIR; therefore, the newer maps are now provided in **Figure 2-7rev**. See **Chapter 5, Changes to the Draft EIR**.

The comment asserts that “significant areas shown on Figure 2-7 as having chloride levels over 500 mg/L actually do not.” The comment cites Figures 43 and 44 in Geoscience Support Services’ April 2015 groundwater modeling report for the slant-well desalination plant project as illustrating gaps in the extent of intrusion. However, Geoscience Support Services’ Figures 43 and 44 show total dissolved solids (or TDS) concentrations, whereas the seawater intrusion maps on Figure 2-7 (and **Figure 2-7rev**) prepared by MCWRA show chloride concentrations. The two are not directly comparable, because the percentage of TDS contributed by chloride changes during the course of intrusion. Despite this difference, wells that have a history of low, steady concentration can easily be differentiated from the ones that have experienced rapidly increasing concentrations, based on the chemographs in Geoscience Support Services’ Figures 43 and 44. When the chemograph well locations on Figures 43 and 44 are placed on Draft EIR Figure 2-7, wells that have low, steady concentrations fall outside the indicated intruded area, and ones that fall within the indicated intruded area have a history of increasing concentrations. Thus, to the extent that the figures can be compared, they are consistent. Also, see the response to comment H-33.

**H-41** The area where wells have been abandoned or destroyed is generally the same as the intruded areas for the two aquifers. If a grower can use water with slightly elevated TDS by means of blending or choice of crop, then the well might still be in service.

Regarding changes in conditions since 2001, MCWRA updates the intrusion maps every several years. The current maps show intrusion fronts for 2005, 2007, 2009, 2011 and 2013. Those all show a progressive advance of intrusion, albeit at a rate much slower in recent years than in prior decades.

**H-42** As discussed in the Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues, the Proposed Project may not impact MCWD’s ability to deliver recycled



water to users. The Proposed Project would be consistent with the City of Marina Policy 3.3, as described on page 4.10-43 of the Draft EIR.

**H-43** As noted in the Draft EIR, the water balance table (Table 4.10-9, page 4.10-30) was extracted from the 2014 Salt and Nutrient Management Plan for the Seaside Groundwater Basin. In compliance with the State's Recycled Water Policy, the focus is on recent time periods. Accordingly, the water balance combines annual averages from selected recent time periods containing the most representative data for each component. Specifically, all of the inflows except subsurface inflow represent average annual data from 2008 – 2012. Subsurface inflows and outflows were averaged from 2003 – 2007 estimates. Pumping (including ASR wells) and system losses are average annual amounts from 2011 - 2012. Dates have been added to the table in this Final EIR. See **Chapter 5, Changes to the Draft EIR**.

**H-44** Specific responses to each of the itemized portions of this comment are provided below:

- (a) *Evaluate both the travel time and volume of water moved between injection and extraction sites in order to determine what portion of the injected water can be safely extracted and when.*

As explained in the Draft EIR (pages 4.10-47 and 4.10-48), the Watermaster's Seaside Basin Groundwater Model was used to simulate injection and extraction associated with the Proposed Project. Results of the groundwater modeling and the evaluation of potential groundwater impacts are discussed in the Recharge Impacts Assessment Report, which is included as Appendix L in the Draft EIR (see pages 50-55, Appendix L). Details and results of the groundwater modeling are included as Appendix C in the Recharge Assessment Report (see Appendix C within Draft EIR's Appendix L).

Both the travel time and volume of water associated with the Proposed Project were simulated in the modeling (see pages 50 – 52 of Appendix L of the Draft EIR). The analysis found that the Proposed Project resulted in sufficiently long travel times to comply with the Final Groundwater Replenishment Regulations while also contributing to groundwater in storage almost immediately upon injection. The fastest travel times of about one year occurred between two deep injection wells and downgradient extraction wells (371 days for DIW-2 and 327 days for DIW-3, see Table 10 of Appendix L). Travel times from other deep injection wells were longer, yet provided an immediate increase to the amount of groundwater in storage within the Santa Margarita aquifer due to confined groundwater conditions. Injection into the Paso Robles aquifer took longer to reach downgradient wells due primarily to lower groundwater velocities in the shallow aquifer. Nonetheless, the analysis found that extraction could occur immediately following injection for both aquifers without significant lowering of water levels on a 1:1 (extraction/injection) basis by volume.

In summary, the analysis concludes that the Proposed Project could be operated as intended to replenish groundwater supplies in order to increase basin yield. Additional details of operation and monitoring will be developed for the Engineering Report, as required by the Final Groundwater Replenishment Regulations.

- (b) *Confirm with the SWRCB DDW regarding the required residence time between injection and extraction for all proposed water sources prior to the publication of the Draft EIR.*

MRWPCA and Proposed Project team members have been in communication with the SWRCB DDW (formerly CDPH) over the past several years about the Proposed Project's development and have specifically discussed the issue of underground retention time (residence time) with staff. On June 5, 2014, SWRCB DDW (then CDPH) approved the conceptual design and communicated details for inclusion in the required Engineering Report and monitoring program. During meetings on the Proposed Project, SWRCB DDW staff confirmed the modeling

approach to estimate underground retention time. Staff has also reviewed results from the particle tracking (travel time) simulations and discussed details and results with the team. Additional details on operation of the Proposed Project and permit conditions will be developed during preparation of the Engineering Report, which is required prior to project implementation.

- (c) *Confirm that the capacity of the Seaside Basin is sufficient, within that predetermined residence time, for the injection of the Proposed Project purified recycled water.*

The capacity of the basin was examined prior to preparation of the Draft EIR using the Watermaster Seaside Basin Groundwater Model (see Appendix B within Appendix L of the Draft EIR). That analysis was used to optimize injection between the two basin aquifers, while minimizing outflow of Proposed Project water from the Seaside Basin to the ocean. The minimized outflow was used as a primary criterion for project performance in order to evaluate residence time and ensure that the Proposed Project water would remain in the basin to support increased extraction and use (see page 4, Appendix B within Appendix L of the Draft EIR).

Additional modeling conducted for the Draft EIR examined the capacity of the Seaside Basin using water levels associated with the Proposed Project. For details of the modeling analysis, see the memorandum included as Appendix C of the Recharge Assessment Report (Appendix C within Appendix L of the Draft EIR). As summarized in the Draft EIR (page 4.10-47) and discussed in the recharge impacts report (Appendix L, pages 50-55), the Proposed Project was analyzed using the Watermaster's Seaside Basin Groundwater Model over a 25-year period (see Appendix L, pages 50 and 51). The period of analysis included simultaneous operation of the ASR wellfields including periods of injection and recovery, as well as periods when ASR wells were idle. Results of these analyses indicate that the capacity of the Seaside Basin is sufficient for the operation of the Proposed Project.

- (d) *Confirm with the SWRCB DDW that the horizontal distance required between points of injection and extraction are adequate in the event those two modes of operation are simultaneously occurring (Draft EIR, p. 4.10-2).*

As explained in the Draft EIR, the groundwater modeling simulated simultaneous injection and extraction of the water from the Proposed Project (Draft EIR, page 4.10-48; also see Draft EIR, Appendix L, pages 50-55). The modeling also included additional groundwater production in compliance with the adjudication and ongoing operation of the ASR wellfields for storage and recovery of water from the Carmel River system. The analysis indicated that the residence time is adequate to meet the requirements of the Final Groundwater Replenishment Regulations (See Appendix L, pages 50-52). The use of horizontal distance as a requirement is an artifact of earlier versions of the draft recharge regulations (e.g., draft versions issued prior to August 2008), and is not part of the Final Groundwater Replenishment Regulations; therefore, a specified horizontal distance is no longer applicable for groundwater replenishment projects. For detailed modeling results, see also Appendix C within Draft EIR Appendix L.

These details have been discussed with the SWRCB DDW staff. For more information regarding ongoing communication with SWRCB DDW, see the response in H-44(b) above.

- H-45** Compliance with the Final Groundwater Replenishment Regulations is summarized in Chapter 3 of the Draft EIR and discussed in detail in Sections 13 and 17 of Appendix D, "Pure Water Monterey Groundwater Replenishment Project Water Quality Statutory and Regulatory Compliance Technical Report," and in Sections 4, 5, and 7 of Appendix L, "Recharge Impacts Assessment Report for the Pure Water Monterey Groundwater Replenishment Project." The Draft EIR concludes that the Proposed Project would meet the regulations. Compliance with the regulations is a mandatory requirement so that the Proposed Project can obtain a permit and remain in compliance, and not a mitigation measure as suggested by MCWD.

- H-46** The red stars in Figure 4.10-9 show the location of the Castroville Seawater Intrusion Project (CSIP) supplemental wells that are used to pump groundwater into the recycled water distribution system. Figure 4.10-1 was provided to show the Project Study Area for the groundwater section. As requested in this comment, an improved map of CSIP supplemental wells has been added to the EIR as **Figure 4.10-9a new** and text on Draft EIR page 4.10-46 has been amended. See **Chapter 5, Changes to the Draft EIR**.
- H-47** Data about the groundwater quality relevant to the Proposed Project is provided in the Draft EIR in the following locations: Page 4.10-9 (overview of groundwater conditions in the project area within the Salinas Valley Groundwater Basin), and pages 4.10-16 through 4.10-68 of the Draft EIR (regarding the groundwater conditions in the vicinity of the Salinas Treatment Facility). In addition, a useful summary of salinity issues in the lower Salinas Valley (including TDS and chloride data) was recently prepared by Tetra Tech and released by the U.S. EPA and the Central Coast Regional Water Quality Control Board.(Tetra Tech, 2015)
- H-48** The EIR's discussion of the RUWAP is consistent with the MCWD Urban Water Management Plan (MCWD, 2011) and the RUWAP EIR (MCWD/DD&A, 2007). These documents describe the Recycled Water Project as being built and operated to supply recycled water exclusively for urban irrigation demands within the Ord Community (and to the areas of central Marina outside of the former Fort Ord). The recycled water to be provided by MCWD would augment existing groundwater supplies, not replace groundwater supplies. The use of additional recycled water supplies to the Ord Community would not be in lieu of groundwater pumping which is limited to 6,600 AFY by several agreements by and between the Army, MCWD, FORA, and MCWRA
- MCWD is within MCWRA Zones 2/2A, zones of benefit and assessment for the Nacimiento and San Antonio Reservoirs. Under the terms of the Army's Agreement to annex into Zones 2/2A (assumed by MCWD in 2001), MCWD may provide up to 6,600 AFY of Salinas Valley Groundwater to the Ord Community. This amount is approximate to the historic demand from Army uses at Fort Ord. Of this, MCWRA requires that not more than 5,200 AFY may be pumped from the 180-Foot and 400-Foot aquifers, to reduce the risk of seawater intrusion. MCWD may also provide up to 3,020 AFY of Salinas Valley Groundwater to customers in the City of Marina, outside of the Ord Community.
- H-49** As discussed above, the MCWD's allowable Salinas Valley Groundwater Basin pumping is limited to 6,600 AFY (including no more than 5,200 AFY from the 180-Foot and 400-Foot aquifers) for the former Fort Ord and 3,020 AFY for Central Marina; therefore, even if RUWAP recycled water rights were not exercised, MCWD cannot increase pumping quantities of Salinas Valley Groundwater beyond its rights for future development. As discussed in Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues, in **Chapter 3, Master Responses to Comments**, the Proposed Project would not have an adverse impact on Marina Coast's ability to implement its Recycled Water Project.
- H-50** The proposed diversion structure would use a screened inlet in the channel bottom with a gravity pipeline feeding to a pump station wet well located in the channel bank (see conceptual layout in Appendix P). This configuration will not induce cross-currents towards the pump station, and the channel will be lined around the inlet screen to prevent scour and suspension of sediments. During low flows in the Reclamation Ditch, the effects of the pump starting and stopping will not affect channel. At higher flows where the inlet is submerged and the gravity pipeline is flowing full, the pump station will operate at a fixed speed. Any eddying near the inlet screen will occur within the lined portion of the channel. It should be noted that the Reclamation Ditch visibly carries sediment under the current condition at flows over 10 cfs. Mitigation Measure HS-4 on page 4.11-75 of the Draft EIR has been amended in response to this comment and comment F-5. See changes to page 4.11-75 in **Chapter 5, Changes to the Draft EIR**.

- H-51** The Proposed Project does not affect MCWD's right to purchase recycled water, as discussed in Section 2.7.1 of the Project Description. The tables used in Appendix B in the Draft EIR, Source Water Assumptions showed the use of the new water supply sources only. Therefore, it did not include the current CSIP use of recycled water, or the future urban use of recycled water by MCWD. The source water analysis tables have been updated in the Final EIR to include both of these supplies and uses, and are included in the Appendices to the Final EIR. Specifically, **Appendix B-Revised** contains the current CSIP use and flows into and out of the Regional Treatment Plant and Salinas Valley Reclamation Plant and **Appendix BB** shows the various inflows and outflows from the Regional Treatment Plant under various scenarios of implementation of the RUWAP urban recycled water system, including a No Proposed Project Scenario. See Master Response #3: Availability, Reliability, and Yield of Source Water Supplies and Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments** for more information.
- H-52** The noise analysis summarized in Section 4.14 of the Draft EIR is based on a technical analysis included in Appendix W of the Draft EIR by Illingworth and Rodkin, Inc. (experts in acoustic and vibration analyses). Resumes of the key analysts are included in **Appendix EE** of this Final EIR to demonstrate their expertise. As described on page 4.14-23 of the Draft EIR, a "substantial" noise increase can be defined as an increase in noise levels that causes sustained interference with activities normally associated with established nearby land uses during the day and/or night. One indicator that noise could interfere with daytime activities normally associated with residential and school land uses (for example) would be speech interference; whereas, an indicator that noise could interfere with nighttime activities normally associated with residential uses would be sleep interference. This analysis, therefore, uses the following criteria to define whether a temporary or periodic increase in ambient noise levels in the Proposed Project vicinity above levels existing without the project would be substantial:

*Speech Interference.* Noise generated by construction equipment could result in speech interference in adjacent buildings if the noise level in the interior of the building were to exceed 45 to 60 dBA.<sup>5</sup> Typical buildings can reduce interior noise levels by 25 dBA if windows are closed. This noise reduction could be maintained only on a temporary basis in some cases, since it assumes windows must remain closed while the loudest activity is occurring. Assuming a 25 dBA reduction with the windows closed, an exterior noise level of 70 dBA (Leq) adjacent to a building would maintain an acceptable interior noise environment of 45 dBA. In addition to the decibel level of noise, the duration of exposure at any given noise-sensitive receptor is an important factor in determining an impact's significance. Generally, temporary construction noise that occurs during the day for a relatively short period of time (i.e., one construction season) would not be significant because most people of average sensitivity who live or work in suburban or rural agricultural environments are accustomed to a certain amount of construction activity or heavy equipment noise from time to time. The loudest construction-related noise levels would be sporadic rather than continuous because different types of construction equipment would be used throughout the construction process. Therefore, an exterior noise level that exceeds 70 dBA Leq during the daytime is used as the threshold for substantial construction noise where the duration of construction noise exceeds two weeks.

*Sleep Interference.* An interior nighttime level of 35 dBA is considered acceptable for residential uses (EPA 1974). Assuming a 25 dBA reduction for a residential structure with the windows closed, an exterior noise level of 60 dBA adjacent to the building would maintain an acceptable

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<sup>5</sup> For indoor noise environments, the highest noise level that permits relaxed conversation with 100% intelligibility throughout the room is 45 dBA. Speech interference is considered to become intolerable when normal conversation is precluded at three feet, which occurs when background noise levels exceed 60 dBA.



interior noise environment of 35 dBA. Thus, an exterior threshold of 60 dBA Leq during the nighttime is a reasonable threshold for short term impacts resulting from construction activities.

Typically, temporary noise impact analyses do not use a time period that is considered when determining whether a temporary exceedance of a daytime quantitative noise level threshold would constitute a significant impact. Every construction project within an urban area would affect one or more sensitive receptors that live or work within close proximity to the construction site. In most environmental review documents, temporary noise impacts during construction would only result in a significant impact if the construction results in unusually high noise levels and/or occurs over a much longer time period than two weeks (for example, one construction season or one year), or if construction would occur at nighttime. In this EIR, the lead agency, in consultation with the noise consultant, Illingworth and Rodkin, Inc., chose to select a much more conservative two week time period as one component of the determination of significance to rigorously support the conclusions and the rationale for imposition of mitigation. In this case, the key and only component of the project that would occur in close proximity (i.e., under 500 feet) from sensitive receptors would be pipeline construction that would occur near these sensitive receptors for far less than the two weeks used in the approach to determining significance (i.e., the pipeline construction would proceed at a rate of 150 to 250 feet per day passing each receptor in 4 days or less). As stated on pages 4.14-34, 4.14-36, 4.14-40, and 4.14-42 of the Draft EIR regarding the noise impacts of construction of each of the pipelines, the proposed pipeline trenching activities at any one location along the alignment would be limited to approximately four days or less ("one to three" on page 4.14-42). Although, construction noise would exceed the speech interference significance criteria at most locations along the alignment, the duration would be less than two weeks at any one location, and construction would be limited to daytime hours, except potentially along the CalAm Distribution System: Monterey Pipeline that may require nighttime construction to minimize traffic impacts.

Implementation of Mitigation Measures NV-1b and NV-1c would reduce nighttime construction noise, and limit evening construction times, but would not reduce the impact to a less-than-significant level. Therefore, nighttime construction noise impacts along the CalAm Distribution Monterey Pipeline would remain significant and unavoidable even with implementation of mitigation measures.

**H-53/54** See the response to comment H-52. As discussed in response to comment H-52, the lead agency, in consultation with Illingworth & Rodkin, Inc. elected to adopt an approach to determining significance for the temporary noise impacts due to daytime construction that includes a timeframe consideration. Although construction activities would potentially exceed 70 dBA Leq (the speech interference threshold) at some receptors, the daytime pipeline construction activities would not result in a significant impact and mitigation would not be required because the duration of the temporary noise increase is relatively short. It follows that the mitigation measures suggested for the RUWAP alignment option of the Product Water Pipeline would not be required. In addition, the Proposed Project would not include nighttime construction of pipelines, with the exception of the CalAm Distribution System: Monterey Pipeline; therefore, the recommendations in the revisions to the mitigation measure in 4.11-R1 would not be required.

Although the mitigation measures are not required to be implemented to reduce a significant impact for either Product Water Conveyance option, MRWPCA is willing to implement the MCWD-recommended mitigation measures in response to this comment and in conformance to the RUWAP EIR (if the MRWPCA chooses to pursue the RUWAP alignment option for the Product Water Conveyance pipeline). The Draft EIR has been modified to incorporate the recommended mitigation measure as Mitigation Measure NV-1d. See changes to page 4.14-43 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.

- H-55** This comment and H-56 describe and show how the RUWAP EIR was modified in an addendum to provide consideration of use of nighttime construction for specific segments of the RUWAP pipeline due to the potential for the project to affect traffic and circulation and thus require traffic control measures that may not be feasible. The segments identified in the requested mitigation language are not proposed as part of the RUWAP alignment option of the Product Water Conveyance pipeline. In addition, the traffic control measures for the Proposed Project (see Mitigation Measure TR-2 on page 4.17-37 of the Draft EIR, as modified in this Final EIR) are considered to be feasible. Nighttime construction is not proposed nor recommended as mitigation for the Product Water Conveyance system. Nighttime construction of the CalAm Distribution System: Monterey pipeline is proposed by CalAm; therefore, a significant and unavoidable impact was identified in the Draft EIR on page 4.14-42 and mitigation was required.
- H-56** See the response to comment H-55. No nighttime construction activities would occur along the Product Water Conveyance RUWAP alignment.
- H-57** See the responses to comments H-52 through H-56.
- H-58** As stated on page 4.16-1 of the Draft EIR in the first paragraph: "This section addresses potential impacts to public services, recreation and specified public utilities that could occur if the Proposed Project were to necessitate provision of new or substantially altered public services facilities or cause substantial physical deterioration of a recreational facility. Public services discussed in this section include fire and police protection services, emergency services, schools, parks, and recreational facilities. Recreational resources include parks, trails, beaches, and similar facilities. The public utilities discussed include solid waste facilities. Water service and systems, wastewater service, and recycled water delivery are addressed under Section 4.18, Water and Wastewater." Note: the typographical error on page 4.16-1 of the Draft EIR has been corrected. See **Chapter 5, Changes to the Draft EIR**. Section 4.16 did not address water supply issues that are covered in Section 4.18 as amended in this Final EIR. See also Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.
- H-59** The comment clarifies Marina Coast Water District's groundwater sources. The EIR's description of Marina Coast Water District's groundwater sources has been amended accordingly. See the revisions to page 4.18-8 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- H-60** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.
- H-61** The comment clarifies Marina Coast Water District's municipal wastewater collection systems. The Final EIR's description of Marina Coast Water District's municipal wastewater collection has been amended accordingly. See the revisions to pages 4.18-11 and 4.18-12 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- H-62** The 1997 Fort Ord Base Reuse Plan was not specific on the source for augmented water supply, but the FORA Board approved the RUWAP hybrid alternative in 2005, and later allocated recycled water supply from the project to the member jurisdictions (2007). As discussed in the Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues, the MCWD recycled water rights discussed in this EIR address both the City and the FORA assumptions for recycled water use and thus the Proposed Project would be consistent with the Fort Ord Reuse Plan.

- H-63** Table 2-22 has been amended as requested in this comments. See **Chapter 5, Changes to the Draft EIR**. See also response to comment U-5.
- H-64** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.
- H-65** As discussed in Master Response #3: Availability, Reliability, and Yield of Source Water Supplies to Source Water and Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**, the Proposed Project would not affect the ability of Marina Coast Water District to implement its RUWAP and supply the planned recycled water to urban irrigators at the former Fort Ord (also referred to as the Ord Community). The conclusion in the Draft EIR about the environmental impacts of the Reduced Seaside Basin Replenishment Alternative being nearly the same as those of the Proposed Project is correct. As identified on Draft EIR, Table 6-6, some impacts would be reduced under this alternative compared to the Proposed Project. See also Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.
- H-66** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues and Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.
- H-67** See Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**



June 4, 2015

**\*\*provided by e-mail and hand-delivered\*\***

Bob Holden, Principal Engineer  
 Monterey Regional Water Pollution Control Agency  
 5 Harris Court, Building D  
 Monterey, CA 93940

**SUBJECT: MPWMD COMMENTS ON DRAFT EIR FOR PURE WATER  
 MONTEREY GROUNDWATER REPLENISHMENT PROJECT;  
 SCH# 2013051094**

Dear Mr. Holden:

This letter from the Monterey Peninsula Water Management District (MPWMD or District) responds to the Notice of Completion of a Draft Environmental Impact Report (DEIR) by the Monterey Regional Water Pollution Control Agency (MRWPCA) for the Pure Water Monterey Groundwater Replenishment Project. The District will rely on the certified EIR for this Project when it considers new or amended Water Distribution System (WDS) Permits within the Seaside Groundwater Basin associated with this new source of supply. The District is a partner and co-sponsor with MRWPCA, and fully supports the Project. For accuracy, we have a few clarifying comments, as noted below:

**Global.** Since 1995, the correct name is the "Carmel *Valley* Alluvial Aquifer (CVAA)," which is a specific mapped area adjacent to the Carmel River, rather than the term "Carmel Valley aquifer" used in the DEIR, which is a more generic term that could refer to upland areas. The DEIR should only refer to the CVAA to avoid confusion.

I-1

**Page 2-6, Section 2.3.2 Header.** For reference, MPWMD Rule 11 defines the proper name as "Monterey Peninsula Water *Resource* System" (not "Resources").

I-2

**Page 2-7, Section 2.3.2.1, MPWMD Description.** The District requests that the text be amended to include the following clarifications; new text is in ***bold italic***:

First paragraph, 3<sup>rd</sup> line: Add text to read ..... created by the California Legislature in 1977 ***and endorsed by a public vote in 1978***, for the purposes of.....

I-3

First paragraph, 9<sup>th</sup> line: Add text to read ..... and Sand City, ***the Monterey Peninsula Airport District***, and unincorporated communities...

Add a new fourth paragraph to read: ***The Water Management District has played key roles in several water augmentation projects, including completing planning and technical studies, engineering and cost analyses, environmental review in compliance with federal and state regulations, obtaining water rights and construction permits,***



*facility construction and/or project financing. The District has also analyzed numerous water supply alternatives at varying degrees of specificity. The District was an integral partner in development of the Paralta Well in Seaside, Pebble Beach Reclamation Project, and Aquifer Storage and Recovery (Phases 1 and 2). The District constructed and owns the two ASR Phase 1 wells at the Santa Margarita site.*

I-3  
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**Page 2-10, second full paragraph, 1<sup>st</sup> line.** The reference to the “Carmel Valley Groundwater Basin” is incorrect, and should be replaced by the term “Carmel Valley *Alluvial Aquifer*.” A June 1984 report by the USGS described the “Carmel Valley *Alluvial* Groundwater Basin” but this term has not been used locally for decades. For reference, the District refers to non-alluvial areas in the Carmel River Basin (watershed) as “Carmel Valley Upland” formations for record-keeping purposes.

I-4

**Page 2-27, Section 2.5.5.2, ASR Project.** The third paragraph, 2<sup>nd</sup> line should read..... **MPWMD** injection/extraction wells at the Santa Margarita site....

I-5

**Page 4.18-4, Section 4.18.2.1, MPWMD Overview.** Please see comments above for Section 2.3.2.1. The District requests that the text be amended to include the following clarifications; new text is in ***bold italic***:

First paragraph, 3<sup>rd</sup> line: Add text to read ..... created by the California Legislature in 1977 ***and endorsed by a public vote in 1978***, for the purposes of.....

I-6

Last line at bottom: Add text to read ..... not provide water service to retail customers. ***However, as described in Section 2.3.2.1, MPWMD either owns or is the financing entity for certain water supply facilities operated by CalAm or other agencies.*** The Water Management District is responsible for.....

Thank you for your consideration of these comments. I can be reached at [dstoldt@mpwmd.net](mailto:dstoldt@mpwmd.net) or 831/658-5650 if you have questions.

Sincerely,

  
David J. Stoldt  
General Manager

Cc: Larry Hampson, MPWMD District Engineer  
Henrietta Stern, MPWMD Project Manager  
David Laredo, MPWMD Counsel

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Prepared by Henrietta Stern on 6/4/2015 as reviewed by DS



**Letter I: Monterey Peninsula Water Management District**

- I-1** Throughout the Draft EIR, all references to Carmel Valley Aquifer have been update to read Carmel Valley *Alluvial* Aquifer in response to this comment. See the revisions to the following locations in **Chapter 5, Changes to the Draft EIR**:
- Page 2-7 in the first paragraph under 2.3.2.1
  - Page 2-9 in the first paragraph under 2.3.2.3
  - Page 2-10 in the second full paragraph on the page and the first full paragraph under 2.3.2.4
  - Page 2-30 in Table 2-8
  - Page 4.11-9 in the last sentence
  - Page 4.18-5 in the first paragraph
- I-2** The heading to Section 2.3.2 Monterey Peninsula Water Resources System has been amended as shown in the changes to page 2-6 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- I-3** Section 2.3.2.1 MPWMD Description (page 2-7 of the Draft EIR) has been modified in response to this comment. See the revisions to page 2-7 in **Chapter 5, Changes to the Draft EIR**.
- I-4** Page 2-10 of the Draft EIR has been amended in response to this comment. See the revisions to page 2-10 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- I-5** The third paragraph of Section 2.5.5.2 Aquifer Storage and Recovery Project has been amended in response to this comment as shown on the change to page 2-27 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- I-6** Section 4.18.2.1 Potable Water Service, under the subheading *MPWMD Overview*, has been amended in response to this comment. See the revisions to page 4.18-4 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.



CITY OF MARINA

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June 5, 2015

Monterey Regional Water Pollution Control Agency  
Administration Office  
Attention: Bob Holden, Principal Engineer  
Via email: [gwr@mrwpca.com](mailto:gwr@mrwpca.com)

Dear Mr. Holden,

Thank you for the opportunity to review the Monterey Regional Water Pollution Control Agency (MRWPCA) Draft Environmental Impact Report (DEIR) for the Pure Water Monterey Groundwater Replenishment Project (project); State Clearinghouse number SCH#2013051094. City of Marina offers the following comments for all land within Marina's boundaries including former Ford Ord:

1. Considering the MOU between MRWPCA and Marina Coast Water District (MCWD - October 8, 2014) which, in part, stipulates "*MCWD's recycled water right entitlement may be made contractually available by MCWD to another party (non-specific) and may be made available to WRA for CSIP if not utilized by MCWD, or its assignee, in any given year*"; the DEIR is not clear on what mechanism is there to protect City of Marina's rights to its recycled water amount (both currently produced as well as additional future wastewater produced in Marina boundaries including the former Fort Ord area) per its wastewater contribution to the Regional Treatment Plant – City's recycled water rights concern once/if the RTP's recycled water (City's portion) to MCWD is sold to another party. J-1
2. The DEIR does not show water rights (both current and future) are being reserved or protected for the City of Marina. Please identify if the proposed project will effect, in any form, water allocations for City of Marina and the former Fort Ord including returning gallon for gallon all wastewater generated within City of Marina. J-2
3. Page 2-15 of the DEIR states that "*The trunk main of the (MCWD's) RUWAP system is coincident with the proposed project's RUWAP Pipeline alignment option*"; please provide details on how the proposed project corresponds and would impact with MCWD's Regional Urban Water Augmentation Project recycled water distribution system which has been partially constructed. J-3
4. Proposed project's construction noise, effects on traffic and transportation, and aesthetic end results are major concerns for City of Marina. Please address below concerns and revise the DEIR as requested below: J-4a
  - a) The construction activity in Marina's downtown could adversely impact Marina's downtown businesses. The DEIR is silent in regards to the construction activities' impacts to Marina's downtown businesses.

*Serving a World Class Community*

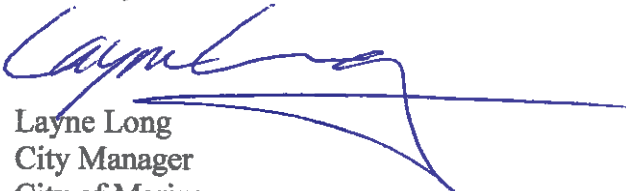
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|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| b) | Table 4.17-1 on Page 4.17-4 of the DEIR references Marina's Crescent Avenue as having no bike lanes. Please revise the relevant section(s) of the DEIR to include Marina's Crescent Avenue as having a Class 2 Bike Lanes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | J-4b |
| c) | Page 4.17-16 of the DEIR indicates that <i>"General work hours are assumed to be between 7:00 AM and 8:00 PM, Monday through Saturday. Two work shifts (Shift 1: 7:00 AM-3:00 PM; Shift 2: 12:00 PM-8:00 PM)"</i> and Mitigation Measure NV-2b stipulates <i>"Construction Hours. (Applies to Product Water Conveyance Pipelines and Booster Pump Station in the City of Marina). The construction contractor shall limit all noise-producing construction activities within the City of Marina to between the hours of 7:00 AM and 7:00 PM on weekdays and between 9:00 AM and 7:00 PM Saturdays, except that construction may be allowed until 8:00 PM during daylight savings time"</i> . Marina Municipal Code Section 15.04.055 dictates construction hours are restricted between 7am and 7pm Monday through Saturday. Please revise the relevant sections of the DEIR to reflect Marina's allowed construction hours. Additionally, do not allow any flood lights at night. If security is an issue, provide human security rather than lighting. | J-4c |
| d) | Page 4.17-17 of the DEIR indicates that <i>"Most linear facilities (conveyance pipelines) would be installed using conventional open-trench construction techniques. However, trenchless technologies such as boring and jacking, microtunneling, or horizontal directional drilling may be used where open-cut trenching is not feasible or desirable (highway crossings, stream and drainage crossings, and areas with high utility congestion)"</i> . Marina Municipal Code Section 12.20.100 does not allow trenchless activities under an encroachment permit. Please revise the relevant section(s) of the DEIR to reflect Marina's referenced Code.                                                                                                                                                                                                                                                                                                                                                                                               | J-4d |
| e) | Page 4.17.30 of the DEIR indicates that <i>"The pipeline would be located primarily along paved roadway rights-of-way. Construction of the conveyance system would have the same general sequence of construction for either alignment option as follows: stake the alignment; where applicable, saw cut the pavement; string out pipe joints along the alignment as limited by encroachment permit and specifications"</i> . Due to the expected width of the open trench for construction in Marina streets, please include the restoration to comprise the curb to curb width of the roadway following City of Marina's design standards. Please revise the relevant section(s) of the DEIR to reflect this requirement.                                                                                                                                                                                                                                                                                                                              | J-4e |
| f) | Page 4.17.34 of the DEIR indicates that <i>"Where feasible and appropriate, construction contractors would install pipelines so as to avoid construction within vehicle travel lanes and to minimize impacts on roadway capacity and function. Detailed pipeline alignments and associated construction activities would be developed during project design. This analysis assumes that pipeline installation activities could require construction within or adjacent to vehicle travel lanes and could require temporary lane closures and/or detours."</i> A traffic control review requirement by City of Marina Public Works (prior to issuance of an encroachment permit) will require that <i>"one-way traffic shall be limited to a maximum of 5 minutes of traffic delay"</i> . Please revise the relevant section(s) of the DEIR to reflect this requirement.                                                                                                                                                                                  | J-4f |



- g) Mitigation Measure TR-2 on page S-22 stipulates “*After construction is completed, the same roads shall be surveyed again to determine whether excessive wear and tear or construction damage has occurred. Roads damaged by project-related construction vehicles shall be repaired to a structural condition equal to that which existed prior to construction activities.*” Please revise the referenced Mitigation Measure to include: *shall be repaired to a structural condition equal to, or greater than, that which existed prior to construction activities.* J-4g
5. City of Marina’s optional preference for the proposed project is the RUWAP option. J-5
6. City’s General Plan requires connectivity of City’s Open Spaces through the provision of wildlife habitat corridors and/or recreational trails (OS); hence, a recreation path to OS is needed from Windyhill Neighborhood Park to rural Monterey County (south/southeast side of the park, near Quebrada Del Mar Road) – the proposed project’s new RUWAP trench should be covered for continuance of City of Marina’s OS connectivity. Please revise the relevant section) of the DEIR to reflect this requirement. J-6
7. The new area for 2,100 sq. ft. booster pump station option (Figure 2-31) is adjacent to City of Marina’s corpyard and to CSUMB’s planned student dormitory. Mitigation Measure AE-3 stipulates “*Provide Aesthetic Screening for New Above-Ground Structures*”. Please revise the referenced Mitigation Measure to include; Screening and Aesthetic Design Treatments shall be subject to review and approval of the City of Marina. J-7
8. City of Marina segment of the proposed project requires City’s Coastal Development Permit to be reviewed by City’s Planning Commission. J-8

Should you have any questions, please feel free to contact Farhad Mortazavi at (916) 492-2275.

Sincerely,

  
Layne Long  
City Manager  
City of Marina

## Letter J: City of Marina

- J-1** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.
- J-2** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.
- J-3** As noted in the Draft EIR (Section 2.9.1.1 on pages 2-67), the RUWAP Alignment would follow a portion of the recycled water pipeline alignment of Marina Coast Water District's previously approved and partially-constructed Regional Urban Water Augmentation Program Recycled Water Project. The proposed new product water conveyance pipeline would be located primarily along paved roadway rights-of-way within urban areas. The Recycled Water Project was approved by the Marina Coast Water District in 2005; however, only portions of the recycled water distribution system have been built and no recycled water has been delivered to urban users. MRWPCA and the Water Management District may pursue a shared easement to accommodate both pipelines in some portions of the alignment.

In addition, Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments** clarifies this information by stating that MRWPCA is in discussions with Marina Coast Water District (MCWD) regarding the potential use of the RUWAP alignment for the proposed Product Water Conveyance Pipeline, and the terms and conditions under which this alignment could be utilized. The description and potential environmental impacts of constructing and operating the pipeline in this alignment are discussed in this EIR. The description and potential environmental impacts of MCWD constructing and operating their RUWAP Recycled Water Project are discussed in the certified EIR for that project (Marina Coast Water District/DD&A, 2007). The cumulative analysis at the end of each topical section of Chapter 4 addresses implementation of both projects and finds that construction of the Proposed Project product water conveyance pipeline and the RUWAP Recycled Water Project distribution system do not currently have overlapping construction schedules. For a discussion of source water use/reliability and recycled water yields for MCWD's urban irrigators, CSIP, and the Proposed Project if both the Proposed Project and the MCWD RUWAP Recycled Water Project are implemented, see Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments** and **Appendix BB**.

- J-4a** The proposed Product Water Conveyance – Coastal and RUWAP alignment options would be located within the vicinity of Marina's downtown. As shown on Figure 4.12-3, a short segment of the RUWAP option would be located along Crescent Avenue and would cross Reservation Road near downtown areas of Marina. In addition, Figure 4.12-3 shows that the Coastal alignment option would be located along the north side of Del Monte Boulevard from north of Reservation Road to Highway 1. Construction at these component sites would be located in close proximity to businesses and thus would result in construction near businesses for up to one week (i.e., the construction would proceed at approximately 250 feet per day). Typical land uses in these districts are commercial and industrial uses that are not considered sensitive receptors for local air quality issues (including pollutant and odor emissions) and for noise and vibration issues; however, visitor serving accommodations and some medical offices can be located in these districts. Proposed construction activities associated with this pipeline were described in Chapter 2 of the Draft EIR (see pages 2-69 through 2-71 and Tables 2-20 and 2-21 on pages 2-81 through 2-84). The impacts of this construction were evaluated in the Draft EIR in the following sections (by topic mentioned in this comment): 4.2.4.3 aesthetics (see pages 4.2-27 through 4.2-34), 4.14.4.3 noise and vibration (see pages 4.14-26 through 4.17-51 with specific analysis of noise impacts of the Product Water Conveyance options on 4.14-33 through 4.14-37), and 4.17.4.3 traffic and transportation (see pages 4.17-27 through 4.17-41).

The potential product water pipelines (Coastal and RUWAP options) proposed to be located within the roadway rights of way would be located entirely underground and therefore would not have any noise (see pages 4.14-51 through 4.14-56 of the Draft EIR) or aesthetic (see pages 4.2-34 through 4.2-42 of the Draft EIR) impacts on the City of Marina after construction is completed. Draft EIR pages 4.17-41 through 4.17-42 describe the less than significant traffic and transportation impacts of the Proposed Project.

- J-4b** Page 4.17-4 of the Draft EIR has been modified in response to this comment. See **Chapter 5, Changes to the Draft EIR**.
  
- J-4c** Mitigation Measure NV-2b on page 4.14-49 and in Table S-1, page S-20, of the Draft EIR has been modified in response to this comment. See **Table S-1Revised** and changes to page 4.14-49 in **Chapter 5, Changes to the Draft EIR**. No nighttime lighting is proposed for construction of facilities within the City of Marina (and would not be allowed per Mitigation Measure NV-2b). To address the comment related to operational use of floodlights, Mitigation Measure AE-4 has been modified as shown in **Table S-1Revised** and on changes to Draft EIR page 4.2-42 in **Chapter 5, Changes to the Draft EIR**.
  
- J-4d** Page 2-89 (Table 2-22) and page 4.17-17 (fourth bullet) of the Draft EIR have been modified in response to this comment. See **Chapter 5, Changes to the Draft EIR**.
  
- J-4e** Mitigation Measure TR-3 on page 4.17-39 and in Table S-1 (page S-22) of the Draft EIR has been modified to require curb to curb restoration of roadways where applicable as requested in this comment. See **Table S-1Revised** and changes to Draft EIR page 4.17-39 in **Chapter 5, Changes to the Draft EIR**.
  
- J-4f** Mitigation Measure TR-2 on page 4.17-37 and in the Table S-1 (page S-22) of the Draft EIR has been modified in response to this comment. See **Table S-1Revised** and changes to Draft EIR page 4.17-37 in **Chapter 5, Changes to the Draft EIR**.
  
- J-4g** Mitigation Measure TR-3 on page 4.17-39 and in the Table S-1 (page S-22) of the Draft EIR has been modified to require curb to curb restoration of roadways where applicable as requested in this comment. See **Table S-1Revised** and changes to Draft EIR page 4.17-39 in **Chapter 5, Changes to the Draft EIR**.
  
- J-5** The comment states an opinion about the City's preference for the RUWAP option. The comment is referred to decision makers for their consideration.
  
- J-6** In accordance with the description in Chapter 2 of the Draft EIR (pages 2-69 through 2-71), all proposed Product Water Conveyance pipelines would be constructed below ground and the trenches will be backfilled to allow continued and/or future use of the land above the alignment for roadways or trail uses at the discretion of the landowner during easement negotiations. During the City entitlements/permitting process for the Proposed Project RUWAP alignment (if the RUWAP alignment is selected as the preferred alignment), the City is able to add the referenced trench coverage requirement as a condition on the Proposed Project.
  
- J-7** Mitigation Measure AE-3 on page 4.2-40 and in the Table S-1 (page S-7) of the Draft EIR has been modified to require review by the City of Marina of the screening and aesthetic design features of the RUWAP Booster Pump Station as requested in this comment. See **Table S-1Revised** and changes to Draft EIR page 4.2-40 in **Chapter 5, Changes to the Draft EIR**.

- J-8** The City's permitting authority for a Coastal Development Permit and the Planning Commission's review of the application is acknowledged. The only Proposed Project component within the City's jurisdiction for coastal permitting is the Coastal Alignment option for the Product Water Conveyance pipeline. Table 2-22 has been amended to explicitly describe this review and permitting authority. See revisions to page 2-89 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.



**Pure Water Monterey Groundwater Replenishment Project**  
**Draft Environmental Impact Report**  
**Public Meeting Comment Card (May 20, 2015)**

Name: FARHAD MONTAZAVI, CSG CONSULTANTS

Affiliation: CITY OF MARINA

Email: farhadm@csgengr.com

Mailing Address: 1022 G STREET, SACRAMENTO, CA  
95814

Phone Number: (916) 492-2275

Comments: WOULD LIKE TO KNOW:

a) PROJECT'S EFFECT ON MARINA'S WATER ALLOCATION

b) PROJECT'S EFFECT ON FORA'S WATER ALLOCATION

c) PROJECT'S CORRESPONDENCE W/ MCWD'S PROJECT

d) CONSIDERING MCWD'S RECYCLED WATER

RIGHTS, HOW WOULD BE MARINA'S RIGHT TO

THE AMOUNT OF ITS RECYCLED WATER PER

ITS WASTEWATER CONTRIBUTION TO THE REGIONAL

TREATMENT PLANT? - WHAT MECHANISM

IS THERE TO PROTECT CITY OF MARINA'S <sup>AMOUNT OF</sup> RECYCLED

WATER BASED ON ITS WASTEWATER CONTRIBUTION?

K-1

K-2

K-3

K-4

**Typed version of above comment card:**

**Name:** FARHAD MONTAZAVI, CSG CONSULTANTS

**Affiliation:** CITY OF MARINA

**Email:** [farhadm@csgengr.com](mailto:farhadm@csgengr.com)

**Mailing Address:** 1022 G STREET, SACRAMENTO, CA 95814

**Phone Number:** (916)492-2275

**Comments:** WOULD LIKE TO KNOW:

A) PROJECT'S EFFECT ON MARINA'S WATER ALLOCATION

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C) PROJECT'S CORRESPONDENCE W/ MCWD'S PROJECT

D) CONSIDERING MCWD'S RECYCLED WATER RIGHTS, HOW WOULD BE MARINA'S RIGHT TO THE AMOUNT OF ITS

RECYCLED WATER PER ITS WASTEWATER CONTRIBUTION TO THE REGIONAL TREATMENT PLANT? WHAT MECHANISM IS

THERE TO PROTECT CITY OF MARINA'S AMOUNT OF RECYCLED WATER BASED ON ITS WASTEWATER CONTRIBUTION?

K-1

K-2

K-3

K-4

**Letter K: City of Marina, (Farhad Montazi, City of Marina Consultant (Public Meeting Comment))**

- K-1** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments.**
- K-2** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments.**
- K-3** See the response to comment J-3.
- K-4** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments.**



RESOURCE MANAGEMENT SERVICES

440 Harcourt Avenue Telephone (831) 899-6825  
Seaside, CA 93955 FAX (831) 899-6211

Letter L

June 5, 2015

Bob Holden, Principal Engineer  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Bldg D  
Monterey, CA 93940  
Via email: [gwr@mrwpca.com](mailto:gwr@mrwpca.com)

Subject: Draft EIR Pure Water Monterey Groundwater Replenishment Project

Dear Mr. Holden,

The City of Seaside has reviewed the draft EIR for the subject project and offers the following comments. Attached please find a detailed comment document (Attachment # 1) and a copy of table S-1 from the EIR with city comments and edits in track changes (Attachment #2).

Of great concern to the City is "Proposed GWR Project Facilities Overview" map showing the proposed groundwater replenishment facilities located in the City of Seaside. The proposed facilities shown in this map raise some concerns that are outlined below.

City staff has met with the MRWPCA project team and have emphasized the need to properly delineate the proposed project area and obtain entitlements from the City for the land where the proposed facilities will be located (see attached letters from City of Seaside dated July 2, 2013, February 6, 2015 and May 8, 2014).

The Proposed GWR Project Facilities Overview map raises concerns that the proposed facilities within the City may unnecessarily impact large areas of the City's future development areas. City staff has made recommendations on locating the proposed facilities in a manner that minimizes the potential impacts to future development. Said map does not appear to follow these recommendations.

Furthermore, the City will require the proposed project to obtain use permits for the proposed work within the City. As this process is intricate and may be lengthy, it is important that the MRWPCA start the process of obtaining entitlements from the City as soon as possible. It may be prudent to obtain entitlements from the City prior to finalizing your environmental documents and design. As of the date of this letter, the MRWPCA has not begun the process to obtain entitlements for the land for the proposed facilities. City staff encourages MRWPCA to begin this process by providing detailed information along with a request for entitlement.

L-A

L-B

L-C

I look forward to working with your staff to complete this process in a timely manner. Please contact me if you have any questions or concerns.

Sincerely,



Diana Ingersoll, PE  
Deputy City Manager – Resource Management Services

Copy Mayor and City Council  
John Dunn, City Manager  
Tim O'Halloran, City Engineer/Public Works Services Manager  
Lisa Brinton, Community Development Director

Attachments

- Att #1 City of Seaside Comment document
- Att #2 Redlines Table S-1, Summary of Project-Level Impacts and Mitigation Measures
- Att #3 Letter from City of Seaside dated July 2, 2013
- Att #4 Letter from City of Seaside dated May 8, 2014
- Att #5 Letter from City of Seaside dated February 6, 2015



## ATTACHMENT 1

City of Seaside Draft EIR Monterey Peninsula Pure Water Monterey Groundwater  
Replenishment Project Comments  
June 6, 2015

- 
- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |     |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 1. | The DEIR needs to be updated to indicate that the Monterey Regional Water Pollution Control Agency (MRWPCA) must secure the necessary encroachment agreements and/or easements for the installation of the pipelines and injection wells on public agency lands.                                                                                                                                                                                  | L-1 |
| 2. | On Page S-7, Table S-1, the DEIR shall state that all pipelines placed within the City of Seaside on General Jim Moore Boulevard shall be placed underground. The EIR shall also state that MRWPCA shall coordinate with the City of Seaside on the location of injection wells and booster pumps in order to reduce conflicts with future commercial/residential development opportunities.                                                      | L-2 |
| 3. | On Page S-7, Table S-1, AE-3: Degradation of Visual Quality of Sites and Surrounding Areas," the following statement should be deleted " <i>None required. The following mitigation measure is recommended to be adopted due to City of Seaside comments on the Notice of Preparation</i> " and the impact should be changed from LS to LSM.                                                                                                      | L-3 |
| 4. | On Page S-7, Table S-1, AE-3: Degradation of Visual Quality of Sites and Surrounding Areas," the impact shown as "LS*" needs to be defined.                                                                                                                                                                                                                                                                                                       | L-4 |
| 5. | On Page S-7, Table S-1, "AQ-1: Construction Criteria Pollutant Emissions," the impact statement should be changed from LS to LSM. Also, the mitigation measures should be revised to be mindful not to waste water. See markups on attached Table S-1 for suggestions.                                                                                                                                                                            | L-5 |
| 6. | On Page S-7, Table S-1, "AQ-1: Construction Criteria Pollutant Emissions," the impact statement "LSM*" needs to be defined.                                                                                                                                                                                                                                                                                                                       | L-6 |
| 7. | On Page S-13, Table S-1, "GS-2: Construction-Related Soil Collapse and Soil Constraints during Pipeline Trenching," the impact statement "LS" should be modified to "LSM" such that the backfilling of excavations shall be in accordance with City of Seaside requirements. Fill materials and compaction requirements shall be approved by the City Engineer.                                                                                   | L-7 |
| 8. | On Page S-15, Table S-1, "HH-3: Construction of Facilities on Known Hazardous Materials Site," the impact statement "LS" may need to be modified to "LSM" for the injection well site. In Table S-1, HH-2, the mitigation measure states " <i>For areas within the Seaside munitions response areas called Site 39 (coincident with the Injection Well Facilities component).</i> " Does this mean that ESCA clearance is required for this area? | L-8 |

Pure Water EIR Comments  
City of Seaside

June 5, 2015

Page 2

- |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                |      |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 9.  | On Page S-16, Table S-1, "GW-4: Operational Groundwater Depletion and Levels: Seaside Basin," the impact statement "LS" may need to be to modified to "LS/BI" for the injection well site if there are benefits to the Seaside Groundwater Basin.                                                                                                                                                                                                              | L-9  |
| 10. | On Page S-17, Table S-1, "GW-6: Operational Groundwater Quality: Seaside Basin," the impact statement "LS" may need to be to modified to "BI/LSM" for the injection well site to confirm that the injection water would be monitored for drinking water standards and for constituents of Emerging Concern (e.g. MCL, MCLG, MRDLG, MRDL, MTL) as described in Table 4.10-10. Also, the term "LS*" needs to be defined.                                         | L-10 |
| 11. | On Page S-17, Table S-1, "HS-1: Construction Impacts to Surface Water Quality due to Discharges," the impact statement "LS" should be modified to "LSM" for the injection well site to confirm that the well development water would be monitored and treated, if necessary, to abate possible hydrogen sulfide emissions. Also, please consider disposing of development water at the Seaside golf course reservoir.                                          | L-11 |
| 12. | On Page S-17, Table S-1, "HS-3: Operational Impacts to Surface Water Quality due to Well Maintenance Discharges," the impact statement "LS" should be modified to "LSM" for the injection well site to confirm that the well water would be monitored and treated, if necessary, to abate possible hydrogen sulfide emissions. Also, please consider disposing of well water at the Seaside golf course reservoir.                                             | L-12 |
| 13. | On Page S-19, Table S-1, "NV-1: Construction Noise," the impact statement "LS" should be modified to "LSM" for construction areas near residential receptors. The noise abatement shall be performed in accordance with Seaside Municipal Code Sections 9.12 (Noise Regulations), 17.30.060 (Noise Standards), and the Noise Element of the Seaside General Plan. These documents use the community Noise Equivalent Level CNEL, dB, from 55 to 80.            | L-13 |
| 14. | On Page S-20, Table S-1, "NV-2: Construction Noise That Exceeds or Violate Local Standards," the impact statement "LS" should be modified to "LSM" for all areas within the City of Seaside.                                                                                                                                                                                                                                                                   | L-14 |
| 15. | On Page S-23, Table S-1, "WW-1: Construction-Related Water Demand," the impact statement "LS" should be modified to "LSM" for all areas within the City of Seaside. Construction water shall be non-potable water, where feasible.                                                                                                                                                                                                                             | L-15 |
| 16. | On Page S-37, the "Proposed GWR Project Facilities Overview" map showing the proposed groundwater replenishment facilities located in the City of Seaside should be located to minimize impacts to future development. The proposed product water pipeline should follow the Cal Am alignment in General Jim Moore Boulevard. The pipeline could either turn up Eucalyptus Road or at a location near the proposed well field and General Jim Moore Boulevard. | L-16 |

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| <p>17. On Page 2-129, Figure 2-32 "Injection Well Site Plan" is illegible. Please submit a legible copy of this map showing or describe the following features;</p> <ul style="list-style-type: none"> <li>a. Property lines and habitat buffer zone within the project area.</li> <li>b. Existing utility easements (e.g. PG&amp;E).</li> <li>c. The proposed Cal Am alignment in General Jim Moore Boulevard.</li> <li>d. Proposed area of potential effect coincident with the proposed product water pipeline alignment(s).</li> <li>e. The limits of the entire area of potential effect.</li> <li>f. Describe what the solid red line means.</li> <li>g. Alternative pipeline alignments, such as in Eucalyptus Road or at a location near the proposed well field and General Jim Moore Boulevard.</li> <li>h. All proposed facilities such as roadways, fences, monitoring wells, injection well sites and back flushing basins.</li> </ul> | L-17 |
| <p>18. On Page 2-130, Figure 2-33 "Injection Well Cross Section." Please describe what is meant by "Conceptual GWR Project Site" and where this cross section is on a map.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | L-18 |
| <p>19. On Page 2-132, Figure 2-35 "Conceptual Site Plan and Schematic of Typical Well Cluster." Page 2-74 states the back flushing "basin [are] in the middle of the injection well facilities site." Please show where the basins would be located in this figure. Also, please describe any sanitary facilities, if any, which may be available on-site.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | L-19 |
| <p>20. On Page 2-134, Figure 2-37 "Vadose Zone Well Preliminary Design," please confirm that the bentonite or cement grout seal is sufficient to counteract the potential expansion in the filter pack.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | L-20 |
| <p>21. On Pages 2-79 and 2-135, Figure 2-38 "CalAm Distribution System Pipeline: Eastern Terminus," describes the CalAm pipeline alignment through Seaside that is not a part of this project. Please confirm that changes to this alignment would not affect this EIR. Otherwise, modify the alignment to show distribution piping in accordance with CalAm's proposal.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | L-21 |
| <p>22. On Page 4.10-43, Table 4.10-11 "Applicable Local Plans, Policies, and Regulations – Hydrology and Water Quality: Groundwater," should a water storage allocation be obtained from the Seaside Basin Watermaster?</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | L-22 |
| <p>23. On Page 4.10-54, the EIR states "The volume of water pumped for development of each well would be about 3,600,000 gallons ..." Please describe how this</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | L-23 |

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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| water would be disposed of. For the deeper wells, hydrogen sulfide emissions is of concern.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | L-23<br>Con't |
| 24. On Page 4.10-54, the EIR states "The Injection Well Facilities construction would not use substantial amounts of groundwater that would not be returned to the groundwater system and would not impact groundwater volume or levels due to loss of recharge." And "Impacts associated with groundwater depletion, levels and recharge during the construction of the Proposed Project would be less than significant." However, the proposed 3.6 million gallons, or 11 AF per well is more than the de minimus production of 5 AFY as defined by the Seaside Basin Adjudication (Monterey Superior Court Decision M66343, Paragraph II.C.3). Therefore, the proposed amount of groundwater used for construction is more than "not substantial" and would impact the Seaside Basin as defined by the Adjudication. | L-24          |
| 25. On Page 4.10-88, Figure 4.10-7 "Proposed Injection Wells and Existing Vicinity Wells," shows the proposed monitoring wells located within the development area. Please confirm that the monitoring well locations shown are approximate and the monitoring wells and appurtenances would be located to minimize impacts per the City's discretion.                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | L-25          |
| 26. Section 4.11-32, the DEIR shall clearly state the post construction requirements that are applicable to the linear underground portions of the project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | L-26          |
| 27. Section 4.11-34 and 4.11-107 reference an outdated Monterey Regional Stormwater Management Program (MRSWMP) Guidance Document. The DEIR shall consider and reference the most recent Guidance Document of the Monterey Regional Stormwater Management Program to meet requirements established by Order Number 2013-0001-DWQ of the State Water Resources Control Board.                                                                                                                                                                                                                                                                                                                                                                                                                                            | L-27          |
| 28. Under section 4.11-43, the DEIR shall consider and reference Seaside Municipal Code Section 15.32, "Standards to Control Excavation, Grading, Clearing and Erosion," along with Section 8.46, "Urban Storm Water Quality Management and Discharge Control."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | L-28          |
| 29. Under Section 4.2 (Aesthetics), a Mitigation Measure should be included requiring MRWPCA to provide fencing and landscaping to screen the potential injection well facilities and booster pumps. The use of chain link fencing and barbed wire should be discouraged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | L-29          |
| 30. Under the Land Use Section of the DEIR, a brief description on the location and type of construction storage and parking needs for heavy machinery shall be specified.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | L-30          |



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|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 31. | Under Mitigation Measure BT-1, it shall be stated that the MRWPCA and/or its sub-consultants must coordinate with City of Seaside on the location of Injection Well sites and the removal of sensitive biotic material.                                                                                                             | L-31 |
| 32. | The DEIR shall specify that the injection wells on the eastern border of the injection well field would be placed within the 150-foot Habitat border.                                                                                                                                                                               | L-32 |
| 33. | MRWPCA must coordinate with the City of Seaside on the potential location of Injection Well #5 and #6.                                                                                                                                                                                                                              | L-33 |
| 34. | The EIR shall specify the number of new deep and vadose wells that would be installed.                                                                                                                                                                                                                                              | L-34 |
| 35. | All proposed pipelines that bisect the lands on the north side of Eucalyptus Avenue must be relocated within the right-of-way on General Jim Moore Boulevard and Eucalyptus Avenue.                                                                                                                                                 | L-35 |
| 36. | The DEIR shall state that the design of the buildings for the booster pumps and for any injection well sites shall consist of Monterey/Mission style architecture to match the design of the structures that have been built on the Santa Margarita ASR site and the Seaside Middle School ASR site.                                | L-36 |
| 37. | Under Section 2.10.1.3, the DEIR shall state that the MRWPCA would be required to re-locate any monitor well that has been placed within the interior lands of the Injection Well field that would interfere with future development opportunities by the City of Seaside.                                                          | L-37 |
| 38. | On Table 22, replace the reference to the "Redevelopment Agency" with "Successor Agency".                                                                                                                                                                                                                                           | L-38 |
| 39. | Under Section 4.2, the DEIR shall state that the installation of injection wells within the undeveloped lands east of General Jim Moore could adversely affect the natural terrain and coastal scrub if the injection well facilities and back flush pit are not properly screened and/or graded to blend with the rolling terrain. | L-39 |
| 40. | The DEIR shall clarify what type of injection well facility is proposed at the intersection of General Jim Moore Boulevard and San Pablo Avenue.                                                                                                                                                                                    | L-40 |

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| Table S-1<br>Summary of Project-Level Impacts and Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                               |                                          |                                                 |                                    |                                    |                                          |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                    | Source Water Diversion and Storage Sites |                                                 |                                    |                                    |                                          |                                    | Regional Treatment Facilities at   |                                    | Product Water Conveyance           |                                    | Injection Well Facilities          |                                    | CalAm Distribution System          |                                    | Project Overall  | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch                  | Tembladero Slough                  | Blanco Drain (Pump Station and Pipeline) | Lake El Estero                     | RUPAP Alignment                    |                                    | Coastal Alignment                  |                                    | Transfer Pipeline                  |                                    | Monterey Pipeline                  |                                    |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |                                                 |                                    |                                    |                                          |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                                                                   |                                          |                                                 |                                    |                                    |                                          |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Aesthetics (AE)</b>                                                                                                                                                                                                                                                                                                                                                                                                                              |                                          |                                                 |                                    |                                    |                                          |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| AE-1: Construction Impacts on Scenic Views, Scenic Resources and Visual Quality of the Surrounding Areas. Proposed Project construction would not result in substantial effects on scenic views, scenic resources or the visual character of the areas surrounding Proposed Project facilities.                                                                                                                                                     | LS                                       | NI                                              | LS                                 | LS                                 | NI                                       | LS                                 | NI                                 | LS                                 | LS                                 | LS                                 | LS                                 | LS                                 | LS                                 | LS                                 | LS               | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| AE-2: Construction Impacts due to Temporary Light and Glare. Proposed Project construction could result in substantial, temporary sources of light or glare.                                                                                                                                                                                                                                                                                        | LS                                       | NI                                              | NI                                 | NI                                 | LS                                       | LS                                 | LS                                 | NI                                 | NI                                 | LSM                                | LSM                                | NI                                 | LSM                                | LSM                                | LSM              | Mitigation Measure AE-2: Minimize Construction Nighttime Lighting. (Applies to the Injection Well Facilities Site and CalAm Distribution System: Monterey Pipeline). As part of its contract specifications, MRWPCA shall require its construction contractors to implement site-specific nighttime construction lighting measures for nighttime construction at the proposed Injection Well Facilities site. The measures shall, at a minimum, require that lighting be shielded, directed downward onto work areas to minimize light spillover, and specify that construction lighting use the minimum wattage necessary to provide safety at the construction sites. MRWPCA shall ensure these measures are implemented at all times during nighttime construction at the Injection Well Facilities site and for the duration of all required nighttime construction activity at this location.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| AE-3: Degradation of Visual Quality of Sites and Surrounding Areas. Proposed Project components would not result in a substantial degradation of the visual character of the project area and its surroundings.                                                                                                                                                                                                                                     | LS                                       | LS                                              | LS                                 | LS                                 | LS                                       | LS                                 | LS                                 | LS                                 | LS                                 | LS                                 | LS                                 | NI                                 | LSM                                | NI                                 | LSM              | None required. The following mitigation measure is recommended to be adopted due to City of Seaside comments on the Notice of Preparation: Mitigation Measure AE-3: Provide Aesthetic Screening for New Above-Ground Structures. (Applies to the following project components: Product Water Conveyance Coastal Booster Pump Station and Injection Well Facilities). Proposed above-ground features at the Coastal option of the Booster Pump Station and Injection Well Facilities (at a minimum, at the well clusters and back-flush basin), shall be designed to minimize visual impacts by incorporating screening with vegetation, or other aesthetic design treatments, subject to review and approval of the City of Seaside.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| AE-4: Impacts due to Permanent Light and Glare during Operations. Operation of Proposed Project facilities may result in a substantial new source of light or glare that would adversely affect day or nighttime views in the area.                                                                                                                                                                                                                 | NI                                       | NI                                              | NI                                 | NI                                 | NI                                       | NI                                 | NI                                 | LS                                 | LS                                 | LSM                                | LSM                                | NI                                 | LSM                                | NI                                 | LSM              | Mitigation Measure AE-4: Exterior Lighting Minimization. (Applies to the following project components: Product Water Conveyance Booster Pump Station - (both Options) and Injection Well Facilities) To prevent exterior lighting from affecting nighttime views, the design and operation of lighting at the Product Water Conveyance Booster Pump Station - RUWAP and Coastal Options and Injection Well Facilities, shall adhere to the following requirements:<br>- Use of low-intensity street lighting and low-intensity exterior lighting shall be required.<br>- Lighting fixtures shall be cast downward and shielded to prevent light from spilling onto adjacent offsite uses.<br>- Lighting fixtures shall be designed and placed to minimize glare that could affect users of adjacent properties, buildings, and roadways.<br>- Fixtures and standards shall conform to state and local safety and illumination requirements.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Air Quality and Greenhouse Gas (AQ)</b>                                                                                                                                                                                                                                                                                                                                                                                                          |                                          |                                                 |                                    |                                    |                                          |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                                    |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| AQ-1: Construction Criteria Pollutant Emissions. Construction of the Proposed Project would result in emissions of criteria pollutants, specifically PM10, that may conflict with or obstruct implementation of the applicable air quality plan and may violate an air quality standard or contribute substantially to an existing or projected air quality violation in a region that is non-attainment under State ambient air quality standards. | LS <sup>1</sup><br>SM <sup>1</sup>       | LS <sup>1</sup><br>SM <sup>1</sup>              | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup>       | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LS <sup>1</sup><br>SM <sup>1</sup> | LSM <sup>*</sup> | Mitigation Measure AQ-1: Construction Fugitive Dust Control Plan. (Applies to all Project Component Sites where ground disturbance would occur.) The following standard Dust Control Measures shall be implemented during construction to help prevent potential nuisances to nearby receptors due to fugitive dust and to reduce contributions to exceedances of the state ambient air quality standards for PM10, in accordance with MBUAPCD's CEQA Guidelines.<br>- Water all active construction areas at least twice daily, as required with water (preferably from non-potable sources); frequency should be based on the type of operation, soil, and wind exposure.<br>- Prohibit grading activities during periods of high wind (over 15 mph).<br>- Cover all trucks hauling soil, sand, and other loose materials and require trucks to maintain at least 2 feet of freeboard.<br>- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.<br>- Sweep streets daily (with water sweepers); if visible soil material is carried onto adjacent public streets,<br>- Enclose, cover, or water daily exposed stockpiles (dirt, sand, etc.);<br>- Replant vegetation in disturbed areas as quickly as possible.<br>- Wheel washers shall be installed and used by truck operators at the exits of the construction sites to the AWT Facility site, the Injection Well Facilities, and the Booster Pump Station.<br>- Post a publicly visible sign that specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with MBUAPCD rules. |

Comment [R1]: What does the asterisk denote?

Comment [R2]: What does this mean?

Comment [R4]: There is a water shortage that prohibits non-essential water use.

Comment [R5]: Why no grading during winds greater than 15 mph?

Comment [R3]: What does asterisk mean on LSM? Also, how is summary different than the parts?

Comment [R6]: What is a water sweeper?

Comment [R7]: Is it necessary to wash wheels during non-rain events?

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Product Water Conveyance         |    |                        |                          |                          |    | Injection Well Facilities |    | CalAm Distribution System |                   | Project Overall | Mitigation Measures |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|----------------------------------|----|------------------------|--------------------------|--------------------------|----|---------------------------|----|---------------------------|-------------------|-----------------|---------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | Regional Treatment Facilities at |    | RUWAP Alignment Option | Coastal Alignment Option | Product Water Conveyance |    | Injection Well Facilities |    | Transfer Pipeline         | Monterey Pipeline |                 |                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                          |                                                 |                   |                   |                                          |                |                                  |    |                        |                          |                          |    |                           |    |                           |                   |                 |                     |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                                                                                                                                                                     |                                          |                                                 |                   |                   |                                          |                |                                  |    |                        |                          |                          |    |                           |    |                           |                   |                 |                     |
| AQ-2: Construction Exposure of Sensitive Receptors to Pollutant Emissions. Construction of the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.                                                                                                                                                                                                                                                                                                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS | LS                     | LS                       | LS                       | LS | LS                        | LS | LS                        | LS                | LS              | None required.      |
| AQ-3: Construction Odors. Construction of the Proposed Project would not create objectionable odors affecting a substantial number of people.                                                                                                                                                                                                                                                                                                                                                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS | LS                     | LS                       | LS                       | LS | LS                        | LS | LS                        | LS                | LS              | None required.      |
| AQ-4C: Construction Greenhouse Gas Emissions. Construction of the Proposed Project would generate greenhouse gas emissions, either directly or indirectly, but would not make a considerable contribution to significant cumulative impacts due to greenhouse gas emissions and the related global climate change impacts.                                                                                                                                                                                                                            | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS | LS                     | LS                       | LS                       | LS | LS                        | LS | LS                        | LS                | LS              | None required.      |
| AQ-5: Operational Air Quality Violation. Operation of the Proposed Project would result in criteria pollutant emissions, but would not violate air quality standards or contribute substantially to an existing or projected air quality violation.                                                                                                                                                                                                                                                                                                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS | LS                     | LS                       | LS                       | LS | LS                        | LS | LS                        | LS                | LS              | None required.      |
| AQ-6: Operational Criteria Pollutant Emissions. Operation of the Proposed Project would result in a net increase of criteria pollutants in a region that is non-attainment under State ambient air quality standards, but the increase would not be cumulatively considerable.                                                                                                                                                                                                                                                                        | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS | LS                     | LS                       | LS                       | LS | LS                        | LS | LS                        | LS                | LS              | None required.      |
| AQ-7: Operational Exposure of Sensitive Receptors to Pollutants. Operation of the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.                                                                                                                                                                                                                                                                                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS | LS                     | LS                       | LS                       | LS | LS                        | LS | LS                        | LS                | LS              | None required.      |
| AQ-8: Operational Odors. Operation of the Proposed Project would not create objectionable odors affecting a substantial number of people.                                                                                                                                                                                                                                                                                                                                                                                                             | LS                                       | LS                                              | LS                | LS                | LS                                       | NI             | LS                               | NI | NI                     | NI                       | NI                       | NI | NI                        | NI | NI                        | NI                | LS              | None required.      |
| AQ-9C: Operational Greenhouse Gas Emissions. Operation of the Proposed Project would generate greenhouse gas emissions, either directly or indirectly. These emissions would not exceed significance thresholds such that they would result in a considerable contribution to significant cumulative impacts of greenhouse gas emissions and the related global climate change impacts. In addition, the Proposed Project would not conflict with applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS | LS                     | LS                       | LS                       | LS | LS                        | LS | LS                        | LS                | LS              | None required.      |



Table S-1  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                 | Source Water Diversion and Storage Sites                                                                                                                          |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at |     | Product Water Conveyance |     | Injection Well Facilities |     | CalAm Distribution System |                   | Project Overall   | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                   |                                                 |                   |                   |                                          |                | Treatment Facilities at          |     | Product Water Conveyance |     | Injection Well Facilities |     | CalAm Distribution System |                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                                                                                                                                                                                                                  | Salinas Pump Station                                                                                                                                              | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | NI                               | NI  | NI                       | NI  | NI                        | NI  | NI                        | Transfer Pipeline | Monterey Pipeline |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                                                                                  | NI                                                                                                                                                                | NI                                              | LSM               | LS                | NI                                       | NI             |                                  |     |                          |     |                           |     |                           |                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                                                                                  | KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact |                                                 |                   |                   |                                          |                |                                  |     |                          |     |                           |     |                           |                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                                                                                  | Biological Resources: Fisheries (BF)                                                                                                                              |                                                 |                   |                   |                                          |                |                                  |     |                          |     |                           |     |                           |                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| BF-1: Habitat Modification Due to Construction of Diversion Facilities. Construction of the proposed Reclamation Ditch and Tembladero Slough diversions could indirectly result in habitat modifications for endangered or threatened fish species as a result of construction activities and dewatering the construction sites. | NI                                                                                                                                                                | NI                                              | LSM               | LSM               | LS                                       | NI             | NI                               | NI  | NI                       | NI  | NI                        | NI  | NI                        | NI                | LSM               | Mitigation Measure BF-1a: Construction during Low Flow Season. (Applies to Reclamation Ditch and Tembladero Slough Diversions)<br>Conduct construction of diversion facilities during periods of low flow outside of the SOCC steelhead migration periods, i.e. between June and November, which would be outside of the adult migration period from December through April and outside of the smolt migration period from March through May.<br>Mitigation Measure BF-1b: Relocation of Aquatic Species during Construction. (Applies to Reclamation Ditch and Tembladero Slough Diversions).<br>Conduct pre-construction surveys to determine whether tidewater gobies or other fish species are present, and if so, implement appropriate measures in consultation with applicable regulatory agencies, which may include a program for capture and relocation of tidewater gobies to suitable habitat outside of work area during construction.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                   |                                                 |                   |                   |                                          |                |                                  |     |                          |     |                           |     |                           |                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| BF-2: Interference with Fish Migration. Operation of the Proposed Project would result in changes in stream flows that may interfere with fish migration in the Salinas River and Reclamation Ditch.                                                                                                                             | LS                                                                                                                                                                | LS                                              | LSM               | LS                | LS                                       | NI             | NI                               | NI  | NI                       | NI  | NI                        | NI  | NI                        | NI                | LSM               | Mitigation Measure BF-2a: Maintain Migration Flows. (Applies to the Reclamation Ditch Diversion) Operate diversions to maintain steelhead migration flows in the Reclamation Ditch based on two criteria – one for upstream adult passage in Jan-Feb-Mar and one for downstream juvenile passage in Apr-May. For juvenile passage, the downstream passage shall have a flow trigger in both Gablian Creek and at the Reclamation Ditch, so that if there is flow in Gablian Creek that would allow outmigration, then the bypass flow requirements, as measured at the San Jon Gage of the Reclamation Ditch, shall be applied (see Hagar Environmental Science, Estimation of Minimum Flows for Migration of Steelhead in the Reclamation Ditch, February 27, 2015, in Appendix G-2, of this EIR). If there is no flow in Gablian Creek, then only the low flow (minimum bypass flow requirement as proposed in the project description) shall be applied, and these flows for the dry season at Reclamation Ditch as measured at the San Jon USGS gage shall be met.<br>Alternately, as the San Jon weir located at the USGS gage is considered a barrier to steelhead migration and the bypass flow requirements have been developed to allow adult and smolt steelhead migration to have adequate flow to travel past this obstacle, if the weir were to be modified to allow steelhead passage, the mitigation above would not have to be met. Therefore, alternate Mitigation Measure BF-2a has been developed, as follows:<br>Mitigation Measure Alternate BF-2a: Modify San Jon Weir. (Applies to the Reclamation Ditch Diversion) Construct modifications to the existing San Jon weir to provide for steelhead passage. Modifications could include downstream pool, modifications to the structural configuration of the weir to allow passage or other construction, and improvements to remove the impediment to steelhead passage defined above. |
|                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                   |                                                 |                   |                   |                                          |                |                                  |     |                          |     |                           |     |                           |                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| BF-3: Reduction in Fish Habitat or Fish Populations Due to Project Operations. Operation of the Proposed Project diversions would not reduce the habitat of a fish species or substantially affect fish populations.                                                                                                             | LS                                                                                                                                                                | LS                                              | LS                | LS                | LS                                       | NI             | NI                               | NI  | NI                       | NI  | NI                        | NI  | NI                        | NI                | LS                | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Biological Resources: Terrestrial (BT)                                                                                                                                                                                                                                                                                           |                                                                                                                                                                   |                                                 |                   |                   |                                          |                |                                  |     |                          |     |                           |     |                           |                   |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| BT-1: Construction Impacts to Special-Status Species and Habitat. Proposed Project construction may adversely affect, either directly or through habitat modification, special-status plant and wildlife species and their habitat within the Project Study Area.                                                                | LSM                                                                                                                                                               | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | NI                               | LSM | LSM                      | LSM | LSM                       | LSM | LSM                       | LSM               | LSM               | See complete text following this table.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                     | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant |                          | Product Water Conveyance |                   | Injection Well Facilities |     | CalAm Distribution System |    | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   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|                                                                                                                                                                                                                                      | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | RUWAP Alignment Option                           | Coastal Alignment Option | Transfer Pipeline        | Monterey Pipeline |                           |     |                           |    |                 |                                                                                                                                                                                                                                                                                                                                                                              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| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                    |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                   |                           |     |                           |    |                 |                                                                                                                                                                                                                                                                                                                                                                              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| BT-2: Construction Impacts to Sensitive Habitats.<br>Proposed Project construction may adversely affect sensitive habitats (including riparian, wetlands, and/or other sensitive natural communities) within the Project Study Area. | NI                                       | NI                                              | LSM               | LSM               | LSM                                      | NI             | NI                                               | LS                       | LSM                      | LS                | NI                        | LSM | LSM                       |    |                 | <p><b>Mitigation Measure BT-2a:</b> Avoidance and Minimization of Impacts to Riparian Habitat and Wetland Habitats. (Applies to Tembladero Slough Diversion, Blanco Drain Diversion, and Product Water Conveyance: Coastal Alignment Option) When designing the facilities at these component sites, the MRWPCA shall site and design project features to avoid impacts to the riparian and wetland habitats shown in Attachment 8 of Appendix H and Appendix I, including direct habitat removal and indirect hydrology and water quality impacts, to the greatest extent feasible while taking into account site and engineering constraints. To protect this sensitive habitat during construction, the following measures shall be implemented:</p> <ul style="list-style-type: none"><li>• Place construction fencing around riparian and wetland habitat to be preserved to ensure construction activities and personnel do not impact this area.</li><li>• All proposed lighting shall be designed to avoid light and glare into the riparian and wetland habitat. Light sources shall not illuminate these areas or cause glare.</li><li>• In the event that full avoidance is not possible and a portion or all of the riparian and wetland habitat would be impacted, the following minimization measures shall be implemented:</li><li>• Impacted riparian and wetland habitat shall be mitigated at a 1:1 replacement-to-loss ratio through restoration and/or preservation. The final mitigation amounts shall be determined during the design phase but cannot be less than 1:1. It is expected that the mitigation can occur within the Locke Paddon Lake watershed, along the Tembladero Slough, and within the Salinas River corridor near the Blanco Drain near where impacts may occur. A Habitat Mitigation and Monitoring Plan (HMMP) shall be prepared by a qualified biologist to mitigate for impacts to riparian and wetland habitat. The HMMP shall outline the details of a riparian and wetland habitat restoration plan, including but not limited to, planting plan, success criteria, monitoring protocols to determine if the success criteria have been met, adaptive management protocols in the case that the success criteria are not met, and funding assurances.</li><li><b>Mitigation Measure BT-2b:</b> Avoidance and Minimization of Impacts to Central Dune Scrub Habitat. (Applies to CalAm Distribution System: Monterey Pipeline) When designing the Monterey Pipeline, the project proponents shall site and design project features to avoid impacts to the central dune scrub habitat shown in Attachment 8 of Appendix H, including direct habitat removal, to the greatest extent feasible while taking into account site and engineering constraints. To protect this sensitive habitat during construction, the following measures shall be implemented:</li><li>• Place construction fencing around central dune scrub habitat to be preserved to ensure construction activities and personnel do not impact this area.</li><li>• All proposed lighting shall be designed to avoid light and glare into the central dune scrub habitat. Light sources shall not illuminate central dune scrub habitat areas or cause glare.</li><li>• If full avoidance is not possible and a portion or all of the central dune scrub habitat would be impacted, the following minimization measures shall be implemented:</li><li>• Approximately 2.7 acres of central dune scrub habitat could be impacted by the project. Impacted central dune scrub habitat shall be mitigated at a 1:1 replacement-to-loss ratio through restoration and/or preservation. The final mitigation amounts shall be determined during the design phase. It is expected that the mitigation can occur onsite or within the immediate vicinity. A Habitat Mitigation and Monitoring Plan (HMMP) shall be prepared by a qualified biologist to mitigate for impacts to central dune scrub habitat. The HMMP shall outline the details of a central dune scrub habitat restoration plan, including but not limited to, planting plan, success criteria, monitoring protocols to determine if the success criteria have been met, adaptive management protocols if success criteria are not met, and funding assurances.</li><li><b>Mitigation Measure BT-2c:</b> Avoidance and Minimization of Construction Impacts Resulting from Horizontal Directional Drilling under the Salinas River (Applies to Blanco Drain Diversion) The project proponents in coordination with the contractor shall prepare and implement a Frack-Out Plan to avoid or reduce accidental impacts resulting from horizontal directional drilling beneath the Salinas River. The Frack-Out Plan shall address spill prevention, containment, and clean-up methodology in the event of a frack out.</li></ul> |
|                                                                                                                                                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                | LS                        | LS  | LS                        | LS | LS              |                                                                                                                                                                                                                                                                                                                                                                              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| BT-3: Construction Impacts to Movement of Native Wildlife and Native Wildlife Nursery Sites. Proposed Project construction would not adversely affect native wildlife corridors and wildlife nursery sites.                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                | LS                        | LS  | LS                        | LS | None required.  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                             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Table S-1  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at Plant | Product Water Conveyance |                          | Injection Well Facilities |     | CalAm Distribution System |     | Project Overall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Mitigation Measures |  |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                        | RUWAP Alignment Option   | Coastal Alignment Option | Transfer Pipeline         |     | Monterey Pipeline         |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                     |  |
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| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                                                                                                                                                          |                                          |                                                 |                   |                   |                                          |                |                                        |                          |                          |                           |     |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                     |  |
| <b>BT-4: Construction Conflicts with Local Policies, Ordinances, or Approved Habitat Conservation Plan.</b> Proposed Project construction would potentially conflict with local policies or ordinances protecting biological resources. A conflict may occur if the HMP plant species within the Proposed Project component sites on the former Fort Ord that do not require a take authorization from the Service or CDFW are impacted, and seed salvage is not conducted. There are no approved HCPs applicable to the Proposed Project. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | LSM                      | LSM                      | LSM                       | LS  | LS                        | LSM | <b>Mitigation Measure BT-4:</b> HMP Plant Species Salvage. (Applies to Product Water Conveyance: RUWAP and Coastal Alignment Options, and Injection Well Facilities site within the former Fort Ord only) For impacts to the HMP plant species within the Project Study Area that do not require take authorization from USFWS or CDFW, salvage efforts for these species shall be evaluated by a qualified biologist per the requirements of the HMP and BO. A salvage plan shall be prepared and implemented by a qualified biologist, which shall include, but is not limited to: a description and evaluation of salvage opportunities and constraints; a description of the appropriate methods and protocols of salvage and relocation efforts; identification of relocation and restoration areas; and identification of qualified biologists approved to perform the salvage efforts, including the identification of any required collection permits from USFWS and/or CDFW. Where proposed, seed collection shall occur from plants within the Project Study Area and topsoil shall be salvaged within occupied areas to be disturbed. Seeds shall be collected during the appropriate time of year for each species by qualified biologists. At the time of seed collection, a map shall also be prepared that identifies the specific locations of the plants for any future topsoil preservation efforts. The collected seeds shall be used to revegetate temporarily disturbed construction areas and reseeded and restoration efforts on- or off-site, as determined appropriate in the salvage plan.                                                                                                                                                                                                                                                                                                          |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | LS                       | LS                       | LS                        | LS  | LS                        | LS  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | NI                                     | LS                       | LS                       | NI                        | LSM | LSM                       | LSM |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | LS                       | LS                       | LS                        | LS  | LS                        | LS  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | None required.      |  |
| <b>BT-5: Operational Impacts to Special-Status Species.</b> Proposed Project operations would not adversely affect, either directly or through habitat modification, special-status plant and wildlife species and their habitat.                                                                                                                                                                                                                                                                                                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | LS                       | LS                       | LS                        | LS  | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |  |
| <b>BT-6: Operational Impacts to Sensitive Habitats.</b> Proposed Project operations may adversely affect sensitive habitats (including riparian, wetlands, and/or other sensitive natural communities) within and adjacent to the Project Study Area.                                                                                                                                                                                                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | NI                                     | LS                       | LS                       | LS                        | NI  | LSM                       | LSM | <b>Mitigation Measure BT-6:</b> Implementation of Mitigation Measures BT-1a for Avoidance and Minimization of Operational Impacts to Sensitive Habitat (Applies to Applies to Reclamation Ditch Diversion, Tembladero Slough Diversion, Blanco Drain Diversion, and CalAm Distribution System; Monterey Pipeline) During operation and maintenance activities, implementation of Mitigation Measures BT-1a, which avoid and minimize impacts through implementing construction best management practices and monitoring, would reduce potential impacts to sensitive habitat to a less-than-significant level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |  |
| <b>BT-7: Operational Impacts to Movement of Native Wildlife and to Native Wildlife Nursery Sites.</b> Proposed Project operations would not adversely affect native wildlife corridors and wildlife nursery sites.                                                                                                                                                                                                                                                                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | LS                       | LS                       | LS                        | LS  | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |  |
| <b>BT-8: Operational Conflicts with Local Policies, Ordinances, or approved Habitat Conservation Plan.</b> Proposed Project operations would not conflict with local policies or ordinances protecting biological resources.                                                                                                                                                                                                                                                                                                               | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | LS                       | LS                       | LS                        | LS  | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                     |  |
| Cultural and Paleontological Resources (CR)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                          |                                                 |                   |                   |                                          |                |                                        |                          |                          |                           |     |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                     |  |
| <b>CR-1: Construction Impacts on Historic Resources.</b> Proposed Project construction may result in a substantial adverse change in the significance of a known historic resource as defined in 15064.5 of the CEQA Guidelines or historic properties pursuant to 36 CFR 800.5.                                                                                                                                                                                                                                                           | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                     | NI                       | NI                       | NI                        | NI  | LSM                       | LSM | <b>Mitigation Measure CR-1:</b> Avoidance and Vibration Monitoring for Pipeline Installation in the Presidio of Monterey Historic District, and Downtown Monterey. (Applies to portion of the CalAm Distribution System: Monterey Pipeline) CalAm shall construct the section of the Monterey Pipeline located on Stillwell Avenue within the Presidio of Monterey Historic District and within W. Franklin Street in downtown Monterey as close as possible to the centerlines of these streets to: (1) avoid direct impacts to the historic Presidio Entrance Monument, and (2) reduce impacts from construction vibration to below the 0.12 inches per second (in/sec) peak particle velocity vibration PPV) threshold. If CalAm determines that the pipeline cannot be located near the centerline of these street segments due to traffic concerns or existing utilities, the historic properties identified on Table 4.6-2 of this EIR shall be monitored for vibration during pipeline construction, especially during the use of jackhammers and vibratory rollers. If construction vibration levels exceed 0.12 in/sec PPV, construction shall be halted and other construction methods shall be employed to reduce the vibration levels below the standard threshold. Alternative construction methods may include using concrete saws instead of jackhammers or hoe-rans to open excavation trenches, the use of non-vibratory rollers, and hand excavation. If impact sheet pile installation is needed (i.e., for horizontal directional drilling or jack-and-bore) within 80 feet of any historical resource or within 80 feet of a historic district, CalAm shall monitor vibration levels to ensure that the 0.12-in/sec PPV damage threshold is not exceeded. If vibration levels exceed the applicable threshold, the contractor shall use alternative construction methods such as vibratory pile drivers. |                     |  |

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                               | Source Water Diversion and Storage Sites                                                                                                                                          |                                                 |                   |                   |                                          |                | Regional Treatment Plant |  | Product Water Conveyance |                          | Injection Well Facilities |  | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                    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|                                                                                                                                                                                                                                                                                                                | Salinas Pump Station                                                                                                                                                              | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                          |  | RUWAP Alignment Option   | Coastal Alignment Option |                           |  | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                        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| CR-2: Construction Impacts on Archaeological Resources or Human Remains. Proposed Project construction may result in a substantial adverse change in the significance of one known archaeological resource and to unknown archaeological resources during construction and/or encounter unknown human remains. | LSM                                                                                                                                                                               | LSM                                             | LSM               | LSM               | LSM                                      | LSM            |                          |  | LSM                      | LSM                      |                           |  | LSM                       | LSM               | LSM             | <p><b>Mitigation Measure CR-2a:</b> Archaeological Monitoring Plan. (Applies to the segment of the CalAm Distribution Pipeline through the Presidio of Monterey and along W. Franklin Street and to the Lake El Estero Diversion Site) Each of the project proponents shall contract a qualified archaeologist meeting the Secretary of the Interior's Qualification Standard (Lead Archaeologist) to prepare and implement an Archaeological Monitoring Plan, and oversee and direct all archaeological monitoring activities during construction. Archaeological monitoring shall be conducted for all subsurface excavation work within 100 feet of Presidio #2 in the Presidio of Monterey, in downtown Monterey on W. Franklin Street between High and Figueroa Streets; and at potentially sensitive archaeological sites at Lake El Estero. At a minimum, the Archaeological Monitoring Plan shall:</p> <ul style="list-style-type: none"><li>• Detail the cultural resources training program that shall be completed by all construction and field workers involved in ground disturbance;</li><li>• Designate the person(s) responsible for conducting monitoring activities, including Native American monitor(s), if deemed necessary;</li><li>• Establish monitoring protocols to ensure monitoring is conducted in accordance with current professional standards provided by the California Office of Historic Preservation;</li><li>• Establish the template and content requirements for monitoring reports;</li><li>• Establish a schedule for submittal of monitoring reports and person(s) responsible for review and approval of monitoring reports;</li><li>• Establish protocols for notifications in case of encountering cultural resources, as well as methods for evaluating significance, developing and implementing a plan to avoid or mitigate significant resource impacts, facilitating Native American participation and consultation, implementing a collection and curation plan, and ensuring consistency with applicable laws including Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code;</li><li>• Establish methods to ensure security of cultural resources sites;</li><li>• Describe the appropriate protocols for notifying the County, Native Americans, and local authorities (i.e. Sheriff, Police) should site looting and other illegal activities occur during construction with reference to Public Resources Code 5097.99.</li></ul> <p>During the course of the monitoring, the Lead Archaeologist may adjust the frequency—from continuous to intermittent—of the monitoring based on the conditions and professional judgment regarding the potential to encounter resources. If archaeological materials are encountered, all soil disturbing activities within 100 feet of the find shall cease until the resource is evaluated. The Lead Archaeologist shall immediately notify the relevant Proposed Project proponent of the encountered archaeological resource. The Lead Archaeologist shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological resource, present the findings of this assessment to the lead agency, or CPUC, for the CalAm Distribution Pipeline. In the event archaeological resources qualifying as either historical resources pursuant to CEQA Section 15064.5 or as unique archaeological resources as defined by Public Resources Code 21083.2 are encountered, preservation in place shall be the preferred manner of mitigation.</p> <p>If preservation in place is not feasible, the applicable project proponent(s) shall implement an Archaeological Research Design and Treatment Plan (ARDTP). The Lead Archaeologist, Native American representatives, and the State Historic Preservation Office designee shall meet to determine the scope of the ARDTP. The ARDTP will identify a program for the treatment and recovery of important scientific data contained within the portions of the archaeological resources located within the project Area of Potential Effects; would preserve any significant historical information obtained; and will identify the scientific/historic research questions applicable to the resources, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The results of the investigation shall be documented in a technical report that provides a full artifact catalog, analysis of items collected, results of any special studies conducted, and interpretations of the resource within a regional and local context. All technical documents shall be placed on file at the Northwest Information Center of the California Historical Resources Information System.</p> <p><b>Mitigation Measure CR-2b:</b> Discovery of Archaeological Resources or Human Remains. (Applies to all Proposed Project components) If archaeological resources or human remains are unexpectedly discovered during any construction, work shall be halted within 50 meters (±160 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. The County Coroner shall be notified in accordance with provisions of Public Resources Code 5097.98-99 in the event human remains are found and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code section 5097 if the remains are determined to be of Native American origin.</p> <p><b>Mitigation Measure CR-2c:</b> Native American Notification. (Applies to all Proposed Project components) Because of their continuing interest in potential discoveries during construction, all listed Native American Contacts shall be notified of any and all discoveries of archaeological resources in the project area.</p> |
|                                                                                                                                                                                                                                                                                                                | CR-3: Construction Impacts on Unknown Paleontological Resources. Proposed Project construction would not result in damage to or destruction of unknown paleontological resources. | LS                                              | LS                | NI                | NI                                       | NI             | NI                       |  |                          | NI                       | NI                        |  |                           | LS                | LS              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            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Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                      | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at |                          | Product Water Conveyance |    | Injection Well Facilities |                   | CalAm Distribution System |     | Project Overall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Mitigation Measures |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|----------------------------------|--------------------------|--------------------------|----|---------------------------|-------------------|---------------------------|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
|                                                                                                                                                                                                                                                                                       | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | RUWAP Alignment Option           | Coastal Alignment Option | NI                       | NI | NI                        | Transfer Pipeline | Monterey Pipeline         |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                     |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                     |                                          |                                                 |                   |                   |                                          |                |                                  |                          |                          |    |                           |                   |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                     |
| GS-5: Exposure to Coastal Erosion and Sea Level Rise. The Proposed CalAm Distribution System Monterey Pipeline would be exposed to substantial soil erosion as a result of sea level rise.                                                                                            | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                               | NI                       | NI                       | NI | NI                        | LSM               | LSM                       | LSM | Mitigation Measure GS-5: Monterey Pipeline Deepening. (Applies to CalAm Distribution System: Monterey Pipeline only). CalAm shall bury the Monterey Pipeline segment that is within the pre-determined coastal erosion hazard zone to a depth of five feet below the depth of the 2060, 100-year lower profile envelope. The extent of the coastal erosion hazard zone, length of affected pipeline section, and lower profile envelope for this pipeline segment shall be determined as per the Analysis of Historic and Future Coastal Erosion with Sea Level Rise (ESA-PWA, 2014). |                     |
| GS-6: Hydro-Collapse of Soils from Well Injection. Proposed Project operation would not create a substantial risk to life or property due to its facilities being located on a geologic unit or soils that are unstable, or that would become unstable as a result of hydro-collapse. | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                               | NI                       | NI                       | NI | LS                        | NI                | NI                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |
| GS-7: Exposure to Expansive and Corrosive Soils. The Proposed Project would not result in substantial risks to the public or other facilities due to location on expansive or corrosive soil types.                                                                                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                       | LS                       | LS | LS                        | LS                | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |
| Hazards and Hazardous Materials (HH)                                                                                                                                                                                                                                                  |                                          |                                                 |                   |                   |                                          |                |                                  |                          |                          |    |                           |                   |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                     |
| HH-1: Use and Disposal of Hazardous Materials During Construction. Proposed Project construction would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction.                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                       | LS                       | LS | LS                        | LS                | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                    | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at |                   | Product Water Conveyance |        | Injection Well Facilities |                   | CalAm Distribution System |     | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                              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|                                                                                                                                                                                                                                                                                                     | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | RUWAP Alignment                  | Coastal Alignment | Option                   | Option | Transfer Pipeline         | Monterey Pipeline |                           |     |                 |                                                                                                                                                                                                                                                                                                                                  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| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                   |                                          |                                                 |                   |                   |                                          |                |                                  |                   |                          |        |                           |                   |                           |     |                 |                                                                                                                                                                                                                                                                                                                                  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| HH-2: Accidental Release of Hazardous Materials During Construction. Proposed Project construction would potentially cause upset and accident conditions involving the release of hazardous materials into the environment.                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | LSM            | LS                               | LSM               | LSM                      | LSM    | LSM                       | LSM               | LSM                       | LSM |                 | <p><b>Mitigation Measure HH-2a:</b> Environmental Site Assessment. (Applies to the Lake El Estero Diversion, Product Water Conveyance RUWAP and Coastal Alignment Options, Injection Well Facilities and the CalAm Distribution System) If required by local jurisdictions and property owners with approval responsibility for construction of each component, MRWPCA and CalAm shall conduct a Phase I Environmental Site Assessment in conformance with ASTM Standard 1527-05 to identify potential locations where hazardous material contamination may be encountered. If an Environmental Site Assessment indicates that a release of hazardous materials could have affected soil or groundwater quality at a project site, a Phase II environmental site assessment shall be conducted to determine the extent of contamination and to prescribe an appropriate course of remediation, including but not limited to removal of contaminated soils, in conformance with state and local guidelines and regulations. If the results of the subsurface investigation(s) indicate the presence of hazardous materials, additional site remediation may be required by the applicable state or local regulatory agencies, and the contractors shall be required to comply with all regulatory requirements for facility design or site remediation.</p> <p><b>Mitigation Measure HH-2b:</b> Health and Safety Plan. (Applies to the Lake El Estero Diversion, Product Water Conveyance RUWAP and Coastal Alignment Options, the Injection Well Facilities, and the CalAm Distribution System) The construction contractor(s) shall prepare and implement a project-specific Health and Safety Plan (HSP) for each site on which construction may occur, in accordance with 29 CFR 1910 to protect construction workers and the public during all excavation, grading, and construction. The HSP shall include the following, at a minimum:</p> <ul style="list-style-type: none"><li>• A summary of all potential risks to construction workers and the maximum exposure limits for all known and reasonably foreseeable site chemicals (the HSP shall incorporate and consider the information in all available existing Environmental Site Assessments and remediation reports for properties within ¼-mile using the EnviroStor Database);</li><li>• Specified personal protective equipment and decontamination procedures, if needed;</li><li>• Emergency procedures, including route to the nearest hospital;</li><li>• Procedures to be followed in the event that evidence of potential soil or groundwater contamination (such as soil staining, noxious odors, debris or buried storage containers) is encountered. These procedures shall be in accordance with hazardous waste operations regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release, notifying Monterey County Department of Environmental Health, and retaining a qualified environmental firm to perform sampling and remediation; and</li><li>• The identification and responsibilities of a site health and safety supervisor.</li></ul> <p><b>Mitigation Measure HH-2c:</b> Materials and Dewatering Disposal Plan. (Applies to the Lake El Estero Diversion, Product Water Conveyance System Options, the Injection Well Facilities, and the CalAm Distribution System) MRWPCA and CalAm and/or their contractors shall develop a materials disposal plan specifying how the contractor will remove, handle, transport, and dispose of all excavated material in a safe, appropriate, and lawful manner. The plan must identify the disposal method for soil and the approved disposal site, and include written documentation that the disposal site will accept the waste. <b>For areas within the Seaside munitions response areas called Site 39 (coincident with the Injection Well Facilities component)</b>, the materials disposal plans shall be reviewed and approved by FORA and the City of Seaside.</p> <p>The contractor shall develop a groundwater dewatering control and disposal plan specifying how the contractor will remove, handle, and dispose of groundwater impacted by hazardous substances in a safe, appropriate, and lawful manner. The plan must identify the locations at which potential contaminated groundwater dewatering are likely to be encountered (if any), the method to analyze groundwater for hazardous materials, and the appropriate treatment and/or disposal methods. If the dewatering effluent contains contaminants that exceed the requirements of the General WDRs for Discharges with a Low Threat to Water Quality (Order No. R3-2011-0223, NPDES Permit No. CAG93001), the construction contractor shall contain the dewatering effluent in a portable holding tank for appropriate offsite disposal or discharge (see Section 4.11, Hydrology and Water Quality: Surface Water, for more information regarding this NPDES permit). The contractor can either dispose of the contaminated effluent at a permitted waste management facility or discharge the effluent, under permit, to the Regional Treatment Plant.</p> |
|                                                                                                                                                                                                                                                                                                     | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                               | LS                | LS                       | LS     | LS                        | LS                | LS                        | LS  | LSM             |                                                                                                                                                                                                                                                                                                                                  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| HH-3: Construction of Facilities on Known Hazardous Materials Site. Proposed Project construction would occur on a known hazardous materials site pursuant to Government Code Section 65962.5; however, the Proposed Project would not result in a significant hazard to people or the environment. | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                               | NI                | LS                       | LS     | LS                        | LS                | LS                        | LS  | LSM             | LSM                                                                                                                                                                                                                                                                                                                                                                                                    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Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                           | Source Water Diversion and Storage Sites |    |    |    |    |    | Regional Treatment Facilities at |    | Product Water Conveyance |       | Injection Well Facilities |    | CalAm Distribution System |                   | Project Overall | Mitigation Measures |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----|----|----|----|----|----------------------------------|----|--------------------------|-------|---------------------------|----|---------------------------|-------------------|-----------------|---------------------|--|
|                                                                                                                                                                                                                                                                                                                                                                                            |                                          |    |    |    |    |    | Regional Treatment Facilities at |    | Product Water Conveyance |       | Injection Well Facilities |    | CalAm Distribution System |                   |                 |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                            |                                          |    |    |    |    |    |                                  |    |                          |       |                           |    | Transfer Pipeline         | Monterey Pipeline |                 |                     |  |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                          |                                          |    |    |    |    |    |                                  |    |                          |       |                           |    |                           |                   |                 |                     |  |
| HH-4: Use of Hazardous Materials During Construction Within 0.25-Miles of Schools.<br>Proposed Project construction would not result in nor create a significant hazard to the public or the environment due to handling of hazardous materials or hazardous emissions within 0.25 mile of a school during construction.                                                                   | NI                                       | NI | NI | NI | NI | NI | LS                               | LS | LS                       | LS    | NI                        | NI | LS                        | None required.    |                 |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                            | LS                                       | LS | LS | LS | LS | LS | LS                               | LS | LS                       | LS    | LS                        | LS | LS                        | None required.    |                 |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                            | LS                                       | LS | LS | LS | LS | LS | LS                               | LS | LS                       | LS    | LS                        | LS | LS                        | None required.    |                 |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                            | LS                                       | LS | LS | LS | LS | LS | LS                               | LS | LS                       | LS    | LS                        | LS | LS                        | None required.    |                 |                     |  |
| HH-7: Operation of Facilities on Known Hazardous Materials Site. Proposed Project facilities would be located on a known hazardous materials site; however, the Proposed Project would not result in a significant hazard to people or the environment.                                                                                                                                    | LS                                       | LS | LS | LS | LS | LS | LS                               | LS | LS                       | LS    | LS                        | LS | LS                        | None required.    |                 |                     |  |
| Hydrology and Water Quality: Groundwater (GW)                                                                                                                                                                                                                                                                                                                                              |                                          |    |    |    |    |    |                                  |    |                          |       |                           |    |                           |                   |                 |                     |  |
| GW-1: Construction Groundwater Depletion, Levels, and Recharge. Construction of the Proposed Project components would not deplete groundwater supplies nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of local groundwater levels.                                                                           | LS                                       | LS | LS | LS | LS | LS | LS                               | LS | LS                       | LS    | LS                        | LS | LS                        | None required.    |                 |                     |  |
| GW-2: Construction Groundwater Quality. Proposed Project construction would not violate any water quality standards or otherwise degrade water quality.                                                                                                                                                                                                                                    | LS                                       | LS | LS | LS | LS | LS | LS                               | LS | LS                       | LS    | LS                        | LS | LS                        | None required.    |                 |                     |  |
| GW-3: Operational Groundwater Depletion and Levels: Salinas Valley Groundwater Basin. Operation of the Proposed Project would not deplete groundwater supplies in the Salinas Valley nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater levels in the Salinas Valley Groundwater Basin. | LS                                       | LS | LS | LS | NI | NI | BI                               | NI | NI                       | NI    | NI                        | NI | NI                        | None required.    |                 |                     |  |
| GW-4: Operational Groundwater Depletion and Levels: Seaside Basin. Operation of the Proposed Project would not deplete groundwater supplies in the Seaside Basin nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater levels in the Seaside Basin.                                        | NI                                       | NI | NI | NI | NI | NI | NI                               | NI | NI                       | LS/BI | NI                        | NI | LS                        | None required.    |                 |                     |  |

Comment [R8]: Are there no beneficial impacts due to injection project?



Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Source Water Diversion and Storage Sites        |                   |                   |                                          |                |    | Regional Treatment Facilities at |    | Product Water Conveyance |    | Injection Well Facilities |       | CalAm Distribution System |    | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|----|----------------------------------|----|--------------------------|----|---------------------------|-------|---------------------------|----|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                 |                   |                   |                                          |                |    |                                  |    |                          |    |                           |       |                           |    |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                 |                   |                   |                                          |                |    |                                  |    |                          |    |                           |       |                           |    |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Salinas Pump Station                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |    | BI                               | NI | BI                       | NI | NI                        | NI    | NI                        | NI | BI              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| GW-5: Operational Groundwater Quality: Salinas Valley. Operation of the Proposed Project would not degrade groundwater quality in the Salinas Valley.                                                                                                                                                                                                                                                                                                                                                                                                      |                                                 |                   |                   |                                          |                |    |                                  |    |                          |    |                           |       |                           |    |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| GW-6: Operational Groundwater Quality: Seaside Basin. Proposed Project operations would not degrade groundwater quality in the Seaside Basin, including due to injection of purified recycled water into the basin.                                                                                                                                                                                                                                                                                                                                        | NI                                              | NI                | NI                | NI                                       | NI             | NI | BI/LS *                          | NI | NI                       | LS | LS                        | BI/LS | NI                        | NI | BI/LS           | None-required-Injection water should be monitored for drinking water standards (e.g. MCL, MCLG, MRDLG, MRDL) for contaminants of concern                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant; L SM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                                                                                                                                            |                                                 |                   |                   |                                          |                |    |                                  |    |                          |    |                           |       |                           |    |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Hydrology and Water Quality: Surface Water (HS)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                 |                   |                   |                                          |                |    |                                  |    |                          |    |                           |       |                           |    |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| HS-1: Construction Impacts to Surface Water Quality due to Discharges. Proposed Project construction involving well drilling and development, and dewatering of shallow groundwater during excavation would generate water requiring disposal. Compliance with existing regulatory requirements would ensure that water disposal during construction would not violate any water quality standards or waste discharge requirements, would not cause substantial erosion or siltation, and would not otherwise substantially degrade surface water quality. | LS                                              | LS                | LS                | LS                                       | LS             | LS | LS                               | LS | LS                       | LS | LS                        | LS    | LS                        | LS | LS              | None-required-Please describe how groundwater would be disposed of (e.g. hydrogen sulfide abatement). Please consider disposing of purge water in the Seaside Golf Course Reservoir.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| HS-2: Construction Impacts to Surface Water Quality due to Earthmoving, Drainage Alterations, and Use of Hazardous Chemicals. Proposed Project construction would not violate any water quality standards or waste discharge requirements, would not cause substantial erosion or siltation, and would not otherwise substantially degrade surface water quality including marine water quality, due to earthmoving, drainage system alterations, and use of hazardous chemicals.                                                                          | LS                                              | LS                | LS                | LS                                       | LS             | LS | LS                               | LS | LS                       | LS | LS                        | LS    | LS                        | LS | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| HS-3: Operational Impacts to Surface Water Quality due to Well Maintenance Discharges. Proposed Project operations would not violate any water quality standards or waste discharge requirements, and would not otherwise substantially degrade surface water quality due to well maintenance discharges.                                                                                                                                                                                                                                                  | NI                                              | NI                | NI                | NI                                       | NI             | NI | NI                               | NI | NI                       | NI | NI                        | LS    | NI                        | NI | LS              | Please describe how groundwater would be treated to remove contaminants (e.g. hydrogen sulfide abatement).None-required-Please consider disposing of purge water in the Seaside Golf Course Reservoir.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| HS-4: Operational Surface Water Quality Impacts due to Source Water Diversions. Proposed Project diversions would result in water quality benefits due to diversion and treatment of polluted waters; however, rapid water fluctuation from diversions at the Reclamation Ditch could induce erosion and sedimentation in downstream waters.                                                                                                                                                                                                               | LS                                              | LS                | LSM               | LS                                       | LS             | LS | NI                               | NI | NI                       | NI | NI                        | NI    | NI                        | NI | LSM             | Mitigation Measure HS-4: Management of Surface Water Diversion Operations (Applies to Reclamation Ditch Diversion, only) Rapid, imposed water-level fluctuations shall be avoided when operating the Reclamation Ditch Diversion pumps to minimize erosion and failure of exposed (or unvegetated), susceptible banks. This can be accomplished by operating the pumps at an appropriate flow rate, in conjunction with commencing operation of the pumps only when suitable water levels or flow rates are measured in the water body. Proper control shall be implemented to ensure that mobilized sediment would not impair downstream habitat values and to prevent adverse impacts due to water/soil interface adjacent to the Reclamation Ditch and Tembladero Slough. |

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                          | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at |                          | Product Water Conveyance |    | Injection Well Facilities |    | CalAm Distribution System |     | Project Overall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Mitigation Measures |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|----------------------------------|--------------------------|--------------------------|----|---------------------------|----|---------------------------|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--|
|                                                                                                                                                                                                                                                                                                                                                                                                           | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | RUPAP Alignment Option           | Coastal Alignment Option | Transfer Pipeline        |    | Monterey Pipeline         |    |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                     |  |
|                                                                                                                                                                                                                                                                                                                                                                                                           |                                          |                                                 |                   |                   |                                          |                |                                  |                          |                          |    |                           |    |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                     |  |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                  |                          |                          |    |                           |    |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                     |  |
| HS-5: Operational Marine Water Quality due to Ocean Discharges. Proposed Project operational discharges of reverse osmosis concentrate to the ocean through the MRWPCA outfall would not violate water quality standards or waste discharge requirements, or otherwise substantially degrade water quality.                                                                                               | BI                                       | BI                                              | BI                | BI                | BI                                       | BI             | LS                               | NI                       | NI                       | NI | NI                        | NI | NI                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |  |
| HS-6: Operational Drainage Pattern Alterations. The Proposed Project would alter existing drainage patterns of the component sites by increasing impervious surfaces, but would not substantially increase the rate or amount of runoff such that it would: (1) cause erosion or siltation on- or off-site, (2) cause flooding on- or offsite, or (3) exceed the existing storm drainage system capacity. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                       | LS                       | LS | LS                        | LS | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |  |
| HS-7: Operational Carmel River Flows. Proposed Project operations would result in reduced pumping of the Carmel River alluvial aquifer resulting in increased flows in Carmel River that would benefit habitat for aquatic and terrestrial species.                                                                                                                                                       | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                               | NI                       | NI                       | NI | NI                        | NI | NI                        | BI  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |  |
| HS-8: Operational Risks due to Location within 100-Year Flood Area. Portions of the Proposed Project would be located within a 100-year flood hazard area but would not impede or redirect flood flows.                                                                                                                                                                                                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | NI                               | LS                       | LS                       | LS | LS                        | NI | NI                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |  |
| HS-9: Operational Risks due to Flooding due to Levee/Dam Failure, or Coastal Inundation. During operations, some Proposed Project facilities may be exposed to flooding due to failure of a levee or dam, sea level rise, and storm surges/tides related to climate change, but this exposure would not pose a substantial nor significant risk of loss, injury, or death.                                | LS                                       | LS                                              | NI                | LS                | LS                                       | LS             | NI                               | NI                       | NI                       | NI | NI                        | LS | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |  |
| HS-10: Operational Seiche, Tsunami, or Mudflow Risk. The Proposed Project operations would not expose people or structures to substantial risk from flooding due to a seiche, tsunami, or mudflow.                                                                                                                                                                                                        | NI                                       | NI                                              | NI                | LS                | LS                                       | LS             | NI                               | NI                       | NI                       | NI | NI                        | LS | LS                        | LS  | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                     |  |
| Land Use, Agriculture, and Forest Resources (LU)                                                                                                                                                                                                                                                                                                                                                          |                                          |                                                 |                   |                   |                                          |                |                                  |                          |                          |    |                           |    |                           |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                     |  |
| LU-1: Temporary Farmland Conversion during Construction. The Proposed Project would result in a temporary disruption to agricultural production on designated prime, unique and statewide important farmlands during construction, but would not directly or indirectly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use.                           | NI                                       | LSM                                             | NI                | NI                | LSM                                      | NI             | NI                               | LS                       | LS                       | NI | NI                        | NI | NI                        | LSM | <b>Mitigation Measure LU-1:</b> Minimize Disturbance to Farmland. (Applies to the Salinas Treatment Facility and a portion of the Blanco Drain Diversion) To support the continued productivity of designated Prime Farmland and Farmland of Statewide Importance, the following provisions shall be included in construction contract specifications:<br>· Construction contractor(s) shall minimize the extent of the construction disturbance, including construction access and staging areas, in designated important farmland areas.<br>· Prior to the start of construction, the construction contractor(s) shall mark the limits of the construction area and ensure that no construction activities, parking, or staging occur beyond the construction limits.<br>· Upon completion of the active construction, the site shall be restored to pre-construction conditions. |                     |  |

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                 | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Product Water Conveyance               |                 | Injection Well Facilities |        | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                                                                                                                                                                                                                                                                                                                                  | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | Regional Treatment Facilities at Plant | RUWAP Alignment | Coastal Alignment         | Option | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| LU-2: Operational Consistency with Plans, Policies, and Regulations. The Proposed Project would have one or more components that would potentially conflict, or be inconsistent with, applicable land use plans, policies, and regulations without implementation of mitigation measures identified in this EIR.                 | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                                    | LSM             | LSM                       | LSM    | LSM                       | LSM               | LSM             | All other mitigation measures (see Table 4.12-5 in Section 4.12, Land Use, Agriculture, and Forest Resources).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                                                                                                                                                                                                                                                                                                  | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | NI              | NI                        | NI     | NI                        | NI                | LS              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                |                                          |                                                 |                   |                   |                                          |                |                                        |                 |                           |        |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Marine Biological Resources (MR)                                                                                                                                                                                                                                                                                                 |                                          |                                                 |                   |                   |                                          |                |                                        |                 |                           |        |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| MR-1: Operational Impacts on Marine Biological Resources. Operation of the Proposed Project would not result in substantial adverse effects on candidate, sensitive, or special-status species and would not interfere substantially with the movement of any native resident or migratory fish or wildlife species.             | BI                                       | BI                                              | BI                | BI                | BI                                       | BI             | LS                                     | NI              | NI                        | NI     | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Noise and Vibration (NV)                                                                                                                                                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                        |                 |                           |        |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| NV-1: Construction Noise. Construction activity would result in a temporary increase in ambient noise levels in the vicinity of all Proposed Project sites during construction that would not be substantial at most construction sites, except at the Injection Well Facilities and CalAm Distribution Monterey Pipeline sites. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                     | LS              | <del>LS</del> LSM         | LSM    | LS                        | SU                | SU              | <p><b>Mitigation Measure NV-1a:</b> Drilling Contractor Noise Measures. (Applies to Injection Well Facilities) Contractor specifications shall include a requirement that drill rigs located within 700 feet of noise-sensitive receptors shall be equipped with noise reducing engine housings or other noise reducing technology and the line of sight between the drill rig and nearby sensitive receptors shall be blocked by portable acoustic barriers and/or shields to reduce noise levels such that drill rig noise levels are no more 75 dBA at 50 feet. This would reduce the nighttime noise level to less than 60 dBA Leq at the nearest residence. The contractor shall submit to the MRWPCA and the Seaside Building Official, a "Well Construction Noise Control Plan" for review and approval. The plan shall identify all feasible noise control procedures that would be implemented during night-time construction activities. At a minimum, the plan shall specify the noise control treatments to achieve the specified above noise performance standard.</p> <p><b>Mitigation Measure NV-1b:</b> Monterey Pipeline Noise Control Plan for Nighttime Pipeline Construction. (Applies to CalAm Distribution System: Monterey Pipeline) CalAm shall submit a Noise Control Plan for all nighttime pipeline work to the California Public Utilities Commission for review and approval prior to the commencement of project construction activities. The Noise Control Plan shall identify all feasible noise control procedures to be implemented during nighttime pipeline installation in order to reduce noise levels to the extent practicable at the nearest residential or noise sensitive receptor. At a minimum, the Noise Control Plan shall require use of moveable noise screens, noise blankets, or other suitable sound attenuation devices be used to reduce noise levels during nighttime pipeline installation activities.</p> <p><b>Mitigation Measure NV-1c:</b> Neighborhood Notice. (Applies to Injection Well Facilities and CalAm Distribution System: Monterey Pipeline) Residences and other sensitive receptors within 900 feet of a nighttime construction area shall be notified of the construction location and schedule in writing, at least two weeks prior to the commencement of construction activities. The notice shall also be posted along the proposed pipeline alignments, near the proposed facility sites, and at nearby recreational facilities. The contractor shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and included in the construction schedule notification sent to nearby residences. The notice to be distributed to residences and sensitive receptors shall first be submitted, for review and approval, to the MRWPCA and city and county staff as may be required by local regulations.</p> |

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                     | Source Water Diversion and Storage Sites                                                                                                                                        |    |     |    |     |    | Regional Treatment Facilities at |                                                 | Product Water Conveyance |                   | Injection Well Facilities                |                | CalAm Distribution System |                   | Project Overall | Mitigation Measures |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                                                                                                                                                                                                      | Salinas Pump Station<br>Salinas Treatment Facility Storage and Recovery<br>Reclamation Ditch<br>Tembladero Slough<br>Blanco Drain (Pump Station and Pipeline)<br>Lake El Estero |    |     |    |     |    | Treatment Facilities at          |                                                 | Product Water Conveyance |                   | Injection Well Facilities                |                | CalAm Distribution System |                   |                 |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                 |    |     |    |     |    | Salinas Pump Station             | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch        | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | RUVAP Alignment           | Coastal Alignment |                 |                     | Option                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                    |                                                                                                                                                                                 |    |     |    |     |    |                                  |                                                 |                          |                   |                                          |                |                           |                   |                 |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| NV-2: Construction Noise That Exceeds or Violate Local Standards. Construction activity would result in a temporary increase that at some locations could generate noise levels in excess of standards established in the local general plans and/or could violate local regulations.                                | NI                                                                                                                                                                              | NI | LSM | SU | LSM | NI | LSM                              | LSM                                             | NI                       | LSM               | NI                                       | NI             | NI                        | NI                | LSM             | SU                  | Mitigation Measure NV-2a: Construction Equipment. (Applies to Source Water Diversion and Storage Sites – Reclamation Ditch, Tembladero–Slough, and Blanco Drain; Product Water Conveyance Pipeline segments within the City of Marina and RUVAP-Booster Station/entire project)<br>Contractor specifications shall include a requirement that the contractor shall:<br>- Assume that construction equipment with internal combustion engines has sound control devices at least as effective as those provided by the original equipment manufacturer. No equipment shall be permitted to have an un-muffled exhaust.<br>- Impact tools (i.e., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler shall be placed on the compressed air exhaust to lower noise levels by approximately 10 dBA. External jackets shall be used on impact tools, where feasible, in order to achieve a further reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.<br>- The construction contractor(s) shall locate stationary noise sources (e.g., generators, air compressors) as far from nearby noise-sensitive receptors as possible.<br>- For Product Water Conveyance pipeline segments within the City of Marina, noise controls shall be sufficient to not exceed 60 decibels for more than twenty-five percent of an hour.<br>Mitigation Measure NV-2b: Construction Hours. (Applies to Product Water Conveyance Pipelines and Booster Pump Station in the City of Marina). The construction contractor shall limit all noise-producing construction activities within the City of Marina to between the hours of 7:00 AM and 7:00 PM on weekdays and between 9:00 AM and 7:00 PM Saturdays, except that construction may be allowed until 8:00 PM during daylight savings time. |
|                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                 |    |     |    |     |    |                                  |                                                 |                          |                   |                                          |                |                           |                   |                 |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| NV-3: Construction Vibration. Construction of the Proposed Project would not expose sensitive receptors to excessive groundborne vibration.                                                                                                                                                                          | LS                                                                                                                                                                              | LS | LS  | LS | LS  | LS | LS                               | LS                                              | LS                       | LS                | LS                                       | LS             | LS                        | LS                | LS              | None required.      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| NV-4: Operational Noise. Operation of the Proposed Project facilities would potentially increase existing noise levels, but would not exceed noise level standards and/or result in nuisance impacts at sensitive receptors.                                                                                         | NI                                                                                                                                                                              | LS | LS  | LS | LS  | LS | LS                               | LS                                              | LS                       | LS                | NI                                       | NI             | NI                        | LS                | LS              | None required.      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Population and Housing (PH)                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                 |    |     |    |     |    |                                  |                                                 |                          |                   |                                          |                |                           |                   |                 |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| PH-1: Construction-Related Growth Inducement. Proposed Project construction would result in temporary increases in construction employment, but would not induce substantial population growth.                                                                                                                      | -                                                                                                                                                                               | -  | -   | -  | -   | -  | -                                | -                                               | -                        | -                 | -                                        | -              | -                         | -                 | LS              | None required.      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| PH-2: Operations and Infrastructure-Related Growth Inducement. Operation of the Proposed Project would not directly result in population growth, and would not indirectly result in inducement of substantial population growth.                                                                                     | -                                                                                                                                                                               | -  | -   | -  | -   | -  | -                                | -                                               | -                        | -                 | -                                        | -              | -                         | -                 | LS              | None required.      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Public Services, Utilities, and Recreation (PS)                                                                                                                                                                                                                                                                      |                                                                                                                                                                                 |    |     |    |     |    |                                  |                                                 |                          |                   |                                          |                |                           |                   |                 |                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| PS-1: Construction Public Services Demand. Construction of the Proposed Project would not result in public service demands for fire and police protection services, schools, or parks that would result in the need for new or physically altered facilities to maintain service capacity or performance objectives. | LS                                                                                                                                                                              | LS | LS  | LS | LS  | LS | LS                               | LS                                              | LS                       | LS                | LS                                       | LS             | LS                        | LS                | LS              | None required.      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |



Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                 | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at |                          | Product Water Conveyance |     | Injection Well Facilities |     | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
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|                                                                                                                                                                                                                                                                                                                                                                  | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | Option RUWAP Alignment           | Option Coastal Alignment | Option                   | LS  | LS                        | LS  | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                |                                          |                                                 |                   |                   |                                          |                |                                  |                          |                          |     |                           |     |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| PS-2: Construction Landfill Capacity. Construction of the Proposed Project would result in generation of solid waste; however, the solid waste would be disposed at a landfill with sufficient permitted daily and overall capacity to accommodate the project's solid waste disposal needs.                                                                     | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                       | LS                       | LS  | LS                        | LS  | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| PS-3: Construction Solid Waste Policies and Regulations. Construction of the Proposed Project would potentially conflict with state and local statutes, policies and regulations related to solid waste.                                                                                                                                                         | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                              | LSM                      | LSM                      | LSM | LSM                       | LSM | LSM                       | LSM               | LSM             | Mitigation Measure PS-3: Construction Waste Reduction and Recycling Plan (relevant to all Proposed Project components). The construction contractor(s) shall prepare and implement a construction waste reduction and recycling plan identifying the types of construction debris the Proposed Project will generate and the manner in which those waste streams will be handled. In accordance with the California Integrated Waste Management Act of 1989, the plan shall emphasize source reduction measures, followed by recycling and composting methods, to ensure that construction and demolition waste generated by the project is managed consistent with applicable statutes and regulations. In accordance with the California Green Building Standards Code and local regulations, the plan shall specify that all trees, stumps, rocks, and associated vegetation and soils, and 50% of all other nonhazardous construction and demolition waste, be diverted from landfill disposal. The plan shall be prepared in coordination with the Monterey Regional Waste Management District and be consistent with Monterey County's Integrated Waste Management Plan. Upon project completion, MRWPCA and CalAm shall collect the receipts from the contractor(s) to document that the waste reduction, recycling, and diversion goals have been met.                                                                                                                                                                                                   |  |
| PS-4: Public Services Demand During Operation. Operation of the Proposed Project would not result in public service demands for fire and police protection services, schools, or parks that would result in the need for new or physically altered facilities to maintain service capacity or performance objectives.                                            | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                       | LS                       | LS  | LS                        | LS  | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| PS-5: Landfill Capacity for Operations. Operation of the Proposed Project would not result in adverse effects on landfill capacity or be out of compliance with federal, state, and local statutes and regulations related to solid waste.                                                                                                                       | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                       | LS                       | LS  | LS                        | LS  | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Traffic and Transportation (TR)                                                                                                                                                                                                                                                                                                                                  |                                          |                                                 |                   |                   |                                          |                |                                  |                          |                          |     |                           |     |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| TR-1: Construction Traffic. Proposed Project construction would result in a temporary increase in traffic volumes on regional and local roadways due to construction-related vehicle trips, which would not result in conflicts with any applicable plan, ordinance, or policy establishing measures of effectiveness for performance of the circulation system. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                       | LS                       | LS  | LS                        | LS  | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| TR-2: Construction-Related Traffic Delays, Safety and Access Limitations. Construction activities could result in temporary traffic delays, safety hazards, and/or disruption of access.                                                                                                                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | NI             | LS                               | LSM                      | LSM                      | NI  | LSM                       | LSM | LSM                       | LSM               | LSM             | Mitigation Measure TR-2: Traffic Control and Safety Assurance Plan. Prior to construction, MRWPCA and/or its contractor shall prepare and implement a traffic control plan or plans for the roadways and intersections affected by MRWPCA construction (Product Water Conveyance Pipeline) and CalAm shall prepare and implement a traffic control plan for the roadways and intersections affected by the CalAm Distribution System Improvements (Transfer and Monterey pipelines). The traffic control plan(s) shall comply with the affected jurisdiction's encroachment permit requirements and will be based on detailed design plans. For all project construction activities that could affect the public right-of-way (e.g., roadways, sidewalks, and walkways), the plan shall include measures that would provide for continuity of vehicular, pedestrian, and bicyclist access; reduce the potential for traffic accidents; and ensure worker safety in construction zones. Where project construction activities could disrupt mobility and access for bicyclists and pedestrians, the plan shall include measures to ensure safe and convenient access would be maintained.<br>The traffic control and safety assurance plan shall be developed on the basis of detailed design plans for the approved project. The plan shall include, but not necessarily be limited to, the elements listed below:<br>a. Develop circulation and detour plans to minimize impacts on local streets. As necessary, signage and/or flaggers shall be used to guide |  |

Table S-1

Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                  | Source Water Diversion and Storage Sites                                                                                                                                                                                                        |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at |     | Product Water Conveyance |     | Injection Well Facilities |     | CalAm Distribution System |     | Project Overall | Mitigation Measures |                                                                                                                                                                                                                                                                      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|                                                                                                                                                                   |                                                                                                                                                                                                                                                 |                                                 |                   |                   |                                          |                |                                  |     |                          |     |                           |     | Transfer Pipeline         |     |                 |                     | Monterey Pipeline                                                                                                                                                                                                                                                    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| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact | Salinas Pump Station                                                                                                                                                                                                                            | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                  |     |                          |     |                           |     |                           |     |                 |                     | vehicles to detour routes and/or through the construction work areas.<br>b. Implement a public information program to notify motorists, bicyclists, nearby residents, and adjacent businesses of the impending construction activities (e.g., media coverage, email notices, websites, etc.). Notices of the location(s) and timing of lane closures shall be published in local newspapers and on available websites to allow motorists to select alternative routes.<br>Roadways<br>c. Haul routes that minimize truck traffic on local roadways and residential streets shall be used to the extent feasible.<br>d. Schedule truck trips outside of peak morning and evening commute hours to minimize adverse impacts on traffic flow.<br>e. Limit lane closures during peak hours. Travel lane closures, when necessary, shall be managed such that one travel lane is kept open at all times to allow alternating traffic flow in both directions along affected two-lane roadways; the contractor shall use steel plates or trench backfilling to restore vehicle access at the end of each workday.<br>f. Restore roads and streets to normal operation by covering trenches with steel plates outside of normal work hours or when work is not in progress.<br>g. Comply with roadside safety protocols to reduce the risk of accidents. Provide "Road Work Ahead" warning signs and speed control (including signs informing drivers of state legislated double fines for speed infractions in a construction zone) to achieve required speed reductions for safe traffic flow through the work zone. Train construction personnel to apply appropriate safety measures as described in the plan.<br>h. Provide flaggers in school areas at street crossings to manage traffic flow and maintain traffic safety during the school drop-off and pickup hours on days when pipeline installation would occur in designated school zones.<br>i. Maintain access to private driveways.<br>j. Coordinate with MST so the transit provider can temporarily relocate bus routes or bus stops in work zones as deemed necessary.<br>k. Pedestrian and Bicyclists<br>l. Perform construction that crosses on street and off street bikeways, sidewalks, and other walkways in a manner that allows for safe access for bicyclists and pedestrians. Alternatively, provide safe detours to reroute affected bicycle/pedestrian traffic.<br>m. Recreational Trails<br>n. At least two weeks prior to construction, post signage along all potentially affected recreational trails; Class I, II, and II bicycle routes; and pedestrian pathways, including the Monterey Peninsula Recreational Trail, to warn bicyclists and pedestrians of construction activities. The signs shall include information regarding the nature of construction activities, duration, and detour routes. Signage shall be composed of or encased in weatherproof material and posted in conspicuous locations, including on park message boards, and existing wayfinding signage and kiosks, for the duration of the closure period. At the end of the closure period, CalAm, MRWPCA or either of its contractors shall retrieve all notice materials.<br>Emergency Access<br>m. Maintain access for emergency vehicles at all times. Coordinate with facility owners or administrators of sensitive land uses such as police and fire stations, transit stations, hospitals, and schools.<br>n. Provide advance notification to local police, fire, and emergency service providers of the timing, location, and duration of construction activities that could affect the movement of emergency vehicles on area roadways.<br>o. Avoid truck trips through designated school zones during the school drop-off and pickup hours. |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|                                                                                                                                                                   |                                                                                                                                                                                                                                                 |                                                 |                   |                   |                                          |                |                                  |     |                          |     |                           |     |                           |     |                 |                     |                                                                                                                                                                                                                                                                      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|                                                                                                                                                                   | TR-3: Construction-Related Roadway Deterioration.<br>Construction truck trips could result in increased wear-and-tear on the designated haul routes, which could result in temporary impacts to performance of the regional circulation system. | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                              | LSM | LSM                      | LSM | LSM                       | LSM | LSM                       | LSM | LSM             | LSM                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | LSM | Mitigation Measure TR-3: Roadway Rehabilitation Program (applies to all Proposed Project components) Prior to commencing project construction, MRWPCA (for all components other than the CalAm Distribution System Improvements) and CalAm (for CalAm Distribution System Improvements) shall detail the preconstruction condition of all local construction access and haul routes proposed for substantial use by project-related construction vehicles. The construction routes surveyed must be consistent with those identified in the construction traffic control and safety assurance plan developed under Mitigation Measure TR-2. After construction is completed, the same roads shall be surveyed again to determine whether excessive wear and tear or construction damage has occurred. Roads damaged by project-related construction vehicles shall be repaired to a structural condition equal to that which existed prior to construction activities.                                                                                                           |
|                                                                                                                                                                   | TR-4: Construction Parking Interference.<br>Construction activities may temporarily affect parking availability.                                                                                                                                | NI                                              | NI                | NI                | NI                                       | NI             | LSM                              | NI  | LSM                      | LSM | LSM                       | NI  | LSM                       | LSM | LSM             | LSM                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | LSM | Mitigation Measure TR-4: Construction Parking Requirements.(Applies to Product Water Conveyance pipelines (RUWAP and Coastal Alignments) in Marina and Seaside, and CalAm Distribution System: Transfer Pipeline and Monterey Pipeline). Prior to commencing project construction, the construction contractor(s) shall coordinate with the potentially affected jurisdictions to identify designated worker parking areas that would avoid or minimize parking displacement in congested areas of Marina, Seaside, and downtown Monterey. The contractors shall provide transport between the designated parking location and the construction work areas. The construction contractor(s) shall also provide incentives for workers that carpool or take public transportation to the construction work areas. The engineering and construction design plans shall specify that contractors limit time of construction within travel lanes and public parking spaces and provide information to the public about locations of alternative spaces to reduce parking disruptions. |

Table S-1  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                     | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Regional Treatment Facilities at |                        | Product Water Conveyance |                           | Injection Well Facilities |                   | CalAm Distribution System |                 | Project Overall | Mitigation Measures                                                           |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|----------------------------------|------------------------|--------------------------|---------------------------|---------------------------|-------------------|---------------------------|-----------------|-----------------|-------------------------------------------------------------------------------|--|
|                                                                                                                                                                                                                                                                                                                      | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero | Treatment Facilities at          | RUWAP Alignment Option | Coastal Alignment Option | Injection Well Facilities |                           | Transfer Pipeline | Monterey Pipeline         | Project Overall |                 |                                                                               |  |
|                                                                                                                                                                                                                                                                                                                      |                                          |                                                 |                   |                   |                                          |                |                                  |                        |                          |                           |                           |                   |                           |                 |                 |                                                                               |  |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                    |                                          |                                                 |                   |                   |                                          |                |                                  |                        |                          |                           |                           |                   |                           |                 |                 |                                                                               |  |
| TR-5: Operational Traffic. Operation and maintenance of the Proposed Project would result in small traffic increases on regional and local roadways, but would not substantially affect the performance of the regional circulation system.                                                                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                     | LS                       | LS                        | LS                        | LS                | LS                        | LS              | LS              | None required.                                                                |  |
|                                                                                                                                                                                                                                                                                                                      | Water Supply and Wastewater Systems (WW) |                                                 |                   |                   |                                          |                |                                  |                        |                          |                           |                           |                   |                           |                 |                 |                                                                               |  |
|                                                                                                                                                                                                                                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                     | LS                       | LS                        | LS                        | LS                | LS                        | LS              | LS              | None required. Construction water shall be non-potable water, where feasible. |  |
|                                                                                                                                                                                                                                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                     | LS                       | LS                        | LS                        | LS                | LS                        | LS              | LS              | None required.                                                                |  |
|                                                                                                                                                                                                                                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                     | LS                       | LS                        | LS                        | LS                | LS                        | LS              | LS              | None required.                                                                |  |
| WW-4: Operational Wastewater Treatment Capacity. Operation of the Proposed Project would not result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                               | LS                     | LS                       | LS                        | LS                        | LS                | NI                        | NI              | LS              | None required.                                                                |  |

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**CITY OF SEASIDE**  
440 Harcourt Avenue  
Seaside, CA 93955

Telephone (831) 899-6736  
FAX (831) 899-6211

July 2, 2013

Mr. Bob Holden  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Building D  
Monterey, CA 93940  
Via email [gwr@mrwpca.com](mailto:gwr@mrwpca.com)

**Subject: Notice of Preparation of Environmental Impact Report for the Monterey Peninsula Groundwater Replenishment Project, May 30, 2013**

The City of Seaside submits the following comments on the subject document:

1. The project proposes to recharge the Seaside Groundwater Basin with treated water. Could the project scope be expanded to also consider recharging the Carmel River as either as an alternative or as an option?
2. The project proposes to use storm water as a potential water source. On page 13, the NOP states, "Other MRWPCA member entities could also send storm water to the Regional Treatment Plant for use by the GWR Project by adding storm water into existing pipelines, manholes, or pump stations within the MRWPCA wastewater collection system." Does this project propose to revise the MRWPCA NPDES permit to allow storm water to be conveyed and treated by the existing sewer facilities?
3. The Product Water Conveyance Alignment Option 2 (see page 15) would more or less follow Cal-Am's proposed pipeline alignment. Since available space is limited and the installation of two large pipes within the public right of way in the City of Seaside, especially in La Salle Avenue, would be very disruptive, the installation of MRWPCA and Cal-Am facilities should be coordinated to minimize potential impacts.
4. There are numerous statements in the NOP that are very specific as to project design details that may adversely constrain the final project design. For example, on page 16 the NOP states "The GWR Project would include subsurface groundwater recharge facilities, including shallow (or vadose zone) and deep injection wells located at inland and, if feasible, coastal locations within the Seaside Basin." Could this statement be revised to allow some flexibility in the final project design and implementation?

"The GWR Project could include subsurface groundwater recharge facilities, including shallow (or vadose zone) and deep injection wells located within the Seaside Basin."

Another example of modifying the project description to facilitate project implementation is incorporating the following changes on page 17:

*"Coastal Recharge Facilities.* The coastal recharge facilities would include up to three deep injection wells and up to four vadose zone wells located east of Highway 1 and west of the Bayonet and Black Horse Golf Course, as shown in Figure 2."

Notice of Preparation of Environmental Impact Report for the Monterey Peninsula Groundwater Replenishment Project  
July 1, 2013

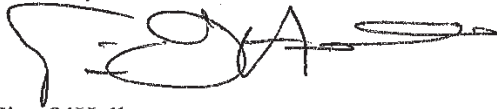
5. Please clarify which areas and how much land in the City of Seaside are being referred to as the 'Coastal Recharge Facilities' and the 'Inland Recharge Facilities' as shown in Figure 2.
6. The inland recharge facilities location is described on page 17 as "...an acceptable location for the proposed inland recharge facilities, and the location that currently appears to be feasible is a City-planned utility corridor as shown in Figure 2." There is no City-planned utility corridor in the area shown in Figure 2. Please clarify.
7. Please clarify where the 4 deep injection wells noted under the description of Inland Recharge Facilities on Page 17 would be constructed (e.g. area of well containment, back flush pit, fencing, treatment facility, etc.).
8. Provide information related to coordination with the City of Seaside regarding traffic control and construction for the implementation of the underground pipeline within the City of Seaside.
9. On page 17, the following statement under 'Coastal Recharge Facilities' is unclear and should either be removed or clarified. That is, the paragraph is describing the proposed facilities but this statement seems to be trying to discount their value:  
  

"Due to the shallower water table at the coast, vadose zone wells would be shallower, and the long-term ability of the coastal wells to replenish both the Santa Margarita and Paso Robles aquifers would likely be less than the replenishment ability of the inland wells."
10. On page 17, the following statement about 'available land' within the City of Seaside under 'Coastal Recharge Facilities' is unclear and should be clarified. For example,  
  

"The locations for the proposed coastal recharge facilities were determined based on an analysis of potentially available land and known aquifer characteristics."
11. Table 1, "Potential Permits and Approvals Required" on page 20 should include Seaside Highlands Homeowners Association if some of the land being considered for Coastal Injection Wells is within their jurisdiction.

The City of Seaside appreciates the opportunity to comment on the NOP and looks forward to working with the MRWPCA on the subject project. Please contact the undersigned to discuss any questions or comments.

Sincerely,



Tim O'Halloran  
City Engineer / Public Works Services Manager

Copy Diana Ingersoll, Deputy City Manager – Resource Management Services  
Rick Riedl, Associate Civil Engineer  
Rick Medina, Senior Planner

**RESOURCE MANAGEMENT SERVICES**440 Harcourt Avenue  
Seaside, CA 93955Telephone (831) 899-6215  
FAX (831) 899-6311

May 8, 2014

Keith Israel, General Manager  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Bldg D  
Monterey, CA 93940**Subject: Proposed Groundwater Replenishment Project**

Dear Mr. Israel,

I am in receipt of a project overview map (attached) showing the proposed groundwater replenishment facilities located in the City of Seaside. The proposed facilities shown in this map raise some concerns that are outlined below.

City staff has met with your project team and have emphasized the need to properly delineate the proposed project area and obtain entitlements from the City for the land where the proposed facilities will be located. As this process is intricate and may be lengthy, it is important that the MRWPCA start the process of obtaining entitlements from the City as soon as possible. It may also be prudent to obtain entitlements from the City prior to finalizing your environmental documents and design.

The project overview map also raises concerns that the proposed facilities within the City may unnecessarily impact a large area of the City's future development area. City staff has made recommendations on locating the proposed facilities in a manner that minimizes the potential impacts to future development. The attached map does not appear to follow these recommendations.

As of the date of this letter, the MRWPCA has not begun the process to obtain entitlements for the land for the proposed facilities. City staff encourages MRWPCA to begin this process by providing detailed information along with a request for entitlement. This will allow the MRWPCA to begin negotiating with the City Council. This negotiation process will involve appraisal of the land defined by you in your application as well as negotiations with the City Council on terms and price.

I look forward to working with your staff to complete this process in a timely manner. Please contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim O'Halloran", is written over a horizontal line.

Tim O'Halloran,  
City Engineer/Public Works Services Manager

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**CITY OF SEASIDE - RESOURCE MANAGEMENT SERVICES**

440 Harcourt Avenue  
Seaside, CA 93955

Telephone (831) 899-6736  
FAX (831) 899-6211

February 6, 2015

Bob Holden, Principal Engineer  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Bldg. D  
Monterey, CA 93940  
Via Email: [gwr@mrwpca.com](mailto:gwr@mrwpca.com)

**Subject: NOP for Supplement to May 2013 Notice of Preparation of an EIR for the Pure Water Monterey Groundwater Replenishment Project**

Dear Mr. Holden,

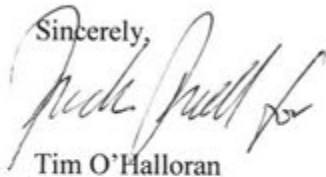
This letter transmits comments for the proposed subject project. The City of Seaside respectfully requests that the following comments be considered for incorporation into the environmental documents.

- 1) The proposed monitoring wells will be relocated, if necessary and at the owner's expense, as soon as the City has approved development plans for the area. The monitoring wells shall be relocated to be within a proposed future public right of way or an accessible public area.
- 2) The proposed monitoring wells should not include any above grade features.
- 3) Proposed above grade features, such as injection well appurtenances, shall be screened to minimize visual impacts.
- 4) The proposed backwash pits should be designed to minimize visual impacts.
- 5) In the event that new underground piping is required, the City requests that the same route be used as for the proposed Cal-Am Monterey Peninsula Water Supply Project.
- 6) MRWPCA shall coordinate with Cal-Am on work within the public right of way within the City of Seaside, such as pipeline installation, so that all work is performed concurrently with Cal-Am.
- 7) To the greatest extent possible, locate the facilities within the City of Seaside that cannot be located within a public right of way to areas classified as the Utility Corridor or Borderlands under the Habitat Management Plan.

*H:\Engineering Review\GWR\Tr Ruedi to Holden re NOP MRWPCA GWR Project.doc*

We look forward to working with your staff to complete the proposed project in a timely manner. You may contact me or Rick Riedl of my staff at 831-899-6825 or [RRiedl@ci.seaside.ca.us](mailto:RRiedl@ci.seaside.ca.us) to discuss any questions or comments.

Sincerely,



Tim O'Halloran  
City Engineer / Public Works Services Manager

Cc: Diana Ingersoll, Deputy City Manager – Resource Management Services  
Lisa Brinton, Community and Economic Development Services Manager  
Rick Riedl, Senior Civil Engineer  
Rick Medina, Senior Planner

## Letter L: City of Seaside

- L-A** The comment asks about siting of the injection wells and facilities. In Figures S-1 and 2-18, a large area east of General Jim Moore Blvd south of Eucalyptus Road south to near San Pablo Avenue is shaded, but the facilities will not use all of that land. The shading indicates the area of potential impact that was used for ensuring that biological and cultural resources field surveys comprehensively included all potential areas that may contain Injection Well facilities. As described in Chapter 2 of the Draft EIR (see pages 2-72 through 2-78), most of the site would only contain up to six 4-foot diameter circular, or 4-foot by 4-foot square pads monitoring well sites (all at-grade) and driveways to those wells. Specific facilities are shown on **Figure 2-32rev** provided herein at a higher resolution than in the Draft EIR. On **Figure 2-32rev**, the physical facilities proposed are shown to be located along the edge of the boundary between City land and Bureau of Land Management land (i.e., all within a 150-foot wide borderland area adjacent to the property boundary). The only above-grade facilities would be the injection wells, associated electrical/pump control buildings, and backwash percolation basin (albeit mostly below grade). Specifically, the backflush basin will extend the width (approximately 150 feet) within the borderland area next to the parcel boundary, the injection well facilities will extend approximately 100 feet from the property boundary, and an at-grade roadway/pipeline corridor would extend approximately 25 feet from the boundary. The monitoring wells would be located more centrally within the parcel and will ultimately each only cover only a 4 foot by 4 foot surface feature on the ground. Specific locations can be adjusted to correspond with planned public rights-of-way to the extent that they are known at the time of construction, and will be subject to City of Seaside and State Water Resources Control Board - Division of Drinking Water approval. See **Figure 2-32rev** in **Chapter 5, Changes to the Draft EIR**.
- L-B** See the response to comment L-A.
- L-C** The project proponents will work with the City of Seaside to obtain all necessary approvals.
- L-1** The Draft EIR indicates that the MRWPCA intends to secure encroachment agreements and/or easements from the City of Seaside. The property is currently owned by the Fort Ord Reuse Authority; therefore, their approval would be needed, also. See Draft EIR at page 2-89, Table 2-22.
- L-2** The text on page S-7 of the Draft EIR, the last column of line item for **AE-3 Degradation of Visual Quality of Sites and Surrounding Areas** and on page 4.2-40 of the Draft EIR has been modified as requested in this comment and others. See changes to pages S-7 and 4.2-40 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- L-3** The text on page S-7 of the Draft EIR has been modified as shown above in response comment L-2. It is not necessary to modify the impact determination in Table S-1 on page S-7 of the Draft EIR. The conclusions for Impact AE-3 need not be changed because the analysis and conclusions on pages 4.2-34 through 4.2-40 of the Draft EIR appropriately use the operational impacts approach described on page 4.2-25 through 4.2-26 of the Draft EIR to conclude that the Proposed Project would not substantially degrade the visual character or quality of the surrounding area. Thus, the Proposed Project would have a less-than-significant impact on the visual character of this project component area and its surroundings due to the moderate visual change/contrast. Regardless of this significance determination, the MRWPCA is willing to implement Mitigation Measure AE-3 (as modified in this Final EIR) to address the aesthetic and visual quality concerns of the City of Seaside. See **Table S-1Revised** and changes to page 4.2-40 in **Chapter 5, Changes to the Draft EIR**.

- L-4** Text on page S-7 of the Draft EIR has been modified to delete the “\*” from the second to last column of line item for **AE-3 Degradation of Visual Quality of Sites and Surrounding Areas**.
- L-5** Table S-1 on page S-7 of the Draft EIR has been modified to explain why individual project components would have a less-than-significant impact, while the project as a whole may result in a significant impact that requires mitigation measures. In addition, Mitigation Measure AQ-1 (on pages S-7 and page 4.3-25 of the Draft EIR) has been modified as requested to require minimization of water use. See **Table S-1Revised** and changes to Draft EIR page 4.3-25 in **Chapter 5, Changes to the Draft EIR**.
- L-6** Below Table S-1 on page S-7 of the Draft EIR, a footnote has been added in response to this comment. Specifically, under impact AQ-1, the implementation of each component when looked at individually would not have a significant impact. It is only when all components are implemented together (with overlapping construction schedules) that a significant impact would occur, thus triggering mitigation to reduce the impact to less-than-significant level. See the **Table S-1Revised** in **Chapter 5, Changes to the Draft EIR**.
- L-7** For components within the City of Seaside, Impact GS-2 related to construction soil collapse and soil constraints during pipeline trenching was found as a less-than-significant impact due to the requirements in the State Building Code and City codes described on page 4.8-16 of the Draft EIR, namely compliance with Chapter 15.32 (Standards To Control Excavation, Grading, Clearing and Erosion) and Chapter 15.34 (Digging and Excavation on the Former Fort Ord). During review of the City grading permit, the City of Seaside may condition the project to receive approval from the City Engineer for fill material and compaction. No additional mitigation is needed.
- L-8** The Draft EIR evaluates the potential impacts related to construction on known hazardous materials sites in Impact HH-3 and it evaluates the potential impacts related to a release of hazardous materials (including those hazardous materials found on a construction site) in Impact HH-2. The Draft EIR concludes that the Proposed Project would result in less-than-significant impacts related to its location on the *known* hazardous materials site, Seaside Munitions Response Area (MRS-15 SEA 03 and SEA 02) for the Superfund National Priority List cleanup (Impact HH-3) and the potential for a risk associated with exposure to contaminants at that site during construction (see page 4.9-40 of the Draft EIR) because:
- In 2008, the Seaside Munitions Response Area (Phase II) removal action was completed in accordance with the Environmental Services Cooperative Agreement. This included significant grubbing and clearing in order for the land to be deemed suitable. Therefore, the parcels on which the Injection Well Facilities are sited have already undergone remediation actions.
  - For any ground disturbance activities, MRWPCA and its contractors must comply with the Fort Ord Reuse Authority Right-of-Entry process and the City of Seaside Municipal Code Chapter 15.34 (i.e., the “Ordnance Remediation District Regulations of the City” in Ordinance 924). This ordinance establishes special standards and procedures for digging and excavation on those properties in the former Fort Ord military base which are suspected of containing ordnance and explosives (also called munitions and explosives of concern). This ordinance requires that a permit be obtained from the City for any excavation, digging, development, or ground disturbance of any type involving the displacement of ten cubic yards or more of soil. The permit requirements include providing each site worker a copy of the Ordnance and Explosives Safety Alert; complying with all requirements placed on the property by an agreement between the City, FORA, and DTSC; obtaining ordnance and explosives construction support; ceasing soil disturbance activities upon discovery of suspected ordnance and notifying



the Seaside Police department, the Presidio law enforcement, the Army and DTSC; coordinating appropriate response actions with the Army and DTSC; and reporting of project findings. Compliance with existing regulations for construction work at this site would reduce the potential impact of encountering unexploded ordnance by construction workers to less-than-significant.

The conclusions for Impact HH-3 need not be changed because the analysis and conclusions above are appropriate and adequate. Regarding Impact HH-2, the Draft EIR concludes that the Proposed Project construction activities, including at the Injection Well Facilities site, would potentially cause upset and accident conditions involving the release of hazardous materials into the environment. Soil disturbance during construction could disperse *unknown* contaminants at the Injection Well Facilities site (if discovered during construction) into the environment and expose construction workers and the public to hazards. This is considered a potentially significant impact. Implementation of Mitigation Measures HH-2a (Environmental Site Assessment), HH-2b (Health and Safety Plan), and HH-2c (Materials Disposal Plan) would reduce the impact to a less-than-significant level. The comment references a component of Mitigation Measure HH-2c, regarding the Seaside munitions response areas called Site 39. That text was included in the measure to ensure the mitigation was consistent with the requirements in the Seaside Municipal Code Chapter 15.34. The Draft EIR appropriately finds that the mitigation measures would reduce the impact to a less-than-significant level.

- L-9** Although the Proposed Project provides benefits to the yield of the Seaside Groundwater Basin by supplying water for recharge, the associated increase in extraction will produce both higher and lower groundwater levels near some producing wells during some periods of time. Although the short-term lowering of water levels is not considered to be a significant impact based on the approach to determining significance (i.e., thresholds) for the groundwater depletion, levels, and recharge in the Seaside Groundwater Basin (see pages 4.10-47 through 4.10-48), a quantifiable beneficial impact regarding water levels was not possible to calculate. With regard to the quantity of groundwater in the basin, the Proposed Project is considered neutral because all of injected water is subsequently extracted. The Proposed Project neither substantially removes nor adds to overall groundwater in storage. Based on this information, the impact statement for GW-4 of less than significant (LS) has not been modified to LS/beneficial impact (BI) on Table S-1 and the impact of LS is considered to be appropriate.
- L-10** It is not necessary to modify the impact statement in Table S-1 on page S-17 of the Draft EIR (“GW-6: Operational Groundwater Quality: Seaside Basin”) from “BI/LS” to “BI/LSM” for the injection site based on the water quality monitoring that would be performed as required by regulations. The monitoring required pursuant to the Final Groundwater Replenishment Regulations would ensure the impacts on groundwater quality remain less than significant. Compliance with the regulations is mandatory, and does not need to be included as a mitigation measure. Regarding the request to define LS\* on page S-17, the text of the Draft EIR has been updated as requested and as shown in **Table S-1 Revised** in **Chapter 5, Changes to the Draft EIR**. Specifically, the “\*” on the LS signifies: “For concentrations of total dissolved solids and chloride, the impact would be beneficial; for all other water quality parameters, the impact would be less than significant.”
- L-11** Land discharge of development water will be conducted in compliance with RWQCB Order monitoring requirements (General Order 2003-003) and does not require additional mitigation for possible hydrogen sulfide (H<sub>2</sub>S) emissions. Thus, the impact statement HS-1 in **Table S-1 Revised** in the Final EIR has not been revised from “LS” to “LSM.” For more information on the discharge process and H<sub>2</sub>S in discharged development water, see Master Response #7: Well Development/Construction Water Use and Discharge and Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.

- L-12** Similar to previous comments, no treatment of the development water will be needed. Because the backflush operation will pump the most-recently injected water back through the well, the presence of naturally occurring H<sub>2</sub>S is not anticipated.

Discharge associated with well maintenance (backflushing) would occur during Project operation to maintain injection capacity in active injection wells, but these operations would not require monitoring or mitigation for hydrogen sulfide emissions as discussed in Master Response #8: Well Maintenance and Backflushing Water Amounts and Discharge. Thus, the impact statement HS-3 in **Table S-1 Revised** in the Final EIR has not been revised from “LS” to “LSM.” For additional information, See Master Response #8: Well Maintenance and Backflushing Water Amounts and Discharge and Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.

- L-13** In its discussion of Impact NV-1 on Summary Table S-1 (and on pages 4.14-38 through 4.14-43 of the Draft EIR), the Draft EIR identified that the proposed Injection Well Facilities would have a significant impact requiring mitigation (specifically, Mitigation Measures NV-1a and NV-1c). The Proposed Project pipelines within the City of Seaside (both options for Product Water Conveyance and the Transfer Pipeline component of the CalAm Distribution System) would have a less-than-significant impact on residential land uses in the City of Seaside because pipeline construction would occur for four days or less in proximity to any one receptor and would be limited to daytime hours. This is consistent with the approach and threshold for this impact on pages 4.14-22 through 4.14-23 of the Draft EIR; specifically, an exterior noise level that exceeds 70dBA Leq during the daytime is the threshold for substantial construction noise where the duration of construction exceeds two weeks.

- L-14** The Draft EIR presents the referenced City of Seaside noise standards (Chapter 9.12 of the Municipal Code and Section 17.30.060 of the Zoning Ordinance) on pages 4.14-17 and 4.4-18, and the City of Seaside Noise Element policies and implementation plans on page 4.14-20. The analysis of construction noise impacts related to compliance with local general plans and/or local regulations (Impact NV-2) on pages 4.14-43 through 4.14-49 of the Draft EIR found that the Proposed Project would not violate the City’s noise standards or violate local regulations because of the following exceptions/exemptions:

Chapter 9.12 of the City of Seaside Municipal Code establishes noise regulations within Seaside. Pursuant to section 9.12.030.D: “operation or use of a range of tools and power equipment and any construction, demolition, excavation, erection, alteration, or repair activity is declared to be unlawful and a nuisance if it occurs before 7:00 AM or after 7:00 PM daily (except Saturday, Sunday, and holidays when the prohibited time shall be before 9:00 AM and after 7:00PM) unless authorized in writing by a building official.” Section 9.12.040D exempts activities on or in publicly owned property and facilities, or by public employees or their franchisees, while in the authorized discharge of their responsibilities, provided that such activities have been authorized by the owner of such property or facilities or its agent or by the employing authority. Seaside’s Municipal Code Section 17.30.060 of Title 17 (Zoning Ordinance) establishes noise standards to implement policies of the Noise Element of the General Plan and provides noise mitigation standards that are intended to protect the community health, safety and general welfare by limiting exposure to the unhealthful effects of noise. Section 17.30-060B3 states: No “use, activity, or process shall exceed the maximum allowable noise levels” established in this section, except for “construction, maintenance, and/or repair operations by public agencies and/or utility companies or their contractors that are serving public interest and/or protecting the public health, safety, and general welfare” .

Because the Proposed Project will be undertaken by a public agency with authorization by the applicable land owner, these exemptions apply to project-related construction activities.

- L-15** The Draft EIR's conclusion that Impact WW-1: Construction-Related Water Demand would be less than significant is appropriate. A one-time water use of 70 acre-feet that would primarily be non-potable would not be considered a significant impact in accordance with the thresholds of significance. Specifically, existing water supplies would be sufficient to serve construction-related demands and the use would not require new or expanded water supply resources or entitlements. However, Mitigation Measure AQ-1 (in Table S-1 and on page 4.3-25 of the Draft EIR) has been amended as requested in this comment. See **Table S-1 Revised** and changes to page 4.3-25 in **Chapter 5, Changes to the Draft EIR**.
- L-16** The comment suggests an alternative alignment for the Product Water Conveyance pipeline between General Jim Moore Boulevard and the Injection Well Facilities. Alternatives to the proposed alignment were evaluated during project planning (including use of Eucalyptus Road from its intersection with General Jim Moore Boulevard to the Injection Well Facilities well cluster sites). The currently proposed alignment was selected for analysis because it would result in the least environmental impacts and would meet all of the project objectives. The suggested alternative that would follow General Jim Moore farther south would have increased environmental impacts relative to the Proposed Project alignment that follows an existing access road to the Blackhorse Reservoir site that currently contains underground water supply pipelines and then to Eucalyptus Road. Increased construction impacts would include greater and more severe dust, air pollution, noise, hydrology and water quality, and traffic/transportation impacts on sensitive receptors, such as residences in the City of Seaside and the Seaside Middle School. During operation these alternative alignments would have greater electricity demand (and the associated greenhouse gas emissions to produce the electricity) due to the more steep and varying hydraulic grade lines. (Cole, 2015) For these reasons, the suggested alternative pipeline routes are not considered in detail in the EIR. See Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.
- L-17** Figure 2-32 of the Draft EIR has been replaced with a more legible version showing property lines and habitat buffer zones, the proposed CalAm alignment in General Jim Moore Boulevard, the proposed area of potential effect, limits of the area of potential effect, a clear description of the purpose of the solid red line, alternative pipeline alignments, and clear markings of the locations of all Proposed Project facilities. See **Figure 2-32rev** in **Chapter 5, Changes to the Draft EIR**. Additionally, the figure clearly identifies the backflush basin, per comment L-19. The Figure does not include alternative pipeline alignments for the reasons stated in the response to comment L-16, and in Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.
- L-18** The label "Conceptual GWR Project Site" on Figure 2-33 (Injection Well Cross Section) in the Draft EIR reflects the conceptualization of the Proposed Project onto a geologic cross section. Although the actual cross section line does not cross the Injection Well Facilities site directly, the general area and two conceptual injection wells (a deep injection well and a vadose zone well) are projected onto the line. The wells are not projections of any particular injection well site nor are they presented to scale across the generalized area; rather, the figure provides a conceptualization of the subsurface relationships between the Injection Well Facilities site, Proposed Project wells, geologic units, aquifers, and existing wells. The cross section location is shown on Figure 2 of Appendix L of the Draft EIR. The cross section location has also been added to **Figure 2-32rev** for the Final EIR in green, designated with the letters A-A'. See **Chapter 5, Changes to the Draft EIR**.
- L-19** **Figure 2-35** is a conceptual site plan for one of the four injection well facility clusters and the backflush basin is not proposed to be located at this site. **Figure 2-32rev** (as modified in this Final EIR, see **Chapter 5, Changes to the Draft EIR**) shows the proposed location of the backflush basin (i.e., centrally located between injection well cluster #2 and #3). No sanitary facilities are proposed at the Injection Well Facilities site because individuals accessing the site for ongoing maintenance activities would only be at the site for several hours at most.

- L-20** The comment references the vadose zone well design shown on Figure 2-37 in the Draft EIR and requests confirmation “that the bentonite or cement grout seal is sufficient to counteract the potential expansion of the filter pack.” The comment appears to be referring to the potential for entrapped air to expand upwards as the filter pack is wetted by the injected water. The expansion of entrapped air could exert pressure on the filter pack/seal interface, and potentially compromise the surface seal. However, such pressure would not occur. Given the high permeability of the upper Aromas Sands, any displaced air would expand out into the surrounding sediments without exerting pressure upward on the seal. In addition, given the relatively low rates of injection needed to accommodate the Proposed Project recharge in the vadose zone wells, the water level in the filter pack is not expected to rise close to the base of the seal.
- Nonetheless, two measures are being implemented to guard against potential impacts from entrapped air. As described on pages 25 to 26 and 33 to 35 of Appendix L of the Draft EIR and shown on Figure 2-37 of the Draft EIR, an air vent line has been incorporated into the vadose zone well design. This line would allow escape to the surface of any upward movement of air that could pressurize the base of the seal. To further prevent entrained air in the filter pack, the screen and filter pack will be wetted slowly from the bottom of the well via an educator pipe, also shown in the design on Figure 2-37.
- L-21** The alternatives analysis in Chapter 6 of the Draft EIR describes and evaluates the current, applicant-proposed, alternative pipeline alignments for the CalAm Distribution System Pipelines (referred to as the Transfer and Monterey Pipelines) at a project-level on pages 6-36 through 6-52. See Master Response #11: Proposed Project’s Relationship to the Proposed Monterey Peninsula Water Supply Project and Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.
- L-22** Table 4.10-11 Applicable Local Plans, Policies, and Regulations – Hydrology and Water Quality: Groundwater on page 4.10-43 of the Draft EIR has been amended through the insertion of the following footnote in response to this comment as shown in **Chapter 5, Changes to the Draft EIR**. The footnote states that a water storage agreement with the Seaside Basin Watermaster would be required to implement the Proposed Project.
- L-23** Regarding the disposal of development water and potential hydrogen sulfide (H<sub>2</sub>S) emissions, See Master Response #7: Well Development/Construction Water Use and Discharge in **Chapter 3, Master Responses to Comments**.
- L-24** Per Draft EIR page 4.10-54, the development water is not being pumped for use and would be returned to the basin via surface discharge with minimal loss. See Master Response #7: Well Development/Construction Water Use and Discharge in **Chapter 3, Master Responses to Comments** for more information on this issue.
- L-25** The monitoring well locations shown are approximate and the lead agency understands that monitoring wells and appurtenances must be located to minimize impacts in consultation with the City of Seaside. Figures 2-32 and 4.10-7 have been amended in response to this comment. See **Figure 2-32rev** and **Figure 4.10-7rev** at the end of **Chapter 5, Changes to the Draft EIR**.
- L-26** Post-Construction Requirements for linear underground portions of the project are described on page 4.11-35 of the Draft EIR. In accordance with Resolution R3-2013-0032 c, the linear underground portions of the Proposed Project if considered alone would be not be considered “Regulated Projects” as stated on page 2 of Attachment 1 to Resolution R3-2013-0032c. All of the linear underground portions of the project would be constructed such that the ground surface disturbance would be restored to pre-construction conditions as stated on page 4.11-87 of the Draft EIR.



- L-27** Pages 4.11-34 and 4.11-107 of the Draft EIR have been edited to refer to the Monterey Regional Stormwater Management Program website at: <http://montereysea.org/program-documents/> for current guidance documents. See **Chapter 5, Changes to the Draft EIR**.
- L-28** Page 4.11-43 of the Draft EIR has been amended to refer to the Seaside Municipal Code Section 15.32, "Standards to Control Excavation, Grading, Clearing and Erosion," along with Section 8.46, "Urban Storm Water Quality Management and Discharge Control." See **Chapter 5, Changes to the Draft EIR**. Pages 4.8-16, 4.8-31, and 4.8-34 of the Draft EIR refer to the requirements of Seaside Municipal Code Section 15.32 and on pages 4.11-50 and 4.11-51 also refers to Section 8.46, "Urban Storm Water Quality Management and Discharge Control."
- L-29** On page 4.2-40, the Draft EIR includes a mitigation measure AE-3 that requires the project proponent to screen all of the proposed above-ground features in the City of Seaside (specifically, at the Coastal option of the Booster Pump Station and at the well clusters and back-flush basin of the Injection Well Facilities component), to be designed to minimize visual impacts by incorporating screening with vegetation, or other aesthetic design treatments, subject to review and approval of the City of Seaside. This mitigation measure has been amended in response to this comment and other comments from the cities of Marina and Seaside. See **Chapter 5, Changes to the Draft EIR**.
- L-30** The Draft EIR on page 4.12-29 has been amended to describe the location and type of construction storage and parking needs for heavy machinery. This information is on pages 2-80 through 2-82 of the Draft EIR and is now repeated in the land use section as requested. See **Chapter 5, Changes to the Draft EIR**.
- L-31** Mitigation Measure BT-1a in the Draft EIR (in **Table S-1Revised** and on page 4.5-76) has been amended to include the language requested in this comment. The language clarifies that the project proponent and/or its contractors will coordinate with the City of Seaside on the location of injection well sites and the removal of sensitive biotic material. See **Table S-1Revised** and changes to page 4.5-76 in **Chapter 5, Changes to the Draft EIR**.
- L-32** The Draft EIR shows the location of the injection wells as on the eastern border of the site within the 150 foot Habitat border in Figures 2-18, 2-32, 4.10-5 and 4.10-7. In addition, page 2-72 of the Draft EIR has been amended to further address this comment. See **Chapter 5, Changes to the Draft EIR**.
- L-33** There are no injection wells #5 and #6 proposed (only Injection Well Clusters #1 through #4 from north to south); however, it is acknowledged that the project proponents must coordinate with the City of Seaside regarding the location and aesthetic design and screening of the injection wells. See changes to Table 2-22 (page 2-89) in **Chapter 5, Changes to the Draft EIR** and Mitigation Measures AE-3 (pages S-7 and 4.2-40) and BT-1a (page S-25 and 4.5- 75 to 4.5-76) of the Draft EIR as shown in **Table S-1Revised** and **Chapter 5, Changes to the Draft EIR**.
- L-34** The Draft EIR contains descriptions of, and figures showing, the number of new deep and vadose zone wells that would be installed on the first and second paragraphs of page 2-72, then again on Figures 2-32, 4.10-5 and 4.10-7 of the Draft EIR. Figure 2-32 of the Draft EIR has been revised as shown in **Figure 2-32rev** at the end of **Chapter 5, Changes to the Draft EIR** in response to this and other comments from the City of Seaside.
- L-35** See the response to comment L-16, above. See also Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.

- L-36** Mitigation Measure AE-3 on pages S-7 and 4.2-40 of the Draft EIR has been amended in response to this comment as shown in **Chapter 5, Changes to the Draft EIR**.
- L-37** The paragraph in Section 2.10.1.3 on page 2-74 of the Draft EIR has been amended in response to this comment as shown in **Chapter 5, Changes to the Draft EIR**.
- L-38** The text in Table 2-22 List of Permits and Authorizations on the top row of page 2-89 of the Draft EIR has been amended in response to this comment.
- L-39** In response to this comment, page 4.2-39 of the Draft EIR has been amended. See **Chapter 5, Changes to the Draft EIR**.
- L-40** The closest injection well cluster proposed to the intersection of General Jim Moore Boulevard and San Pablo Avenue is the cluster referenced as DIW-4/VZW-4. The clusters are described on pages 2-72 through 2-73 of the Draft EIR and shown in Figures 2-32 and 2-35.
- L-41** Attachment 2 to this comment letter contains track changes showing edits to a copy of Table S-1 from the Draft EIR. The following list of proposed edits in Attachment 2 have either been addressed specifically above under previous individual responses, as indicated, or an additional response is provided below:
- *Edits to the row for Impact Statement AE-3.* See the responses to comments L-2, L-3 and L-4 and in **Chapter 5, Changes to the Draft EIR** (see changes to Draft EIR page 4.2-40). Although the determination of significance was not changed because it was not warranted in accordance with the significance criteria and approach to analysis, the asterisk was deleted and the language of Mitigation Measure AE-3 was enhanced to respond to this proposed edit.
  - *Question on the last bullet in Mitigation Measure AE-4.* The referenced bullet item means that the lighting fixtures and standards must comply with state and local safety and illumination standards, including the California Building Code and local law enforcement standards for safety.
  - *Comments and questions on the row for Impact Statement AQ-1.* See the responses to comments L-5 and L-6, above. Grading during high winds can cause excessive particulate matter emissions that may adversely affect regional air quality; and therefore, the MBUAPCD recommends no grading when winds exceed 15 miles per hour for all projects that may exceed their recommended thresholds of significance for construction emissions of particulate matter. Water sweepers are high pressure concrete surface cleaners or water brooms are powerful, reliable and universal in pressure washing hard surfaces such as asphalt or concrete. Use of water sweepers and wheel washers at the exit of construction sites are recommended by MBUAPCD in their Air Quality CEQA Guidelines to reduce particulate matter emissions. Accordingly, these measures were not revised as the comment suggested.
  - *Edits to the row for Impact Statement GS-2.* See the response to comment L-7.
  - *Edits to the row for Impact Statement HH-3.* See the response to comment L-8. ESCA clearance is required and has been completed for Site 39. For any ground disturbance activities, MRWPCA and its contractors must comply with the Fort Ord Reuse Authority Right-of-Entry process and the City of Seaside Municipal Code Chapter 15.34 (i.e., the "Ordinance Remediation District Regulations of the City" in Ordinance 924). These requirements would ensure that impacts related to hazards to people or the environment at the site would be less than significant.
  - *Edits to the row for Impact Statement GW-4.* See the response to comment L-9.

- *Edits to row for Impact Statement GW-6.* See the response to comment L-10.
- *Edits to the row for Impact Statements HS-1 and HS-3.* See the responses to comments L-11 and L-12, respectively. See also pages 4.11-56 through 4.11-64 of the Draft EIR and Master Response #7: Well Development/Construction Water Use and Discharge in **Chapter 3, Master Responses to Comments**.
- *Edits to the row for Impact Statement NV-1.* See the response to comment L-13.
- *Edits to the row for Impact Statement NV-2.* See the response to comment L-14. The applicable components that would be required to implement Mitigation Measure NV-2a have been appropriately identified as described on pages 4.14-43 through 4.14-49 of the Draft EIR *based on the applicability of the various noise standards, construction time limits, and noise limits/requirements of the various jurisdictions.*
- *Edits to the row for Impact Statement WW-1.* See the response to comment L-15.

# MONTEREY COUNTY

## WATER RESOURCES AGENCY

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Letter M



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June 5, 2015

Monterey Regional Water Pollution Control Agency  
Administrative Office  
ATTN: Bob Holden, Principal Engineer  
5 Harris Ct., Bldg. D  
Monterey, CA 93940

**RE: Pure Water Monterey Groundwater Replenishment (GWR) Project  
Draft Environmental Impact Report (DEIR) dated April 2015**

Dear Mr. Holden:

Thank you for the opportunity to comment on the DEIR prepared for the Pure Water Monterey GWR Project. The Monterey County Water Resources Agency (MCWRA) has reviewed the DEIR, dated April 2015, and has broad project comments, as well as highlights of specific sections of the DEIR which should be revised.

As a project participant, our comments could have been most efficiently addressed through a courtesy review of the Administrative DEIR for the project. MCWRA recognizes your agency will likely not produce a Revised DEIR; however, we consider these comments important. All participants should be involved to ensure the report contains information which is accurate and relevant. I'm providing this explanation to give the comment reader the understanding of why the comments are so extensive.

#### **Global comments regarding facilities operated by MCWRA:**

- Nacimiento Dam impounds 377,900 acre-feet
- San Antonio Dam impounds 335,000 acre-feet
- Blanco Drain is considered waters of the State and is a 303d listed water body
- MCWRA, 2001. *Salinas Valley Water Project EIR/EIS* (SCH# 97-121020), June 2001 contains outdated information regarding operations of the reservoirs and the SRDF as it pertains to fish passage, fish flows and monitoring. The *Salinas Valley Water Project Flow Prescription for Steelhead Trout in the Salinas River* (2005) and subsequent errata is a more appropriate reference. Document is available at [www.mcwra.co.monterey.ca.us](http://www.mcwra.co.monterey.ca.us).

M-1

#### **Text Figure 2.3, Seaside Groundwater Basin Boundaries, page 2-8:**

The DWR Bulletin is a 2003 document, not 2004.

M-2

Monterey County Water Resources Agency manages, protects, and enhances the quantity and quality of water and provides specified flood control services for present and future generations of Monterey County



**2.3.3 Salinas River and Salinas Valley Groundwater Basin, page 2-13:**

Paragraph 2, Sentence 4 should be revised to further clarify which subareas provide recharge. The sentence reads "The groundwater basin is recharged in all but the Pressure Subarea, which has a clay layer above the major water bearing layers"; however, recharge in the East Side Subarea is also difficult due to confined aquifer and clays.

M-3

**2.3 Project Background, 2.3.3.1 MCWRA, page 2-14:**

Paragraph 1 should be revised to read the following: "The Monterey County Water Resources Agency is a water and flood control agency with jurisdiction coextensive with Monterey County and governed by the Monterey County Water Resources Agency Board of Directors and the Board Supervisors".

M-4

**Table 2-13, Source Water Scenarios, including Priority, Seasonality, and Use by Project Phase and Drought Reserve Status, page 2-41:**

The Blanco Drain Pump Station flows have not been calculated during the winter months. Therefore, there may be additional seasonal availability that is higher in October through March than is stated within the tables' Seasonal Availability column.

M-5

**2.7.2.6 Reclamation Ditch / Tembladero Slough, page 2-51:**

The Diversion Methods and Facilities section states that the new intake structure would be on the channel bottom at both diversion sites. The MCWRA is concerned with excessive debris within the channel collecting at the intake sites and recommends that the final design consider alternative intake methods to account for this.

M-6

**2.7.2.7 Blanco Drain, page 2-54:**

The Construction section mentions the MRWPCA Salinas Interceptor on the west-side of the Salinas River. There is also a CSIP distribution pipe and the Salinas River Diversion Facility Pipe in close proximity to the proposed Blanco Drain line that should be considered during the design phase.

M-7

**Figure 2.16, Blanco Drain Storm Drain Maintenance District, page 2-108:**

The existing pumping station location is shown incorrectly. The MCWRA pump station is located on the downstream section of the channel segment flowing into the Salinas River, southwest of where it is shown.

M-8

**4.4.2.1 Overview of Fish Species in Vicinity of Proposed Project Components:**

In reference to the following sentence, "Fish habitat areas upstream of the immediate project vicinity that could be influenced by Proposed Project diversion actions are the Arroyo Seco, San Antonio, and Nacimiento Rivers", the MCWRA Senior Water Resources Hydrologist comments are "not sure how these are affected by proposed project".

M-9

**Page 4.4-3**, In reference to the following sentence, "The Santa Margarita Dam is operated so that a live stream is maintained in the lower river from the dam to the confluence with the Nacimiento River, which is about 46 miles downstream (FISHBIO, February 2013)", the MCWRA Senior Water Resources Hydrologist comments are "not sure this is an accurate statement".

M-10

**Page 4.4-7**, In reference to the following sentence, "In some years, flow releases for smolt migration may not occur because triggers for those releases are not met. However, in those years National Marine Fisheries Service required MCWRA to provide reservoir releases and SRDF bypass flows to enhance migration opportunities for juvenile steelhead and post-spawn adult steelhead (kelts) (National Marine

M-11

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Fisheries Service, 2007)", the MCWRA Senior Water Resources Hydrologist comments are "as part of Salinas River Diversion Facility operations".

M-11  
Con't

**Page 4.4-9**, In reference to the text in the following sentence, "At minimum release levels (25 to 30 cfs), water temperature can increase to as much as 73°F (22.8° C) within 5 miles of the Nacimiento dam, and 75°F (23.9° C) within 10 miles of the dam. During the summer conservation release period (with flows of 300 cfs or more), water temperature is generally maintained at less than 64°F (17.8°C) within 5 miles of the dam, and 68°F (20° C) or less within 10 miles of the dam (Monterey County Water Resources Agency, 2001)", the MCWRA Senior Water Resources Hydrologist comments are "this is old data".

M-12

**Page 4.4-10**, In reference to the following sentence, "The MCWRA intervenes in the Salinas Lagoon each year by using equipment to either cause or assist the breach, and also manages the lagoon water levels as part of flood control activities (Monterey County Water Resources Agency, 2011), the MCWRA Senior Water Resources Hydrologist comments are "not during drought years".

M-13

**Page 4.4-12**, In reference to the following sentence, "During non-event periods, the majority of fresh or brackish water entering the lagoon comes from the Blanco Drain, located approximately five miles upstream from the lagoon, which is an agricultural runoff canal", the MCWRA Senior Water Resources Hydrologist comments are "not sure what this means and in terms of the canal runoff is also waters of the state 303d listed for chloropyrifos, diazinon, low DO, nitrate, pesticides, and turbidity".

M-14

**Page 4.4-13**, In reference to the following sentence, "The San Antonio River is regulated by the San Antonio Dam, which impounds 350,00 acre-feet; The river is regulated by the Nacimiento Dam, located 10 miles upstream from the confluence with the Salinas River. The dam, constructed in 1957, impounds 350,000 acre-feet, and provides flood protection and aquifer recharge to the Salinas Valley (Monterey County Water Resources Agency, 2001); Dam operation and flow releases on the Nacimiento River are managed for the following purposes: (1) to facilitate and enhance passage for upstream migrating adult steelhead on the Salinas River, etc", the MCWRA Senior Water Resources Hydrologist comments are "the impoundments are 335,000 acre-feet and 377,900 acre-feet, respectively; and the river is managed for additional reasons such as 1) flood control, 2) water conservation, 3) fish passage enhancement, and 4) recreation".

M-15

**Page 4.4-14**, In reference to the following sentence, "The Reclamation Ditch watershed has five main tributaries including Gabilan, Natividad, Alisal and Santa Rita Creeks (see Figure 4.4-3, Reclamation Ditch Tributaries) and the Merritt Lake drainage. Gabilan, Natividad, and Alisal Creeks converge at Carr Lake. The outlet from Carr Lake forms the head of the Reclamation Ditch", the MCWRA Senior Water Resources Hydrologist comments are "this is not the head of the Reclamation Ditch".

M-16

**Page 4.4-26**, In reference to the following sentence, "Due to multiple factors, monitoring was not conducted during the entire timeframe outlined in the Biological Opinion (December 1 to March 31)", the MCWRA Senior Water Resources Hydrologist comments are "a DIDSON camera was installed on February 24 and removed on March 20 and not reinstalled due to flood conditions".

M-17

**Page 4.4-31**, In reference to the following sentence, "As stated above, the Salinas River, Reclamation Ditch and Tembladero Slough are listed as impaired waterbodies under section 303(d) of the Clean Water Act", the MCWRA Senior Water Resources Hydrologist comments are "and Blanco Drain".

M-18

#### **Comments on Section 4.8 – Geology, Soils, and Seismicity:**

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**References related to Project Consistency with Monterey County General Plan Policy S-1.7 including In Table 4.8-2,** the discussion of project consistency with Policy S-1.7 refers to “Section 4.X, Geology, Soils, and Seismicity for a discussion of seismic hazards and potential mitigation.” There is no Section 4.X in the Draft EIR document. **Table 4.8-2,** in the discussion of project consistency with Policy S-1.7 also references Appendix K, citing a Ninyo and Moore report from January 2015. The report in Appendix K has a date of December 2014. The report references should be consistent to avoid confusion.

M-19

#### **Coastal Profile (Vertical Erosion Estimates)**

The draft EIR mentions that “[t]he high and low rates of sea level rise were estimated for each year from 2012 to 2073...” (page 4.8-27) but there is no reference to which model or dataset was used as a basis for the estimates of sea level rise.

M-20

#### **Back-flush basin for Injection Well Facilities**

The back-flush basin project component is described inconsistently (page 4.8-39). Use of the basin is described as having water discharged into it “several hours four times per week” and, later in the same paragraph, “a few hours per week.” A more quantitative and consistent description should be available in order to evaluate the risk of hydro-collapse from wetting the upper sediments in the vicinity of the injection wells.

M-21

#### **Comments on Section 4.10 – Hydrology and Water Quality, Groundwater include:**

**Definition of geologic periods: Section 4.10.2.3,** defines the delineation of the Tertiary and Quaternary at occurring at 1.6 million years ago which is inconsistent with the USGS delineation between these two periods, which occurs at 1.8 million years ago (reference: <http://pubs.usgs.gov/fs/2007/3015/fs2007-3015.pdf>).

M-22

**Description and definition of Salinas Valley Groundwater Basin subbasins: Section 4.10.2.3,** incorrectly refers to the Salinas Valley Groundwater Basin has having four subareas. California DWR, in Bulletin 118 (2003), divides the Salinas Valley Groundwater Basin into eight subbasins. In addition to the subbasins listed in the report, the Salinas Valley Groundwater Basin includes the Corral de Tierra, Langley, Paso Robles, and Seaside subbasins. What is the source for the approximate subbasin areas in Section 4.10.2.3? No reference is listed and the values in the report are different from those in Bulletin 118 (DWR, 2003).

M-23

#### **General description of groundwater basin**

The section “Salinas Valley Groundwater Basin Flow and Occurrence” describes a groundwater basin as being “much like a surface water reservoir.” This description is overly simplistic and misleading because, while water levels in an aquifer do decrease with water withdrawals, this comparison neglects potential issues of land subsidence and the potential for very slow rates of groundwater recharge that may occur in areas with low vertical hydraulic conductivity and/or the presence of aquitards. Availability of recharge in an area overlying an aquifer does not necessarily mean that all aquifers can or will receive that recharge. Recharge may occur on an extremely slow time scale such that it is impractical to consider it as being available for the purposes of a project. Alternatively, an aquifer’s storage capacity may be permanently diminished if subsidence or land compaction has occurred. Some additional detail about the description of a groundwater basin should be considered.

M-24

#### **Figure showing seawater intrusion in the Salinas Valley Groundwater Basin**

This section refers to a figure that illustrates “the seawater intrusion areas as of “2011-2013” (Figure 2-9). However, the seawater intrusion areas are shown on Figure 2-7, not Figure 2-9, and the seawater

M-25

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intrusion front is mapped through 2011, not 2013. Figures depicting the 2013 SWI fronts are available on the MCWRA website.

M-25  
Cont

#### Comments on Appendix C

**Pg 6,** The status of the Water Rights has changed since the issuance of the subject memo. The State Water Resources Control Board (State Board) issued a letter on March 25, 2015 accepting the water rights application #32263. The State Board also requested additional information. The first was to submit a description of how to split the application up into multiple applications to accommodate each project using the water rights. The first project is the subject project and the revised application will reflect the necessary water right to accommodate the project needs. The second request was an update on the environmental document preparation. The State Board received a copy of the subject Draft EIR for review.

M-26

#### Comments on Appendix F

**Pg 8,** In reference to the following sentence, "The Monterey County Water Resources Agency intervenes in the breaching of Salinas Lagoon each year by using equipment to either cause or assist the breach (Casagrande et al. 2003)", the MCWRA Senior Water Resources Hydrologist comments are "does not occur each year".

M-27

**Pg 9,** In reference to the following sentence, "The San Antonio River is regulated by the San Antonio Dam (RM 5), which impounds 350,000 acre-feet. The dam, constructed in 1957 impounds 350,000 acre-feet, and provides flood protection and aquifer recharge to the Salinas Valley (MCWRA 2001)", the MCWRA Senior Water Resources Hydrologist comments are "the impoundment is 335,000 acre-feet".

M-28

#### Comments on Appendix M

The discussion on modifications to the average monthly supply sources for years with constrained supply in June includes a reference to a missing document.

M-29

#### Comments on Appendix O

The target fish flows referred to on pages 2 and 23 of Appendix O and elsewhere in the document are not consistent with fish passage criteria developed by the NMFS in the Salinas Valley Water Project (SVWP) Biological Opinion (BO).

M-30

- The BO identifies the need for a stream passage corridor of 10 feet wide by 1 foot deep and prescribes corresponding flow rates at the Salinas River near Chualar and Salinas River near Spreckels USGS streamflow gages. The BO requires fish passage flows in the Salinas River when specific triggers are met that indicate the need for upstream migration of adult steelhead or downstream migration of smolts and post spawn adults.

M-31

The following statement from paragraph 1 on page 17 could use clarification. "The decline in average annual flows during the regulated period represents almost 90,000 AFY going into groundwater recharge."

M-32

- If the statement refers to the increase in ground water recharge from the Salinas River between pre and post dam conditions it is not consistent with the 30,000 AFY increase in ground water recharge identified in the Salinas Valley Historical Benefits Analysis.

M-33

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The following statement from paragraph 1 on page 19 is incorrect. "Reservoir releases were made from San Antonio and Nacimiento Reservoirs for groundwater recharge, but no flow was recorded at the Spreckels gage."

M-34

- No conservation releases were made during the 2014 SRDF Operational Season. Minimum fish releases were made from San Antonio and Nacimiento Reservoirs to meet requirements of the California Department of Fish and Wildlife as well as the SVWP BO for spawning and rearing habitat.

#### Comments on Appendix P

Nacimiento and San Antonio Reservoir Operations as described in the following statement in paragraph 1 on page 6 require clarification. "Water is released from these reservoirs to maintain year-round flow in the Salinas River for Aquifer recharge."

M-35

- When reservoir elevations are above minimum pool at Nacimiento and above dead pool at San Antonio, releases are made for downstream spawning and rearing habitat in accordance with California Department of Fish and Wildlife and SVWP BO requirements. Reservoir releases are made for SVWP operations and aquifer recharge during the SRDF operational season (April – October) when water is available. Additional releases are made as required with consideration to the SVWP BO, California Department of Fish and Wildlife Regulations, FERC/DSOD Regulations, California DWR Water Rights, and other considerations identified in the San Antonio and Nacimiento Dam Operation Policy Documents.

#### Comments on Appendix Q

The Methodology Section on page 7 states that there is limited data available and only during the months of April to October. Although the approach is relatively conservative in calculating dry-season available water, additional studies may be beneficial to understand average and peak flows.

M-36

The following statement in paragraph 2 on page 10 requires clarification. "In each month, the by-passed flow minus the Blanco Drain flow exceeds the required minimum release."

- The statement is technically correct but the premise is incomplete. Flow into the Salinas River Diversion Facility (SRDF) is measured at the Salinas River near Spreckels USGS gage and bypass is measured at the SRDF fish ladder and regulating weir. Blanco Drain flows are intentionally excluded from SRDF bypass and extraction accounting. MCWRA does not have a water right for the use of Blanco drain water at the SRDF and the water quality is not consistent with the intention of bypass flows to the Salinas Lagoon.

**Table 2-3** on page 10 contains outdated information. The Salinas Valley Water Project, Annual Flow Monitoring Report, Water Year 2012 was revised in March 2014. The average daily bypass flows in Table 2-3 do not reflect the revised Mean Monthly Discharge values for Blanco Drain.

M-37

Thank you for the opportunity to review the DEIR. If you have any questions, please feel free to contact me at (831) 755-4860.

Sincerely,



Robert Johnson  
Deputy General Manager

Monterey County Water Resources Agency manages, protects, and enhances the quantity and quality of water and provides specified flood control services for present and future generations of Monterey County

## Letter M: Monterey County Water Resource Agency

- M-1** Although the storage capacities of the Nacimiento and San Antonio Dams are correctly identified on pages 2-13 and 2-15 of the Draft EIR, the text on page 4.4-13 of the Draft EIR has been updated as requested. The status of the Blanco Drain as waters of the State and a 303d-listed water body is noted as it reiterates information provided in the Draft EIR description. Text changes to Draft EIR have been made to further clarify the potential for waters of the State designations. See revisions to pages 4.4-13, 4.5-87 through 4.5-92, 4.11-30, 4.11-36, and 4.11-62 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**. The fish passage analysis has been updated to describe and analyze how the Salinas Valley Water Project Flow Prescription for Steelhead Trout in the Salinas River relates to the Proposed Project. See the responses to comments E-4 through E-6 and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.
- M-2** DWR Bulletin 118 is dated 2003, but the chapter of that document titled “Salinas Valley Groundwater Basin, Seaside Area Subbasin” was last updated in February of 2004 (see [http://www.water.ca.gov/pubs/groundwater/bulletin\\_118/basindescriptions/3-4.08.pdf](http://www.water.ca.gov/pubs/groundwater/bulletin_118/basindescriptions/3-4.08.pdf)). The Draft EIR reference is correct.
- M-3** The Draft EIR text in section 2.3.3 on page 2-13 has been amended as requested in the comment. See **Chapter 5, Changes to the Draft EIR**.
- M-4** The Draft EIR text in section 2.3.3.1 on page 2-14 has been amended as requested in the comment. See **Chapter 5, Changes to the Draft EIR**.
- M-5** The method to estimate winter flows in the Blanco Drain was designed to produce conservatively low flows to prevent over-estimation of the potential yield of the Proposed Project. Additional water availability during the months of October through March would increase water available, but may also exceed the combined demands for irrigation water within the CSIP area and source water for the influent requirements of advanced water treatment plant resulting in additional ocean discharge of effluent. Source water would not be diverted when it is not needed for the Proposed Project.
- M-6** The diversion facilities were laid out conceptually using the same design as the current Blanco Drain pump station. Alternative intake configurations could be considered during detailed design in consultation with Monterey County, the State Water Resources Control Board/Regional Water Quality Control Board, and National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS). Debris removal from the Reclamation Ditch and Tembladero Slough diversion structure would be necessary approximately once per month as described in Chapter 2, Project Description at pages 2-53 and 2-55 of the Draft EIR. This assumed the maintenance activity that was included in the Draft EIR impact analyses in Chapter 4.
- M-7** The Draft EIR identifies the Salinas Interceptor as the receiving pipeline for the Blanco Drain force main. All existing pipelines and utilities within the alignment will be considered during design. The preliminary engineering design does not conflict with the CSIP or the Salinas River Diversion Facility (SRDF) pipelines in proximity to Blanco Drain (E2 Consulting Engineers, personal communication, July 2015).
- M-8** Figure 2-16 was intended only to show the extent of the Blanco Drain drainage basin. It was extracted from an earlier report, and shows the original pump station. A note has been added explaining that the pump station shown has been replaced. See revisions to page 2-108 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.

- M-9** The MCWRA Senior Water Resources Hydrologist questions whether the upstream fish habitat cited (the Arroyo Seco, San Antonio, and Nacimiento Rivers) could be influenced by Proposed Project diversion actions. Although the habitat in question would not be impacted by the Proposed Project, the ability for fish to reach that habitat was analyzed in the EIR. As discussed on pages 4.4-49 through 4.4-51 of the Draft EIR as amended in this Final EIR, project operations would not result in reduction of fish habitat upstream of the Proposed Project diversions.
- M-10** The comment questions the accuracy of a statement from page 4.4-3 in the Fisheries Section of the Draft EIR. The statement is correctly referenced from a monitoring report prepared by FISHBIO in February 2013 for the MCWRA, and subsequently submitted to the National Marine Fisheries Service NMFS (April 2013).
- The report was accessed and can be found on the MCWRA's website: [http://www.mcwra.co.monterey.ca.us/fish\\_monitoring/documents/2012%20Annual%20Fisheries%20Report%20with%20Appendices.pdf](http://www.mcwra.co.monterey.ca.us/fish_monitoring/documents/2012%20Annual%20Fisheries%20Report%20with%20Appendices.pdf).
- M-11** The comment clarifies a statement in the Fisheries Section on page 4.4-8 of the Draft EIR, top of page, in reference to the following sentences, "In some years, flow releases for smelt migration may not occur because triggers for those releases are not met. However, in those years National Marine Fisheries Service required MCWRA to provide reservoir releases and SRDF by-pass flows to enhance migration opportunities for juvenile steelhead and post-spawn adult steelhead (kelts)." The comment clarifies that this was part of SRDF operations. This change has been made to page 4.4-8 in **Chapter 5, Changes to the Draft EIR**.
- M-12** The comment questions the age of the data presented on page 4.4-9 of the Draft EIR, in reference to minimum release levels and water temperature below Nacimiento Dam. In the Draft EIR, minimum flows are stated to be (25 to 30 cfs), water temperature can increase to as much as 73°F (22.8°C) within 5 miles of the Nacimiento dam, and 75°F (23.9°C) within 10 miles of the dam. Current monitoring reports available from the MCWRA website identify temperature of water released below the dam typically ranges between 52 and 54°F in temperature, and generally remains cooler than 64°F within the first 5 miles below the dam, and below 68°F within the first 10 miles of the dam. However, under certain conditions (i.e. low summer flows during dry years) temperatures reach 73°F within 5 miles of the dam and 75°F within 10 miles below the dam (NMFS 2007). The source for this information is the Monterey County Water Resources website: [http://www.mcwra.co.monterey.ca.us/fish\\_monitoring/documents/2014\\_2%20Salinas%20Basin%20Juvenile%20O.%20mykiss%20Downstream%20Migration%20Monitoring.pdf](http://www.mcwra.co.monterey.ca.us/fish_monitoring/documents/2014_2%20Salinas%20Basin%20Juvenile%20O.%20mykiss%20Downstream%20Migration%20Monitoring.pdf). This information although updated appears to be consistent with the text in the Draft EIR. However the additional reference and updated information is also added to the Draft EIR; see **Chapter 5, Changes to the Draft EIR**.
- M-13** A sentence has been added to this paragraph to clarify that the management of the Salinas Lagoon specified on page 4.4-10 of the Draft EIR does not occur during drought years. See **Chapter 5, Changes to the Draft EIR**.
- M-14** The sentence notes that during non-event periods, referring to rainfall, the majority of fresh or brackish water entering the lagoon comes from the Blanco Drain, located approximately five miles upstream from the lagoon. The comment notes that the Blanco Drain is listed as impaired water under Section 303(d) and the canal runoff is also considered waters of the state and is also listed for various constituents, nitrate, pesticides, and turbidity; this information is noted in the Draft EIR. Text changes to Draft EIR have been made to further clarify the potential for waters of the State designations. See revisions to pages 4.4-13, 4.5-87 through 4.5-92, 4.11-30, 4.11-36, and 4.11-62 in **Chapter 5, Changes to the Draft EIR**.

- M-15** The comment requests language changes on page 4.4-13 of the Draft EIR. Additional language has also been added to note that dam operation and flow releases on the river are managed for a variety of needs including 1) flood control, 2) water conservation, 3) fish passage enhancement and 4) recreation. The revisions have been made; see **Chapter 5, Changes to the Draft EIR**.
- M-16** The comment requests language revisions to page 4.4-14 of the Draft EIR. The revisions have been made; see **Chapter 5, Changes to the Draft EIR**.
- M-17** The comment requests language revisions to page 4.4-26 of the Draft EIR. The revisions have been made; see **Chapter 5, Changes to the Draft EIR**.
- M-18** The comment requests language revisions to page 4.4-31 of the Draft EIR. The revisions have been made; see **Chapter 5, Changes to the Draft EIR**.
- M-19** The comment identifies two typographic errors in Table 4.8-2 on page 4.8-17 of the Draft EIR regarding the consistency of the Proposed Project with Monterey County General Plan Policy S-1.7. The first comment identifies that the reference to section 4.X Geology, Soils, and Seismicity, which should be to Section 4.8, Geology, Soils, and Seismicity. The second comment is in reference to the date for the report in Appendix K, the Preliminary Geotechnical Evaluation. These errors have been corrected in **Chapter 5, Changes to the Draft EIR**.
- M-20** The comment requests a reference for the model or dataset used as a basis for the estimates of sea level rise described on page 4.8-27 of the Draft EIR. The source for the analysis in the Draft EIR is provided on page 4.8-26, Analysis of Historic and Future Coastal Erosion with Sea Level Rise (ESA-PWA, 2014). In that report, the source for the sea level rise data and modeling was provided. Specifically, the analysis used a sea level rise projection of 15 inches by 2040 and 28 inches by 2060, relative to 2010. These projections are based on a 2012 study by the National Research Council (NRC) which provided regional sea level rise estimates for San Francisco (the closest projection to the Project). The 2040 and 2060 values were derived by fitting a curve to the “Average of Models, High” projections for 2030, 2050, and 2100 published in the NRC study (National Research Council, 2012).
- M-21** In response to this comment, text on page 4.8-39 of the Draft EIR has been modified to provide consistent quantified back-flush basin use amounts. See **Chapter 5, Changes to the Draft EIR**. See also Master Response #8: Well Maintenance and Backflushing Water Amounts and Discharge in **Chapter 3, Master Responses to Comments**.
- M-22** The footnotes on page 4.10-4 of the Draft EIR have been revised to indicate the start of the Pleistocene Epoch as 1.8 million years ago in response to this comment. See **Chapter 5, Changes to the Draft EIR**.
- M-23** In response to this comment, the following has been added to the end of the first paragraph in Section 4.10.2.3 on page 4.10-4 of the Draft EIR:

“DWR (2003) recognizes four additional subbasins around the periphery of the main part of the basin. These include the Seaside and Corral de Tierra subbasins between Salinas and Monterey. The Seaside Basin as used in this report (see Section 4.10.2.4) corresponds to parts of DWR’s Seaside and Corral de Tierra subbasins.”

In addition, the sizes of the subbasins mentioned on pages 4.10-4 through 4.10-6 of the Draft EIR have been revised to be consistent with DWR’s Bulletin 118 shapefile (180/400-Foot



aquifers: 130 mi<sup>2</sup>; East Side: 90 mi<sup>2</sup>; Upper Valley + Forebay + East Side + 180/400-Foot: 520 mi<sup>2</sup> ) in response to this comment. See **Chapter 5, Changes to the Draft EIR**.

- M-24** In response to this comment, the first paragraph under the heading “Salinas Valley Groundwater Basin Flow and Occurrence” on page 4.10-6 of the Draft EIR has been replaced to provide more definition of groundwater basins as requested in this comment. See **Chapter 5, Changes to the Draft EIR**.
- M-25** Figure 2-7 of the Draft EIR has been modified to replace the 2012 version of the seawater intrusion maps with the more recent, 2014 seawater intrusion maps. See **Figure 2-7revised** in **Chapter 5, Changes to the Draft EIR**.
- M-26** The updated water rights information requested in this comment has been prepared and is included in the changes to Section 4.18 in **Chapter 5, Changes to the Draft EIR** and **Appendix C-Revised**.
- M-27** Appendix F of the Draft EIR has been revised to update the incorrect text. See Appendix F-Revised as shown in **Chapter 5, Changes to the Draft EIR**. It appears this comment identifies an error from the Reclamation Ditch Watershed Assessment Report (Casagrande, et al, 2006) report and not the technical content of Appendix F.
- M-28** Appendix F has been revised to update the incorrect text regarding the amount of water impounded behind the San Antonio Dam (335,000 acre-feet, instead of 350,000 acre-feet). See Appendix F-Revised as shown in **Chapter 5, Changes to the Draft EIR**.
- M-29** The reference on page 15 of Appendix M of the Draft EIR is intended to be a reference to Table 4 in that report. There is no missing document. **Chapter 5, Changes to the Draft EIR**, shows this typographical correction to Appendix M of the Draft EIR.
- M-30** The fish passage criteria developed by the fisheries biologist are specific to the river reach from the project location downstream to the Salinas River Lagoon. Looking at the flow exceedance tables in Appendix C within the Draft EIR Appendix O (Salinas River Inflow Impacts Report), the percentile ranking of flows at 150 cfs and 300 cfs do not change in the months of December through May. As discussed in the responses to comments E-4 and E-5, and Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**, the passage flow analysis has been updated in response to this comment and others to add an analysis of the fish passage criteria in the 2007 NMFS BO to the existing analysis in the Draft EIR. See changes to the Draft EIR pages 4.4-37 through 4.4-49 in **Chapter 5, Changes to the Draft EIR**.
- M-31** See the response to comment M-30.
- M-32** The Salinas Valley Historical Benefits Analysis (Montgomery Watson, 1997) estimated groundwater recharge based on recorded groundwater levels and recorded and assumed groundwater pumping amounts, among other factors, then modeled the same groundwater pumping pattern but removed the regulated, year-round reservoir releases to simulate a “without reservoirs” condition. The statement in Appendix O-Revised is simply a comparison of measured flow at the Spreckels gage during two separate periods. The differences may be due to increased riparian use in the later period, or to the decrease in the average precipitation between the two periods. See Appendix O-Revised as shown in **Chapter 5, Changes to the Draft EIR** under the section titled “Changes to the Appendices.”

- M-33** See the response to comment M-32.
- M-34** The comment requests changes to the text of Appendix O of the Draft EIR. The Draft EIR has been amended as requested; however, the change in text does not affect the analysis. The relevant portion of the statement was that no flow was recorded at the Spreckels gage the 2014 operational season. See **Chapter 5, Changes to the Draft EIR** under the section titled: "Changes to the Appendices."
- M-35** The statement in Appendix P of the Draft EIR is consistent with the 2006 Monterey County Groundwater Management Plan. Plan Element 5, Continuation of Conjunctive Use Operations, states: "As described in other parts of this GWMP, MCWRA effectively began conjunctive use operations in the late 1950's after construction of Nacimiento Dam and Reservoir. MCWRA expanded those operations in the late 1960's after construction of San Antonio Dam and Reservoir. Since then, conjunctive use of surface water and groundwater has been non-traditional in that surface water has not been directly used for irrigation or other water supply in the basin; rather, surface water has been indirectly used by dedicating regulated releases from the reservoirs for maintenance of Salinas River flow through most of the basin, promoting groundwater recharge from the stream channel. ..."
- M-36** The information in the comment has been incorporated into the EIR as a change to Appendix Q. See Appendix Q-Revised as referenced in **Chapter 5, Changes to the Draft EIR** under the section titled: "Changes to the Appendices."
- M-37** Updating the return flow calculations with the corrected data from 2012, the return flow factor changes from 17.3% to 16.8%. The report assumed a return flow factor of 17%, which remains valid. See Appendix Q-Revised as referenced in **Chapter 5, Changes to the Draft EIR** under the section titled: "Changes to the Appendices."

**Seaside Basin Watermaster  
2600 Garden Road, Suite 228  
Monterey, CA 93940**

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JUN 05

MRWPCA

June 4, 2015

Monterey Regional Water Pollution Control Agency  
Administration Office  
ATTN: Bob Holden, Principal Engineer  
5 Harris Ct., Bldg D  
Monterey, CA 93940

**Subject: Comments from the Seaside Basin Watermaster on the Draft  
Environmental Impact Report for the Pure Water Monterey Groundwater  
Replenishment Project, dated April 2015**

Dear Mr. Holden:

The Seaside Basin Watermaster submits the following comments and questions regarding the Subject document.

**IN THE SUMMARY OF THE DEIR:**

**Page S-33, #4.10:** When deciding whether a project could have an impact, the GWRP should be considered to have the potential to have a Significant impact on the Seaside Basin because injecting 3,500 AFY into the Basin constitutes adding a large new source of water at a new location and will thus impact flow patterns in the aquifer and also groundwater elevations. Currently the total amount of water pumped out of the Basin is on the order of 4,000 AFY, so a 3,500 AFY new source would be a large one. Therefore, its impacts should be evaluated before making a determination of its significance in terms of impacts. The Project would have the potential to significantly impact recharge to the Seaside Groundwater Basin, contrary to the statement in the DEIR, so this wording should be revised accordingly.

N-1

However, based on the description of the quality of the Project's recharge water, the manner in which it would be injected into the Basin, and the findings of the studies you performed, much of which is contained in the Appendices by Margie Nellor and the company that performed the groundwater analyses, it does not appear that these impacts

N-2

would be harmful to the Basin. Consequently, the determination that it would not have a significant impact is reasonable.

N-2  
Con't

**IN THE BODY OF THE DEIR:**

**General Comment:** In numerous places the acronym "MPWSP" is incorrectly spelled "MPSWP." Suggest a "Find and Replace" be done to the document to correct these typos.

N-3

**Page 2-74:** The statement is made on this page that "Based on the experience of the Water Management District in the operation of its nearby Aquifer Storage and Recovery wells, back-flushing of each deep injection well would occur about weekly and would require discharge of the back-flush water to a percolation basin (basin), with a storage capacity of about 240,000 gallons. Water percolated through the basin would recharge the Paso Robles aquifer." On an annual basis the volume of water that will be extracted from the Santa Margarita aquifer by back flushing will be substantial. If that water is percolated into the Paso Robles aquifer it would likely not reach the Santa Margarita aquifer for a long time, if ever, depending on the properties of the geologic layer that separates these two aquifers. It would therefore seem that the volume extracted from the Santa Margarita aquifer for back-flushing should be subtracted from the volume that is recharged via the deep injection wells when determining the volume of water that Cal Am would be entitled to pump from that aquifer. Another approach to address this concern would be to send the back-flush water back to the MRWPCA's Regional Plant by disposing of it into the sanitary sewer. That volume could then be sent through the AWT and come back to the Seaside Basin as an additional offsetting flow that could be injected back into the Santa Margarita aquifer to ensure that this aquifer does not experience any net depletion due to development activities.

N-4

These issues should be addressed in the design of the Project and should also be addressed in the Watermaster's Storage Agreement with Cal Am for the recharged water from the Project.

**Page 2-77:** In the last paragraph on this page the word "of" should be replaced with the word "or."

N-5

**Page 2-95, Figure 2-3:** The Legend of this Figure is titled "Adjudicated Seaside Groundwater Basin Boundary." The boundary that is shown does not accurately match the Adjudication Decision boundary, as noted in the comment above on Figure 4.10-5. The Legend title should be revised or the boundary shown should match the Adjudication Decision boundary.

N-6

**Page 2-96, Figure 2-4:** In the Legends for the two maps on this page please add a footnote clarifying what is meant by "Deep Zone."

N-7



**Page 4.1-1:** In the Table of Contents at the top of this page the Section number for “Hydrogeology/Water Quality-Groundwater” should be 4.10, not 4.1.

N-8

**Section 4.10.2.4, page 4.10-16 (top paragraph):** Please add that the southeasterly boundary of the Seaside Basin is also a groundwater divide that is subject to movement.

N-9

**Figure 4.10-5, page 4.10-86:** The boundary for the Seaside Basin in this Figure appears to be approximately the same as the Court Adjudication boundary, except in the eastern portion of the Basin. Since the Adjudication Decision imposes management and other requirements on the area within the Adjudication boundary it would be good to also show the exact Adjudication boundary on this Figure.

N-10

**Page 4.10-40 (next to last paragraph):** Please add that since the activities described in the M&MP completed in September 2006 have been accomplished, the Watermaster has prepared an updated M&MP each year to address changing conditions and issues of concern. These are submitted to the Court each year as part of the Watermaster’s Annual Report.

N-11

**Pages 4.10-54 and 55:** These pages include the statements that:

- (1) “The volume of water pumped for development of each well would be about 3,600,000 gallons, based on four 10-hour days of development pumping at 1,500 gpm as estimated by Todd Groundwater. If the water used for development were drawn from groundwater and not returned as recharge, aquifer volumes or groundwater levels could be decreased; however, well development water at the Injection Well Facilities would be allowed to percolate back to the groundwater basin through on-site disposal resulting in a less-than-significant impact to aquifer volumes and groundwater levels.”
- (2) “The Injection Well Facilities construction would not use substantial amounts of groundwater that would not be returned to the groundwater system and would not impact groundwater volume or levels due to loss of recharge.”
- (3) “Impacts associated with groundwater depletion, levels and recharge during the construction of the Proposed Project would be less than significant.”
- (4) “Therefore, for the project as a whole, the potential construction impacts would be less than significant relative to groundwater recharge, volume, or levels, and no mitigation measures would be required.”

N-12

The Project proposes to develop four wells using this volume of water so collectively the amount that would be pumped from the Seaside Basin for well development would total approximately 45 acre-feet. The Adjudication Decision does not appear to make any provision for this pumping, and makes no allocation of groundwater pumping for this purpose.

In addition surface recharge at the proposed development water percolation sites will take a long period of time before the recharged water reaches the Santa Margarita (and even the Paso Robles) aquifers. Also, some of it may remain in the overlying Aromas Sands and not reach either of the two other aquifers. Therefore, it is not reasonable to assume

that allowing the development water to percolate through on-site disposal will have a less than significant impact on groundwater levels or aquifer volumes. This is particularly true since the wells will be in close proximity to each other and the development water pumping might produce a localized groundwater depression.

N-12  
Con't

One approach that would address this concern would be to return the development water to MRWPCA's Regional Plant by disposing of it into the sanitary sewer. That volume could then be sent through the AWT and come back to the Seaside Basin as an additional offsetting flow that could be injected back into the Santa Margarita aquifer to ensure that this aquifer does not experience any net depletion due to development activities.

These issues should be addressed in the design of the Project and will need to be resolved to the satisfaction of the Watermaster before well development can occur.

**Page 4.10-76:** The statement is made on this page that "...all other cumulative projects are approved or mandated by the Seaside Basin Watermaster." One of the listed projects is the MPWSP. While the Watermaster supports the MPWSP, it did not approve or mandate this project.

N-13

**Appendix D:** At several places in this Appendix it is stated that one of the requirements for the Project will for the proponents to submit, and receive approval from the SWRCB's Division of Drinking Water (DDW), a Response Retention Time (RRT) Plan. The purpose of this Plan is to provide measures to ensure that no water from the Project is allowed to reach any drinking water supply well if the recharged water quality does not comply with the required standards. Due to the critical nature of water quality and the likelihood of public concern about possible contamination of drinking water supplies due to recharging the Basin with treated wastewater, the Watermaster would like to have the opportunity to review and comment on the Project's Response Retention Time Plan when it is submitted to the DDW for its review.

N-14

Also in Appendix D, Attachment A (letter from California Department of Public Health dated June 5, 2014) mention is made of the requirement for MRWPCA to submit both a "Contingency Plan" (along with the Engineering Report) and a "Response Plan." These appear to be separate from the RRT Plan. The Contingency Plan, according to that letter is to "...ensure that no untreated or inadequately treated wastewater will be delivered to the use area." The on-line sensors included in the design will presumably identify some types of chemical-physical water quality deviations from the State's requirements, but the water will have already left the AWT and gone into the delivery pipeline once it passes through those sensors. An even more difficult issue is that the wet-lab analytical work that will be necessary to confirm that the water produced by the AWT meets State quality requirements (e.g. pathogens, primary and secondary MCLs, lead, copper, total nitrogen, and TOC) will take some time to process and the water that is tested will long since have left the AWT and be in the pipeline leading to the use area. As there appears to be no storage facility included in the AWT design to contain the treated water until its quality has been confirmed as meeting the State's requirements, what is the

N-15

plan for complying with the requirement that no inadequately treated water is delivered to the use area?

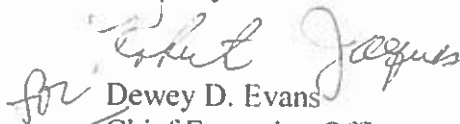
N-15  
Con't

With regard to the State's requirement that MRWPCA have an approved Response Plan, the table in Appendix D on page 66 includes a statement that "Prior to start-up of the GWR Project, MRWPCA will develop and submit a plan to DDW to provide an alternative source of water or a DDW-approved treatment system should the GWR Project impact a drinking water well so that it cannot be used as a water supply or the GWR Project fails to meet the pathogen control requirements." For the same reasons stated above, the Watermaster would like to have the opportunity to review and comment on the Project's Contingency and Response Plans when they are submitted to the DDW for its approval.

N-16

If you have any questions regarding these comments, please contact Mr. Robert Jaques, Technical Program Manager, at (831) 375-0517 or by email at [bobj83@comcast.net](mailto:bobj83@comcast.net).

Sincerely,

  
for Dewey D. Evans  
Chief Executive Officer  
Seaside Basin Watermaster

## Letter N: Seaside Basin Watermaster

- N-1** The Draft EIR conclusions related to the cumulative impact for topical Section 4.10 “Hydrology/Water Quality: Groundwater” in **Table S-2, Summary of Cumulative Impacts and Mitigation Measures**, are supported by the information provided on pages 4.10-77 through 4.10-78 of the Draft EIR. The cumulative impact of the Proposed Project is “LS” because the modeling conducted for the cumulative project scenarios show that Seaside Basin groundwater conditions (water levels, protective elevations at the coast, storage capacity, and recharge) with implementation of the cumulative projects would be the same or better than conditions without implementation of the cumulative projects. Groundwater elevations generally would be higher under the cumulative conditions than under the conditions without the cumulative projects. These higher groundwater levels would tend to slow or stop seawater intrusion. For these reasons, there would not be a significant cumulative impact on groundwater levels, recharge, or storage with the Proposed Project injections of 3,500 AFY of water into the Seaside Basin.

Per Section 4.10.4 of the Draft EIR, pursuant to Appendix G of the CEQA Guidelines a project would have a significant impact on hydrology if it would substantially deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. The Project operations would significantly impact groundwater resources if operations were to result in groundwater mounding, changes in groundwater gradients, or lowering of groundwater levels such that nearby municipal or private groundwater production wells experience a substantial reduction in well yield or physical damage due to exposure of well screens. Substantial reduction would occur if wells were to become incapable of supporting existing land uses or planned uses for which permits have been granted. More specifically, one of the following two conditions may occur that would trigger this condition:

- A decline in average groundwater level is significant if it would lower the water level to a depth below the median depth to the top of the well screen in nearby wells.
- A decline in average groundwater level is significant if it would decrease pump output (in gallons per minute) by more than 10%.

The Proposed Project’s impact assessment related to groundwater depletion, levels, and recharge in the Seaside Basin is provided in Draft EIR Appendix L “Recharge Impacts Assessment Report” and is summarized on pages 4.10-64 through 4.10-65 of the Draft EIR. The modeling incorporated estimates of the delivery of the purified recycled water in various year types and was conducted using the Seaside Basin Watermaster predictive model for analyzing future conditions in the basin, reasonable assumptions of operation of the production wells in the basin, and reasonable assumptions of the future operation of the Aquifer Storage and Recovery project. The assessment concludes that there would be no significant operational impact to groundwater levels, recharge or storage in the Seaside Groundwater Basin. Similarly, the cumulative impacts of the Proposed Project combined with cumulative projects would have a less-than-significant impact on groundwater levels, protective elevations at the coast, storage capacity, and recharge.

- N-2** The comment acknowledges and agrees with the impact conclusions of the Draft EIR related to the impacts of the Proposed Project on the Seaside Groundwater Basin; no further response is necessary.
- N-3** The incorrect spelling of the MPWSP (Monterey Peninsula Water Supply Project) has been corrected. See **Chapter 5, Changes to the Draft EIR** regarding pages S-35 and 4.11-101 of the Draft EIR.



- N-4** See Master Response #8: Well Maintenance and Backflushing Water Amounts and Discharge in **Chapter 3, Master Responses to Comments**.
- N-5** The identified typographical error (last paragraph, last sentence on page 2-77 of the Draft EIR changing the word “of” to “or”) has been corrected. See **Chapter 5, Changes to the Draft EIR**.
- N-6** The Legend Title of Figure 2-3 on page 2-95 of the Draft EIR has been revised to indicate the correct contents of the legend as requested in this comment. See **Chapter 5, Changes to the Draft EIR**.
- N-7** The terms “deep zone” and “shallow zone” in the Seaside Basin generally correlate to the Santa Margarita Aquifer and Paso Robles Aquifer, respectively. Because contours extend into areas where these formations do not exist, this generalized nomenclature developed by Yates (et al., 2005) has been adopted by HydroMetrics, the Seaside Watermaster’s hydrogeologic consultants that created the basin groundwater model and the source of the contours (HydroMetrics’ Memorandum to Bob Holden; Subject: Groundwater Replenishment Project Development Modeling, October 2, 2013; see Appendix C within the Draft EIR’s Appendix L, Figures 8 and 9 citing the original source). Although the two maps on Figure 2-4 in the Draft EIR have been appropriately labeled as Paso Robles Water Levels and Santa Margarita Water Levels, the legend on the top map has been incorrectly labeled as “Deep Zone Water Elevation contour” in the legend (and should be labeled “Shallow Zone” water elevation). Both legends on Figure 2-4 on page 2-96 of the Draft EIR have been revised to indicate the name of each aquifer for the Final EIR in response to this comment. See **Chapter 5, Changes to the Draft EIR**.
- N-8** Page 4.1-1 of the Draft EIR has been modified to correct the typographic error as requested in this comment. See **Chapter 5, Changes to the Draft EIR**.
- N-9** The text in Section 4.10.2.4, page 4.10-16 (top paragraph) in the Draft EIR has been revised to clarify that the southeasterly boundary of the Seaside Basin is also a groundwater divide that is subject to movement. See **Chapter 5, Changes to the Draft EIR**.
- N-10** Figure 4.10-5 has been replaced with a revised version (**Figure 4.10-5rev**) in response to this comment. See **Chapter 5, Changes to the Draft EIR**.
- N-11** Page 4.10-40 of the Draft EIR has been amended as requested in this comment to add the following text: “The activities described in the 2006 M&MP have been accomplished, and the Watermaster has prepared an updated M&MP each year to address changing conditions and issues of concern. These are submitted to the Court each year as part of the Watermaster’s Annual Report.” See **Chapter 5, Changes to the Draft EIR**.
- N-12** See Master Response #7: Well Development/Construction Water Use and Discharge in **Chapter 3, Master Responses to Comments**, for information regarding volumes and discharge of development water pumped during construction of Proposed Project wells.
- N-13** The comment references the following sentence (emphasis added):
- “The cumulative conditions considered for the Overall Cumulative Projects would be the same as the combined analysis of implementation of the Proposed Project and the MPWSP with a 6.4 mgd desalination plant because **all other** cumulative projects are approved or mandated by the Seaside Basin Watermaster so would occur both with the combined scenario and under conditions expected with all other cumulative projects implemented.”

The sentence use of the words “all other” is intended to exclude the MPWSP as being one that is approved or mandated by the Watermaster; so the Draft EIR is consistent with this comment.

**N-14** Pursuant to the Final Groundwater Replenishment Regulations as discussed in Appendix D, the project proponents must develop a proposed Response Retention Time (RRT) for inclusion in the draft Engineering Report for the Project that will be submitted to the State Water Resources Control Board – Division of Drinking Water for approval and review by the Regional Water Quality Control Board. A copy of the draft Engineering Report will be provided to the Watermaster for review and comment.

**N-15** Pursuant to the Final Groundwater Replenishment Regulations as discussed in Appendix D, the project proponents must develop a contingency plan for inclusion in the draft Engineering Report for the Project that will be submitted to DDW for approval and review by the RWQCB. The regulations do not specify what must be included in the Contingency Plan. Based on other groundwater replenishment projects, typical elements of a Contingency Plan include the following:

- treatment system controls, reliability and redundancy,
- critical control point monitoring,
- operations during source control and treatment process upsets at the Regional Treatment Plant and AWT Facility, and
- an emergency response plan.

The regulations require the development of a response retention time (RRT), which is not a plan, but as discussed in Appendix D, an estimate of the time needed to retain recycled water underground to identify any treatment failure so that inadequately treated recycled water does not enter a potable water system. Sufficient time must elapse to allow for a response that will protect the public from exposure to inadequately treated water, and provide an alternative source of water or remedial treatment at the wellhead if necessary. The RRT is the aggregate period of time that includes: (1) time between treatment verification samples or measurements; (2) time to make the measurement or analyze the sample; (3) time to evaluate the results; (4) time to make a decision regarding the appropriate response; (5) time to activate the response; and (6) time for the response to work.

A copy of the draft Engineering Report will be provided to the Watermaster for review and comment. The regulations, as discussed in Appendix D, also include provisions for monitoring and reporting to ensure that the quality of recycled water used for injection is safe – the regulations do not require storage and testing prior to injection. All of these requirements and contingency provisions will be incorporated into the permit issued by the RWQCB for the project.

**N-16** Pursuant to the Final Groundwater Replenishment Regulations as discussed in Appendix D, prior to startup of operations, the project proponents must develop a plan to provide an alternative source of water or treatment system should a groundwater replenishment project impact a drinking water well so that it can no longer be used as a source of water supply. A description of the plan will be included in the draft Engineering Report for the Project that will be submitted to DDW for approval and review by the RWQCB. A copy of the draft Engineering Report will be provided to the Watermaster for review and comment.



## CITY OF SALINAS – DEPARTMENT OF PUBLIC WORKS

• 200 Lincoln Avenue • Salinas, California 93901 • (831) 758-7241

June 1, 2015

Bob Holden, Principle Engineer

Monterey Regional Water Pollution Control Agency

5 Harris Court Building D.

Monterey CA, 93940

***RE: Comments on EIR for Pure Water Monterey Project***

In response to the recent notification of the availability of the Pure Water Monterey DEIR, the City of Salinas had reviewed this document particularly as they relate to the City of Salinas interests and concerns as we know them.

This document presents our summary comments.

Overall, the document appears to be well and comprehensively prepared; it accurately represents and describes the pertinent City of Salinas facilities, their past use and their intended future use. In Section 4.10 Hydrology and Water Quality: Groundwater, we note one possible inconsistency on page 4.10-67 at the end of line 8 in the second full paragraph. The text refers to groundwater recharge under the City percolation ponds at the Salinas Treatment Facility Ponds based on percolation “when distributed over a **1.5-acre** circular area centered at the ponds.” Given that the ponds spread for over a mile along the Salinas River and previous text in the same paragraph discusses potential water quality impacts over “a circle **1.5-mile** radius surrounding the Salinas Treatment Facility.” we suggest that paragraph likely needs an editorial correction.

O-1

We note also that the proposed project and its component elements would have several positive impacts on the local environment while benefiting the City, its residents and businesses. These benefits are summarized below:

1. Making more irrigation water available for the Castroville Seawater Intrusion Project (CSIP) would decrease irrigation pumping close to Monterey Bay and hence reduce seawater intrusion trends. Protecting the Salinas Valley groundwater basins protects the only water supply for City residents and business, preserving public and economic health.
2. Supporting produce production in the CSIP area will support job retention and potential job creation for City residents and allows growing of produce that likely will be processed in some measure by the City’s produce processing plants.
3. Implementation of the Groundwater Replenishment Project (GWR) creates an outlet for the increased agricultural wash water effluent. The Salinas Treatment Facility essentially had reached the limits of its disposal capacity with recent increases in wash water influent. The additional GWR water

O-2

demands will allow the City to continue expansion of its food processing industry, creating expanding economic activity for the City and its residents.

4. The GWR would accept diverted storm water for treatment and reuse, both flows to the Reclamation Ditch from the City's northern areas and to the Salinas River from the City's southern third. This project aspect has two benefits; it creates more water supply for the GWR with benefits described elsewhere in this list while decreasing the potential discharge of contaminants to both the Salinas River and to Monterey Bay. This results in an overall benefit of the environment.

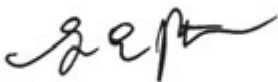
5. Helping to create a potable water supply through ASR in the Seaside Basin decreases withdrawals from the Carmel River and creates an alternative supply for the Monterey Peninsula. This action in turn sustains the tourist industry that employs many City residents and helps maintain the economic vitality of Salinas.

6. The City will divert sufficient wash water and storm water to the GWR, such that the aeration lagoon and percolation ponds will dry completely, likely annually. This will allow the City to carry out solids removal and other maintenance at significantly reduced cost and with greatly reduced environmental impacts.

7. The new operational mode for the Salinas Treatment Facility Ponds will decrease the amount of water that infiltrates locally into the shallower aquifer. This change will have a minor, insignificant impact on local groundwater levels with a lowering of average groundwater elevations of approximately 1.3 feet but will decrease the release of somewhat impaired water into the aquifer, resulting in a net overall benefit.

This concludes our comments on the DEIR for this important projects. Should you have comments or require further information, please contact me at 831-758-7390

Respectfully



Gary E. Petersen

Director of Public Works

City of Salinas

O-2  
Con't



## Letter O: City of Salinas

- O-1** The second full paragraph on page 4.10-67 of the Draft EIR has been amended in response to this comment. The revision clarifies the statement in the Draft EIR that groundwater quality impacts would be greatest near the Salinas Treatment Facility, and for this analysis the impact area previously described for water level impacts was also used for water quality impacts: a circle with a 1.5-mile radius *centered* at the Salinas Treatment Facility ponds.
- O-2** The comment provides an overall opinion of project benefits and is referred to the decision makers for their consideration.



June 2, 2015

Mayor:  
CLAUDE ROBERSONCouncilmembers:  
TIMOTHY BARRETT  
LIBBY DOWNEY  
ALAN HARTEN  
ED SMITHCity Manager:  
MICHAEL MCCARTHY

Mr. Robert Holden  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Building D  
Monterey, CA 93940

Dear Mr. Holden,

The City of Monterey has reviewed the Draft Environmental Impact Report for the Pure Water Monterey Groundwater Replenishment Project proposed by the Monterey Regional Water Pollution Control Agency in partnership with the Monterey Peninsula Water Management District. Thank you for all your work on this important project for the Monterey Peninsula.

The City fully supports this project to reutilize existing water to recharge the region's aquifer and help to provide a long-term, safe water supply. The proposed project is a key to helping resolve the peninsula's water supply issues. The City offers the following comments on the DEIR:

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <p>1. Table 2-22 needs to be amended to include required permits from the City of Monterey. The table only currently recognizes permits are needed from Seaside, Marina, San City and Salinas.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                   | P-1 |
| <p>2. Appendix R currently illustrates the Figueroa Box Culvert Basin as flowing into Lake El Estero (Lake), and the hydrology and hydraulic calculations appear to assume full connection. At this time, larger flows mostly discharge to the gate valve on the eastern side of Wharf II with only the ability for low flows to discharge to Lake. To support the analyses in Appendix R, an infrastructure improvement to the box culvert is necessary to allow larger flows from this Figueroa watershed to discharge to Lake. Any improvement must still allow overflow of larger events to the Wharf II gate to prevent localized flooding.</p> | P-2 |
| <p>3. Appendix R (p.8) states that it's unclear if state water rights would be required for the diversion of urban stormwater flows to the Proposed Project. It also states there exists no regulatory prohibition requesting a water right from this [Lake El Estero] source. DEIR p. 2-40 states that urban stormwater may be diverted to the sewer system without a water rights permit. Request clarity in the Project Description on whether a diversion from a lake system, such as Lake El Estero, requires a water right be established, and if so, request engagement of City staff in any related water rights discussions.</p>            | P-3 |
| <p>4. Currently, the EIR states various times of the year for diversion of flows – October to April (Table 2-13), November through April (Table 2-10), and "Runoff from summer storms would be diverted when available" (p.2-40). Clarity and internal document consistency is needed on the parameters - volume, timing, duration, and any other proposed parameters necessary to adequately characterize this diversion portion of the Project Description for environmental review – are recommended. Such</p>                                                                                                                                    | P-4 |

parameters may also include minimum in-lake levels necessary during various seasons to ensure habitat and vegetative protections in the lake and tributary drainages.

P-4  
Con't

5. The City is aware a relatively shallow, unconfined aquifer exists in the vicinity of Lake El Estero, though its extent, surface connectivity/recharge, water quality, and seasonal fluctuations are not documented nor well understood. However, recent and localized geologic, soil, and groundwater level and quality data were collected and analyzed by Trinity Source Group Inc. The data were collected as a result of on-going soil and groundwater clean-up action related to legacy groundwater contamination at 951 Del Monte Avenue, a City property located across Del Monte Avenue from the proposed diversion facility. It's unknown, but possible that long-term and/or significant diversions from the Lake may cause migrations of the contaminant plumes toward the lake. This potential significant impact deserves examination and discussion in the DEIR.

P-5

6. Per City of Monterey General Plan EIR Figure 6 Major Habitat Types, the Lake El Estero vicinity is mapped with riparian/wetland habitat. Also tributary drainages are mapped to support Monterey Pine and Mixed Monterey Pine Forest habitat. In association, the extent and connectivity of surface and groundwater resources and associated environmental dynamics at work and resources present, including watershed recharge areas and rates, potential necessary minimum in-lake water levels and/or groundwater table elevations needed to healthfully maintain/sustain the lake and associated drainages and biological resources should be well-understood/established in order to confirm no environmental impact of the proposed project for the Lake El Estero watershed. No minimum lake elevations appear to be defined for habitat purposes, and may be necessary for study in the DEIR.

P-6

7. The plan shows a 36-inch pipeline that will impact City infrastructure and require possible relocation of storm drain and sewer lines. Be advised that significant portions of the City's sewer system have exceeded their design life and some portions are in excess of 100 years old. Great care will be needed in the vicinity of these pipelines. These potentially conflicting pipeline design and relocation issues need to be coordinated with the City.

P-7

8. The City of Monterey Public Works Encroachment Permit and/or design coordination issues that are of concern to the City relative to construction of the proposed 36-inch pipeline include, but are not limited to, the following:

P-8

- Construction hours of work
- Temporary and/or any permanent parking impacts
- Staging areas and equipment/material storage areas
- Haul roads
- Dewatering methods and discharge plans
- Vehicles, pedestrian and bicycle detours, including ADA-accessible paths of travel during and post construction
- Locations of above-ground water pipeline blow-offs and air release/air vacuum valves

- Locations of any above-ground and/or surface-accessed pressure reducing valve vaults, cathodic protection facilities, and/or other vaults
- Compliance with all storm water regulations in effect at the time of permit issuance

P-8  
Con't

All Permit conditions shall be subject to approval of the City's Building Official. All design coordination issues shall be subject to approval of the City Engineer.

9. The 17.5 MGD Monterey Pump Station identified in Figure 2-12 is not located on the preliminary alignment plans or elsewhere in the DEIR document. Per a recent meeting, the pump station is preliminarily planned to be located in the vicinity of the Fairgrounds. Please include the proposed location of this pump station and analyze any impacts in the EIR.

P-□

10. The Monterey Pipeline alignment shown in Figures S-1 and 2-39 and in the Project Description on Page 2-79, Section 2.11.2 (along Del Monte Boulevard and Franklin) appears to be described in the DEIR as the preferred alignment. An alignment (along Mark Thomas Drive, Fairground Road, and Fremont Street) is described as an alternative in Section 6.3.2.4 on page 6-37. This alternative alignment appears to match the alignment shown in the 2014 URS Plans available on the GWR Project Website. Please provide updated alignment figures in the EIR and address all impacts associated with the proposed pipeline alignment. Suggest that these alignments be reversed in the DEIR such that the proposed alignment is shown in the body of the DEIR as preferred, and the outdated alignment is included in Chapter 6 as an alternative alignment that considered.

P-□□

11. Figure 4.1-2 identifies the location of the "Ryan Ranch-Bishop Interconnection Improvements (Proposed)" within the City limits. The precise alignment and impacts do not appear to have been addressed in the DEIR.

P-□□

12. The preliminary plans, prepared by URS and dated May 2, 2014, identify that the proposed pipeline will be installed in a bridge at the Mark Thomas/Highway 68 intersection, and that the pipeline will be installed via jacking and boring below Route 218/Fremont. However, it appears that the remainder of the alignment across the City of Monterey will be via open cut trenching. The following locations should be considered for jacking and boring as well:

P-□□

- Hartnell Gulch crossing
- Intersection of Munras Avenue/Webster Street
- Intersection of Fremont Street and Camino El Estero
- Below Highway 1 bridge along Camino Aguajito between Glenwood Circle and Mark Thomas Drive
- Intersection of Fremont Street and Dela Vina Avenue
- Intersection of Fremont Street and Ramona Avenue
- Intersection of Fremont Street and Casanova Avenue
- Other signalized intersections as appropriate



13. Please include the location, number, and types of street trees that will be removed as part of construction and an appropriate mitigation measure for re-planting.

P-□□

14. The Traffic and Transportation mitigation includes a requirement for a Traffic Control and Safety Assurance Plan which is required to be coordinated with local agencies.

The draft schedule shows pipeline installation from July 2016- June 2017 which will overlap with the City of Monterey detours planned for the Highway 1/68 Roundabout project and a major Sewer Rehabilitation project in the City of Monterey.

P-□4

The construction management schedule will need to be carefully coordinated with the City of Monterey to ensure adequate circulation during the construction period.

15. A major new pipeline will cause significant disturbance to existing paved areas (streets, sidewalks, curbs and gutters, driveways, curb ramps, etc.). The City will require that all surfaces be restored to existing conditions following current City standards, including ADA requirements. Asphalt pavement will need to be restored such that full travel lanes will be resurfaced without seams along wheel or bike paths.

P-□5

16. The City also has several infrastructure repairs underway due to the passage of Measure P and a major sewer rehabilitation project. All construction will also need to be coordinated with these existing efforts.

P-□6

17. Please coordinate with the military installations in the City of Monterey.

P-□7

Thank you for this opportunity to comment on the DEIR for the Pure Water Monterey Groundwater Replenishment Project.

Sincerely,



Clyde Roberson  
Mayor

## Letter P: City of Monterey

- P-1** The Draft EIR text in Table 2-22 (page 2-89) has been updated in response to this comment. See **Chapter 5, Changes to the Draft EIR**.
- P-2** Although Appendix R provides an analysis of the potential yield of reconfiguring/improving the Figuero Box Culvert Basin to allow additional storm water to flow to Lake El Estero, the Proposed Project description does not include this potential option. It was considered and eliminated as a component due to the low yield and potential traffic and other construction nuisance impacts of this potential source water component.
- P-3** The State Board clarifies that the proposed point of diversion at Lake El Estero would require an appropriative right from the State Board to divert up to 87 AFY into the municipal wastewater system. Such an application will be pursued for the proposed Lake El Estero diversion if that component is implemented as part of the Proposed Project. See changes to pages 4.18-32 and 4.18-34 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**, wherein the relevant changes to Section 4.18 were made to reflect the State Board's clarification on the need for water rights for Lake El Estero.
- P-4** As noted in Section 2.7.2.8 (page 2-56 of the Draft EIR), the Proposed Project would divert stormwater flows only during any rain event in which the City would currently pump stormwater to the outfall on Del Monte State Beach. These events may occur in any month, but are predominantly in months of November to April. The text and tables have been updated for consistency. See **Chapter 5, Changes to the Draft EIR** regarding changes to pages 2-34, 2-40, and 4.11-74 of the Draft EIR.
- P-5** The Proposed Project would not lower the normal water level in Lake El Estero, so no change in the relationship between shallow groundwater and surface water is anticipated. See footnote 23 on page 2-56 of the Draft EIR.
- P-6** The Proposed Project would not lower the normal water level in Lake El Estero. The water diversions to the project would be concurrent with or instead of the current diversion pumping of stormwater to Del Monte State Beach (depending on the size of the rainfall event). See footnote 23 on page 2-56 of the Draft EIR.
- P-7** To comply with the City of Monterey municipal code, construction of the CalAm Distribution System: Monterey Pipeline (referenced as a 36-inch pipeline in the comment) would require an encroachment permit and/or design coordination from the City of Monterey. Prior to implementing the proposed improvements, CalAm or its contractor would be required to receive city approval and by doing so would be required to ensure that no unacceptable changes to the City's utility and infrastructure systems would occur.
- P-8** The comment lists issues of concern. An impact analysis of the listed issues follows:
- Proposed construction work hours are presented on pages 2-83 through 2-85 of the Draft EIR by component of the Proposed Project. Specifically, in the City of Monterey, the table shows the Lake El Estero source water diversion component of the Proposed Project would be constructed during the work hours of 7 AM to 8 PM (two shifts), and the CalAm Distribution System: Monterey Pipeline would be constructed mostly during the daytime hours, with some nighttime construction to expedite pipeline construction while minimizing traffic conflicts.

- The parking impact analysis on pages 4.17-39 through 4.17-41 of the Draft EIR shows that there would be no parking impacts associated with operations of the Proposed Project.
- Traffic and transportation issues, including staging areas, equipment /material storage areas, haul roads, vehicle, pedestrian and bicycle detours, during construction of the Proposed Project are discussed and analyzed in Section 4.17 of the Draft EIR (see pages 4.17-23 through 4.17-41).
- The regulatory setting related to dewatering and discharge (including methods, plans, and requirements) are presented on pages 4.11-32 through 4.11-37 of the Draft EIR. The related impact analyses are presented on pages 4.11-56 through 4.11-62 of the Draft EIR.

- P-9** The comment references the 17.5-mgd Monterey Pump Station shown on Figure 2-12, an existing wastewater pump station owned and operated by the MRWPCA. The Proposed Project would not relocate or alter this facility. Figure 2-12 is intended to give an overview of the MRWPCA's wastewater collection system.
- P-10** See Master Response #11: Proposed Project's Relationship to the Proposed Monterey Peninsula Water Supply Project and Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**. The analysis of the referenced 2014 URS Plans for a Monterey Pipeline located along Mark Thomas Drive, Fairground Road, and Fremont Street, is provided in Chapter 6, Alternatives to the Proposed Project (called the Alternative Monterey Pipeline) at a project level of detail enabling decision makers to approve it based on this EIR. The conclusions in the Draft EIR state that the Alternative Monterey Pipeline is environmentally superior to the construction of both the CalAm Distribution System: Transfer and the Monterey pipelines (i.e., with the Alternative Monterey Pipeline, neither the proposed or alternative Transfer Pipelines would be necessary).
- P-11** The comment references Ryan Ranch-Bishop Interconnection Improvements, which is not a component of the Proposed Project. The referenced improvements are a component of the Proposed Monterey Peninsula Water Supply Project (MPWSP) (with 6.4 mgd desalination plant) that is one of the cumulative projects considered in the Draft EIR for the Proposed Project. The Draft EIR addresses the combined impacts of the Proposed MPWSP (with 6.4 mgd desalination plant) that includes the Ryan Ranch-Bishop Interconnection Improvements component. See Master Response #11: Proposed Project's Relationship to the Proposed Monterey Peninsula Water Supply Project in **Chapter 3, Master Responses to Comments**.
- P-12** The requested additional jack and bore locations along the CalAm Distribution System: Alternative Monterey Pipeline is referred to CalAm and decision makers for their consideration. See also Master Response #11: Proposed Project's Relationship to the Proposed Monterey Peninsula Water Supply Project and Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.
- P-13** The comment requests information on tree removal necessary for the Proposed Project. On page 4.2-30, the Draft EIR shows that the Coastal Booster Pump Station construction could result in removal of four to five mature cypress trees. No other tree removal is anticipated; however, there is the potential for the need to remove or trim other trees at or near the proposed construction sites. Therefore, page 4.5-95 of the Draft EIR states that construction of the Proposed Project may result in tree trimming and/or removal, although the exact number of trees will not be known until final engineering is completed. The components within the City of Monterey include the Lake El Estero source water diversion that would not require any tree removal and the CalAm Distribution System: Monterey Pipeline that is proposed to be constructed within roadway rights of way and thus does not currently include any tree removal. If final design of that component shows that tree removal would occur, then CalAm would be

required to comply with the City of Monterey Municipal Code Chapter 37 (Preservation of Trees and Shrubs) as described on page 4.5-45 of the Draft EIR.

- P-14** As requested by the comment, the project proponents will work closely with the City of Monterey to ensure adequate circulation during the construction phases.
- P-15** The Draft EIR addresses restoration of roadway surfaces to pre-construction conditions in project description at page 2-81. In addition, Mitigation Measure TR-3 on page 4.17-39 and in summary Table S-1 (page S-22) of the Draft EIR has been modified to require curb to curb restoration of roadways where applicable, and in the City of Monterey that asphalt pavement of full travel lanes be resurfaced without seams along wheel or bike paths as requested in this comment. See **Table S-1 Revised** in **Chapter 5, Changes to the Draft EIR**.
- P-16** See the response to comment P-14.
- P-17** The project proponents will coordinate with the military installations and the City of Monterey for those project components that are located within or adjacent to federal lands.





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June 5, 2015

via e-mail to: [gwr@mrwpca.com](mailto:gwr@mrwpca.com)  
 Monterey Regional Water Pollution Control Agency  
 Administration Office  
 ATTN: Bob Holden, Principal Engineer  
 5 Harris Court, Building D  
 Monterey, CA 93940

Re: Pure Water Monterey Groundwater Replenishment Project Draft Environmental Impact Report ("DEIR")

Dear Mr. Holden:

As a potential component of the potable water supply for the Monterey Peninsula, California American Water has significant interest in the viability and reliability of the Pure Water Monterey Groundwater Replenishment Project ("Project"). California American Water has been working for nearly three decades on securing adequate, safe and reliable water supplies for the Monterey Peninsula. While desalination will be the major new source of water for the Monterey Peninsula, California American Water supports the goals of the State Water Resources Control Board's Recycled Water Policy to increase the use of recycled water by 1 million acre-feet per year over 2002 volumes by the year 2020 and by 2 million acre-feet per year by the year 2030. The Project, as described in the DEIR would be a small but important part of reaching that goal.

It is within that context that California American Water submits the following comments intended to ensure that all components envisioned to provide the Monterey Peninsula with a diverse and reliable water supply achieve their intended goals.

#### **Source Water Availability**

1. *Please include in the Final EIR additional information on the "water rights strategy" referenced in the Reclamation Ditch Yield Study.* The Reclamation Ditch Yield Study suggests multiple approaches to obtaining the required water rights, but provides little detail.

Q-1

2. *Please include in the Final EIR the data and assumptions that were used to calculate the estimated volumes of agricultural wash water that would supply the Advance Water Treatment facility. We were unable to find information on the agricultural wash water volumes beyond the table in Appendix B.*

Q-2

### **Discussion of the Seaside Basin Adjudication**

3. *Please clarify in the Final EIR whether the Project (which will provide non-native water to the basin) will result in “replenishment” as “replenishment” is defined in the judgment. Under the decision adjudicating the basin, replenishment with non-native water occurs when the water is added to: (a) offset overproduction; or (b) decrease the amount of water pumped under a production allocation. Here, the GWR water will not offset overproduction or decrease the amount of water pumped under a production allocation. Instead, it will augment the water supply by increasing the annual amount of water available to CAWC for production. As described by Hydrometrics in its October 2, 2013 letter to Bob Holden of MRWPCA “The GWR will recharge an average of 3,500 acre-feet (AF) of water into the Seaside groundwater basin throughout the year. This recharge will be matched by an increase of 3,500 AF per year of additional extraction from the basin” and “...the recharge of GWR water is intended solely for storage and reuse in the short term...”*

Q-3

4. *Please clarify in the Final EIR whether the Project will assist in preventing seawater intrusion in the Seaside Basin. For example, see Todd Groundwater Proposed Project Recharge Impacts Assessment Report (p. 53) (contained in Appendix L) which concludes the general rise in water levels occurs under both Project and No Project conditions due to the decrease in overall basin pumping as required under the adjudication, but also states that during drought cycles simulated water levels are 1-9 feet lower with the Project than under No Project conditions.*

Q-4

5. *Please clarify in the Final EIR that the Seaside Basin was adjudicated in 2006, not 2012, and triennial reductions began in 2009 not in 2012. The first paragraph on page 5-2 suggests the Seaside Basin was adjudicated in 2012.*

Q-5

6. *Please clarify in the Final EIR the effects of the judgment on non-overlying appropriators. Section 2.3.2.2 on page 2-9, second full paragraph should state that all pumpers except overlying uses must reduce pumping through triennial ramp down, not just CalAm.*

Q-6

## Discussion of the Carmel River

7. *Please clarify in the Final EIR the basis for the conclusion that California American Water's Carmel River well network was constructed in response to reservoir sedimentation.* We agree that there were significant increases in sedimentation as a result of various episodic events, but we don't have information that correlates CPUC approval to construct additional wells to reservoir sedimentation. As was noted on Page 22 of Order 95-10 and supported by CalAm's submissions to the State Water Resources Control Board in that proceeding, much of the well network was constructed after 1960 in response to growth. Many of the wells were drilled under order of the CPUC to ensure CalAm had adequate supplies to serve its growing customer base.
8. *Please clarify in the Final EIR the basis for the amount of non-CalAm diversions from the Carmel River.* The Draft EIR states that all other diversions from the Carmel River total only 2,200 to 2,400 afa. Per Table 12 in Decision 1632, the SWRCB found that there were claims to over 3,000 afa for riparian users plus another 2,200 afa in Table 13 for non-riparian claims over and above CalAm's Table 13 claim. This far exceeds the 2,200 to 2,400 afa contained the Draft EIR.
9. *Please clarify in the Final EIR the MPWMD's regulatory authority relating to the Carmel River.* CalAm agrees that the MPWMD is one of many agencies that regulate production and use of Carmel River water; however, CalAm has ultimate responsibility for the management and operation of its water system.

Q-7

Q-8

Q-9

## Environmental Impacts

10. *Please clarify in the Final EIR the sources of PCBs in the outfall effluent.* The Draft EIR could be construed as concluding that desalination "creates" the PCBs that are contained in the treatment plant effluent. The MPSWP standing alone would cause this significant impact only because PCB levels currently existing in the ocean water exceed the Ocean Plan limits, and the desalination process would concentrate the existing PCBs above background ocean water in the desalination plant brine. The desalination process by itself contributes no additional PCBs to the outfall effluent.
11. *Please clarify in the Final EIR the surface disturbance for Injection Wells.* In Section 2.10.2.3, the last paragraph seems to suggest that the only surface disturbance would be for the 14-inch back flush pipeline, but then discusses the need for a foundation for the electrical control building. Would there be surface disturbance for the electrical control building foundation?

Q-10

Q-11

- |                                                                                                                                                                                                                                                                                                                                                                                                                                       |             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <p>12. <i>Please clarify in the Final EIR the visual impacts associated with the Monterey Pipeline.</i> Table 4.2-1 and the discussion on pages 4.2-13 and 4.2-14 seem to suggest that the Monterey Pipeline would have permanent visual impacts, yet the pipeline would be buried and not visible once construction is completed.</p>                                                                                                | <p>Q-12</p> |
| <p>13. <i>Please clarify in the Final EIR the source of visual impacts from the injection well facilities.</i> On Page 4.2-39, within the Injection Well Facilities paragraph, it is unclear which existing operations buildings are being referenced because both CalAm (next to Seaside Middle School) and the MPWMD (next to the Santa Margarita wells) own buildings that house operation and control equipment in that area.</p> | <p>Q-13</p> |
| <p>14. <i>Please provide additional information Salinas Valley Basin recharge.</i> The last paragraph on page 2-13 says there is no groundwater recharge in the Pressure Zone, but most of the pumping is in the Pressure Zone. If there is no recharge within that zone, what is the original source of water that is pumped from that zone?</p>                                                                                     | <p>Q-14</p> |

#### **Regulatory Requirements Applicable To AWT Operation**

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| <p>15. <i>Please provide additional information on the regulatory requirements applicable to AWT backwash water disposition.</i> Section 2.8.2.12 states that the AWT facility contemplates backwashing certain treatment facilities and returning that water to the head of the treatment plant, but does not specify the source of the backwash water. Because this system is using surface water, does the Filter Backwash Rule apply, limiting the reuse of backwash water to the head of the plant? This source water stream would be highly likely to accumulate <i>Cryptosporidium</i> oocysts.</p>                                          | <p>Q-15</p> |
| <p>16. <i>Please provide additional detail on the AWT Facility's design with regard to system redundancy.</i> Table 2-18 suggests that the AWT facility will have the ability to process a greater volume of water on a daily basis than is necessary to meet the annual volume commitment to CalAm. Please provide additional information on how that capacity will be designed to maximize redundant treatment equipment such that supply interruptions due to equipment failures and maintenance are minimized, thereby reducing the potential for adverse impacts to the Seaside Basin, the Carmel River and other water supply facilities.</p> | <p>Q-16</p> |



**Conclusion**

We appreciate MRWPCA considering our comments and would be happy to meet with staff to further discuss our comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ian Crooks', with a long horizontal flourish extending to the right.

Ian Crooks  
Engineering Manager

## Letter Q: California American Water Company

- Q-1** Section 4.18 and Appendix C of the Draft EIR as modified in this Final EIR (see **Appendix C-Revised** in **Chapter 5, Changes to the Draft EIR**) provides additional detail about the water rights strategy and status. The Reclamation Ditch Yield Study is a technical report addressing how much water may be diverted from the Reclamation Ditch/Tembladero Slough system, and the potential impacts of removing flows from the system. The water rights permitting process is mentioned in that report only to explain why multiple diversion rates were used in the analysis and to document that the technical analysis considered the potential for other legal diverters to use water in the system. The MCWRA submitted a water right permit application (number A032263) for diversions from the Reclamation Ditch/Tembladero Slough and from the Blanco Drain, and in the July 29, 2015 amended applications were submitted to divide the water rights application into five separate applications.
- Q-2** The 2017 agricultural wash water flows were estimated by plotting the measured flows from 2007 to 2013, and calculating the trend line. This growth rate was then used to project forward to 2017. The following text has been added to Appendix B (see **Appendix B-Revised**): “Annual inflows to the SIWTF were analyzed and a projection of year 2017 flows was prepared by the MRWPCA1, as shown in the first row of Table 1, below. Recorded monthly inflows for calendar years 2007-2013 were tabulated and the annual averaged plotted (see Figure 1). A linear trend line was used to estimate future flows, and the projected annual average of 3.37 mgd in 2017 was used to scale the 2013 monthly inflow values. As expected, the recorded agricultural wash water flows in 2014 (included on Figure 1) fell on the trend line.”
- The trend line and recorded flows (shown as a red circle) referenced in this text are on **Figure 3-A** within Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments**.
- Q-3** The judgment of the Seaside Basin adjudication defines both natural replenishment and artificial replenishment. Portions of the judgment applicable to the comment are reproduced below:
- “Artificial Replenishment means the act of ...Non-Native Water to be added to the Groundwater supply of the Seaside Basin through Spreading or Direct Injection to offset the cumulative Over-Production from the Seaside Basin in any particular Administrative Year...” (Case M66343, Decision, III., A., 3., March 27, 2006).
- Because the Proposed Project will not offset production that is currently occurring, but will allow for new additional production through extraction of injected water, it seems reasonable that the Proposed Project would not be considered “Artificial Replenishment” as defined by this part of the judgment.
- The word “replenishment” was used in the Draft EIR in the title of the project for several reasons, but not to imply that the Proposed Project would result in Artificial Replenishment that would satisfy the above component of the judgment. Specifically, the term was intended to maintain consistency with the relevant water quality regulatory programs under the jurisdiction of the SWRCB DDW (i.e., this agency references the requirements as the Groundwater Replenishment Regulations (or DPH-14-003E Groundwater Replenishment Using Recycled Water). In addition, the name is consistent with a very similar project called Orange County Water District’s Groundwater Replenishment System that has been operating for the last seven years. The term “replenishment” has been clarified within the context of this project and its difference from the Seaside Basin Adjudication’s use of the word. See the revision to page S-1 and 1-1 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- Q-4** As stated in the Draft EIR, the Proposed Project does not prevent seawater intrusion in the Seaside Basin (page 4.10-74). As discussed in Section 4.10 and Appendix L of the Draft EIR, groundwater modeling indicates that resulting water levels from operation of the Proposed Project are both lower and higher at various time periods than without the Proposed Project,

but that lower water levels are not significant and do not adversely impact the potential for seawater intrusion. More information is provided in the Draft EIR as follows: threshold for groundwater impacts were presented on page 4.10-45; approach on pages 4.10-47 to 4.10-48; impact analyses on pages 4.10-64 through 4.10-65 and 4.10-74 through 4.10-75; detailed groundwater analyses to support Draft EIR conclusions in Appendix L, Recharge Impacts Assessment at pages 53-54 and 75-77; and groundwater modeling was done by Hydrometrics and was included in Appendix C of Appendix L. The Proposed Project, as modeled in the Draft EIR, does not appear to assist directly with the prevention of seawater intrusion in the Seaside Basin; nor does it increase the risk. Local impacts to water levels are influenced by locations and pumping rates of existing wells.

- Q-5** Text of the Draft EIR has been updated in response to this comment. See changes to page 5-2 of Draft EIR (first paragraph) in **Chapter 5, Changes to the Draft EIR**.
- Q-6** Text of the Draft EIR has been updated in response to this comment. See changes to page 2-9 of Draft EIR (second full paragraph) in **Chapter 5, Changes to the Draft EIR**.
- Q-7** The second full paragraph on page 2-10 of the Draft EIR has been amended as follows in response to this comment and comment I-4. See **Chapter 5, Changes to the Draft EIR**.
- Q-8** The referenced sentence in section 2.3.2.4 on page 2-10 of the Draft EIR describes estimated summer and fall extractions based on information provided by the Monterey Peninsula Water Management District. To respond to this comment, the second paragraph of **Section 2.3.2.4** has been amended. See changes to page 2-10 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- Q-9** As requested in this comment, the third paragraph of section 2.3.2.1 on page 2-7 of the Draft EIR has been amended in response to this comment. See changes to page 2-7 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- Q-10** This comment states “the Draft EIR could be construed as concluding that desalination ‘creates’ the PCBs that are contained in the treatment plant effluent.” The Draft EIR on page 4.11-98 states the following related to PCBs and ocean discharges:

“... three types of exceedances were identified:

- (1) PCBs, which are present in relatively high concentrations in the worst-case ocean water samples, were predicted to exceed the Ocean Plan objectives in several scenarios for the discharges from GWR Project combined with the MPWSP 6.4 mgd desalination plant at times when the desalination brine from the MPSWP represents a relatively large fraction (approximately 40% or more) of the total discharge water, ...

The Proposed Project would not result in a considerable contribution to the significant cumulative impact pertaining to discharge of PCBs. The MPSWP standing alone would cause this potentially significant impact, due to PCBs in existing in ocean water, which would be concentrated at levels above background ocean water in the desalination plant brine.”

As indicated in the comment, the worst-case PCB concentrations as measured in the ocean by the CCLEAN program exceed Ocean Plan objectives in the existing condition and that the reverse osmosis process would increase concentrations in desalination brine even higher. Additional water quality data or pilot testing may demonstrate that the desalination project brine discharge would not result in concentrations of PCBs that would exceed ocean plan objectives

(i.e.,  $1.9 \times 10^{-5}$  or 0.000019 ug/L at the edge of the zone of initial dilution). For example, if water quality data from the test slant well showed lower PCB concentrations in the desalination plant influent, this potential exceedance may not occur. In either case, the Proposed Project's reverse osmosis concentrate would not contribute considerably to this potential significant cumulative impact because it would increase dilution and reduce the overall concentration of PCBs in the combined effluent stream (i.e., through both increasing the buoyancy of the discharge plume and through in-pipe dilution).

- Q-11** Page 2-77 of the Draft EIR has been modified to be more explicit about the construction disturbance area for the ancillary facilities needed for the Injection Well Facilities. (i.e., the sentence was intended to be related to the electrical conveyance facilities, only). The electrical/pump motor control buildings at each site would require additional construction disturbance area, as is shown in the changes to page 2-77 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**.
- Q-12** The Monterey Pipeline line item in Table 4.2-1, on page 4.2-7, and page 4.2-17 of the Draft EIR describes the visual quality, affected viewers and exposure conditions and the overall visual sensitivity of the Monterey Pipeline site as moderate in accordance with the approach to the aesthetic impact assessment. The discussion on pages 4.2-13 and 4.2-14 of the Draft EIR is related to the Coastal Alignment option of the Product Water Conveyance system that does include a pump station, not the Monterey Pipeline. Permanent aesthetic impacts (in terms of impacts on the visual character or quality of the sites) of the Monterey Pipeline were found to have a less-than-significant impact related to scenic resources (see page 4.2-39 of the Draft EIR) based on all facilities being buried and not visible once construction is complete. The Draft EIR conclusion is, therefore, consistent with the comment.
- Q-13** The discussion of the permanent visual impacts of the injection well facilities references a nearby Aquifer Storage and Recovery Project operations building located nearby as an example of the type of building (including the architectural treatment) proposed to be constructed at each of the four (4) injection well facility clusters for the Proposed Project. Figure 4.2-2 of the Draft EIR shows a photosimulation of one of the proposed electrical control buildings at the Injection Well Facilities site. The conclusion of the impact analysis is that the Proposed Project would result in a less-than-significant impact on the visual character of the area and surroundings due to the moderate visual change/contrast and moderate overall visual sensitivity.
- Q-14** The Draft EIR states the groundwater basin is recharged in all but the Pressure Subarea which has a clay layer above the major water bearing layers. The third and fourth sentences in the last paragraph on page 2-13 of the Draft EIR have been replaced in response to the question in this comment as shown in **Chapter 5, Changes to the Draft EIR**.
- Q-15** Per Section 2.8.1.1 of the Draft EIR (pages 2-58 to 2-19), the use of backwash water is identified for the following treatment processes: (a) biologically active filtration, and (b) membrane filtration. The backwash waters from the biologically active filters and the membrane filters would be returned to the Regional Treatment Plant Headworks. The backwash water would then be retreated through the primary and secondary treatment. As has been demonstrated elsewhere (Rose *et al.*, 2004), removal of *Cryptosporidium* oocysts through primary and secondary wastewater treatment is expected to be more than 90% (1-log removal), meaning the raw wastewater would be expected to have at least ten times more oocysts than the treated secondary effluent. Hence, the backwash waste return flows are expected to have *Cryptosporidium* oocysts that are less than or equal to the raw wastewater, and thus no accumulation of oocysts are expected through the system.



The U.S. EPA Filter Backwash Rule does apply to wastewater treatment or water recycling facilities. California Code of Regulations, Title 22, Section 60320.208 specifies the pathogen control criteria for subsurface application of recycled water, including *Cryptosporidium* oocysts. As discussed in the Draft EIR (Chapter 3 and Appendix D), the Project meets these regulations, and the AWT Facility alone would achieve pathogen reduction credits of 13.5 for virus, 11.5 for *Giardia* cysts, and 11.5 for *Cryptosporidium* oocysts, which are greater than the credits required by the Title 22 Criteria.

- Q-16** This comment asks for additional detail on the AWT Facility's design with regard to system redundancy. As stated in the Section 2.8.1.1 of the Draft EIR:

*"The AWT Facility is expected to be able to produce water at up to 90% of design capacity, on average, due to some anticipated down time for membrane "clean in place" practices and repairs. The down time is assumed to be evenly distributed each month, though planned events would be scheduled for times when the least source water is available."*

Redundancy with respect to treatment capacity would be addressed through design by having the ability to turn up the system capacity to compensate for system downtime for maintenance activity and equipment failures. The Proposed Project would not need to meet demands on a daily basis, as the product water would be stored in the groundwater aquifer for a period of months. This storage time would act as a buffer between the short-term variances in production rates and short-term variations in water demands. Each unit process would be designed to operate at up to 4.0 million gallons per day when producing a peak capacity to compensate for any downtime, whereas the overall average production is expected to be up to approximately 3.3 million gallons per day (3,700 acre-feet per year). In addition, to the degree reasonable, redundant equipment and parts would be housed onsite to minimize the necessary downtime to repair failed parts.



May 20, 2015

Monterey Regional Water Pollution Control Agency  
 Administration Office  
 ATTN: Bob Holden, Principal Engineer  
 5 Harris Ct., Bldg D  
 Monterey, CA 93940

SUBJECT: DEIR FOR PURE WATER MONTEREY GROUNDWATER  
 REPLENISHMENT PROJECT

Dear Mr. Holden:

LandWatch Monterey County reviewed the DEIR and has the following comments:

### Cumulative Project List

- |    |                                                                                                                           |     |
|----|---------------------------------------------------------------------------------------------------------------------------|-----|
| 1. | Laguna Seca Villas (p.4.1-11) is no longer a pending or probable project having been withdrawn in approximately 2010.     | R-1 |
| 2. | Harper Canyon adjacent to Ferrini Ranch for 27 units should be added to the list. The project was approved in April 2015. | R-2 |

### Air Quality and GHG Emissions

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |     |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 3. | <b>Table 4.3-4, Air Quality Significance Thresholds</b> shows the CO threshold as 5502. This appears to be a typo since the threshold is 550 lbs/day. Additionally, this threshold only applies to stationary sources, not indirect sources.                                                                                                                                                                                                                                                                                                                                                                     | R-3 |
| 4. | The DEIR finds, "Construction of the Proposed Project would result in a one-time emission total of up to 6,039 MT of CO <sub>2</sub> eq during the 18 month construction period. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) does not have adopted nor recommended quantified thresholds for assessing the significance of GHG emissions during construction. MBUAPCD staff recommended including construction emissions within operational totals based on the 30-year amortization to provide a full analysis of construction and operational GHG emissions (Clymo, 2014)." (p. 4.3-29). | R-4 |

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |              |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
|    | We disagree with averaging GHG emissions over 30 years since the emissions would actually occur during an 18 month period. This is the period during which emissions would affect climate change. Averaging emissions over 18 months would exceed the threshold of significance of 2,000 metric tons of CO <sub>2</sub> eq per year (p. 4.3-16). We also note that the construction period is identified as 18 to 21 months on p. 4.15-6.                                                                                                                                                                                                                                                                                                                                       | R-4<br>Con't |
| 5. | The DEIR finds there are no locally adopted Greenhouse Gas Emissions Reduction Plans (p. 4.3-32). The City of Gonzales has an adopted Climate Action Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | R-5          |
| 6. | The DEIR finds the project would not result in a cumulatively considerable contribution to GHG emissions and global climate change because project greenhouse gas emissions would be below the significance threshold as discussed. As noted above, we disagree that construction emissions should be averaged over 30 years, and we note that the threshold of significance would be exceeded. Further, there is no de minimis level to identify a substantial contribution to a cumulative GHG significant impact such as used in the DEIR. At over 6,000 MT of CO <sub>2</sub> eq during the 18 month construction period, this project when combined with all those identified on the cumulative project list would result in a substantial contribution to climate change. | R-6          |

## Alternatives

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |     |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 7. | <p>The No Project alternative is defined as a continuation of existing conditions as well as conditions that are reasonably expected to occur in the event that a Proposed Project is not implemented. This definition appears to be based on the Monterey Peninsula Water Supply project as a whole, and not just the Groundwater Replenishment Project. This description is inconsistent with the DEIR description of the Proposed Project:</p> <p>The Pure Water Monterey Groundwater Replenishment Project is a water supply project that would serve northern Monterey County. The project would provide: 1) purified recycled water for recharge of a groundwater basin that serves as drinking water supply; and 2) recycled water to augment the existing Castroville Seawater Intrusion Project' crop irrigation supply.(p. 1-2)</p> <p>Since Cal-Am must develop a water supply alternative under orders from the State Water Resources Control Board, the No Project Alternative to the project as described in the DEIR would be a larger desalination plant. At a minimum, the No Project alternative (larger desalination plant) as defined herein would have significantly larger impacts on GHG emissions than the Proposed Project because of increased energy demands. Additionally, the No Project Alternative would have greater impacts related to brine disposal since under the Proposed Project (GWR), the desalination brine from the desalination plant would be significantly diluted as a result of mixing with GWR brine. Because GWR will probably be completed prior to the proposed desalination facility, the likelihood of forestalling State penalties is increased. Finally, we expect that there may be other benefits from the proposed project in comparison to a larger desalination plant.</p> | R-7 |
|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|

If this definition of a No Project Alternative is rejected, than an alternative based on a larger desalination plant should be analyzed.

R-7  
Con't

Thank you for the opportunity to review the referenced document.

Sincerely,

A handwritten signature in black ink, appearing to read 'Amy L. White', written in a cursive style.

Amy L. White  
Executive Director



## Letter R: LandWatch

- R-1** Table 4.1-2 on page 4.1-11 and Figure 4.1-1 on page 4.1-21 of the Draft EIR have been amended as requested. See **Chapter 5, Changes to the Draft EIR**.
- R-2** Table 4.1-2 on page 4.1-11 and Figure 4.1-1 on page 4.1-21 of the Draft EIR have been amended as requested. See **Chapter 5, Changes to the Draft EIR**. In addition, the cumulative impact analyses on pages 4.9-49 and 4.14-58 of the Draft EIR was amended to reference the Harper Canyon Project in addition to the Ferrini project as both projects should be referenced in the same cumulative impacts discussion rather than just Ferrini (mentioned in both Section 4.14 Noise and Vibration and in the 4.9, Hazards and Hazardous Materials).
- R-3** Table 4.3-4 on page 4.3-16 of the Draft EIR has been amended to address this comment. The CO threshold is 550 lbs/day; the 2 in the number was intended to be a superscript identifying that note 2 was applicable to that number. That note was also amended to clarify the applicability of the threshold. See **Chapter 5, Changes to the Draft EIR**.
- R-4** As discussed on page 4.3-15 of the Draft EIR (last paragraph, emphasis added), “As of March 2015, MBUAPCD has not adopted significance thresholds for GHG emissions. In February 2013, MBUAPCD staff presented threshold options to the MBUAPCD Board and an analysis of the options evaluated. In February 2014, MBUAPCD staff proposed the following options for operational significance thresholds for land use projects: (1) a bright-line threshold of 2,000 metric tons CO<sub>2</sub>e per year, (2) incorporation of mitigation measures to reduce GHG emissions by 16%, or (3) compliance with an applicable adopted GHG reduction plan/climate action plan (Monterey Bay Unified Air Pollution Control District, 2014). There are no adopted GHG reduction plans or climate action plans that would apply to the Proposed Project; therefore the third option would not be applicable to the Proposed Project. A threshold of 10,000 metric tons CO<sub>2</sub>eq per year was recommended for stationary source projects that are subject to MBUAPCD permitting requirements; however, the Proposed Project is not considered a stationary source project so this threshold would not be applicable to this analysis.

The evidence supporting the MBUAPCD staff recommendations in February 2013 and February 2014 is considered by MRWPCA to constitute substantial evidence. Based on the evidence provided by the MBUAPCD staff recommendation, this EIR first considers whether the Proposed Project's GHG emissions would be below 2,000 MT of CO<sub>2</sub>e per year *including amortized construction emissions*. If the Proposed Project's GHG emissions are determined to be above 2,000 MT of CO<sub>2</sub>e per year, this EIR would then consider whether GHG emissions have been reduced at least 16% below business as usual emissions due to alternative energy use and energy efficiency measures. If project GHG emissions are below 2,000 MT of CO<sub>2</sub>e per year, or if GHG emissions have been reduced at least 16% below business as usual emissions, the project would be considered to have less-than-significant GHG emissions. A less-than-significant impact would mean that the Proposed Project would not make a cumulatively considerable contribution to the environmental effects related to emitting GHGs (i.e., climate change and the associated adverse effects of climate change)."

For this EIR, the lead agency, MRWPCA, chose to adopt the 2,000 metric tons CO<sub>2</sub>e per year as the threshold of significance for this project based on the substantial evidence provided in the MBUAPCD staff recommendations. These recommendations included the February 2013 and February 2014 staff reports, in addition to personal communication with District staff (Amy Clymo, 2014) that supported the use of an operational bright line threshold of 2,000 MT CO<sub>2</sub>eq *including amortizing construction emissions*. This methodology is the typical practice of land use jurisdictions throughout California when preparing EIRs that use a bright line threshold for operational significance thresholds. Furthermore, one-time construction emissions would not have a considerable contribution to a cumulative (i.e., global) greenhouse gas emissions based

on substantial evidence for thresholds recommended by numerous air districts throughout California.

**R-5** The text of the Draft EIR on page 4.3-32 has been amended to say that although no project components are located in areas with adopted climate action plans, the City of Gonzales has an adopted greenhouse gas reduction plan. See **Chapter 5, Changes to the Draft EIR**.

**R-6** See the response to comment R-4.

**R-7** The comment states that since Cal-Am must develop a water supply alternative under orders from the State Water Resources Control Board, the No Project Alternative would be a larger desalination plant. The comment further provides an opinion that this definition of the No Project alternative (larger desalination plant) would have significantly larger impacts on GHG emissions than the Proposed Project because of increased energy demands, greater impacts related to brine disposal since under the Proposed Project, the desalination brine from the desalination plant would be diluted as a result of mixing with Proposed Project brine.

The Draft EIR, Page 6-12, states that the Monterey Peninsula Water Supply Project (Desalination Project) if implemented, could result in more severe adverse environmental impacts compared to operation of the GWR Project in the areas of marine water quality and marine biological resources, in particular because brine disposal from the desalination plant would adversely affect ocean resources absent mitigation.

Discussion of the No Project Alternative is provided in Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.

This comment also opines that the Proposed Project would likely be completed prior to the proposed desalination facility, and thus, the likelihood of forestalling State penalties is increased. The comment regarding the timing of the Proposed Project's impact on State potential penalties is noted however is not a comment on the environmental impacts of the EIR under CEQA. Additionally, the opinion expressed in the comment letter that there may be other benefits from the Proposed Project in comparison to a larger desalination plant is referred to decision makers for their consideration.



June 1, 2015

Monterey Regional Water Pollution Control Agency  
 Att: Robert Holden, Principal Engineer  
 5 Harris Court, Building D  
 Monterey, CA 93940

VIA E-mail: [gwr@mrwpca.com](mailto:gwr@mrwpca.com)

**RE: Pure Water Monterey Draft Environmental Impact Report**

Dear Mr. Holden:

Monterey County Farm Bureau represents family farmers and ranchers in the interest of protecting and promoting agriculture throughout our County. We strive to improve the ability of those engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of our local resources.

Monterey County Farm Bureau recognizes the benefits of any additional water resource projects that improve the reliability of water supplies not only for irrigation purposes but also for municipal use in other areas of the County. A cooperative attitude of developing these resources is important to security of our future water supplies. The proposed project may contribute to stabilizing a number of water supplies for various uses, if specific issues can be addressed, as discussed in this comment letter. The example set by Orange County and their groundwater recharge process defines the parameters of reclaiming water for future use and provides insight into how multiple benefits can be gained for both water supply and salt water intrusion reduction. We support the use of groundwater replenishment as a further development of our combined water resources.

S-1

The focus of our comments on the Pure Water Monterey Draft Environmental Impact Report will be on three areas of project analysis: reliability of the source water portfolio, capacity of the Castroville Seawater Intrusion Project (CSIP), and

S-2



reliance on the Brown and Caldwell "State of the Salinas River Groundwater Basin" Report.

S-2  
Con't

### **Source Water Reliability**

Generally, the Draft Environmental Impact Report does not consider impacts if there is a lack of water supply. Facilities will be built, pipelines installed to transport water, and a smaller desalination facility will be built by California American Water to accommodate the volume of water generated by this proposed project. Specifically, California American Water will be spending earnest money on connections to this project when there is no reliance that the source water portfolio will supply water on a continuous basis. Because the proposed project is tied into the Monterey Peninsula Water Supply Project as a component project, mainly to determine the size of the desalination facility, the lack of a reasonable reliance on source water puts the associated project at risk, and thus, the water supply volume to be provided as replacement water for the Carmel River diversions.

S-3

### Salinas Industrial Wastewater Conveyance and Treatment System

The proposed project intends to make use of waters generated through this system of capture from Salinas agricultural processing facilities that are dependent on the local agricultural sector for vegetables and leafy greens packed in their various processes. This element of the agricultural community came about due to consumer demand for prepackaged solutions that afford consumption of fresh vegetables and salads in a convenient, easy-to-prepare package. While these products continue to be driven by consumer demand, the processing of these products utilizes water that currently cannot be recycled or reclaimed. Subject to changes in food safety measures and product handling, the water utilized in these processes may become available for reuse through an approved system that ensures pathogens are not transferred between process cycles. Subject to these changes and the continuing public pressure to reduce water use in processing of packaged foods, this water supply may at some point in time be reduced or eliminated as technology advances the ability to clean this water for reuse. The processing facilities currently discharging the 'wash water' may determine that, in their best interest, it is of benefit to hold and recycle this water rather than discharging it to the Salinas reclamation ponds.

S-4





Thus, this water supply could become interruptible due to changing business practices, consumer demand, and public perception of water recycling. Additionally, the processing facilities are private enterprises subject to changes in business trends and functionality. There is no guarantee that these processing facilities will remain in the Salinas Valley area, will continue on a year-round basis, or will process the same quantities of product as currently managed.

S-4  
Con't

This proposed project has no control over the amount of 'wash' waste water that will be provided to the Salinas Reclamation Ponds, and thus, to the groundwater replenishment facilities at MRWPCA. At best, this water can be considered a temporary resource for the proposed project and should be termed ultimately as interruptible.

Excess Waste Water intended for but not utilized by CSIP

Seasonally, water processed by MRWPCA intended for CSIP is not fully utilized by farmers in the approximately 12,000 acres of this project, mostly due to winter rains that reduce the need for irrigation and field preparation practices. The proposed project intends to utilize this excess water for purposes of the groundwater recharge process, which only happens consistently during wet winter months. In view of the last four years of drought and the lack of rainfall, demand for irrigation water has remained high during months which normally are serviced by storm event months. Thus, this excess water is not really excess in each and every year, and indeed has not been the case for the past four years. Mild winter temperatures have allowed farming operations to prepare fields earlier in the spring season, contributing to the demand for CSIP water during winter months.

S-5

The proposed project intends to rely on this water supply as constant, when in fact it should be termed as interruptible. CSIP has a contractual right to the water first, before the proposed project, and determining how that level of service is managed during any period when excess water may be available could become problematic for both MRWPCA and CSIP participants. As farming operations in the CSIP area are paying assessments for water delivered, as well as a standby charge per acre, it is paramount that excess waters not be diverted to the proposed project when irrigation demand is increased due to lack of rainfall.



S-6

Under the 1992 agreement signed by MCWRA and MRWPCA, the construction and operation of the Salinas Valley Reclamation Plant will provide treated water at a quantity adequate for irrigation in the CSIP area as currently configured. Section 3.03 commits all incoming wastewater flows, up to 29.6 MGD, for supply to CSIP except for the allotment carved out for Marina Coast Water District. It should be paramount that this agreement be maintained to provide a reliable water supply source for CSIP area uses when the demand is there.

#### Stormwater Capture

S-7

Until agreements and infrastructure are in place to fulfill the desired capture of stormwater, from Salinas or other municipalities, this water is not to be considered a reliable source for the proposed project. A number of technical and legal agreements need to be codified prior to this water being captured and treated. Additionally, capture of this water will require significant investment in facilities and pipelines that require cooperation between MRWPCA and several municipalities; contemplation of these various capture projects through multiple agreements may add significant costs to the process of reclaiming the stormwater.

#### Surface Water and Agricultural Tile Drain Water that flows into the Reclamation Ditch, Tembladero Slough, and Blanco Drain

S-8

MCWRA has submitted an application for appropriative rights to waters found in these three water ditches, which drain either into the Salinas River or the Monterey Bay. Reclaiming the water in these ditches is important but cannot be considered for future use in the proposed project if water quality objectives imposed by the Central Coast Regional Water Quality Control Board (CCRWQCB) reduce the amount of agricultural and municipal discharges into the ditches.

Increasing regulatory controls over discharges from agricultural operations, including tile drain flows, may be intensified as the next CCRWQCB agricultural discharge waiver is considered in the 2017-2018 timeframe. Already under severe restrictions on the quality of water discharged from field operations, irrigation practices are changing to ensure that end-of-field discharges will not occur into impaired water bodies, such as the Salinas River.

Reliance on waters from these ditches may prove problematic as on-farm solutions are realized through new technologies and practices. The framework





of water reuse on crops is also under consideration as a modification to food safety measures and some degree of water capture and reuse may ultimately be allowed for crop production purposes. If this comes to fruition, tile drain flows could be held on-farm as reclaimed water and not discharged to these ditches.

Additionally, diversions of water from these ditches may adversely impact the remaining water quality for current beneficial uses. With toxicity and turbidity issues on each ditch, reducing water flows to 1 cfs or 2 cfs will impact the ability for dilution; these impacts will eventually determine the ability to achieve stated Total Daily Maximum Load (TMDL) requirements as determined by CCRWQCB. Recognition that the proposed project could seriously alter the water quality of these ditches requires further environmental study and collaboration with CCRWQCB on imposed TMDL standards.

Municipal discharges to these ditches may similarly be reduced as regulatory efforts to control and capture discharges, including stormwater, are further pressed onto municipalities.

Potential reductions in source water contributions provide sufficient impacts to term these ditch waters as interruptible. Diversions of water from these ditches requires further environmental impact studies to determine how best to manage any unintended consequences that may arise from changes in water quality.

S-8  
Con't

### **Capacity of CSIP Project**

The proposed project projects to supply approximately 4500-4750 acre feet of water annually to CSIP for irrigation purposes in the existing 12,000 acres of the northern Salinas Valley. While additional water would certainly be welcome within the CSIP system, presumably to reduce supplemental well pumping, there are limitations to the capacity of the CSIP project that should be considered.

First, the pond that is used by MRWPCA to blend reclaimed water from the tertiary plant and the Salinas River Diversion Project (rubber dam) is limited to a capacity of 80 acre feet at any time. Within that 80 acre feet pond is a certain level of water required to provide gradient pressure within the CSIP pipeline distribution network. Below a specified level in this pond the gradient is lessened and water delivery to the coastal fields is diminished.

S-9



Considering that the proposed project may generate an average of 12 acre feet per day, the pond appears to then become a limiting factor in the operation of CSIP in that the desired higher level of water capacity for gradient flow would maximize the capacity of the pond. Combined with other potential sources of water that may be contributing to the pond, including water from the rubber dam, the need to expand the pond should be considered as an extension of the proposed project.

S-9  
Con't

Expansion of the CSIP project into Phase II has been contemplated since the original EIR was approved, as well as in the Engineering Report for the project. Additional flows into CSIP would indicate that an expansion of the irrigated lands serviced by CSIP may need to be contemplated as part of the proposed project. Combined with expansion of the pond and increased gradient management, CSIP could be used to reduce supplemental groundwater extractions as well as expand the area of service to further reduce well water reliance.

An additional benefit of the proposed project could be to positively impact salt water intrusion by expanding CSIP to the level originally anticipated with Phase II.

#### **Reliance on Brown and Caldwell “State of the Salinas River Groundwater Basin” Report**

In 2014, the Monterey County Board of Supervisors commissioned a report to assess the current state of the Salinas River Groundwater Basin (SRGB), primarily due to the continuing drought. This report, presented in December 2014 to the Supervisors, collated a number of source information points on wells, hydrology, and water extractions into a ‘snapshot’ of the groundwater basin.

S-10

After examining this report more closely, the data sets used to report conditions in the SRGB do not include improvements made by the Salinas Valley Water Project, Salinas River Diversion Facility, or Castroville Seawater Intrusion Project. Many of the data sets used to prepare this report predate these projects, including years prior to 1997 only; influences on groundwater conditions are NOT taking into account the operation of these projects for the findings of this report.

Brown and Caldwell notes this disclaimer on the title page of their report:





*This document was prepared solely for Monterey County Resource Management Agency (County) in accordance with professional standards at the time the services were performed and in accordance with the Professional Services Agreement between the County and Brown and Caldwell. This document is governed by the specific scope of work authorized. We have relied on information or instructions provided by the County, the only intended beneficiary of this work. Except as expressly agreed to between Brown and Caldwell and County, no other party should rely on the information presented herein.*

S-10  
Con't

Thus, reliance on this report for specific environmental impacts cannot be made, per statement by Brown and Caldwell and the data sets presented that are not relevant to the proposed project. Any and all reference to this report in the draft EIR document should be removed.

## **Conclusion**

Monterey County Farm Bureau supports the concept of groundwater replenishment as a method of developing future water resources, particularly as the on-going drought impacts existing water resources and projects already in operation.

S-11

Due to a lack of long-term reliability of the source water portfolio, limited capacity of CSIP project, and the reliance of environmental impact information from the Brown and Caldwell basin report, the proposed project has impacts that are not yet considered or contemplated in the Draft Environmental Impact Report.

S-12

As a separate, stand-alone project, groundwater replenishment would have merit if the impacts discussed in this comment letter could be mitigated or managed. By coupling the proposed project to the Monterey Peninsula Water Supply Project as a component of the larger water supply project for the Monterey Peninsula, primarily to determine the size of the desalination facility to be built, the repercussions of a failure of the proposed project would lead to a water supply shortage, once again, for the Monterey Peninsula. The impacts to the reduction of water diversions on the Carmel River watershed must be assured by new water resource development that has reliable water sources for the term of the project's operation.

S-13



Consideration should be given to decoupling this project from the desalination project and allow the proposed project to supply a supplemental water supply, allowing for the potential variability in source water supply.

S-14

Thank you for the opportunity to provide comment on the Draft Environmental Impact Report for Pure Water Monterey.

Sincerely,

A handwritten signature in black ink, appearing to read 'Norman C. Groot', written over a horizontal line.

Norman C. Groot  
Executive Director

## Letter S: Farm Bureau

- S-1** The comment states an opinion of the Proposed Project; the comment is referred to the decision makers for their consideration.
- S-2** The comment provides an overview of the types of comments contained in the Farm Bureau's letter. See the responses to comments S-3 through S-10, below.
- S-3** The Draft EIR's supply analysis for the Proposed Project considered the reliability and seasonal availability of the proposed sources of water. To address potential reliability concerns, the Proposed Project would develop a diverse portfolio of sources that will result in more sources of water supply than would be needed to provide the minimum quantities required for the Proposed Project yield. The Proposed Project is also configured to produce and store additional water in normal and wet years, so that production may be reduced in dry years. See also Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments** to address the comment on impacts to Carmel River replacement water.
- S-4** The City of Salinas has operated the Salinas Industrial Wastewater Treatment Facility (Salinas Treatment Facility) for over 50 years. The flows to the Salinas Treatment Facility have continually increased over the last 20 years, and the plant is approaching its permitted capacity. While it is possible that some industrial customers may elect to convert to on-site treatment and water recycling in the future, it is not likely that a majority of the dischargers would elect to do so due to the known high costs of such treatment systems relative to the current rates for groundwater use and wastewater treatment. Also, the City of Salinas has approved a specific plan for an Agricultural-Industrial Complex which will bring new industrial customers to the area that likely would generate additional industrial wastewater. To be conservative, additional flows from these projected future customers were not included in the supply analysis. See also Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments** and **Appendix B-Revised**.
- S-5** The seasonal availability of treated municipal wastewater was considered in the analysis for the Proposed Project. Use of treated municipal wastewater is ranked first in order of preference, because it requires no additional conveyance pumping to obtain it from the Regional Treatment Plant when it is available. The Proposed Project will use the other sources of supply (agricultural wash water and surface water diversions) when treated municipal wastewater is being used for CSIP (or in the future for MCWD to supply urban demands as anticipated by the RUWAP Recycled Water Project approvals). The Proposed Project will generate additional water for groundwater injection in wet and normal rainfall years, so that its operation may be reduced in dry years. Even during the recent extremely dry period, the Salinas Valley Reclamation Plant was shut down for ten weeks (late November 2014 through mid-January 2015), during which time secondary-treated effluent was discharged to the ocean outfall. See also Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments**.
- S-6** The source water supply analysis considered full use of all available municipal wastewater to produce tertiary treated recycled water for the CSIP and urban use. However, these demands are seasonal and decline in the winter months, leaving some secondary-treated municipal wastewater unused. The Salinas Valley Reclamation Plant (SVRP) currently has a lower production limit of about 5 million gallons per day (mgd). Under existing conditions, when CSIP demands are lower than 5 mgd, groundwater is supplied to growers instead of recycled water. The Proposed Project includes modifications to the SVRP that would facilitate the production of recycled water at lower demand rates. That increased use of treated municipal wastewater to produce winter recycled water was included in the supply analysis. See Master Response #3:

Availability, Reliability, and Yield of Source Water Supplies and Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.

**S-7** All of the proposed sources of source water supplies involving stormwater will require either State Board permits (for surface water diversions) and/or formal agreements between cities and agencies (for stormwater and wastewater), and the MRWPCA is working diligently to coordinate with other stakeholders to obtain the necessary permits and agreements. The facilities required to capture and convey stormwater from the City of Salinas and from Lake El Estero will not be prohibitively expensive, because those diversions may be made where the existing stormwater system is close to the existing wastewater collection system. Each of these diversions requires an agreement (between MRWPCA and Salinas, and between MRWPCA and Monterey, respectively). See Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments, Appendix BB, and Revised Appendices B and C** in this Final EIR.

**S-8** The comment opines that the Central Coast RWQCB regulation of municipal and agricultural discharges may reduce the volume of flows in the Blanco Drain and Reclamation Ditch system, and further claims that diverting flows will reduce the volume of water available to dilute remaining pollutants. This latter claim is not borne out by the analysis in the Draft EIR (Appendix N, O, and P and in Section 4.11). Specifically, the pollutant load and flows in the water bodies would be reduced downstream of the diversion points, but the concentrations would not be reduced on an average annual basis. The flows during the periods of the year when demands for recycled water are highest and therefore, when diversions would occur correspond to the times of year when the pollutant load in the waterbodies is also the highest. During and for one to several days after the storm events when water bodies carry the least polluted waters, the Proposed Project would reduce or stop diverting surface waters because demands for recycled water would drop to almost zero.

If irrigators treat their own drainage water and reuse that water on-site as suggested by the comment, there would be a corresponding reduction in water demand, either from CSIP and/or from the Salinas Valley Groundwater Basin, whichever is the current source of irrigation supply for that land. Closed-loop recycling (100% reuse with only a make-up water demand) is impractical, however, because tile drainage carries salts which would concentrate in the recycled water produced by closed-loop recycling, making it unsuitable for irrigation use after several cycles. Irrigation practices could change, but there are no known, feasible near-term solutions involving closed-loop systems and existing data show that irrigation return flows are consistent over the long term.

The Blanco Drain is maintained as a drainage ditch with clean (unvegetated) sides and bottom, and has been identified as an impaired water body. The proposed diversion from the Blanco Drain at a point above the confluence with the Salinas River would not change the water quality in the Blanco Drain, but would reduce the pollutant loading into the Salinas River and the Monterey Bay. This is considered to be a more cost-effective means of protecting the existing aquatic habitat in the River than capturing and recycling irrigation water at numerous locations.

The Proposed Project has a maximum diversion rate of 6 cfs, while seasonal storm flows in the Reclamation Ditch typically exceed 20 cfs, so seasonal flushing will still occur. See also Master Response #3: Availability, Reliability, and Yield of Source Water Supplies and Master Response #4: Reduction of Surface Water Flows in **Chapter 3, Master Responses to Comments**.

**S-9** The comment states that expansion of the 80 acre-foot pond at the SVRP is required in order to deliver the additional 4,500 to 4,750 AFY to CSIP, and should therefore be included in the



project description and analysis. The CSIP Phase II expansion is considered a separate project from the Proposed Project, as it is not necessary for the Proposed Project to achieve its objectives, specifically to provide additional water for irrigation during periods of very low (i.e., under 5 mgd) or very high irrigation demand. Modifications to the SVRP to allow production of recycled water during low demand periods are included in the Proposed Project to serve CSIP during time periods with low overall demand for recycled water. No plant modifications, or reservoir expansion, are proposed to utilize additional source water during periods of average or high irrigation demand. The SVRP/CSIP system was designed for a peak delivery rate of 29.6 mgd. In August 2013, it delivered 31.7 mgd (the peak historic combined Salinas Valley Reclamation Plant and Salinas River Diversion Facility, or SRDF, production). The amount of municipal wastewater influent limits the amount of recycled water available for CSIP during high demand periods, not the current pond size.

- S-10** The Brown & Caldwell “State of the Salinas River Groundwater Basin” Report is not the only source used for the Draft EIR’s conclusions regarding the Proposed Project’s potential environmental impacts. The Brown & Caldwell Report was published while the technical studies for the EIR were being prepared. While it is cited as a reference in several portions of the Draft EIR, it was not relied upon as the sole source of information for any conclusions. Therefore, its inclusion in the Draft EIR as a reference report is appropriate.
- S-11** The comment states an opinion of the Proposed Project; the comment is referred to the decision makers for their consideration.
- S-12** See the responses to comments S-2 through S-10, above, and Master Response #3: Availability, Reliability, and Yield of Source Water Supplies and Master Response #12 Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.
- S-13** The EIR analyzes the Proposed GWR Project, independent from the Monterey Peninsula Water Supply Project. The Proposed Project’s EIR includes an evaluation of the potential environmental effects of constructing and operating the infrastructure needed to divert the proposed new source waters to the Regional Treatment Plant, treat those source waters, use tertiary treated irrigation water within the area served by the Castroville Seawater Intrusion Project, convey purified water to Injection Well Facilities, inject purified water into the Seaside Basin, and convey extracted water to CalAm customers. The Proposed Project is separate and independent from the Monterey Peninsula Water Supply Project, and can go forward without the Monterey Peninsula Water Supply Project. The EIR’s cumulative impacts sections recognize the potential that the Monterey Peninsula Water Supply Project also might be approved and implemented, and the EIR discloses the combined effects of the two projects along with other past, present and reasonably probable future projects. Additional discussion on this issue is available in the Draft EIR, Section 2.3.2.6 on pages 2-11 and 2-12 and Master Response #12: Adequacy of Range and Scope of Alternatives and Master Response #11: Proposed Project’s Relationship to the Proposed Monterey Peninsula Water Supply Project in **Chapter 3, Master Responses to Comments**.
- S-14** See Response to comment S-13 and Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments** and Master Response #11: Proposed Project’s Relationship to the Proposed Monterey Peninsula Water Supply Project.

# Salinas Valley Water Coalition

P.O. Drawer 2670 • Greenfield, CA 93927  
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Corrected

Transmitted via Email to: gwr@mrwpca.com

Robert Holden, P.E., Principal Engineer  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Building D  
Monterey, Ca 93940

1 June, 2015

## **Re: DEIR – Pure Water Monterey Groundwater Replenishment Project**

Dear Mr. Holden;

The Salinas Valley Water Coalition (SVWC) is a not-for-profit organization comprised of agricultural landowners, farmers and businesses within the Salinas Valley. The SVWC's primary purpose is to participate in the various governmental processes in order to preserve the water rights of its members, to protect their water resources and to effect water policy decisions in a manner that provides this protection while sustaining agricultural production and quality of life.

The SVWC has worked with, and supported, the Monterey County Water Resources Agency and other agencies in their pursuit of long-term water supplies for urban and agricultural needs. This support has been premised on the belief that they are committed to developing a program that is cost-effective, reasonable, hydrologically sound and equitable to landowners and rate payers and protects existing water rights and needs, particularly in the areas of the Salinas Valley.

Community participation is an essential element in any project, and critical to obtaining support for that project. Toward this end, we appreciate the efforts made by the various agencies to reach out to the Salinas Valley agricultural community, and a willingness to discuss how these needs can continue to be best met.

The SVWC supports the consideration of this Project, but that support is predicated on the resolution of several outstanding issues, including water rights and the successful amendments to existing agreements along with new agreements. With this understanding, we offer the following comments on the DEIR:

T-1

## General:

- The DEIR states that the primary object of the proposed project is to “replenish the Seaside Groundwater Basin with 3,500 AFY of purified recycled water to replace a portion of CalAm’s water supply as required by state orders”. It goes on to say that the proposed project would need to “be capable of commencing operation, or of being substantially complete, by the end of 2016 or, if after 2016, no later than necessary to meet CalAm’s replacement water needs”.

T-2

This seems to be very limiting and restrictive, and appears to rely solely on the success of Cal-Am and their ability to utilize this project and its water resources. We think this is short-sighted and that the proposed project should be considered within the context of a stand-alone project; how could it work without Cal-Am, what would the impacts be of such a project?

## Source Water Rights, Appendix C:

- The DEIR, appendix C, discusses the legal framework and various agreements in place and those needed to be in place, to make this project work. It discusses the Memorandum of Understanding (MOU) the stakeholder agencies entered into, which also ‘reaffirmed’ the Marina Coast Water District and Monterey County Water Resources Agency with MRWPCA recycled water entitlements. The DEIR further states that the MOU:

“is intended to provide a framework for negotiation of a Definitive Agreement and does not create a binding contractual obligation.”

T-3

It is the Definitive Agreement (DA) that will establish the contractual rights and obligations of the parties, and the DEIR recognizes that the DA has not yet been completed, and further,

“If a Definitive Agreement is reached, it would be approved after the EIR is certified.”

What would the impact(s) be to the Carmel River and its water resource system if this project EIR is certified and there is a failure to successfully execute a Definitive Agreement, hence causing a further delay in the reduction of pumping from the Carmel River resource system?

- Appendix C states that the City of Salinas has the exclusive right to the treated wastewater it collects in its system and treats at the Salinas Treatment Facility. It further states that since the City of Salinas has the exclusive right to its treated

T-4

wastewater, a contract would be needed between MRWPCA and the City of Salinas for the diversion and use of agricultural waste water.

While the City of Salinas may have the exclusive right to the treated wastewater it collects in its system, we believe, as stated in Appendix C of your DEIR:

“The 1992 agreement between MRWPCA and Water Resources Agency (including amendments).....In particular, Section 3.03 of the 1992 Agreement (Amendment 3) provides that the MRWPCA commits ***all*** of its incoming wastewater flows to the treatment plant from sources within its 2001 MRWPCA service area, up to 29,6 million gallons per day, ....” (emphasis added)

We believe that Amendment No. 3 modified Sec. 3.03 of the Original Agreement, in that in Amendment No. 3 Sec. 3.03 which states the PCA will “commit ***all*** of its incoming wastewater flows to the ***regional treatment plant***” to the project<sup>1</sup>”. (emphasis added) It remains clear that within Amendment No. 3 the ‘project’ is as defined in the 1992 Agreement; “the construction of a 29.6 MGD ***tertiary treatment system*** (hereinafter referred to as “***the project***”).” (emphasis added)

While we have supported, and continue to support, the City of Salinas and PCA’s consideration of the further utilization of the City’s treated wastewater, it is essential that the agricultural community and Water Resources Agency be part of the agreement. We believe that Amendment No. 3 clarifies that it was the intent of the parties to ***commit all of the wastewater (current and future) flows*** coming to the regional treatment plant to the Castroville Seawater Intrusion Project (CSIP). Without further modification/amendment to the existing Agreements, we believe the MRWPCA cannot simply take wastewater flow coming into its existing system and ‘by-pass’ the tertiary treatment plant and use these flows for projects other than CSIP; this would equate to a ‘taking’ of water not entitled to, contrary to existing contracts.

The DEIR should evaluate the impacts to the existing CSIP if they are not provided the recycled water pursuant to, and as committed to, in the existing 1992 Agreement and its amendments. What is the potential for continued seawater intrusion because of the continued reliance on supplemental well water rather than delivered recycled water as agreed to?

The Pure Monterey Project relies on source water that should not be considered a secure, stable and uninterrupted supply, and the environmental impacts of this instability and interruptible source should be considered.

<sup>1</sup> Id at Exhibit 3 p 1

T-4  
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T-5

T-6



Unless and until these issues are resolved, the Pure Monterey GWR Project has the potential to significantly impact the growers, ratepayers of the Salinas Valley, and the projects they built to stop seawater intrusion, and thus potentially exacerbate seawater intrusion.

T-6  
Con't

### **Salinas River Inflow Impacts, Appendix O:**

Appendix O provides an analysis of the potential impacts to the Salinas River flows because of implementation of the Project, including an engineering analysis of the flow reductions in the Salinas River due to diverting City of Salinas stormwater runoff, agricultural wash water and Blanco Drain flows to the proposed project, and assess the potential project impacts on the hydrology and water quality in the Salinas River.

T-7

What appears to be missing from the analysis is what is the impact to the availability of Salinas river water to be diverted at the Salinas Rubber Dam Facility. The summary of Appendix O states that:

“diverting agricultural wash water and City of Salinas stormwater to the Proposed Project would reduce average annual flows in the river by less than 1%. If water is also diverted from the Blanco Drain, the average annual flow in the Salinas River decreases by 1.7%.”

Table 2-6 of Appendix O, details the ‘average’ and ‘median’ flow of the Salinas River near Spreckels over different time periods. Based on Table 2-6, 1% (rounding up because it is not clear what ‘less than 1%’ is) of the average flow during the period of 2010-2013 when the SRDF was operating, would equate to 1,622 afy. This in turn equates to 30% of the maximum amount diverted at the SRDF during this period. While 1% of the overall Salinas River flow may seem to have a minimal impact to overall flows, it could be a significant impact to the amount of Salinas river water that could be diverted at SRDF and to the agricultural lands that rely on that water. This impact needs to be further analyzed in the EIR.

T-8

Appendix O also states:

“Due to the significant losses and travel time between the reservoirs and the SRDF, flows reductions affecting the by-pass releases would likely be addressed by temporarily reducing SRDF pumping before adjusting the reservoir release schedule. A portion of the diversions made for the proposed project will be used to augment the CSIP supply, off-setting the effect of any temporary SRDF reduction.”

T-9

While the ‘temporary SRDF reduction’ may be off-set with an augmentation of supply to the CSIP area, this would significantly change the management and operation of the Salinas Valley Water Project, the amount of river water contemplated to be delivered to the CSIP agricultural users and would change the benefits of the SVWP because of this reduction in water to be supplied by it. In otherwords, does the Pure Monterey GWR Project simply exchange its project water for river water? To what extent would there be an impact to the existing SVWP and its SRDF component and to the CSIP landowners? What is the impact to seawater intrusion because of the reduction in river water that can be delivered and utilized by the CSIP agricultural lands? We believe these could be significant environmental impacts.

T-9  
Con't

**Brown and Caldwell, 2014 State of the Salinas River Groundwater Basin Report, 2014:**

The Brown and Caldwell State of the Basin Report was prepared at the request of one Monterey County Supervisor and was meant to provide a ‘snapshot’ of the status of the basin at a certain point in time; nothing further. Further, we learned at a workshop held by Monterey County Water Resources Agency that the analysis in the report did not include existing projects in its analysis, such as the SVWP or the CSIP; so in reality, it wasn’t even a true snapshot of the basin except as what existing pre-CSIP and pre-SVWP. The report has extremely limited value and should not be used to project future basin conditions, and yet it is cited and utilized to some degree in your DEIR and its various evaluations. Where it was used, should be re-examined and excluded from your report. It should not be utilized to establish certain baseline conditions for the basin

T-10

**Conclusion**

The Salinas Valley Water Coalition supports full environmental review of the proposed Project and the proposed alternatives. This DEIR does not fully analyze the proposed project as a true stand-alone, and we believe it should as the reliance on agreements that may not occur is a significant impact to the Carmel River water resources system and its fishery resources and habitat. This DEIR does not fully analyze the potential impacts to the SVWP, CSIP and seawater intrusion as discussed above, and the impacts to these agricultural lands.

T-11

SVWC has actively supported the development of water projects within the Salinas Valley, and continues to do so. Its members have built and paid, or continue to pay, for two reservoirs, the Castroville Seawater Intrusion Project, The Salinas Valley Reclamation Project and the Salinas Valley Water Project—all in an effort to solve its basin’s water problems. They have worked with their neighbors to resolve their difference so these projects could be successfully financed and implemented. The stability and

T-12

security of their water resources and water rights are potentially at stake in the implementation of this project, and these impacts must be fully evaluated and considered.

There may be adequate wastewater available to consider the development of a Groundwater Replenishment Project, but the PCA does not currently hold the rights to do so and the reliance on potential agreements is a great risk that the environment and landowners cannot afford.

Let's work together to provide the best Plan possible for our community. Thank you for your consideration of our comments and concerns.

Sincerely,

Nancy Isakson, President  
Salinas Valley Water Coalition

T-12  
Con't

## Letter T: Salinas Valley Water Coalition

- T-1** The opinion of the Proposed Project stated in the comment is referred to decision makers for their consideration.
- T-2** As stated on pages 2-17 through 2-18 of the Draft EIR (and as was presented in the 2013 Notice of Preparation and its 2014 supplement in Appendix A), the Proposed Project's primary objective is to replenish the Seaside Groundwater Basin with water to replace a portion of CalAm's water supply as required by state orders. Another objective of the Proposed Project is to provide additional water to the Regional Treatment Plant that could be used for crop irrigation through the Salinas Valley Reclamation Plant (SVRP) and CSIP system. Project objectives are sufficient if they help guide the development of alternatives. The comment does not suggest that the project objectives are insufficient to help guide the formation of alternatives. Here, the project objectives can be met regardless of whether the Cal Am Monterey Peninsula Water Supply Project is implemented. The Proposed Project is a stand-alone project. See Master Response #11: Proposed Project's Relationship to the Monterey Peninsula Water Supply Project in **Chapter 3, Master Responses to Comments** for additional information.
- T-3** See Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**. The comment also asks what the impacts would be to the Carmel River and its water resource system if this EIR is certified and there is a failure to execute a Definitive Agreement. The comment presumes that without a Definitive Agreement, there would be a further delay in the reduction of pumping from the Carmel River. The Draft EIR addresses the potential for this Proposed Project to not move forward (either due to failure of the agencies to reach agreement on source waters, or other constraints to implementation). Specifically, Chapter 6 contains a description and environmental analysis of the No Project alternative on pages 6-22 through 6-24. Also, see response to letter R-7.
- T-4** See Section 4.18 (as amended in **Chapter 5, Changes to the Draft EIR**), Master Response #3: Availability, Reliability, and Yield of Source Water Supplies and Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**. See also **Appendices B-Revised** and **C-Revised** of this Final EIR. The 2014 Source Water MOU describes the parties' existing rights, and expresses their intention to work cooperatively to provide water for the Proposed Project.
- T-5** The comment states that the Draft EIR should evaluate impacts to the CSIP if CSIP is not provided with recycled water pursuant to the original 1992 Agreement (for Construction and Operation of a Tertiary Treatment System). The Proposed Project would have junior rights to CSIP with respect to the use of secondary treated effluent at the Regional Treatment Plant, which is why the EIR only considers using the flows which are currently discharged to the ocean. The Proposed Project would increase, not reduce, water available for recycling and use by CSIP. Specifically, the Proposed Project would increase the delivery of recycled water to CSIP by modifying the SVRP to meet recycled water demands during periods of time when there is low demand (< 5 mgd) for irrigation water, and by developing new sources of water supply to meet peak demands. In the future, if and when MCWD implements its RUWAP Recycled Water Project, flows of recycled water available to CSIP during some months may be reduced; however, this reduction would be less if the Proposed Project is implemented than if it is not. See **Appendix BB** (Technical Memorandum: Future RUWAP Urban Recycled Water Irrigation Water Use and Implications for CSIP Yields) and Master Response #3: Availability, Reliability, and Yield of Source Water Supplies, and Master Response #10: Marina Coast Water District and City of Marina Water Supply Issues in **Chapter 3, Master Responses to Comments**.



**T-6** See Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments**.

**T-7** The Salinas River Diversion Facility (SRDF), sometimes referred to as the Rubber Dam, is operated under Water Right Permits No. 10137 and No. 12261. These permits are for re-diversion of flows captured in Nacimiento and San Antonio Reservoirs. The water right permits do not permit the County to divert flows originating from down-stream sources, such as the Blanco Drain and the Salinas Industrial Wastewater Treatment Facility at the SRDF. The MCWRA releases flows at the San Antonio and Nacimiento Reservoirs, a portion of which infiltrates into the Salinas Valley groundwater basin. Remaining flows at the SRDF may be diverted, subject to in-stream flow requirements that define how much water must be allowed to pass the SRDF.

The flows from the Blanco Drain and Salinas Treatment Facility make up a portion of the base flow of the river at the Rubber Dam. The Proposed Project's water availability analysis therefore examined the potential impact of the proposed diversions on the in-stream flows passing the Rubber Dam, and not the yield of the SRDF. The method and assumptions used in the water availability analysis in the EIR and the associated impact analysis are adequate for addressing the potential environmental impacts of the Proposed Project in accordance with CEQA Guidelines.<sup>6</sup> Specifically, changes to Salinas River flows due to the Proposed Project would not result in significant impacts in the terms of the significance criteria for the hydrology and water quality. See Draft EIR, Section 4.11 at pages 4.11-64 through 4.11-79 (examining potential impacts to surface waters), Section 4.4 at pages 4.4-44 through 4.4-49 (examining the potential impacts to fisheries); Section 4.5 at pages 4.5-97 through 4.5-105 (examining potential impacts to terrestrial and non-fisheries biological resources); Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments**.

**T-8** The analysis of in-stream flow (i.e., hydrology and water quality) impacts shown in Table 3-3 of Appendix O, Salinas River Inflow Impacts Report, uses an analysis of the flow reductions that would be expected to occur in the river at a point downstream of the SRDF. The flow reductions cited in comment T-7 occur at this point. This location was selected for the analysis for several reasons, one of which was that the increased flows at the USGS Spreckels Gage due to upstream releases from the Nacimiento and San Antonio Reservoirs for the SRDF, and the corresponding rediversions at the SRDF, balance each other out. The SRDF releases will continue to be available for diversion with implementation of the Proposed Project. The analysis in Appendix O is based on a worst case scenario of fully diverting flows from the Salinas Treatment Facility system (that is, leaving the ponds empty year-round), as noted at Appendix O of the Draft EIR, page 25. The actual operational scenario for the Proposed Project is discussed in Appendix B, Source Water Assumptions Memorandum, as revised in this Final EIR (see **Appendix B-Revised**). The Proposed Project would use the Salinas Treatment Facility ponds for seasonal storage of source water, and then recover the water to the Regional Treatment Plant during the summer months when water demands peak. Keeping the ponds wetted or partially wetted for nine months out of the year reduces the impact to the base flow of

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<sup>6</sup> An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure. (14 CCR § 15151 Standards for Adequacy of an EIR)

the river by 1,629 acre-feet per year ( $= [3 \text{ cfs}] \times [724 \text{ afy/cfs}] \times [9\text{mo}/12\text{mo}]$ ). See also Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments**.

**T-9** The comment asks how the system will operate with multiple diversions potentially affecting the flow in the Salinas River at the SRDF. Under the Proposed Project operational conditions, four potential reductions in river flow at the point of analysis (i.e., downstream of the SRDF site) may occur concurrently: (1) SRDF diversions of flows released from the upstream reservoirs, (2) diversion of flows from Blanco Drain to the Regional Treatment Plant, (3) diversion of agricultural wash water directly to the Regional Treatment Plant or indirectly from the ponds to the Regional Treatment Plant, and (4) diversion of stormwater runoff from the Salinas outfall to the Regional Treatment Plant or indirectly to the Salinas Treatment Facility ponds. The portion of the year when these diversions would potentially overlap would be late summer, when the Salinas Treatment Facility ponds would be dry and would not be contributing flow to the Salinas River. Rain events do not typically occur in late summer; therefore, the only additional diversions that may be occurring would be the SRDF and the Blanco Drain diversions.

The SRDF is managed to provide flows to the CSIP system and allow the required in-stream bypass. Water diverted from the river at the SRDF is pumped to the recycled water storage ponds at the Salinas Valley Reclamation Plant, which supplies the CSIP system. Water diverted at the Blanco Drain would be pumped to the Regional Treatment Plant, undergo primary and secondary treatment with the existing municipal wastewater flows and all of the other GWR inflows, and then be used as influent for the GWR Advanced Water Treatment Facility (AWTF) and the SVRP. The MCWRA has submitted a water right permit application to the State Board for the Blanco Drain diversion, so the same agency that operates the SRDF would control the Blanco Drain diversion. If the combination of diversions affect the ability to make full SRDF diversions and maintain the required in-stream flows, the MCWRA may reduce the diversion rate at the Blanco Drain to ensure the by-pass flows are maintained, or the MCWRA may reduce the SRDF diversion but direct that a portion of the water diverted from the Blanco Drain be sent from the Regional Treatment Plant to the SVRP instead of to the AWTF. The net effect at the Salinas Valley Reclamation Plant product water reservoir would be the same, and deliveries to CSIP would be maintained. The MCWRA would adjust the reservoir releases as needed to compensate for changing conditions, just as they do under the current condition. The Proposed Project would increase, not reduce, water available for recycling and use by CSIP. In the future, if and when MCWD implements its RUWAP Recycled Water Project, flows of recycled water available to CSIP during some months may be reduced; however, this reduction would be less if the Proposed Project is implemented than if it is not. See also **Appendix B-Revised**. See also Master Response #3: Availability, Reliability, and Yield of Source Water Supplies, and Master Response #4: Reduction of Surface Water Flows in **Chapter 3, Master Responses to Comments**.

**T-10** See the response to comment S-10.

**T-11** See the response to comment S-13.

**T-12** The opinion of the Proposed Project stated in the comment is referred to the decision makers for their consideration. Regarding the second paragraph, see responses to comments T-2 through T-11 above and Master Response #3: Availability, Reliability, and Yield of Source Water Supplies in **Chapter 3, Master Responses to Comments**.

From: Ron Weitzman [<mailto:ronweitzman@redshift.com>]

Sent: Tuesday, June 02, 2015 9:47 PM

To: GWR

Cc: [waterplus@redshift.com](mailto:waterplus@redshift.com); [pwnaction@lists.riseup.net](mailto:pwnaction@lists.riseup.net); Californian; Carmel Pine Cone; Cedar Street Times; Channel 11; Herald City Editor; Jim Johnson; KION TV; KSMS TV; MC Weekly Editor; Sara Rubin; Shanna McCord

Subject: Comments on the GWR DEIR

Monterey Regional Water Pollution Control Agency  
Administration Office  
ATTN: Bob Holden, Principal Engineer

Dear Mr. Holden:

These comments apply to specific sections of the DEIR.

#### **Section 4.9. Hazards and Hazardous Materials**

My comments on the NOP referred to DDT and other such hazardous material in water sources proposed for this project, including the Blanco Drain. The attached letter from Stephen Collins indicates that these contaminants exist in such large amounts in some of the proposed water sources that they may be untreatable for agricultural let alone potable use. Yet the DEIR has failed to identify these particular contaminants and indicate how to deal with them. This excerpt from the letter by Mr. Collins captures the magnitude of the problem::

*Legacy Pesticides, as its name would suggest, are compounds, normally inorganic in nature, and the result of chemical use from years ago that are still held in high concentrations in the soil. Examples include: DDT, DDE, Arsenic, Boron, a number of heavy metals, etc. Here is a direct quote from the Central Coast Region report: "The Salinas River Lagoon Management and Enhancement Plan cites a number of studies from the 1980's suggesting that soils in the northern Salinas Valley contain a reservoir of DDT that will continue to release DDT into aquatic environments well into the 21<sup>st</sup> century". The primary source of this pollution into the Reclamation Ditch, is the **Blanco Drain**. The DDT study was performed using a normal study practice utilizing a living organism and measuring its body intake of the pesticide in question, in this case Corbicula (clams) planted in the Blanco Drain. The result "was the highest concentration of Total DDT (and other chemicals) ever seen in California."*

The FEIR must deal with this problem.

#### **Section 6. Alternatives to the Proposed Project**

This section dismisses the DeepWater and People's projects as not likely to be completed prior to the CDO deadline. Cal Am's project, as well as the proposed GWR project, is certain not to be completed by that date. Within the next few weeks, both DeepWater and People's will issue NOPs. Each has fewer physical hurdles to overcome than Cal Am's or the proposed GWR project does, and People's has fewer permitting obstacles before it since its intake and outfall pipes have been grandfathered. The FEIR must include consideration of each of these projects as a whole.

Missing from the alternatives considered is a GWR project that would provide all the product water projected by the combined Cal Am and GWR projects. Since the Cal Am component is based on an

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U-3

intake experiment that may fail, this alternative is at least as reasonable to consider as Cal Am's alternative without GWR. The FEIR must consider this alternative.

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Another alternative that the FEIR may well consider is the use of slant or slope wells in the Carmel Bay. Though vertical wells may not work there, the chance that slant wells will work there would appear to be at least as great as in Marina. This is an important alternative to consider because its development would preclude the need for the north-to-south pipes in the alternatives of Cal Am's desal alone or combined with GWR. It would also eliminate the problem of source-water rights bedeviling both the Cal Am desal and GWR projects.

U-4

## Appendix C

The Summary Chart in Part E of this appendix shows that the proposed GWR project has no water rights for any of the four sources of water needed for the project. The FEIR will have no practical meaning unless a sufficient number of these rights have been obtained for the project to work prior to the FEIR's issuance. This problem affects the very viability of the project as well as its timeliness in comparison with alternative projects. In fact, because of this problem, the issuance of the DEIR appears to be premature.

U-5

## Two Other Critical Concerns

- In its initial form, the GWR proposal was to use source water only from urban sewer water treated for agricultural use but unused during the three or four winter months. If that proves to be the only viable source of water, then the advanced-treatment facility needed to make the water potable would have to have three-to-four times the production capacity of one that could operate all year because it would have to produce the required 3,500 acre-feet per year in only one-third or one-fourth of that time, when the source water is available. The treatment facility, involving the same reverse osmosis as desalination, would have to have the capacity to produce up to 14,000 acre-feet per year. A facility with that capacity could produce more than enough water to meet the entire needs of the Monterey Peninsula if the remaining possible water sources should prove viable. This is another reason the FEIR should consider as an alternative a GWR project that could meet all of the Monterey Peninsula's water needs without desalination.
- The GWR project in Orange County uses settlement ponds as part of its recycling process. The proposed GWR project does not; it uses direct injection into an aquifer from which water will later be drawn for distribution to customers. State law requires that directly-injected water needs an equal amount of potable water (called diluent) to accompany it. The DEIR does not indicate where that supplemental potable water will come from. The FEIR must do that.

U-6

U-7

Respectfully,

Ron Weitzman

President, water Ratepayers Association of the Monterey Peninsula



## STEPHEN P. COLLINS, M.S., C.P.A. (Inactive)

February 19, 2013

To: Press, Friends and Public

From: Steve Collins

Re: Utilization of Reclamation Ditch, Blanco Drain and retention pond waters for recycle

With complete incredulity, I watched Supervisor Calcagno announce from the dais last week, that the Monterey County Pollution Control District Board had overwhelming approved “an olive branch” extended by the Ag Industry from the Salinas Valley, to allow waters from the Blanco Drain, the Salinas Valley Reclamation Ditch and settling ponds off Davis Road to be used for recycling and ASR in the Seaside aquifer. As bad an idea, of using recycled sewage for Seaside Basin recovery was, which the Ag Industry squelched, this is even worse. Recycled sewage is pristine compared to what is being proposed to the public, as a component of the Cal Am project. I will stay completely away from politics or musings in this letter, and stick strictly with published documents, but I feel compelled to say something.

U-8

Included as attachments are:

1. Page 17 of the NOAA Fisheries “Biological Opinion”, dated June 21, 2007, reference Page 1;
2. A “Study of DDT in the Salinas Valley”, authors noted, Pages 2-6;
3. Page 139 from the Water Quality Control Board, Water Quality Assessment Study, Central Coast Region, “Fecal Coliform Log”, page 7;
4. Page 141 of the same study as Number 3, showing the “Legacy Pesticides”, contained in impaired waterways (Reclamation Ditch), Page 8;
5. Page 143 of the same study as Number 3, showing the Section 303d listings for various water bodies within and adjacent to the Reclamation Ditch, and organic and inorganic compounds contained therein;
6. Page 10 of the 2012 of the Central Coast Regional Water Quality Control Board TMDL report; Page 10.

U-9

I went to two on-line sources, the Monterey County Water Resource Agency Water Quality Assessment reports and the Central Coast Watershed Studies, authored as noted above.

The NOAA Fisheries “Biological Opinion” relates to the Salinas Valley Water Project diversion facility and its impacts to the Salinas River, fish mitigations and the quality and use of Salinas River water for irrigation. Here is a direct quote from the Opinion, “The SRDF diversion site is located in the vicinity of the Blanco Drain, which discharges to the Salinas River upstream of the SRDF site. Because water from the Blanco Drain is considered unsuitable for irrigation, MCWRA proposes to divert the drain’s discharge to a point downstream of the SRDF site whenever the SRDG facility is impounding water for irrigation

U-10

use". This is the very water, which is deemed unsuitable to irrigate a crop for human consumption, which is going to be "purchased" from the Salinas Valley, treated by MRWPCA and injected into the Seaside Aquifer for potable Title 22 drinking water on the Peninsula.

U-10  
Con't

Legacy Pesticides, as its name would suggest, are compounds, normally inorganic in nature, and the result of chemical use from years ago that are still held in high concentrations in the soil. Examples include: DDT, DDE, Arsenic, Boron, a number of heavy metals, etc. Here is a direct quote from the Central Coast Region report: "The Salinas River Lagoon Management and Enhancement Plan cites a number of studies from the 1980's suggesting that soils in the northern Salinas Valley contain a reservoir of DDT that will continue to release DDT into aquatic environments well into the 21<sup>st</sup> century". The primary source of this pollution into the Reclamation Ditch, is the **Blanco Drain**. The DDT study was performed using a normal study practice utilizing a living organism and measuring its body intake of the pesticide in question, in this case Corbicula (clams) planted in the Blanco Drain. The result "was the highest concentration of Total DDT (and other chemicals) ever seen in California."

U-11

The area study map (titled Section 303d listings of various water bodies within and adjacent to the Reclamation Ditch Watershed) that shows many of the additives flowing from the Salinas Valley, through creeks, into the watershed include compounds such as Fecal Coliform, Nitrates, Priority Organics, Pesticides, Heavy Metals, etc. See Page 7, noted above, **the Salinas Reclamation Canal** (aka Ditch) has the highest concentration of Fecal Coliform in the entire study area.

U-12

Page 7 of the data is a graph (Figure 6.5) that shows the Mean fecal coliform at all CCAMP measured waterbodies throughout the Central Coast Region; number one is the Salinas Reclamation Canal (ditch).

The final document for your review is the 2012 CCRWQCB report on TMDL for the Lower Salinas River Watershed that states the following:

"Discharges of nitrogen compounds and orthophosphate are occurring at levels in surface waters which are impairing a wide spectrum of beneficial uses and, therefore, constitute a serious water quality problem. The municipal and domestic drinking supply (MUN, GWR) beneficial uses and the range of aquatic habitat beneficial uses are currently impaired; potential or future beneficial uses of the agricultural irrigation water supply (AGR) for sensitive crops may be impaired." Et, al.

U-13

The report finds the Region in violation of three water quality area:

1. Violations of drinking water standards for nitrate;
2. Violations of the Basin Plan general toxicity objective for inland surface waters and estuaries (violation of un-ionized ammonia objective);
3. Violations of the Basin Plan narrative general objective for biostimulatory substances in inland surface waters and estuaries (as expressed by excessive nutrients, chlorophyll a, algal biomass and low dissolved oxygen).

I cannot imagine this concept ever being approved by the State of California, but understand what is going on here; the farming community is required by State law to clean up these water sources, at huge

U-14

expense to themselves. You see the fight with the State Regional Water Quality Control Board routinely reported in the paper. This is the very same water the Salinas Valley is offering the Peninsula for recycling and ASR. The following questions should be considered, in my opinion, before this concept, and \$750,000 is spent doing this study for the third time:

U-14  
Con't

1. Two prior EIR's have been performed in the past, one for the Salinas Valley Reclamation Project and one for the Salinas Valley Water Project. Both times, the water quality of the Blanco Drain, which drains into the Salinas River and has connectivity to the Reclamation Ditch have been deemed "unsuitable" for irrigating a crop, in both instances.
  - a) Does the technology to clean this water to Title 22 Drinking Water Standard exist?
  - b) If so, what is the cost for doing so, and how does it compare to desalination costs?
  - c) Is it possible to completely eradicate all inorganic compounds from the source water or are we simply trying to meet minimum standards?
2. These waters are deemed surface waters by the State of California, and, I believe a diversion permit will be required by the State. Has the legal and biological implications of this been considered?
3. The final destination for this water is recharge into the Seaside Basin aquifer for subsequent withdrawal and distribution to the Peninsula residents. Has the Seaside Basin Water Master weighed in on this process?

U-15

U-16

U-17

I believe the answer to many, if not all, of the above questions is no.

I know many of the Mayors, members of the Board of the MRWPCA, and others working to provide a solution to the Peninsula water crisis are diligent, community minded individuals with a simple goal, solve the issue before 2016. Spending \$750,000 of public money on a recycling plan that has been previously reviewed in EIR's before, and found wanting is not a good expenditure of time or resource. My guess; they have not been provided the data included herein, and believe this water source has value from a drinking water supply standpoint. The Monterey County Health Department must be apoplectic.

U-18

Stephen Collins

See attachments

from Nacimiento Reservoir beginning the eighth day after the first adult steelhead passage day<sup>3</sup> occurs on the Salinas River near Spreckels after January 1<sup>st</sup>. These flows will be continued through May 31<sup>st</sup>. Until further studies are conducted to determine adequate rearing flows in the Nacimiento River below the reservoir during summer and fall, MCWRA will release a minimum of 60 cfs throughout the year as minimum rearing flow as long as the water surface elevation of Nacimiento Reservoir is above the elevation 687.8 feet mean sea level (msl), the reservoir's minimum pool.

*d. Water Quality Improvements and Other Changes to the Blanco Drain*

The SRDF diversion site is located in the vicinity of the Blanco Drain, which discharges to the Salinas River upstream of the SRDF site. Because water from Blanco Drain is considered unsuitable for irrigation, MCWRA proposes to divert the drain's discharge to a point downstream of the SRDF site whenever the SRDF facility is impounding water for irrigation use.

The Blanco Drain drainage area consists of approximately 6,400 acres of farmland, scattered rural housing, and county roads. Summertime drainage is primarily agricultural drain water. Wintertime drainage is primarily storm runoff. MCWRA operates a pump during the summer to discharge the drain water to the Salinas River.

The Central Coast Regional Water Quality Control Board (CCRWQCB) has listed Blanco Drain as an impaired water body pursuant to Section 303(d) of the CWA for pesticides, with medium priority. To reduce contaminant loads of diazinon and chlorpyrifos from reaching the Salinas River, MCWRA proposes to create a vegetated treatment system within Blanco Drain. A vegetated treatment system generally consists of vegetation throughout a reach of channel bottom designed to reduce water velocity and retain pollutants by various processes, such as microbial degradation, plant uptake, sorption, chemical reactions, and sediment retention. The specific design for the Blanco Drain vegetative treatment has not been completed, and the specific location for the vegetated channel sections has not been identified. MCWRA will monitor the vegetated treatment system to determine the efficacy of contaminant reduction.

In the event that the vegetated treatment system is inadequate to sufficiently reduce diazinon and chlorpyrifos loads within the Blanco Drain, then MCWRA will pursue other options (see page 26 of MCWRA (2005a)). Options include, though are not limited to, diverting the water to the regional wastewater treatment plant for recycling, and diverting Blanco Drain water to Alisal Slough. A specific definition of "inadequate to sufficiently reduce diazinon and chlorpyrifos loads" has not been provided to NMFS.

*e. SRDF Maintenance*

Maintenance of the SRDF will primarily consist of, but will not necessarily be limited to, periodic removal of deposited sediment, periodic removal of debris, annual scour restoration, annual pressure washing of fish screens, periodic maintenance and lubrication of equipment, and

<sup>3</sup> The first day of passage is the beginning date of the first period with five consecutive days with flows of 260 cfs or higher at Chualar. The first potential spawning day in the Nacimiento River is assumed to be 8 days after the first passage day.

From NOAA Fisheries "Biological Opinion"  
DATED JUNE 21, 2007 Admin. No. 157422SWR2003SR8711

①



DDT IN THE SALINAS VALLEY

A Special Report on  
the Probable Source of Technical Grade DDT  
Found in the Blanco Drain Near Salinas, California

STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD

EDWARD C. ANTON, CHIEF  
DIVISION OF WATER QUALITY

MURT LININGER, CHIEF  
HAZARDOUS WASTE SECTION

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THIS REPORT WAS PREPARED BY  
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Special Water Quality Monitoring Report No. 86-2 WQ

2

## INTRODUCTION

The sale and use of DDT, once thought to be the ultimate pesticide, was banned by the U. S. Environmental Protection Agency in 1972 after it was found to be responsible for the rapid decline of several predator species in the environment and questions were raised concerning potential effects on human health. California had curbed the sale and use of DDT two years earlier in December 1970.

The special characteristics that made DDT such a persistent and deadly pesticide are also the characteristics that still make it a potent environmental hazard. DDT, or dichloro-diphenyl trichloroethane, is a white amorphous powder that is nearly insoluble in water, but readily soluble in organic solvents. It has a low volatility and is not easily decomposed by sunlight. When DDT does break down, it is converted initially to DDD or DDE. Usually, DDE is the major initial breakdown product. However, in sediments, DDD can also be a significant component. These products--DDD and DDE--are also toxic and very persistent in the environment. DDE is the chemical linked to the thinning of eggshells in birds and was responsible for the reproductive failures of the Brown Pelican along the California coast.

DDT and its related products are found virtually everywhere on earth. Its high solubility in (non-polar) organic mixtures such as oils or fats causes it to have a high affinity for living organisms; once ingested by an organism, DDT or its metabolites are not quickly lost, so they tend to accumulate. As predator eats prey, DDT is passed upwards in the food chain in higher and higher concentrations.

Although use of DDT was banned in California in 1970, it is still found in high concentrations in fish from several California rivers and lakes. For example, in 1983 DDT was found at levels exceeding National Academy of Sciences (NAS) guidelines for predator protection in fish from seven rivers and streams, including the Old Salinas River, the Salinas River at Blanco Drain, Harbor Park Lake, San Joaquin River at Vernalis, Alamo River, New River, and San Diego Creek.

As in previous years, speculation as to the possible sources of DDT included old residues, continued illegal use, leaky waste dumps, or contamination from use of a related pesticide, Kelthane (dicofol). In an attempt to identify the possible sources of DDT, monitoring staff began to look more closely at DDT isomers and breakdown products rather than simply at the total concentration of DDT.

The term "Total DDT", as used in this report, refers to the sum of the individual concentrations of DDT and its closely related breakdown products, DDD and DDE. Some laboratories (e.g., Department of Fish and Game) also measure two minor breakdown products, DDMU and DDMS, found in small amounts. When found, these are also included in Total DDT (Figure 1). Each of these

Breakdown of DDT

- o DDT slowly breaks down in the Drain sediments; by the time it reaches the Salinas River, it has broken down to about 20 percent Technical DDT, 35 percent DDD, and the remainder DDE. The major breakdown products, DDD and DDE are as undesirable in the environment as the parent compound.
- o The persistence of DDT in the soils could not be determined by this study, but it is probably very persistent. Earlier studies conducted in the Salinas/Elkhorn Slough area reported lesser amounts of Total DDT in soils than found in this study. Further study is needed to determine how persistent DDT is in Salinas soils.
- o Salinas area agricultural soils contain a "reservoir" of DDT, which is being released to the aquatic environment (drains, canals, rivers, bays, etc.) through soil erosion due to agricultural practices and rainfall runoff events. Considering the mixing of DDT into the soil column and normal soil erosion rates, it is probable that this release of DDT into the Salinas River will continue well into the 21st Century.

Possible Transport Mechanisms

- o Fields on the east end of the Drain are literally plowed over the edge and into the Drain. Sediments in the east end of the Drain contain the unmistakable fingerprint of soil-based DDD and Technical DDT. In the lower portions of the Drain, where berms exist, DDD and DDT ratios are more characteristic of sediment. Staff are convinced that the observed practice of plowing over the edge of the Drain is a major source of DDT to the Drain. Other erosion events may also contribute to the DDT found in the Drain.
- o Corbicula (clams) planted by State Mussel Watch in the Blanco Drain contained the highest concentrations of Total DDT (and other chemicals) ever seen in California: 3,800 ppb (3.8 ppm, wet weight). This indicates that much of the transport of DDT is via very fine suspended materials through and out of the Drain.

DDT on Food Crops

- o DFA regularly tests vegetables in the Salinas area and has reported finding no (or extremely little) DDT in unwashed vegetables. This has generally been true ever since the use of DDT was discontinued in 1972. This strongly indicates that there has been no continued use of DDT in the Salinas area for agricultural purposes.

Corrective Measures

- o Positive steps taken to reduce or eliminate soil erosion could result in major reductions in the amounts of DDT input to the aquatic environment, with increased water quality/aquatic life benefits. If these steps are

One isomer of DDT, o-p'-DDT, was believed by scientists to be fairly unstable and was expected to break down more rapidly than the p-p' isomer in the aquatic environment. Dr. Risebrough found that in the soils contiguous to the Blanco Drain the o-p' isomer was, if anything, breaking down less rapidly than the p-p' isomer and stated that the DDT was likely not fresh, simply well preserved. (Risebrough, 1985).

After considering the preliminary results, Phase 2 of the study was initiated. The purposes of the second phase study were to verify the Phase 1 results and to isolate and identify possible sources of DDT to the Blanco Drain from adjacent fields. In the second phase survey, sediment was collected from 23 locations while soil was collected from 13 locations.

## FINDINGS

### Soils

- o Soils from fields adjoining the east leg of Blanco Drain contain up to 5,000 ppb (5 ppm) Total DDT and average 3,100 ppb (3.1 ppm) DDT while soils from fields adjoining the west leg of the Drain contain up to 3,000 ppb (3 ppm) DDT and average 1,800 ppb (1.8 ppm) DDT.

With the exception of one sampling station, soils from fields adjoining all parts of the Drain contain a nearly uniform 66 to 80 percent Technical DDT (average 72 percent).

- o With the exception of the same sampling station, soils from fields adjoining all parts of the Drain contain a uniform 1.4 to 5.6 percent DDD (average 3.5 percent).
- o DDT and DDD from the exceptional station more closely resemble the DDT and DDD found in the sediments in the Drain itself, and there is some indication that the soils at that station were derived from sediment moved when the Drain was physically relocated at that location.
- o Most of the soil samples also contain 15 to 20+ percent o-p'-DDT as a percentage of Technical DDT (average 17 percent). This is very similar to the original formulation of Technical DDT.

### Sediments

- o Bottom sediments in the east leg of the Drain had levels of Total DDT ranging from 800 ppb (0.8 ppm) to 6,200 ppb (6.2 ppm). The average concentration was 2,200 ppb (2.2 ppm). Sediments in the west leg of the Drain had levels of Total DDT ranging from 200 ppb (0.2 ppm) to 1,700 ppb (1.7 ppm). The average was 800 ppb (0.8 ppm). These levels are 200 to 400 times the levels measured in the Salinas River above the outfall of Blanco Drain.

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chemicals actually occurs in two closely related forms, or isomers. Most of a given chemical is found in the "para-para" form (e.g., p,p'-DDT, p,p'-DDD, p,p'-DDE). However, often the "ortho-para" forms are also present (e.g., o,p'-DDT, o,p'-DDD, o,p'-DDE). The original formulation of DDT, as applied to crops, is referred to as "Technical DDT" and is a mixture of roughly 80 percent p,p'-DDT and 20 percent o,p'-DDT. When DDT breaks down, the relative amounts of DDD and DDE that are formed depend on environmental conditions. Over time, DDD will break down to other products (e.g., DDMU and DDMS) and eventually disappear from the environment. DDE is much more stable and remains in the environment for a long time.

#### SUMMARY

DDT has been found in moderate to high concentrations in the Salinas River and lower Moss Landing watershed for many years. In 1984, staff from the State Water Resources Control Board (State Board) devised some simple criteria designed to indicate how closely the Total DDT resembled Technical DDT as compared to its breakdown products, DDD and DDE.

Upon analysis, staff found that fish from the Salinas area were among those that had unusually high fractions of Technical or "fresh" DDT. In particular, both fish and sediment samples from the Salinas River clearly indicated that one source of this material was the Blanco Drain which empties into the Salinas River. At the time, we considered any measurement greater than 10 percent Technical DDT (DDT only) as compared to Total DDT (DDT + DDD + DDE) as high and worthy of further investigation. Approximately 25 percent of the Total DDT found in sediments and fish from the mouth of the Blanco Drain was Technical DDT. This value was about as high as had been found in the Toxic Substances Monitoring Program.

These results provided the impetus for a special study in the Blanco Drain to determine the probable source of the DDT found at the mouth of the Drain. That study, coordinated by the State Board, involved the cooperation and resources of several local and state agencies including the Monterey County Agricultural Commissioner, the County of Monterey, the Central Coast Regional Water Quality Control Board, the California Department of Fish and Game (DFG), the California Department of Food and Agriculture (DFA), and the Moss Landing Marine Laboratory.

The study was conducted in two phases. Phase 1 was intended to characterize the Blanco Drain. Fifteen sediment samples were collected by staff and five composite soil samples were collected by Dr. Robert Risebrough in cooperation with State Board staff. The results were striking. Both the soils and sediments of Blanco Drain contained up to 5 parts per million (ppm) Total DDT and up to 70 percent Technical DDT. The percent Technical DDT was the highest ever measured in the TSM program. In addition, the sediment data indicated that the highest values were confined to a few stations, possible "hot spots" along the Drain.

6

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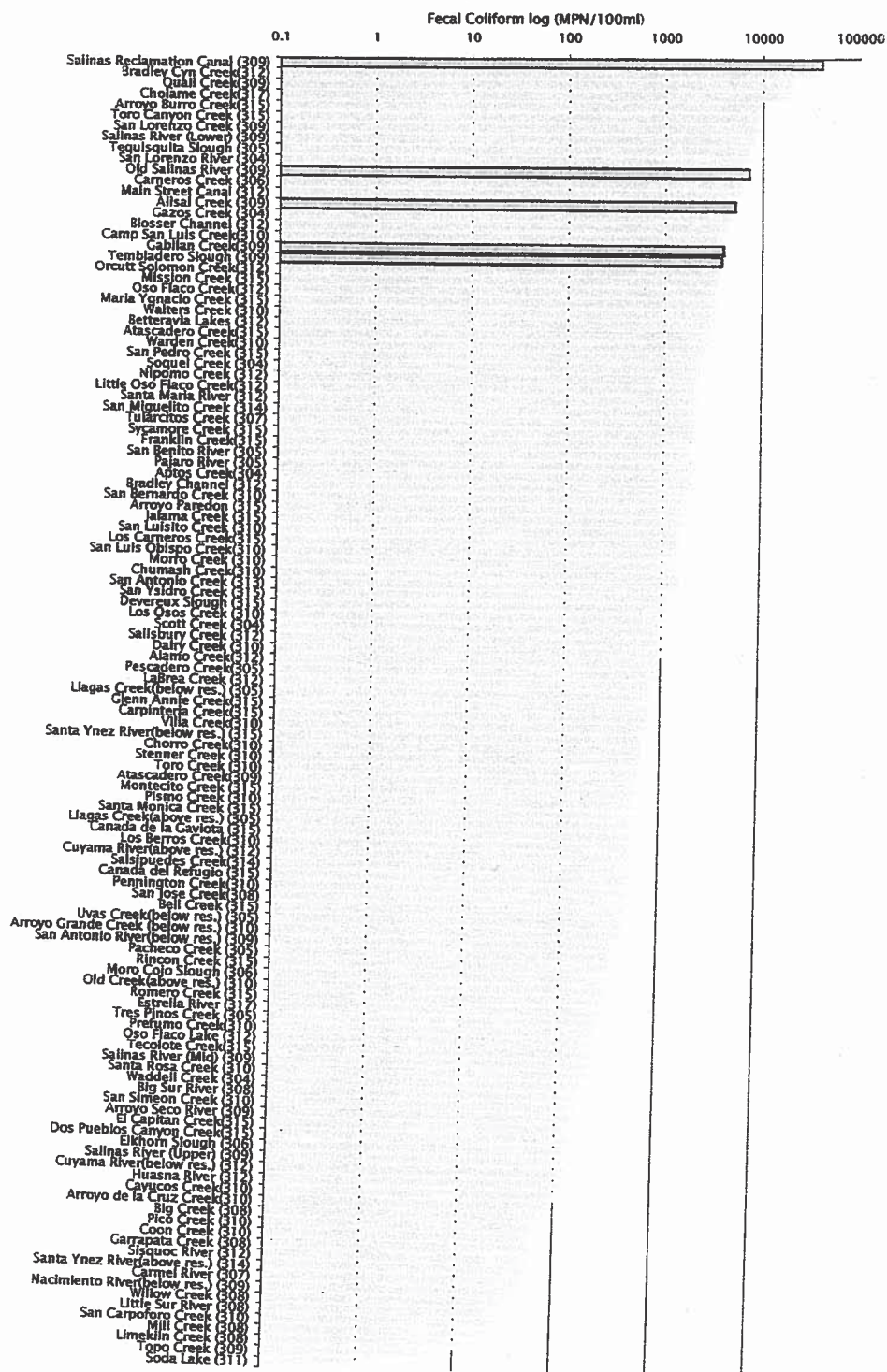


Figure 6.5 Mean fecal coliform at all CCAMP measured waterbodies throughout the Central Coast Region 3. Waterbodies in the Reclamation Ditch Watershed are shown in dark red (Units: log scale MPN/100 ml).

### Legacy pesticides

Legacy pesticides are those that are no longer used, but are persistent in the environment. Many are organochlorine insecticide compounds that were banned primarily in the 1970s. The best known is DDT and its byproducts, DDE and DDT, used in the Reclamation Ditch Watershed apparently for mosquito abatement, agricultural, and urban uses. These compounds are still found in the waters and sediments of the Reclamation Ditch Watershed.

The Salinas River Lagoon Management and Enhancement Plan (JGA et al., 1997) cites a number of studies from the 1980s suggesting that soils in the northern Salinas Valley contain a reservoir of DDT that will continue to release DDT into aquatic environments 'well into the 21<sup>st</sup> Century'. During relatively quiescent conditions in 1999, CCAMP measured p,p'-DDE in sediments at above 35 µg/kg at OLS-POT and GAB-BOR and above 5 µg/kg at REC-AIR, REC-BOR, and TEM-PRE (Worcester et al., 2000) (see Table 6. for explanation of site codes). Four years later during a storm in March 2003, Kozlowski et al., (2004b) measured p,p'-DDE in sediments at 65 µg/kg at REC-JON, 61 µg/kg at OLS-POT, and 27 µg/kg at TEM-RAI. These concentrations fail to meet objectives pertaining to biological toxicity. Long et al., (1995) define the biological effects range median (ERM) for p,p'-DDE as 27 µg/kg. Kozlowski et al., (2004b) also detected DDT byproducts and Dieldrin in the water column – calculating an export to Moss Landing Harbor and the Monterey Bay National Marine Sanctuary of about 3 grams of DDT byproducts per hour during the storm that was sampled.

The above data are not easily comparable over time because Worcester et al., sampled during a quiescent period, and Kozlowski et al., sampled during a storm – when legacy pesticides are expected to reach elevated levels due to the mobilization of the sediments to which these compounds typically bind. There is however, some evidence for a gradual decline in DDT byproducts levels in the neighboring Blanco Watershed. Here, Mischke et al., (2003) reviewed total DDT levels in 1984 to average 2100 µg/kg, whereas Kozlowski et al., measured levels of 256 and 305 µg/kg respectively at two sites in the watershed.

### 303d list of Impaired Waterbodies

Several water bodies of the Reclamation Ditch Watershed and others downstream have been listed as having water quality that does not meet set water quality standards

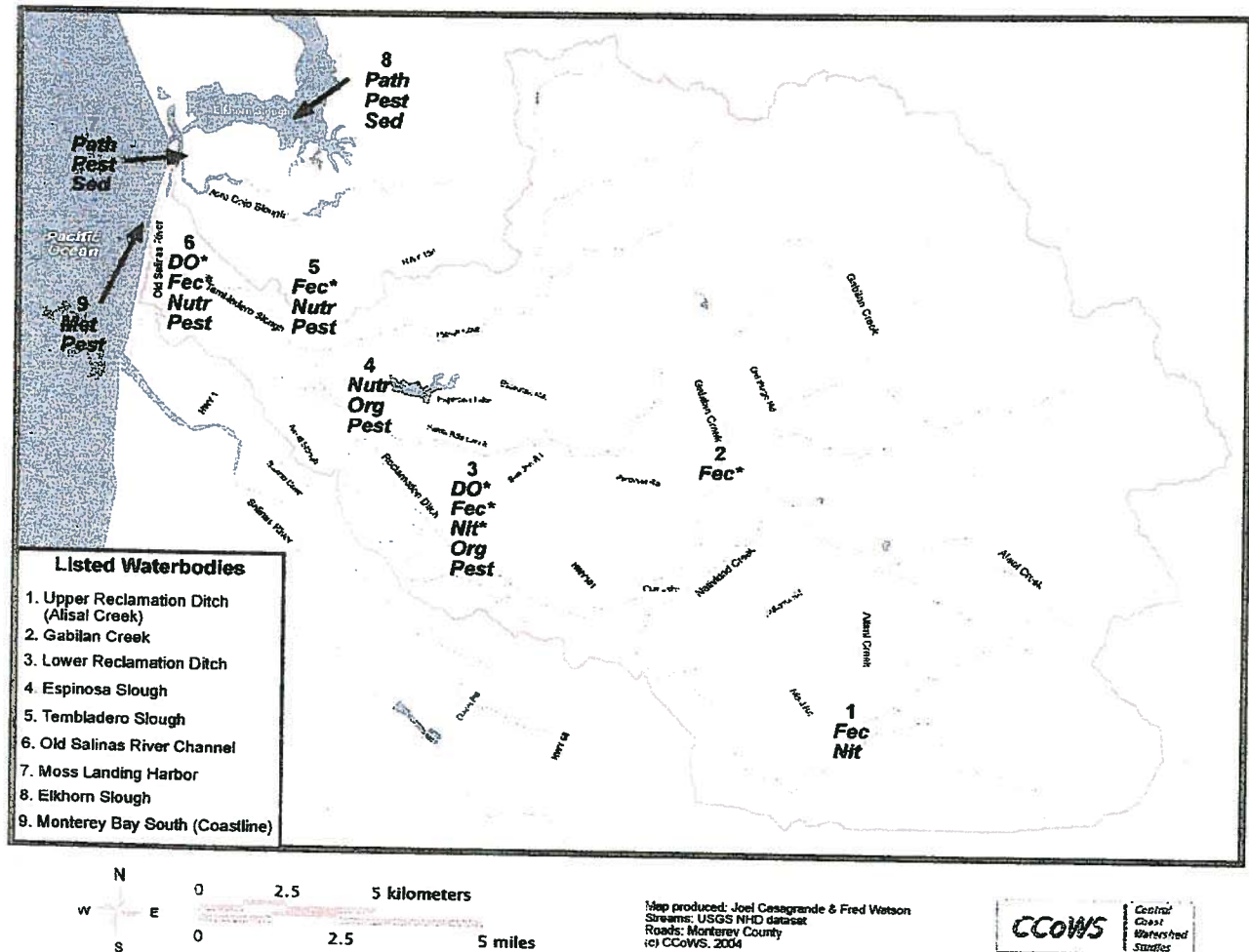


Figure 6.6 Section 303(d) listings for various water bodies within and adjacent to the Reclamation Ditch Watershed.

DO = Low dissolved oxygen  
Fec = Fecal Coliform  
Nit = Nitrate  
Nutr = Nutrients  
Org = Priority Organics  
Pest = Pesticides  
Sed = Sedimentation/Siltation  
Met = Metals

\* Listings added in 2002 (approved by EPA, 2003). All others were included in the 1998 listing.

9



The TMDL progress report ([http://www.swrcb.ca.gov/centralcoast/water\\_issues/programs/tmdl/docs/salinas/nutrients/sal\\_nut\\_dataanalyrpt\\_061410.pdf](http://www.swrcb.ca.gov/centralcoast/water_issues/programs/tmdl/docs/salinas/nutrients/sal_nut_dataanalyrpt_061410.pdf)) did not address 'critical' environmental factors associated with nutrient loading in the Lower Salinas River Watershed, in which a slight increase in nutrients could lead to exceedance of water quality objectives. However, the progress report does specify some indicators that can impair the beneficial uses of the regional water bodies.

Data analysis for the June 2010 California Regional Water Board Progress Report included:

- A delineation of watershed boundaries
- A list of subwatersheds
- Stream classification, which revealed in general low gradient streams on the valley floor were perennial, and many headwater streams tended to be ephemeral.
- An assessment of groundwater as baseflow. For the TMDL project area baseflow index values for groundwater ranged from 38 to 26 percent.
- An assessment of mean groundwater nitrate concentrations for the project area. Values reported ranged from 0.1-10.0 mg/l to 100.1-200.0 mg/l of nitrate.
- An assessment of mean annual precipitation for the project area. For the project area values ranged between 11.1 inches to 33.5 inches on average annually.
- An analysis of land use and land cover. In the project area, land uses include approximately 34% farmland, 31% grazing land, 8% urban, and 26% undeveloped/forested/restricted.

## 2012 TMDL Report

The 2012 CCRWQCB project report draft of TMDL for nutrients in the Lower Salinas River Watershed (LSRW) (Monterey County, CA)<sup>[1]</sup> is titled: *Total Maximum Daily Loads for Nitrogen Compounds and Orthophosphate for the Lower Salinas River and Reclamation Canal Basin, and the Moro Cojo Slough Subwatershed, Monterey County, California AND WAS COMPLETED/FILLED DATE*. Nutrients are defined as biologically-accessible nitrogen compounds and orthophosphate loading into waterways of the LSRW.

This draft report indicates a proposed geographic scope of around 405 acres in the Lower Salinas Valley of northern Monterey County, focused on the two major drainages, the Reclamation Canal Drainage and the Lower Salinas River Drainage (pictured at right). The Moro Cojo subwatershed is identified as a subwatershed in the report.

The ultimate receiving body (drainage) of both waterways and tributaries is the Monterey Bay and the Monterey Bay National Marine Sanctuary. Pollutants addressed by the proposed 2012 TMDL draft are nitrate, un-ionized ammonia, and orthophosphate. Reductions in pollutants are expected to target 303(d)-listed impairments from low dissolved oxygen (DO) and chlorophyll-*a* within the project area. These impairments relate to the biostimulatory effects of nitrate and orthophosphate on freshwater systems.

According to the draft TMDL report (2012):

"Discharges of nitrogen compounds and orthophosphate are occurring at levels in surface waters which are impairing a wide spectrum of beneficial uses and, therefore, constitute a serious water quality problem. The municipal and domestic drinking water supply (MUN, GWR) beneficial uses and the range of aquatic habitat beneficial uses are currently impaired; potential or future beneficial uses of the agricultural irrigation water supply (AGR) for sensitive crops may be impaired. A total of 34 waterbody/pollutant combinations are impaired due to exceedances of water quality objectives. The pollutants addressed in this TMDL are nitrate, un-ionized ammonia, and orthophosphate. Orthophosphate is included as a pollutant due to biostimulatory impairments of surface waters. Reducing these pollutants is also anticipated to address several 303(d)-listed dissolved oxygen and chlorophyll *a* impairments in the TMDL project area. As a result of these conditions, beneficial uses are not being protected." and

"By developing TMDLs for the aforementioned pollutants, the water quality standards violations being addressed in this TMDL include:

- Violations of drinking water standard for nitrate
- Violations of the Basin Plan general toxicity objective for inland surface waters and estuaries (violations of un-ionized ammonia objective)
- Violations of the Basin Plan narrative general objective for biostimulatory substances in inland surface waters and estuaries (as expressed by excessive nutrients, chlorophyll *a*, algal biomass, and low dissolved oxygen)"

According to the CCRWQCB draft TMDL nutrient report (2012):

"There does not appear to be a significant geologic reservoir in the project area that could contribute to elevated nitrogen loads to surface waters."

Eutrophication of waterways may occur when excess nutrients are present and environmental conditions promote algal growth. Biologically-accessible nitrogen and phosphorus are *limiting nutrients* in many ecosystems (CITE). In general, sources of nutrients in watersheds include: urban runoff, fertilizers, groundwater, livestock, wastewater treatment plants, and septic systems. Specifically for the Lower Salinas River Watershed (Anderson et al. 2003)<sup>[3]</sup> identified irrigated agriculture as the dominant source of nutrients in watersheds in the region.

According to the SWRCB-contracted UC Davis report<sup>[4]</sup> (Harter and Lund 2012) on nitrate in California's Drinking Water for the State Water Resources Control Board (SWRCB), nitrates are reducing quality of drinking water from shallow wells. The report concludes that: "Most nitrate in drinking water wells today was applied to the surface decades ago."

The report is part of a contracted study for the SWRCB as part of the Senate-mandated *Groundwater Nitrate Project* as part of biannual reporting on initial studies into nitrate effects on drinking water in the Tulare Basin and Salinas Valley. The report also cites agriculture as the estimated source of 96% of nitrate loading to groundwater--200 Gg/yr (1 Gg = 1100 tons) within these regions, with the next largest (estimated) source (wastewater treatment and food processing wastes) loading 3.2 Gg nitrate/yr to groundwater.

[http://ecoviz.csumb.edu/wiki/index.php/Total\\_Maximum\\_Daily\\_Load\\_for\\_Nutrients\\_in\\_L...](http://ecoviz.csumb.edu/wiki/index.php/Total_Maximum_Daily_Load_for_Nutrients_in_L...) 2/18/2013

## Letter U: Water Ratepayers Association of the Monterey Peninsula

**U-1** As discussed in Chapter 3 of the Draft EIR and Appendix D “Pure Water Monterey Groundwater Replenishment Project Water Quality Statutory and Regulatory Compliance Technical Report,” planning for the Proposed Project included the following:

- Characterizations of the quality of the new source waters to be diverted to the Regional Treatment Plant and Advanced Water Treatment Facility. The list included general water quality parameters (such as total nitrogen and total organic carbon), pathogens and indicator bacteria, constituents with California drinking water standards (inorganic chemicals, metals, organic chemicals, disinfection by-products, radionuclides), constituents with California action levels for lead and copper, constituents with California Notification Levels and archived Advisory Levels, United States Environmental Protection Agency (EPA) Priority Pollutants, chemical constituents included in the EPA Unregulated Contaminant Monitoring Rule Lists 1, 2 and 3, pesticides of local interest based on the agricultural activity/usage in the area, and constituents of emerging concern (pharmaceuticals, ingredients in personal care products, etc.). The list specifically included DDT, DDE, arsenic, and boron.
- A pilot study of some of the source waters and treatment technologies intended to be part of the new Advanced Water Treatment Facility.

As described in the Draft EIR in Section 2.8, the proposed full-scale Advanced Water Treatment Facility would consist of pre-treatment (using ozone, and potentially biologically activated filtration); membrane filtration; reverse osmosis; advanced oxidation using ultraviolet light and hydrogen peroxide; and post-treatment stabilization. The State Water Resources Control Board - Division of Drinking Water (DDW), Regional Water Quality Control Board (RWQCB), and a National Water Research Institute expert panel provided oversight for the above technical studies, including water quality characterization, and project planning. The DDW has conditionally approved the Project's design (see Draft EIR Appendix D). As described in the Draft EIR in Chapter 3 and in Appendix D, the proposed treatment for the purified recycled water for injection into the groundwater basin would remove pathogen and bacterial indicators present in the wastewater and new source waters to levels below detection. The Advanced Water Treatment Facility alone would achieve pathogen reduction credits of 13.5 for virus, 11.5 for *Giardia*, and 11.5 for *Cryptosporidium*, which are greater than the credits required by the Final Groundwater Replenishment Regulations. The treatment to be provided by the Proposed Project would effectively remove any chemical constituents present in the wastewater and new source waters to levels below detection and/or safe levels prior to groundwater injection. Based on the source water sampling, piloting testing results, information on the predicted performance and water quality of the proposed full-scale Advanced Water Treatment Facility based on performance and water quality monitoring of other existing groundwater replenishment projects, and pertinent research, the purified recycled water that would be produced by the Regional Treatment Plant and full-scale Advanced Water Treatment Facility would meet DDW and RWQCB health and water quality regulations for groundwater replenishment. See Chapter 3, Section 4.10, and Appendix D of the Draft EIR for more information.

**U-2** As stated on page 6-10 of the Draft EIR, the Monterey Bay Regional Water Project, proposed by DeepWater Desal, LLC, and the Peoples' Moss Landing Water Desalination Project are not considered to be alternatives to the Proposed Project. They would not achieve the objective of providing replacement water for the Monterey District service area customers within the approximate timeframe specified in the Proposed Project's objectives, because they could not be developed for several years. In addition, neither of the proposed desalination projects would be alternatives that would avoid or reduce the environmental effects of construction of the

Proposed Project because they would require a greater extent of new infrastructure (in particular, pipelines) to be built compared to the Proposed Project. Seawater desalination projects also require substantially more electricity per unit of water produced (due to the high pressures required to desalinate ocean water) and therefore, the resultant greenhouse gas emissions would be higher than under the Proposed Project. The Draft EIR text on page 6-10 has been amended to include this clarification regarding the potentially greater environmental impacts of the two projects. See **Chapter 5, Changes to the Draft EIR**.

The comment suggests that the timing of the two desalination projects has changed and that the desalination projects must be considered as alternatives to the Proposed Project in the Draft EIR.

According to a report prepared for the MPRWA by SPI, Inc. in Jan 2013, the timeline from the commencement of the Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) process for the Monterey Bay Regional Water Project (DeepWater Desal Project) to completion of construction was estimated to be just over four years (see page 6-9 of the report) (<http://www.mprwa.org/wp-content/uploads/2013/01/MPRWA-Report.Update.Jan-2013.pdf>).

The Notice of Preparation (NOP)/Notice of Intent (NOI) to Prepare an EIR/EIS for the DeepWater Desal Project was published June 1, 2015 and can be viewed at the following websites:

- [http://www.soquelcreekwater.org/sites/default/files/documents/Reports/DWD\\_NOP-NOI%20June\\_2015\\_Final-1.pdf](http://www.soquelcreekwater.org/sites/default/files/documents/Reports/DWD_NOP-NOI%20June_2015_Final-1.pdf), and
- <https://www.federalregister.gov/articles/2015/06/01/2015-12877/proposed-monterey-bay-regional-water-project-desalination-facility-intent-to-prepare-a-draft>).

Assuming publication of the NOP/NOI commences the “Complete EIR/EIS” task in the schedule in the SPI report, the construction of the Deep Water Desal Project may be complete by the middle of 2019. Based on this information, the Deep Water Desal Project would not meet the timeframe objective of the Proposed Project.

According to a report prepared for the MPRWA by SPI, Inc. in Jan 2013, the timeline from the commencement of the Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) process for the People’s Moss Landing Water Desalination Project (People’s Project) to completion of construction was also estimated to be just over four years (see page 6-11 of the report) as shown the (<http://www.mprwa.org/wp-content/uploads/2013/01/MPRWA-Report.Update.Jan-2013.pdf>). A NOP to Prepare an EIR for the People’s Project was published in late June 2015 and can be viewed at the following website: [http://www.mosslandingharbor.dst.ca.us/downloads/NOP\\_Peoples%20Desal%20-%20Final%20for%20Publication%20-%202015JUN25%20%282%29.pdf](http://www.mosslandingharbor.dst.ca.us/downloads/NOP_Peoples%20Desal%20-%20Final%20for%20Publication%20-%202015JUN25%20%282%29.pdf)).

Assuming publication of the NOP commences the “Complete EIR/EIS” task in the schedule in the SPI report, the construction may be complete by the middle of 2019. Based on this information, the People’s Project would not meet the timeframe objective of the Proposed Project.

Also, neither desalination project would meet the following secondary project objectives:

- Provide additional water to the Regional Treatment Plant that could be used for crop irrigation through the Salinas Valley Reclamation Plant and Castroville Seawater Intrusion Project system; and
- Assist in preventing seawater intrusion in the Seaside Groundwater Basin.

In accordance with Section 15126.6 of the CEQA Guidelines, “the range of potential alternatives to the Proposed Project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. The EIR should briefly describe the rationale for selecting the alternatives to be discussed. ....Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are:(i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.” Neither the Monterey Bay Regional Water Project (DeepWater Desal, LLC) nor the People’s Moss Landing Water Desalination Project would be feasibly implemented by the MRWPCA, and neither are considered alternatives that would avoid or reduce the significant effects of the Proposed Project based on information provided. See Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.

- U-3** The comment states the Final EIR must consider an alternative to the Proposed Project that could provide all the needed water supplies for the Cal Am Monterey District service area. A larger AWT Facility is not needed to accomplish the project objectives. Further, a larger AWT Facility would not reduce the significant effects of the Proposed Project. See also response to comment U-6, and Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.
- U-4** The comments suggest the EIR consider the use of slant or slope wells in the Carmel Bay as an alternative water supply and to preclude the need for the north-to-south pipes in the alternatives of CalAm’s desalination project and address source-water rights for the Cal Am desalination project and the Proposed Project. Although it does not say this explicitly in the comment, it is assumed that the comment intends the slant wells be built to collect seawater or brackish groundwater for a desalination plant. The scope and range of alternatives described and evaluated in the Draft EIR are considered reasonable. Designs and locational information about any potential slant well near Carmel Bay (in addition to the required desalination plant, brine disposal, pipelines and pumps) have not been presented; however, it is a reasonable assumption that such a project would have additional or more severe environmental impacts. In addition, it is also reasonable to assume that the amount of analysis, planning, and permitting needed to implement a new potential slant well and the required associated collection, distribution, and treatment infrastructure would preclude that component from meeting the basic project objective of timing. For the reasons stated above, this seawater desalination alternative (i.e., one with slant wells collecting water from Carmel Bay) is not analyzed further in this EIR. See Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.
- U-5** This comment concerns the timing of the water right agreements. The agencies anticipate that the source waters will be addressed through a Definitive Agreement, which likely will be finalized after the certification of the EIR. To the extent that rights need to be obtained from the State Board, such applications will be pursued after the certification of the EIR. The State Board would act as a responsible agency and would be able to rely on this EIR for its approvals. Publication of this EIR is not premature; rather an EIR is needed for the State Board to act on the pending water rights applications.
- U-6** The comment states the earlier versions of the Proposed Project assumed source waters only from urban wastewater sources. The comment asserts that if wastewater is the only viable water supply source, the Final EIR must consider an alternative to the Proposed Project that could provide all the product water projected by the combined CalAm and Pure Water Monterey projects year-round. See Master Response #3: Availability, Reliability, and Yield of Source Water Supplies. The technical reports and documentation in this EIR identify source water supplies and rationale for their inclusion. The EIR project objectives identify supplying 3,500 acre-feet of water to the Cal-Am system. Source water documentation and requirements for agreements provide evidence that the sources of availability will not have to rely solely on the urban wastewater supplies during the winter months as documented in the Draft EIR and in



Master Response #3: Availability, Reliability, and Yield of Source Water Supplies. A larger AWT Facility with a capacity to produce 3,500 AF all during the four winter months (i.e., to shut down for 8 months every year) was not analyzed in this EIR because it would have greater environmental impacts (including, but not limited to, larger plant footprint and process equipment sizes, larger construction disturbance areas, larger product water conveyance pumping and pipeline capacities, additional electricity use and greenhouse gas emissions). In addition, the scenario of using the AWT Facility only during the winter months was determined to be infeasible by the MRWPCA during early project planning due to engineering and technical considerations of operations of an advanced water treatment plant. See Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.

- U-7** The GWR project in Orange County (Groundwater Replenishment System or GWRS) uses both surface spreading ponds and injection wells for groundwater replenishment. The recycled water contribution for the GWRS is 100%, meaning no diluent water is required for either the surface or subsurface application components of the project. As discussed in Appendix D of the Draft EIR (the Water Quality Statutory and Regulatory Compliance Technical Report), the Final Groundwater Replenishment Regulations allow for RWCs of 100% for injection projects that use full advanced treatment (e.g., a treatment system with reverse osmosis and advanced oxidation) that meets specific performance criteria. The Project will utilize a full advanced treatment process as part of the AWT Facility that will meet the full advanced treatment criteria, and thus will be allowed to use up to 100% purified recycled water for injection in accordance with the regulations. The DDW has conditionally approved the Project's design.
- U-8** See the responses to comments U-1 and Y-1.
- U-9** This comment lists attachments to the letter that are provided herein; no response necessary.
- U-10** See the responses to comments U-1 and Y-1.
- U-11** See the response to comment U-1.
- U-12** See the response to comment U-1.
- U-13** See the response to comment U-1.
- U-14** See the responses to comments U-1 and Y-1.
- U-15** See the response to comment U-1.
- U-16** See the responses to comments C-1 through C-6.
- U-17** The Seaside Basin Watermaster has been actively involved in development of the Proposed Project and has reviewed the Draft EIR and provided comments. See letter N and responses to that letter. The siting and operational methods of the Proposed Project Injection Well Facilities were developed using the groundwater model developed by the Watermaster (i.e., the creator of the model, HydroMetrics WRI conducted the modeling).
- U-18** The comment states an opinion of the Proposed Project and is referred to decision makers for their consideration. See the responses to comments U-1 and U-7.



June 5, 2015

Monterey Regional Water Pollution Control Agency  
Mr. Bob Holden  
Principal Engineer  
*VIA EMAIL [gwr@mrwpca.com](mailto:gwr@mrwpca.com)*

**Re: Comments on Draft Environmental Impact Report ("DEIR") for the Pure Water Monterey Groundwater Replenishment Project**

Dear Mr. Holden,

The Surfrider Foundation Monterey Chapter appreciates this opportunity to provide public comments on the Pure Water Monterey Groundwater Replenishment Project (the "Project") DEIR. Surfrider Foundation is a non-profit 501(c)(3) organization that is dedicated to the protection and enjoyment of oceans, waves and beaches through a powerful activist network. Towards this mission, and specifically in support of protecting water quality and marine ecosystems, the Surfrider Foundation Monterey Chapter has been very engaged in the effort to identify water supply and demand-offsetting solutions for peninsula cities, which would replace the deficit of water that was formerly supplied by the Carmel River and Seaside Groundwater Basin.

V-1

The Surfrider Foundation Monterey Chapter ("Surfrider Foundation") hereby submits the following comments on the DEIR.

Surfrider Foundation supports the beneficial objectives the Project seeks to advance, such as maximizing use of recycled water, reducing urban stormwater and agricultural pollutant loading to the nearshore, and reducing the volume of discharges to Monterey Bay. Surfrider Foundation also supports the Project in that it will offset the need for a larger desalination plant in the related Monterey Peninsula Water Supply Project.

While Surfrider Foundation generally supports the Project in that it will help to provide water resources to the area, and help to put wastewater, stormwater, and agricultural wash water to beneficial uses, Surfrider Foundation wants to ensure that the Project is carried out in a way that avoids significant impacts to the important natural resources in the area, including our waterways and the ocean. Further, Surfrider Foundation emphasizes the importance of continued water conservation in the area, which can help to avoid the negative impacts associated with supplying water in the region.

V-2

## **1. Alternatives**

### **a) Stormwater Runoff Should be Utilized**

Surfrider Foundation believes that further consideration and a more thorough evaluation of the potential for capture and reuse of urban stormwater runoff is necessary. The DEIR seems to summarily eliminate the potential for use of these alternative sources, citing to a vague lack of sufficient capacity to handle the flows. (DEIR, § 6.2.2.1, 6-18.) Surfrider Foundation would prefer to see these resources be put to beneficial use rather than allow their discharge to the ocean and consequential non-use and waste, which is prohibited by California Constitution Article X, § 2, and California Water Code § 100. This use would help achieve project objectives and avoid significant impacts, and additionally help achieve objectives of MS4 dischargers. The DEIR fails to show how capture and reuse of these runoff sources is infeasible. Thus, this alternative deserves further consideration.

V-3

### **b) Surfrider Foundation Supports RUWAP Alignment Product Water Conveyance**

Surfrider Foundation also favors the RUWAP Product Water Conveyance alignment, as opposed to the Coastal Alignment option. The RUWAP alignment is located inland and would therefore avoid unnecessary and harmful impacts to coastal resources, including impacts to the riparian, wetland, and coastal dune resources, which could occur from the currently proposed Monterey Pipeline distribution system. It is unlikely the mitigation measures for the proposed Monterey Pipeline are sufficient to mitigate foreseeable significant impacts, particularly Mitigation Measure GS-5, in light of the likelihood of sea level rise in the area where the Monterey Pipeline has been proposed. Any feasible means to avoid impacts to the significant coastal resources in the area must be fully considered and taken.

V-4

## **2. Mitigation Measures**

As noted above, Surfrider Foundation has concerns related to the potential impacts to species and habitat in the Tembladero Slough, should the diversion there proceed. Surfrider Foundation also has major concerns relating to the proposed brine discharges, which are associated with this Project and the related Cal Am Monterey Peninsula Water Supply Project's ("MPWSP") desalination component. All feasible mitigation measures should be implemented with respect to the Project to prevent harms to our water bodies and natural resources in the area. Surfrider Foundation also requests that this EIR consider additional mitigation measures which would avoid using water itself as a mitigation measure.

V-5

### **a) Brine Discharges Must be Least Harmful and the Cumulative Impacts Must Be Considered**

Mitigation Measure HS-C for brine discharge should be employed in full; that is, Surfrider Foundation believes all measures identified, including pretreatment of brine with granular activated carbon, should be implemented to ensure that our ocean's water quality is

V-6

protected to the maximum extent possible. Furthermore, the EIR must consider any additional mitigation measures with respect to brine discharge, to ensure it is discharged in the least harmful way possible.

V-6

The Project, and all associated brine discharges, must comply with the California Ocean Plan.

Moreover, the California Environmental Quality Act (“CEQA”) requires an EIR to fully disclose and analyze a project’s cumulative impacts. CEQA defines “cumulative impacts” as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” CEQA Guidelines § 15355(a). “[I]ndividual effects may be changes resulting from a single project or a number of separate projects.” *Id.* “Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.” CEQA Guidelines § 15355(b). The cumulative impacts concept recognizes that “[t]he full environmental impact of a proposed . . . action cannot be gauged in a vacuum.” *Whitman v. Bd. of Supervisors* (1979) 88 Cal. App. 3d 397, 408.

V-7

In addition to the reverse osmosis concentrate generated by the Project and brine from the MPWSP, the EIR identifies other potential sources of brine that will be processed by the Monterey Regional Water Pollution Control Agency (“PCA”) and disposed of through the existing ocean outfall. These include trucked-in brine waste (DEIR at 4.11-76) and brine generated by new desalination facilities approved by the Marina Coast Water District. (DEIR at 4.11-96, 4.18-38.) Yet the EIR never analyzes how adding brine from new desalination sources to the outfall’s discharge, or how other potential brine discharges in the area (including Marina Coast Water District brine discharges near Reservation Road and Marina State Beach), could cumulatively contribute to the Project’s marine water quality impacts. At the very least, the EIR must account for all potential sources of brine and reverse osmosis concentrate discharged by the PCA and determine whether these sources, in combination, create new significant impacts or increase the severity of identified significant impacts to marine water quality. After full consideration of all potential brine and concentrate sources, the EIR should also determine whether additional mitigation measures are necessary to reduce the cumulative impacts from such discharges to less-than-significant levels.

#### **b) Species in Reclamation Ditch and Tembladero Slough Must be Protected**

If source water from the Reclamation Ditch and Tembladero Slough will be used for this project, the EIR should incorporate specific mitigation measures to ensure that special status species are not harmed by the diversion intake. Surfrider Foundation is concerned that there is no explicit information provided about the diversion intake from either of these water bodies, and that the DEIR concludes that there will be less than significant impacts from such operation. Entrainment and impingement of species in the Reclamation Ditch and Tembladero Slough are very real potential consequences from such a diversion intake structure. While the DEIR provides that the Reclamation Ditch and Tembladero Slough intake structures would be screened, it does not provide the dimensions of the

V-8



screen, or the through-screen velocity at the intake structure, which are critical components for determining if, in fact, and to what degree species could be entrained or impinged by the intake. This information must be provided to ensure that impacts are adequately mitigated.

V-8  
Con't

### c) Water Should Not be Wasted for Mitigation

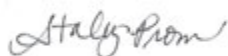
Surfrider Foundation requests that additional mitigation measures be included, or mitigation measures revised such that water itself is not used in mitigation, or is done so at the minimum extent. For example, Mitigation Measure AQ-1, which addresses construction dust control, would require watering all active construction areas “at least twice daily,” “preferably from non-potable sources.” Surfrider Foundation believes this may be excessive, particularly when there is rain, or when it is not windy or otherwise may be unnecessary. Further, the EIR should include other alternative dust control measures during construction that do not require use of water, or which minimize quantity of water applied. This could include physical wind-breaking barriers such as solid board fences, burlap fences, hay bales, and similar materials. Barriers placed at right angles to prevailing wind currents at intervals of about 15 times the barrier height are effective in controlling wind erosion.<sup>1</sup> Finally, while Mitigation Measure AQ-1 provides that dust control *preferably* should come from non-potable sources, Surfrider Foundation argues that if water is used, it *must* come from non-potable sources.

V-9

### 3. Conclusion

On behalf of the Surfrider Foundation Monterey Chapter, thank you for the opportunity to submit these comments on the DEIR for the Pure Water Monterey Groundwater Replenishment Project. We hope you will seriously consider our requests to proceed with the most environmentally and coastal resource protective Project locations and components, address the mitigation measures related to the Reclamation Ditch and Tembladero Slough diversion, and limit the use of water for mitigation. This Project must be carried out such that our waterways, ocean, and coastal resources are protected to the maximum extent possible for generations to come, and CEQA demands that all feasible alternatives, cumulative impacts, and mitigation measures be considered.

V-10



Staley Prom, Esq.  
Legal Associate  
Surfrider Foundation

<sup>1</sup> See [http://water.epa.gov/scitech/wastetech/upload/2002\\_06\\_28\\_mtb\\_dustctr.pdf](http://water.epa.gov/scitech/wastetech/upload/2002_06_28_mtb_dustctr.pdf)

## Letter V: Surfrider Foundation

- V-1** The opinion of the Proposed Project stated in the comment is referred to decision makers for their consideration.
- V-2** No response is necessary; the comment expresses general opinion on environmental analysis and on policy considerations (importance of continued water conservation).
- V-3** The comment asks why capture and reuse of additional urban runoff is infeasible. The Proposed Project would use the existing sanitary sewer collection system to convey flows from the newly developed water sources to the MRWPCA Regional Treatment Plant. The stormwater yield analysis therefore had to consider how much conveyance capacity exists within the existing system under peak wet weather flow conditions. In older sewer systems, it is not uncommon to have stormwater infiltrate into the sanitary sewer pipes during and following rainfall events. It is imperative that the addition of captured stormwater to the sanitary sewer system not result in system back-ups and overflows, which would violate SWRCB Order No. WQ 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (with amendment Order WQ 2014-0058). While it is true that many of the MS4 discharges have water quality concerns, the risk of discharging untreated sewage is a significantly greater concern. Therefore, the analysis focused on locations where the stormwater system crossed or was close to the MRWPCA wastewater interceptor system, which is relatively new gasketed pipe and actively monitored.

The Proposed Project could still accept first-flush flows, which occur at the beginning of rain events and carry the majority of the surface pollutants, so long as they are diverted in advance of the peak wet weather flows in the sanitary sewer system. However, the frequency and volume of these small stormwater pulses would not result in significant yields that would assist the project in meeting its objectives. Designing and constructing additional diversion facilities for the Proposed Project was not considered to be feasible and would not meet project objectives based on the cost and schedule implications of the design, permitting, and construction compared to the other water supply sources considered.

Finally, the provisions of the California State Constitution and Water Code quoted in this comment do not mandate the capture of stormwater, as implied. The prohibitions of waste or unreasonable use apply to water that has been diverted, and are more typically understood to mean that if the stormwater cannot be diverted to a beneficial use, it shall be left in the natural watercourse. See also Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.

- V-4** The comment expresses a preference for the RUWAP Alignment Option for the Product Water Conveyance Pipeline, instead of the Coastal Alignment and the desire for an alternative to the Monterey Pipeline portion of the CalAm Distribution System. The opinions about alternatives to the Proposed Project stated in the comment are referred to decision makers for their consideration. The Draft EIR describes and evaluates an alternative to the Monterey Pipeline on pages 6-36 through 6-52 and finds that the alternative Monterey Pipeline would be environmentally superior to the proposed Monterey Pipeline partially due to the lack of impacts to coastal resources. The significant impact related to exposure to coastal erosion and sea level rise (Impact GS-5) would be eliminated with the alternative Monterey Pipeline (see last line on page 6-42 of the Draft EIR) and no mitigation measures would be required. See also Master Response #12: Adequacy of Range and Scope of Alternatives in **Chapter 3, Master Responses to Comments**.

- V-5** Regarding impacts related to the species and habitat in Tembladero Slough due to the proposed diversions at that site, see the responses to comments F-9 through F-9e, G-2, G-3, V-8 and V-9, below, and Master Response #4: Reduction of Surface Water Flows and Master Response #5 Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**. Specifically, these parts of the Final EIR summarize the Draft EIR's analysis of fisheries and other special status aquatic wildlife and how the Proposed Project would be required to mitigate the potential impacts on those species. In response to the concern for use of water within mitigation measures, Mitigation Measure AQ-1 (on pages S-7 and 4.3-25 of the Draft EIR) has been revised as requested, including adding language to minimize water use and to require that contractors use non-potable water. See **Table S-1 Revised** and changes to page 4.3-25 in **Chapter 5, Changes to the Draft EIR**.
- V-6** As described in the Draft EIR in section 4.11.4.5 (page 4.11-101), the strategies described in Mitigation Measures HS-C would ensure that discharges of the waste stream from the proposed Advanced Water Treatment Facility (called "reverse osmosis, or RO, concentrate") in combination with discharges of other wastes from cumulative projects through the Regional Treatment Plant outfall would meet the California Ocean Plan objectives that were established to protect human health and marine resources. Appendix V (which is summarized in Section 4.11.4.5 of the Draft EIR) provides the detailed analysis of the impacts and mitigation measures for a range of flow and water quality scenarios that aimed to characterize the worst-case conditions of outfall discharges to compare to the Ocean Plan objectives and thus to determine the significance of impacts. Specifically, Trussell Technologies analyzed combined and separate discharges of (1) future excess municipal wastewater, (2) trucked-in or hauled brine,<sup>7</sup> (3) reverse osmosis concentrate from the Proposed Project, and (4) ocean desalination brine from the proposed Monterey Peninsula Water Supply Project (MPWSP) (See Master Response #11: Proposed Project's Relationship to the Proposed MPWSP). As discussed in the Mitigation Measure HS-C, MRWPCA will not accept the desalination brine discharge unless specific design and operational measures are undertaken by the proponent of the desalination project, individually or in combination, to reduce the concentration of constituents to below the Ocean Plan water quality objectives at the edge of the zone of initial dilution (ZID). The specific permitting requirements that would be established by the RWQCB would be based on information collected and analyzed as part of the RWQCB permitting process. Prior to establishing the detailed permitting requirements, the proponent of the desalination project would conduct calculation of the allowable minimum probable initial dilution at the point of discharge and water quality and flow characterizations for submittal to MRWPCA and the RWQCB. Thus, these strategies would be implemented to the degree necessary to meet the California Ocean Plan objectives and to receive approval/permits from MRWPCA and RWQCB, thereby ensuring cumulative impacts on human health and marine resources would be reduced to a less-than-significant level.
- V-7** The evaluation of the impact of discharging the RO concentrate along with the MRWPCA treated secondary effluent and the existing hauled brine waste is discussed in Appendix U of the Draft EIR. Further, a cumulative analysis with MPWSP brine concentrate is evaluated in Appendix V of the Draft EIR. For the "trucked-in brine waste" (also referred to as "hauled brine waste" in Appendices U and V), the maximum amount of brine flow (i.e. "worst-case" flow) with the maximum constituents concentrations observed in the hauled brine waste (i.e. "worst-case" water quality) are used in the assessments. See also Master Response #11: Proposed Project's Relationship to the Proposed Monterey Peninsula Water Supply Project in **Chapter 3, Master Responses to Comments**.

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<sup>7</sup> For the "trucked-in brine waste" (also referred to as "hauled brine waste" in Appendices U and V), the maximum amount of brine flow (i.e. "worst-case" flow) with the maximum constituents concentrations observed in the hauled brine waste (i.e. "worst-case" water quality) were used in the assessments.

As for any potential desalination brine from other projects, the Draft EIR cumulative project list on page 4.1-13 assumes that disposal of the MCWD's desalination brine would not be through the outfall, but instead MCWD would inject it subsurface in the area of Marina Dunes/Reservation Road area (per the approved RUWAP Hybrid Alternative). No application or proposed project plans have been provided that would use the outfall for MCWD's desalination brine. The geographic scope for the cumulative analysis of impacts to the marine environment is the immediate vicinity of the ocean outfall because the analysis of the Proposed Project's impacts shows that the Proposed Project discharges would meet Ocean Plan objectives at the edge of the zone of initial dilution. Only those cumulative projects that would change the condition of the marine environment within the zone of initial dilution were considered to be additive to the less-than-significant impacts of the Proposed Project.

Regardless, if MCWD implements its RUWAP desalination plant or a similar project and its brine is proposed to be discharged through the MRWPCA ocean outfall, the desalination brine water quality would be comparable to the CalAm desalination brine, particularly relevant, if the proposed desalination source water were from the near-shore subsurface area, as is the only source previously considered in MCWD planning and environmental document. It then follows that the same mitigation strategies as described in Mitigation Measure HS-C would likely be applicable to other desalination plant brine discharges through the MRWPCA outfall. Future implementation of another desalination project that would utilize the MRWPCA's existing ocean outfall would require further CEQA documentation and analysis by MCWD prior to approval by either agency.

- V-8** The EIR includes mitigation measures to ensure special status species are not harmed by diversion intakes and provides a description of fish screens to be used in the Reclamation Ditch and Tembladero Slough diversions. The diversion facilities are described and illustrated in Appendix P of the Draft EIR, Reclamation Ditch Yield Study on page 21 and Figure 1 and 2. This information is also summarized in the Draft EIR text on page 2-51 and the proposed site plans are shown on Figures 2-23 and 2-24. In the analysis of impacts on fisheries (Section 4.4 of the Draft EIR), the fisheries biologists uses the proposed initial sizing criteria that set a maximum flow velocity of 1 foot per second (fps) at the inlet screen to assess entrainment and impingement. Salmonids are capable of swimming at 4.5 fps for extended periods of time, as stated in Appendix G of the Draft EIR, so 1 fps was not considered an impingement/entrainment risk. The final facility design will incorporate fish screens acceptable to California Department of Fish and Wildlife and the National Oceanic and Atmospheric Administration – National Marine Fisheries Services (see last paragraph on page 4.4-50 of the Draft EIR). The tidewater goby is not expected to occur in the stream reaches with diversion pump stations as described on page 4.4-50 of the Draft EIR, so they are not considered in the impingement analysis.

No other special status aquatic species are known or documented to occur in the waterbodies located where the Reclamation Ditch and Tembladero Slough diversions would occur as documented on Table 4.5-4 (page 4.5-18) of the Draft EIR. Additional and revised mitigation has been included in the Fisheries Section to insure special status species are not harmed (see changes to 4.4 of the Draft EIR **Chapter 5, Changes to the Draft EIR**). See also Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**. Also **Chapter 5, Changes to the Draft EIR** contains revisions to the analyses of biological resources within the subsections titled: Changes to 4.4 Biological Resources: Fisheries and Changes to 4.5 Biological Resources: Terrestrial.

- V-9** Mitigation Measure AQ-1 (on pages S-7 and 4.3-25 of the Draft EIR) has been revised as requested, including adding language to minimize water use and to require contractors to use non-potable water. See **Table S-1 Revised** and changes to page 4.3-25 in **Chapter 5, Changes to the Draft EIR**.



- V-10** See Master Response #5: Fisheries Impact Analyses, Master Response #12: Adequacy of Range and Scope of Alternatives, and Master Response #4: Reduction of Surface Water Flows in **Chapter 3, Master Responses to Comments**. Also refer to response to comment V-8, above.

"The Fort Ord Community Advisory Group is a public interest group formed to review, comment and advise on the remediation (cleanup) of the Fort Ord Army Base, Superfund Site, to ensure that human health, safety and the environment are protected to the greatest extent possible." - Mission Statement.

Fort Ord Community Advisory Group (FOCAG)  
PO Box 969  
Seaside, CA 93955  
Email: [fortordcag@yahoo.com](mailto:fortordcag@yahoo.com)

Monterey Regional Water Pollution Control Agency  
Administration Office  
ATTN: Bob Holden, Principal Engineer  
5 Harris Ct., Bldg D  
Monterey, CA 93940

Re: **Pure Water Monterey Groundwater Replenishment Project.**  
MRWPCA is the Lead Agency under the California Environmental Quality Act (CEQA).  
The State Clearinghouse number for the project is SCH#2013051094.

June 5, 2015

Dear Mr. Holden,

There follows responses to the DEIR and a resubmittal:

The Fort Ord Community Advisory Group hand delivered extensive scoping comments and questions to your MRWPCA Agency office. We have reviewed the Draft EIR and are disappointed at its weak responses to questions, concerns and suggestions made in our scoping submittal.

W-1

One of the largest, if not the largest U.S Army impact area, in the United States of America is Site 39 on former Fort Ord. Site 39 is right over the Seaside Groundwater Basin. We provided an overlay map to you.

W-2

Please identify the boundaries of Site 39 impact area and how they relate to the Seaside Aquifer.

Where did decades of military use chemicals go?

W-3

Where will these decades of use of military chemicals go when there is development above the Seaside Aquifer?

W-4

Where will decades of military chemicals migrate to?

W-5

We are resubmitting our letter to you for the DEIR. Referenced attachments are on file with your office. Please find letter attached. We look forward to substantive responses.

Fort Ord Community Advisory Group (FOCAG)  
P.O. Box 969  
Seaside, CA 93955  
Phone: 831-484-6659  
Email: focagemail@yahoo.com

The "Fort Ord Community Advisory Group is a public interest group formed to review, comment and advise on the remediation (cleanup) of the Fort Ord Army Base, Superfund Site, to ensure that human health, safety and the environment are protected to the greatest extent possible." - Mission Statement.

Monterey Regional Water Pollution Control Agency (MRWPCA)  
ATTN: Bob Holden  
5 Harris Court, Bldg D  
Monterey, CA 93940  
Via E-mail: GWR@mrwcpa.com, hard copy to follow via U.S. Mail

Re: Notice of Preparation, Scoping Comments  
Monterey Peninsula Groundwater Replenishment Project Environmental  
Impact Report

July 2, 2013

Dear Bob Holden,

The Fort Ord Community Advisory Group (FOCAG) offers the following comments on the scope of environmental issues. The scope should include existing hazards to drinking water and potential increasing hazards to the drinking water supply due to the migration and leaching of toxic chemicals from former Army training ranges. These would include proposed ground disturbing activities including a horse park. The Seaside Aquifer lies directly beneath the Army Training Ranges, known as Site #39 of former Fort Ord. This area includes the area known as Parker Flats that had, among other uses, Army tank training areas.

W-6

Fort Ord is a National Superfund Site, first put on the National Superfund Priority List because of discovered contamination of area groundwater.

W-7

There have been multiple issues with the Upper 180, the Lower 180, and the 400-foot aquifers beneath areas of former Fort Ord. Site #39, perhaps the largest munitions impact/training area in the country, sits over the Seaside Groundwater Basin. This should be of concern to MRWPCA and others for the possibility of leaching and migration of chemicals into underground aquifers.

W-7  
Con't

It is understood residual munitions chemicals from 77-years of munitions use, remain in Fort Ord training areas, including Site 39. The cleanup thus far, has concentrated on remaining unexploded munitions, but failed to identify many munitions constituents even though numerous munitions chemistry books were and are readily available. How can the extent of contamination be known unless all known munitions constituents are looked for? The cleanup has used a sampling rationale of looking for a few constituents but only reporting levels above a certain threshold. There potentially are hundreds of chemicals below threshold levels. For example, hypothetically, if there are two hundred chemicals each at 2 ppm, well below the reporting level, there potentially could be a toxic chemical brew of 200-400 ppm. Could the cumulative, low levels of chemicals potentially be a health hazard? Are the human health risks known for this level of exposure? What are the synergistic effects of munitions chemicals and pesticides on organisms? Are there studies available on the effects of low-level exposure to these chemicals?

W-8

Hundreds of munitions chemicals and pesticides at very low levels may be a potential toxic brew creating a health and safety hazard in the underground water aquifers. The cleanup has failed to make the public aware of the actual levels of munitions and pesticide contaminates throughout training areas.

W-9a

a) What might be the justification for the cleanup failing to identify all the munitions and pesticide chemicals in Tables 3,4,5, and 6? (See Attachment 2, Tables 1-7). The Army BRAC has been asked the following questions:

b) Because the Army kept abysmal records of training ranges, training areas and specific activities, what is the justification for failing to look for all munitions chemicals and pesticides in all training areas, including Site #39?

W-9b

c) What is the justification for the cleanup failing to include all the munitions and pesticide chemicals identified in Attachment 2, Tables 3,4,5, and 6?

W-9c

d) What is the extent of out-gassing from munitions and pesticide chemicals

W-9d



in former training areas?

e) What is the justification for failing to report the actual levels of munitions and pesticide chemicals in all training areas?

W-9e

On 3-24-10 (fortordcleanup.com, Document BW-2532), and 2-7-11 (fortordcleanup.com, Document BW-2557), the FOCAG raised questions regarding pesticide use at Fort Ord and in training areas. The 2-7-11 FOCAG letter specifically addresses Army's failure to thoroughly investigate pesticides in training areas. Despite Army's claim that it has thoroughly investigated pesticides in training areas, our review of the cited cleanup documents did not support the Army's claim. The only sampling we have found for pesticides in the Parker Flats and Site 39 training areas was for a total of 4 sample locations that only looked for 8 organochlorine pesticides.

W-10

It is our understanding Army BRAC remains responsible for identifying and sampling for chemicals potentially used in training areas, including Site 39. However, the chemicals being looked for in former Army training sites is woefully inadequate. The FOCAG includes, with this letter, 7 Tables of munitions chemicals and pesticides potentially found in former Fort Ord including a list of Training Areas and the chemicals actually being looked for in. (See attachment 2, Tables 1-7)

W-11

There are several hundred chemicals potentially leaching out of ordnance into the ground as well as residual chemicals from decades of weapons/ordnance training and pyrotechnics. Herbicides were used to keep vegetation down and minimize threats of wildfires from munitions training exercises. Attached are 6 Tables identifying munitions chemicals and pesticides used in training areas include Table 1, is the Fort Ord Cleanup 1994 list of potential Training Range chemicals. Table 2 is the Fort Ord Cleanup 2003 Sampling and Analysis list of potential Training Range chemicals. Tables 3, and 4 are lists of munitions constituents found in munitions chemistry books, many of which the cleanup has not included in its list(s). Tables 5, and 6 are lists of pesticides; known and suspected as being used at Fort Ord. Particularly alarming is Table 5 that identifies 23 munitions chemicals also known to be pesticides. This may explain why some training areas are virtually devoid of insects and birds. Not only has

W-12

the cleanup thus far failed to identify all munitions chemicals and pesticides; it has also failed to extensively look for all munitions chemical and pesticides in all training areas.

W-12  
Con't

The FOCAG is not aware of any Basewide training maps pre-1940. We do know the entire pre-1940 Fort Ord footprint was the Gigling Artillery Range 1917-1940. It is understood this artillery range primarily trained with 37mm, 75mm, 105mm, and 155mm projectiles. These projectiles are found throughout most of the pre-1940 footprint. One of the known impact areas for the pre-1940's 37mm and 75mm projectiles is "Artillery Hill". This area, OE-50 and OE-53 (Veterans Cemetery and Endowment Parcels), when sampled and cleared to a depth of 4' discovered significant amounts of 37mm and 75mm fragments and unexploded projectiles. According to the Archives Search Report and interviews with range control personnel, these Sites were target areas for rifle grenades and shoulder launched projectiles in the 1940's, 1950's and 1960's. Other projectiles found include 60mm, 81mm, 3 inch stokes, and 4.2 inch mortars, and Levin's projectors. The latter ground tube launched munitions range(s) was not known prior to the sampling and removal actions. The FOCAG is unaware of historical training maps showing the firing points, range fans, or target areas of any of the ranges within or firing out of Sites OE-50 and OE-53 yet these areas were obviously extensively used for munitions training.

W-13

The proposed Veteran's Cemetery site among other uses was a former 1920-30's; 37mm and 75mm artillery target range known as "Artillery Hill". The Veteran's site also includes a Chemical, Biological, Radiological, (CBR) site. Training devices and munitions discovered nearby include non-metallic landmines and Chemical Agent Identification Sets (CAIS) in glass vials. The detection equipment used to clear this site is incapable of detecting non-metallic, and deeply buried munitions. Although the munitions cleanup was to a depth of 4.0', the 37mm has a maximum detection depth of 0.9' and the 75mm has a maximum detection depth of 2.5'. There are other munitions found onsite that cannot be reliably detected within 4' of the surface.

W-14

Again, there have been multiple issues with the Upper-180, the Lower-180, and the 400-foot aquifers beneath areas of former Fort Ord. Site 39, perhaps the largest munitions impact/training area in the country, sits over the Seaside Groundwater Basin. This should be of concern to MRWPCA and

W-15

others for the possibility of leaching chemicals into underground aquifers.

Project Scoping should include:

a) What is the migration and fate of munitions and pesticide chemicals into this drinking water supply?

b) Where did all the chemicals go?

c) What Fort Ord document fully investigated the potential munitions and pesticide contamination?

d) Is there ongoing monitoring and reporting of the potential munitions and pesticide contamination of the Seaside Groundwater Basin? Where is it?

e) What might construction, development, and irrigating in the area above the Seaside Groundwater Basin do for migrating chemicals?

W-15  
Con't

W-15a

W-15b

W-15c

W-15d

W-15e

Thank you for the opportunity to comment on this NOP/Scoping for the EIR for the proposed Monterey Peninsula Groundwater Replenishment Supply.

Respectfully,

Mike Weaver  
Co-Chair, FOCAG

Attachment #1

Reference the following link:

[http://fortordcleanup.com/adminrec/ar\\_pdfs/AR-ESCA-0100/ESCA-0100.PDF](http://fortordcleanup.com/adminrec/ar_pdfs/AR-ESCA-0100/ESCA-0100.PDF)

This link is regarding Site 39. August 12, 2008, Fort Ord Community Advisory Group Position Paper  
80-pages of research, statistics, commentary, analysis, and questions.

Attachment #2

(Reference the attachment to this letter sent via email. Hard copy to follow.)

Tables 1-7 (34 pages total)

Fort Ord known and suspected Munitions and Pesticide Chemicals used in Training Areas

## Letter W: Fort Ord Community Advisory Group

**W-1** Historical activities, hazardous materials, environmental investigations, and cleanup activities associated with the Fort Ord lands were documented and evaluated in Sections 4.9 and 4.10, and Appendix L in the Draft EIR. In addition to the review and summary of numerous environmental documents at the site, as discussed in Appendix L, MRWPCA conducted a field investigation program in the Seaside Basin to specifically evaluate the potential for leaching Fort Ord legacy chemicals in soil or having the injection wells impact existing soil or groundwater contamination (or having these contaminants adversely impact Proposed Project injection water). The focus was on areas related to the Proposed Project and how the Proposed Project facilities might be impacted from former Fort Ord activities. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities, in **Chapter 3, Master Response Comments**, for more information.

**W-2** Site 39 (also known as the Inland Ranges) boundaries are shown on a map in the Recharge Impacts Assessment Report (see Figure 4, Appendix L in the Draft EIR). The site of the Proposed Project Injection Well Facilities overlaps a portion of the northwestern corner of Site 39 (see injection well locations on Figure 4, Appendix L). As discussed in the Draft EIR (page 4.10-16), the Proposed Project wells are located in the Northern Inland Subarea of the Seaside Groundwater Basin (Figures 1 and 2, Appendix L). Site 39 overlies most of the Northern Inland Subarea, the western half of the Laguna Seca Subarea, and extends to the northwest outside of the Seaside Groundwater Basin (compare Figures 1 and 4, Appendix L, Draft EIR). See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments** for more information on Site 39 and former Fort Ord lands.

**W-3** The history of chemical use on Fort Ord can be obtained in documents available from the U.S. Army's web site (see U.S. Army, 2015, Fort Ord Cleanup). Chemical usage locations and remedial activities on the Fort Ord Superfund (also known as the Comprehensive Environmental Restoration and Environmental Liability Act or CERCLA) site are documented in the five-year review reports (see U.S. Army Corp of Engineers, 2007 and 2012).

As described in the Draft EIR (pages 13-14, Appendix L), military activities in and adjacent to the Proposed Project Injection Well Facilities site involve firing ranges that were used for small arms and high explosive ordnance training using rockets, artillery, mortars and grenades. These activities were not associated with large volumes of chemicals as were other operations elsewhere on the Fort Ord lands. The Injection Well Facilities site is located along a perimeter road adjacent to but not within the Inland Firing Ranges HA-18 and HA-19, which were used for small arms fire. Range 18 (HA-18) and Range 19 (HA-19) are the closest ranges to the Proposed Project (approximately 200 feet south and east), with Range 48 (HA-48) located farther east (See Figure 4, Appendix L).

A hydrogeologic investigation and field program was conducted in 2014 by Todd Groundwater in connection with the Proposed Project. Results of that program indicated that chemical use on former Fort Ord lands has not significantly impacted soil or groundwater in the vicinity of the Proposed Project Injection Well Facilities site (pages 65-67 and 72-77, Appendix L of the Draft EIR). See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities, in **Chapter 3, Master Responses to Comments**, for more information on this issue.

**W-4** As described in Section 4.9 and Appendix L in the Draft EIR, the Proposed Project Injection Well Facilities are located on the northwestern portion of Site 39 where remediation has been completed for development. The property has been transferred to the Fort Ord Redevelopment Authority (FORA) and is scheduled to be annexed into the City of Seaside (See also reply to comment W-15e). In addition, results of a hydrogeologic field program indicated that soil and



groundwater in the vicinity of the Proposed Project has not been adversely impacted (pages 65-77, Appendix L, of the Draft EIR). Development associated with the Proposed Project involves only the installation and operation of injection wells and facilities. Given the lack of chemical use in the area, the status of the remediation, the results of the field investigation, and the relatively small amount of disturbance associated with the project, the Draft EIR (page 4.10-70 through 4.10-75) found that development of the Proposed Project would not have a significant impact related to exposure of the public to unacceptable risks due to contamination at the former Fort Ord. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities, in **Chapter 3, Master Responses to Comments**, for additional information on this issue.

- W-5** As described in Sections 4.9 and 4.10, and Appendix L in the Draft EIR, there is no evidence of soil and or groundwater contamination associated with Fort Ord chemicals of concern in the area of the Injection Well Facilities of the Proposed Project. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities, in **Chapter 3, Master Responses to Comments**, for additional information on this issue.
- W-6** The Draft EIR identifies water quality standards, including drinking water standards, as the primary criteria for the significance determination of an impact to water quality (page 4.10-45 of the Draft EIR). Using these criteria, groundwater quality data were evaluated using existing data and Proposed Project-derived data from the MRWPCA field program (Todd Groundwater, 2015; summarized in Appendix L of the Draft EIR, see pages 57-77; see also Appendix D in the Draft EIR Appendix L). In particular, the field program evaluated the potential for impacts to drinking water due to leaching and/or migration of toxic chemicals from former Army training ranges in the Proposed Project area; no evidence of leaching and/or migration of chemicals associated with former Fort Ord activities was found. For more detail on this issue, see Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities, in **Chapter 3, Master Responses to Comments**. Regarding the specific request to include proposed ground disturbing activities at a horse park in an Army training area known as Parker Flats, the proposed Monterey Horse Park within the Parker Flats Munitions Response Area (MRA) is outside of the Seaside Groundwater Basin. Most of the Parker Flats MRA is also outside of the Seaside Groundwater Basin (The Parker Flats MRA is shown on numerous FORA documents – for example see Arcadis, et al., 2015). Any activities in these areas outside of the basin would not impact the Proposed Project Injection Well Facilities site, and groundwater conditions in those areas would not be impacted by the Proposed Project's injection well operations.
- W-7** As described in Section 4.9 and Appendix L in the Draft EIR, the groundwater contamination areas associated with the Fort Ord Superfund site are located within the Salinas Valley Groundwater Basin several miles north of the Proposed Project Injection Well Facilities site. Although this Proposed Project area overlaps a small portion of the Site 39, there have not been documented groundwater plumes associated with the former Fort Ord activities in the area of proposed injection wells, nor in any part of the Seaside Groundwater Basin. Further, groundwater samples do not indicate that groundwater in the vicinity of the Proposed Project has been impacted by former Fort Ord activities. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities, in **Chapter 3, Master Responses to Comments**, for more detailed information regarding these issues.
- W-8** See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for a discussion of this issue. The Draft EIR identified water quality standards, including drinking water standards, as the primary criteria for the significance determination of an impact to water quality (page 4.10-45 of the Draft EIR). Using these criteria, groundwater quality data were evaluated using existing data and Proposed Project-derived data from the MRWPCA field program (Todd Groundwater, 2015; summarized in Appendix L of the Draft EIR, see pages 57-77; see also Appendix D in the Draft EIR Appendix L). In particular, the field program evaluated the potential for impacts to drinking water due to leaching and/or migration of toxic chemicals from former Army training ranges; no

evidence of leaching or migration of chemicals associated with former Fort Ord activities was found in existing data including data from the field program that analyzed groundwater samples for over 300 constituents and parameters. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities, in for more information.

- W-9a** Documents and data regarding onsite activities and environmental investigations on Site 39 dating back to 1994 were reviewed as part of the hydrogeologic study for the Proposed Project. A Proposed Project-specific field program, including soil and groundwater sampling, indicate that there are no adverse impacts to soil and groundwater in the vicinity of the Injection Well Facilities site from these activities. On-going contaminant investigations are being conducted in other areas of Site 39 by the U.S. Army BRAC (2014) and FORA with EPA (2015) oversight. See the responses to comments W-1 through W-8 and Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments** for more information on these issues.
- W-9b** As described in Sections 4.9 and 4.10, and Appendix L in the Draft EIR, as part of the Proposed Project, a field program was conducted that included groundwater sampling on and in the vicinity of Site 39 in wells near the Injection Well Facilities site. Samples were analyzed for more than 300 separate constituents including EPA-approved analytical methods for munitions, explosives, and pesticides (among other analyses). See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more detailed information on this issue.
- W-9c** See response to Comment W-9a and W-9b. Also See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for additional information on this issue.
- W-9d** The issue of soil gas or soil vapor migration and the potential of soil gas exposure at Fort Ord has been addressed for Operable Units (OUs) outside of the Proposed Project Injection Well Facilities site, but has been limited to VOCs (U.S Army, 2011b). If present, pesticides can be degraded by physical (e.g., volatilization or outgassing), chemical, and biological mechanisms. Pesticide transformations also occur including oxidation, hydrolysis, reduction, hydration, conjugation, isomerization, and cyclization (Coats, 1991). These occur over certain time periods dependent on the particular pesticide chemical characteristics. Importantly, the Proposed Project Injection Well Facilities site is located along a perimeter road outside of the primary ranges associated with pesticide applications. As described in Sections 4.9 and 4.10 and Appendix L in the Draft EIR, pesticides were not detected in groundwater near the Proposed Project site, and it follows that volatilization would not occur in the vicinity of the Injection Well Facilities site. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for additional information.
- W-9e** It is beyond the scope of the Draft EIR to provide detailed justification for the analytical methods employed in the remediation of the Fort Ord lands, including Site 39. Rather, soil and groundwater were investigated in the vicinity of the Proposed Project injection well locations to test for legacy contaminants from Fort Ord activities (see pages 57-77 in Appendix L of the Draft EIR). These results did not indicate that local soil or groundwater had been impacted. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for additional information.
- W-10** For the Proposed Project, groundwater from six groundwater monitoring and production wells in the Seaside Groundwater Basin were analyzed for 37 individual chlorinated pesticides and PCB using EPA Method 508 (see Table D-1D in Appendix L of the Draft EIR). None of these constituents were detected above method detection limits or above MCLs for the chemical constituents that have established MCLs. Additionally, 12 nitrogen and phosphorous pesticides

were analyzed using EPA Method 507 (Table D-1E in Appendix L of the Draft EIR). None of the pesticides were detected above method detection limits or established MCLs. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for additional information.

- W-11** The U.S. Army (BRAC) and FORA continue to investigate the Fort Ord Superfund site, including Site 39 (Fort Ord BRAC Office, 2014). On-going investigations also are continuing with EPA (2015d) oversight. Munitions (explosive) chemicals, chlorinated (organochlorine) pesticides/PCBs, and nitrogen and phosphorous pesticides were investigated using approved EPA Methods and reported in Todd Groundwater (2015) as summarized in Appendix L of the Draft EIR (also see Appendix D within Draft EIR Appendix L). All reported constituents for groundwater samples collected in the six groundwater and production wells within the Seaside Groundwater basin were below method reporting limits and below California MCLs for those chemicals with established MCLs. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more information on these issues.
- W-12** As described in Section 4.9, Section 4.10, and Appendix L in the Draft EIR, a hydrogeologic investigation and field program were conducted as part of the Proposed Project to examine the potential for chemical impacts from Fort Ord activities in the vicinity of Proposed Project wells. As part of that program, groundwater wells surrounding the Proposed Project area of the Seaside Groundwater Basin were sampled and analyzed for about 300 separate constituents and parameters, including many of the constituents in the tables provided as part of this and other comments from letter W. The Draft EIR analysis focused on the constituents most likely to be associated with the Proposed Project area including pesticides and explosives. Groundwater was analyzed for pesticides and PCBs using EPA Method 508 and for explosive compounds (nitroaromatics and nitramines) using EPA Method 8330B. None of these pesticides and PCBs or nitroaromatics and nitramines were detected above minimum reporting limits (MRL) and all levels were below California Primary MCLs for those constituents with established MCLs. The analytical data indicate that migration of pesticides and explosive chemicals to groundwater has not occurred within the Proposed Project area. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more information.
- W-13** Artillery Hill (at 36.6360704o North Latitude and -121.7902279o West Longitude) is adjacent to and west of the main Parker Flats area, but within the Parker Flats MRA, most of which resides outside of the Seaside Groundwater Basin. Artillery Hill and the proposed Veteran's Cemetery are also located outside of the Seaside Groundwater Basin and therefore not in the vicinity of the Proposed Project area. These areas do not require evaluation as part of the hydrogeologic studies of the Proposed Project. A Record of Decision (ROD) for the Parker Flats MRA was issued in June 2008 (U.S. Army, 2008), indicating that the area has been investigated and remedial actions, if any, have been defined. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more information.
- W-14** The Veteran's Cemetery site is not in the vicinity of the Injection Well Facilities site; rather, it is located north of the Proposed Project area in the Parker Flats MRA, most of which resides outside of the Seaside Groundwater Basin. FORA and Fort Ord BRAC (2014) documents indicate that, for the Veteran's Cemetery, either the field investigation has been completed and/or a ROD has been signed (see also response to Comment W-13 above). See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for additional information.
- W-15** Documented groundwater impacts from former Fort Ord activities have been delineated in operable units several miles north of the Proposed Project Injection Well Facilities site in the

Seaside Groundwater Basin; the Proposed Project will have no impact on those areas. As described in Todd Groundwater (2015), which is summarized in Appendix L of the Draft EIR, the investigation included analysis of groundwater from six groundwater monitoring and production wells in the Seaside Basin (also see Appendix D within Draft EIR Appendix L). Groundwater analyses conducted in the vicinity of the Proposed Project do not indicate local impacts to groundwater from this area of Site 39. Monitoring wells will be constructed as part of the Proposed Project and will provide ongoing monitoring for the Proposed Project wells. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more information on this issue.

- W-15a** As described in Sections 4.9 and 4.10, and Appendix L in the Draft EIR, groundwater sampling was conducted in wells surrounding the location of Proposed Project wells to characterize groundwater quality. Samples were specifically analyzed for constituents of concern associated with former Fort Ord activities in the Proposed Project area, including pesticides and explosives. None of the analyzed pesticides, PCBs, VOCs, semi-VOCs or nitroaromatic and nitramines (explosive chemicals or munitions) were above minimum reporting and/or detection limits/levels (RL/MDL) and were below California Primary MCLs for those constituents that have established MCLs. The analytical data indicate that groundwater beneath the Proposed Project area has not been impacted by any potential migration of former Fort Ord chemicals to groundwater. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more information on this issue.
- W-15b** As described in Sections 4.9 and 4.10, and Appendix L in the Draft EIR, groundwater sampling associated with the Proposed Project-specific field investigation did not find pesticide and explosive compounds to have impacted groundwater in the Proposed Project area of the Seaside Groundwater Basin. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more information on this issue.
- W-15c** See responses to Comments W-9a, W-11, and Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for additional information.
- W-15d** We are unaware of any ongoing monitoring of chemicals associated with munitions in the Proposed Project area of the Seaside Basin. As described in Section 4.9 and Appendix L in the Draft EIR, MRWPCA installed a monitoring well on Site 39 adjacent to proposed locations of Proposed Project wells in order to evaluate the potential for Fort Ord impacts to soil and groundwater, and conducted groundwater sampling for munitions and pesticides in wells surrounding the Injection Well Facilities site (Todd Groundwater, 2015). Water supply wells in the basin are required to monitor groundwater for constituents with drinking water standards in compliance with state and federal regulations, including pesticides. In addition, the Monterey Peninsula Water Management District (MPWMD), with support from the Seaside Basin Watermaster, conducts a basin-wide groundwater monitoring program including the ASR wells, two of which are located within about 1,000 feet of the Proposed Project site. Finally, a groundwater monitoring program will be established in the Proposed Project area to monitor the ongoing operation of the Proposed Project. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for more information on this issue.

**W-15e** As described in Section 4.9 and Appendix L in the Draft EIR, based on results of the hydrogeologic investigation and field program associated with the Proposed Project, there is no indication that chemicals associated with the former Fort Ord activities have contaminated the Proposed Project area and therefore, such chemicals would not impact construction or operation of the Proposed Project. See Master Response #9: Fort Ord Environmental Issues at the Injection Well Facilities in **Chapter 3, Master Responses to Comments**, for additional information.



June 5, 2015

Monterey Regional Water Pollution Control Agency  
Administrative Office  
ATTN: Bob Holden, Principal Engineer  
5 Harris Ct. Bldg. D  
Monterey, CA 93940

Via email: [gwr@mrwpca.com](mailto:gwr@mrwpca.com)

Re: Pure Water Monterey DEIR

Dear Mr. Holden and Pure Water Team:

Thank you for the opportunity to comment on the Pure Water Monterey Draft Environmental Impact Report. The following comments are made on behalf of The Otter Project, our water quality program Monterey Coastkeeper, our ~3000 members, and our board of directors.

The Otter Project supports the proposed project with modifications to remove nutrients from all product waters (both GWR and CSIP) and from the ocean disposal waste stream.

X-1

The Otter Project exists to protect our watersheds and coastal oceans for the benefit of California sea otters and humans through science-based policy and advocacy. California sea otters are listed as “threatened” under the Endangered Species Act. The primary threats to sea otters include contact with oil, loss of high quality habitat, fisheries interactions, and poor water quality.

Sea otters – specifically sea otters in Monterey Bay – are impacted by a variety water quality challenges.

X-2

- Legacy DDT. Lower Salinas Valley soils contain extremely high levels of DDT and while this DDT is bound to soil particles, it is water that moves that DDT into Monterey Bay’s nearshore environment where it becomes available to sea otters. The high DDT concentrations in Salinas Valley soils – some of the highest ever documented – are documented in a 1986 report to the State Water Resources Control Board, *DDT in the Salinas Valley*. [http://www.waterboards.ca.gov/publications\\_forms/publications/general/docs/ddt\\_salinas\\_valley.pdf](http://www.waterboards.ca.gov/publications_forms/publications/general/docs/ddt_salinas_valley.pdf). Sea otters, feeding in the nearshore, bioaccumulate DDT (and the breakdown product DDE), and the documented concentrations found in Monterey Bay sea otter liver tissues are high enough to kill sea otters outright (in extreme cases) or cause immune suppression. Kannan et. al. 2004. [http://www.otterproject.org/wp-content/uploads/2012/05/Kannan\\_et\\_al\\_2004\\_Profiles\\_of\\_polychlorinated\\_biphenyl\\_congeners\\_organochloride\\_pesticides.pdf](http://www.otterproject.org/wp-content/uploads/2012/05/Kannan_et_al_2004_Profiles_of_polychlorinated_biphenyl_congeners_organochloride_pesticides.pdf).

General Comment #1: While we do not believe the proposed project necessarily increases the risk to sea otters from DDT exposure, we appreciate proposed project efforts to minimize soil disturbance activities during project construction and to stabilize soils post-construction and before the rainy season in the DDT-laden agricultural areas of the lower Salinas Valley.

- Nitrates. Nitrate pollution is of critical concern to sea otters. Nutrient enriched surface waters cause freshwater toxic blooms of the cyanobacteria *Microcystis*; the microcystin toxin is flushed downstream into the nearshore, concentrated by shellfish, eaten by otters, and ultimately leading to microcystin poisoning and death of the otter. Miller et. al. 2010.  
<http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0012576> .

X-3

Sea otters also die from exposure to domoic acid poisoning caused by nutrient enrichment and bloom of the marine toxic algae (actually a diatom) *Pseudo-nitzschia*. Domoic acid poisoning kills many sea otters, scores of whales and dolphins, hundreds of sea lions, and thousands of marine birds. The “red tide” event in Monterey Bay at the moment of this writing is a bloom of *Pseudo-nitzschia*. Dr. Clarissa Anderson, Post-Doctoral Sea Grant Fellow at U.C. Santa Cruz has been studying toxic algal blooms along the California coast and gave this quote to Sea Grant Bulletin, “We have seen a 30- to 100-fold increase in domoic acid in water samples in the last decade or so. We think that the toxicity of these blooms is related to agricultural runoff.” (An overview of the issue including impacts on marine mammals and birds can be found in the nine-minute news report found at <https://vimeo.com/104728711>).

General Comment #2: We believe nutrients, specifically nitrogen, must be removed from source waters and product waters must meet drinking water, or better, standards before discharge as groundwater replenishment or recycled agricultural water. Further, we believe the project and ocean outfall will certainly need NPDES re-permitting and the permit should reduce the annual “load” over what is currently permitted. In short, the project – and PCA general operations -- should remove as much nitrogen as feasible from all product and waste streams.

X-4

X-5

### **Specific Comments**

BT-2. Sensitive Habitats. The impact mitigation proposes a 1:1 replacement for sensitive habitat loss. Wetland loss in the project area has been especially severe and we propose at least a 2:1 mitigation. Further, the project should be responsible for ensuring any plantings and revegetation survives for three years after project completion.

X-6

GW-3. Groundwater Depletion. Increased deliveries of recycled water will increase the size of the Castroville Seawater Intrusion Project (CSIP) service area. It is well documented that sea water intrusion is the consequence of groundwater pumping and the Salinas groundwater basin is critically over-drafted. The over-draft of the basin was first noted in the late-1930s and the predecessor agency of the Monterey County Water Resources Agency was created to address

X-7

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| the issue, yet 75 years later sea water intrusion still progresses inland. Water supply projects have served to grow the number of irrigated agriculture acres and have exacerbated the intrusion problem instead of solving it. There is no evidence or commitment to suggest this project will be any different.                                                                                                                                                                                                                                                                                                                                                                                               | X-7<br>Con't |
| The Salinas Valley Water Project (SVWP), including the rubber dam on the Salinas River near Marina was intended to impound water to use as blend for the recycled water coming from the PCA and the product water was to replace well water in the service area. Due to the prolonged drought in 2014 and 2015, Salinas River Water was not available and many of the MCWRA and agricultural supply wells were restarted. As a consequence, "first-strike" water in the Castroville area fell from 8-feet to over 100, threatening drinking water supplies. The frequency and severity of drought events is forecast to increase and enlarging the CSIP service area will only enlarge the scope of the problem. | X-8          |
| It is our understanding that in Santa Cruz County recycled water is delivered only to agricultural customers willing to abandon and destroy their wells; a similar agreement should be required in Monterey County and must be in place before any recycled water is provided. It is incorrect to assume and state the project will have no or beneficial impact.                                                                                                                                                                                                                                                                                                                                                | X-9          |
| GW-5. Groundwater quality. General comment #2 is repeated here in full. Current and on-going research shows that growers who practice precise nutrient balancing (accounting for nutrients in irrigation water and soils) can reduce the amount of fertilizer they apply and actually improve water quality, many (perhaps most) do not. The result is that nutrient concentration literally compounds itself: Nutrients already in the water are not accounted for, more nutrients are added, and the nutrient impairment becomes worse.                                                                                                                                                                        | X-10         |
| The impaired water will impact both surface and ground waters. While we understand the lower Salinas below Chualar is generally considered to be not a groundwater recharge zone, we believe that characterization is an over-generalization. Certainly, shallow groundwater is often impacted by surface irrigation.                                                                                                                                                                                                                                                                                                                                                                                            | X-11         |
| As stated in General comment #2, we believe nutrients (specifically nitrates and nitrogen sources) must be removed. It is our understanding that technologies exist to remove the nitrates and create a saleable fertilizer product. We certainly understand that the fertilizer product may be applied, but it will be re-applied in an accounted for, measured, and monetized way (the product will have a cost and will therefore be applied more efficiently).                                                                                                                                                                                                                                               | X-12         |
| HS-4 and HS-5. Marine water quality. General comment #2 and comment GW-3 are repeated here in full. The DEIR seems to suggest that the net amount of nutrient discharge will be unchanged or the nutrient load will be the same, only it will be discharged through the PCA's outfall. The reality is that sea water intrusion will lead in the not too distant future to the idling of some agricultural lands. This project will enlarge the CSIP service area and result in prolonged and exacerbated nutrient discharges into Monterey Bay.                                                                                                                                                                  | X-13         |

We believe these critical agricultural areas should be kept in production. Product water delivered to CSIP should have nutrients removed and the removed nutrients should not be part of the effluent stream and left to impact ocean water quality.

X-14

MR-1. General comment #2 and comment GW-3 are repeated here in full. As stated in General comment #2, discharged nutrients trigger toxic blooms that impact ESA listed sea otters and other (some ESA and State listed) marine birds and mammals. If the proposed project were to choose to not remove nutrients, a Section 7 consultation under the Endangered Species Act would be required.

X-15

### **In conclusion**

The Otter Project supports the proposed project with modifications to remove nutrients from all product waters (both GWR and CSIP) and from the ocean disposal waste stream.

X-16

The mission statements of the critical project partners are stated as:

- Monterey Peninsula Water Management District: To manage, augment, and protect water resources for the benefit of the community and the environment.
- Monterey Regional Water Pollution Control Agency: Is dedicated to meeting the wastewater and reclamation needs of our member agencies while protecting the environment.
- Monterey County Water Resources Agency: Manages, Protects, and Enhances the Quantity and Quality of Water and Provides Specified Flood Control Services for Present and Future Generations of Monterey County.

X-17

Nutrient pollution of Monterey County's ground and surface waters are critically impaired. Simply redistributing the pollution from one area to another is inconsistent with the stated missions of the partner agencies and inconsistent with the goals of this project. Waste and fertilizer laden source waters will be carried to the very water treatment facility where the pollution problem can be solved and it would be an abuse of this special opportunity to not deal with this county's – this State's -- nutrient pollution problem.

We urge the partner agencies to remove nutrients to – at least – drinking water standards from all source waters and ocean outfall waste streams.

X-18

Please, feel free to contact me if you have questions or require clarifications.

Sincerely,



Steve Shimek  
Executive Director  
exec@otterproject.org

## Letter X: The Otter Project

- X-1** See the responses to comments X-3 through X-18 and Master Response #6: Nutrients in Recycled Water and Ocean Discharge in **Chapter 3, Master Responses to Comments**.
- X-2** Information about the Otter Project's mission and general threats to sea otters is provided in this comment. No response is necessary.
- X-3** The comment acknowledges that the Proposed Project would not increase the risk to sea otters from DDT exposure and requests that the Proposed Project minimize soil disturbance during construction and to stabilize soils post-construction and before the rainy season in the lower Salinas Valley. The Draft EIR describes the existing regulatory requirements for construction activities on pages 4.11-32 through 4.11-44. The Draft EIR provides an analysis of potential construction impacts to surface water quality due to earthmoving / soil disturbance on pages 4.11-61 through 4.11-62. Specifically, all Proposed Project components would be subject to the requirements National Pollutant Discharge Elimination System Construction General Permit and Municipal Stormwater Permits (where applicable). The above pages of the Draft EIR detail the regulatory requirements that would be implemented at all construction sites to prevent significant water quality impacts from occurring due to soil disturbance.
- X-4** This comment states an opinion that nutrients, specifically, nitrogen, must be removed from source waters and that product waters must meet drinking water, or better, standards before use for groundwater replenishment or for agricultural irrigation. This response addresses the two product waters referenced in this comment separately as they are proposed to be produced using two different treatment systems (see Figure 2-28 on page 2-125 and Figure 2-29 on page 2-126 of the Draft EIR for the relevant treatment flow diagrams).

*Nutrient/Nitrogen in Water Produced for Groundwater Replenishment.* As described in Chapter 3 of the Draft EIR (see specifically second bullet on page 3-5), the Proposed Project purified recycled water (specifically, the AWT Facility product water produced through the treatment system in Figure 2-28) would meet groundwater quality standards in the Water Quality Control Plan (or Basin Plan) implemented by the Central Coast Regional Water Quality Control Board and would meet drinking water quality standards. A monitoring program would document project performance as required by the SWRCB Division of Drinking Water in the Groundwater Replenishment Regulations. As documented in detail in Appendix D on page 57 and Appendix L of the Draft EIR on page 75 in Section 7.4.2, ambient groundwater concentrations of nitrate and chloride generally meet Basin Plan objectives. As documented in Appendix L, the study that evaluated the water quality of the stabilized RO pilot water found that the concentrations of TDS, nitrate, and chloride in the purified recycled water meet all Basin Plan objectives. Further, these concentrations are generally lower than average concentrations in groundwater. As such, replenishment of the Seaside Basin using the GWR Project purified water would not adversely impact nutrient loading in the basin and would provide benefits to local groundwater quality related to nitrogen.

*Nutrient/Nitrogen Tertiary Treated Recycled Water for Crop Irrigation.* Regarding the quality of the recycled water produced by the Salinas Valley Reclamation Plant (SVRP) (Figure 2-29), the Draft EIR Chapter 3, Water Quality Statutory and Regulatory Compliance Overview (page 3-1) states: "The recycled water produced by MRWPCA for crop irrigation is treated to a tertiary level in accordance with the statutory and regulatory requirements of the California Water Code Sections 13500 – 13577 and California Code of Regulations, Title 22, Sections 60301 – 60357." Master Response #6: Nutrients in Recycled Water and Ocean Outfall Discharges in **Chapter 3, Master Responses to Comments** describes how the existing recycled water use for crop irrigation (i.e., use of tertiary-treated recycled water within the CSIP area) has reduced the use of fertilizers in that area due to the dissolved nitrogen content of the recycled water and



the efficiency of root uptake of that nitrogen by plants. The farmers that use recycled water desire to reduce their fertilizer use as much as possible due to the high costs associated with purchasing and applying it to their land. For that reason, increased nitrogen and nitrate in recycled water for crop irrigation is a benefit to growers; removal would be an inefficient use of resources.

**X-5** See Master Response #6: Nutrients in Recycled Water and Ocean Outfall Discharges in **Chapter 3, Master Responses to Comments** in the section titled: Ocean Discharges of Nitrogen and Phosphorous. This response describes how the Proposed Project would result in a quantifiable beneficial impact related to the total pollutant load to the ocean. Specifically, the Proposed Project would divert, treat, and reuse large volumes of the impaired surface waters and agricultural wash water, while also substantially reducing municipal wastewater disposal and ocean pollutant loading through increased use of the existing unused municipal wastewater year-round. The total nitrogen pollutant loading on the ocean would be substantially reduced compared to the existing and future background conditions.

**X-6** The language of Mitigation Measure BT-2a on page 4.5-92 of the Draft EIR has been revised to require no less than 2:1 replacement for permanent sensitive habitat loss and the requirement to receive regulatory approval from the entity issuing the Coastal Development permit, amongst other regulatory agencies. As requested, mitigation measure BT-2 has been amended to require that the Proposed Project provide for monitoring and replacement of all planting and revegetation for three years following construction completion. See changes to pages 4.5-92 through 4.5-93 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**. See also Master Response #4: Reduction of Surface Water Flows in **Chapter 3, Master Responses to Comments**.

**X-7** The comment states that increased deliveries of recycled water will result in expansion of the CSIP service area, encouraging additional irrigated acreage. The expansion of the CSIP service area is not included in the Proposed Project. On the following pages of the Draft EIR this is explicitly stated:

- Page 2-2, 1st sentence: "The Proposed Groundwater Replenishment Project (GWR Project or Proposed Project) consists of ... an enhanced agricultural irrigation (Crop Irrigation) component that would increase the amount of recycled water available to the *existing Castroville Seawater Intrusion Project (CSIP) agricultural irrigation system* in northern Monterey County.." Emphasis added.
- Page 2-65, 1<sup>st</sup> full paragraph, last two sentences related to the Salinas Valley Reclamation Plant Modification: "All of the modifications would occur within the existing Salinas Valley Reclamation Plant footprint. This component is expected to facilitate the delivery of up to 1,283 AFY of additional recycled water to *the CSIP area*." Emphasis added. This reference is to the existing CSIP area, not another land area.

The Draft EIR Project Description does not contain any language that states or infers that the CSIP area would be expanded, enlarged, or otherwise changed to provide more irrigated acres. Modifications to the SVRP are proposed to allow the production of and delivery of recycled water to CSIP at low flow rates. The SVRP was designed to treat up to 29 million gallons per day (mgd), and requires a minimum flow of 5 mgd to operate. When CSIP system-wide irrigation demands are less than 5 mgd, they are currently met using primarily groundwater wells. Modifying the plant to allow recycled water production at lower flow rates will reduce the use of groundwater to meet existing irrigation demands in the CSIP area. SVRP peak production is currently limited by the volume of treated municipal wastewater available as influent. Currently, when irrigation demands exceed the available volumes of recycled water and Salinas River water, the remaining demand is met using groundwater. Providing additional

inflows to the SVRP will also reduce the use of groundwater within the existing CSIP area during peak demand periods.

- X-8** The comment states that increased use of groundwater within the CSIP service area during the drought has drawn down the water table, and expanding the CSIP service area will increase the impact of drought pumping on the aquifer. The comment draws several incorrect conclusions. First, the current CSIP service area is approximately 12,000 acres, while the total irrigated area in northern Monterey County is approximately 64,000 acres (MCWRA 2013 Groundwater Summary Report, sum of reported acreage planted in berries, grapes and vegetables, Pressure and East Side subareas). During 2014 and 2015, groundwater use from the Salinas Valley groundwater basin has increased in all irrigated areas, therefore the CSIP area would account for, at most, 20% of the impact. Note that the Salinas River Diversion Facility (SRDF) was only recently completed, and started operation in 2010. Groundwater pumping within CSIP in 2014, the first year without the SRDF, was 6,500 AF, which is less than the peak CSIP groundwater use of 8,600 AF in 2009, before the SRDF was completed.

Second, the comment assumes that expansion of the CSIP would be into currently non-irrigated areas, increasing the total farmed acreage. If CSIP is expanded, all or most of the added area would be converted from groundwater irrigation to recycled water irrigation, just as the current CSIP service area was. This would decrease the annual usage of groundwater, allowing the aquifers some recovery. However, expansion of the CSIP area is outside the scope of the Proposed Project.

- X-9** The agricultural land within the CSIP area receives irrigation water from the following sources: Salinas Valley Reclamation Plant, the SRDF, supplemental wells within the CSIP area that are operated by the MRWPCA, and some privately owned wells. Monterey County adopted ordinance 3790 that requires well destruction, however, the ordinance has not resulted in well destructions throughout the CSIP area and certain exemptions would apply when it is enforced (Bob Holden, personal communication, August 2015). The Pajaro Valley Water Management Agency's recycled water system (the only recycled water system in Santa Cruz County serving agricultural land) also uses supplemental wells within their irrigation area, and private landowners also operate wells within the area (Brian Lockwood, Pajaro Valley Water Management Agency, personal communication, August 31, 2015). The Proposed Project does not include expansion of the CSIP irrigation area. The Proposed Project would not trigger the need to reach agreements with landowners to abandon their wells, because the Proposed Project would only augment the amount of recycled water deliveries throughout the year. These new quantities of recycled water would not only enable MRWPCA and MCWRA to reduce their use of supplemental wells that they control, but would also potentially reduce, not increase, the use of private wells within the CSIP area. The Proposed Project additional recycled water supplies for agricultural irrigation will reduce the use of groundwater within the CSIP area and thus would have a less-than-significant impact on groundwater levels and storage in the Salinas Valley Groundwater Basin as documented in detail in the Draft EIR on pages 4.10-57 through 4.10-64.

- X-10** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments**. In particular, see section 3.6.4, CSIP Additional Use of Tertiary Treated Recycled Water Containing Nitrogen and Phosphorous that addresses this comment. See also responses to comments X-4 and X-5.

- X-11** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments**. In particular, see section 3.6.4, CSIP Additional Use of Tertiary Treated Recycled Water Containing Nitrogen and Phosphorous that addresses this comment. See also responses to comments X-4 and X-5.

- X-12** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments**. In particular, see section 3.6.4, CSIP Additional Use of Tertiary Treated Recycled Water Containing Nitrogen and Phosphorous that addresses this comment. See also responses to comments X-4 and X-5.
- X-13** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments**. In particular, see section 3.6.3, Ocean Discharges of Nitrogen and Phosphorous that addresses this comment. See also responses to comments X-4, X-5, X-7, X-8, and X-9.
- X-14** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments**. In particular, see section 3.6.3, Ocean Discharges of Nitrogen and Phosphorous that addresses this comment. See also responses to comments X-4, X-5, X-7, X-8, and X-9.
- X-15** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments**.
- X-16** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments** and responses to comments X-3 through X-9.
- X-17** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments** and responses to comments X-3 through X-9.
- X-18** See Master Response #6: Nutrients in Recycled Water and Ocean Discharges in **Chapter 3, Master Responses to Comments** and responses to comments X-3 through X-9.

**From:** Michelle Long [<mailto:mlongmph@sbcglobal.net>]  
**Sent:** Tuesday, April 28, 2015 5:01 PM  
**To:** GWR  
**Subject:** oppose SCH#2013051094.

I strongly OPPOSE SCH#2013051094. I am a Seaside resident that is already upset that so much of our water was sold by former Mayor's who were less educated than the rest of the towns who can afford to water their parks and pay less for our water than we do. I think it is WRONG to pump treated sewage water into our basin. Find a Real Water Solution. This is NOT one of them!

Sincerely,  
Michelle Long  
8 Lisbon Ct.  
Seaside CA 93955

Y-1

**Letter Y: Michelle Long**

**Y-1** Comments stating opinions on preferred alternatives or development scenarios do not directly raise an environmental issue that require a response. The opinion of the Proposed Project stated in the comment is referred to decision makers for their consideration.

California has established numerous state laws, regulations and policies governing the use of recycled water for groundwater replenishment to protect groundwater quality and the health of individuals who drink groundwater that is replenished using recycled water. Studies have been conducted for other similar potable reuse projects, including epidemiology studies, risk assessments, and investigations that analyze and compare the toxicological properties of recycled water to those of drinking water. These studies have shown that (1) there is no association between the use of recycled water and adverse health outcomes in individuals consuming groundwater containing recycled water; and (2) purified recycled water from an appropriately designed and operated AWT Facility, such as that to be used for the Proposed Project, presents less risk to human health in terms of regulated chemicals, pathogens, and trace organics compared to the risk from conventional drinking water sources.

Based on the analytical results of monitoring the source waters to be used for the Proposed Project, the water quality results of the pilot plant testing, information on the predicted performance and water quality of the proposed full-scale AWT Facility, and based on other existing groundwater replenishment projects and related research/studies:

- The Proposed Project would comply with the Groundwater Replenishment Regulations and would meet all Central Coast Basin Plan standards, objectives, and guidelines.
- An independent advisory panel of experts (including experts in the areas of public health, groundwater, treatment technologies and water recycling), and the DDW have reviewed the Proposed Project concept. The DDW has conditionally approved the Proposed Project proposal, pending submittal of the permit applications and associated specific design and operational information required by the Final Groundwater Replenishment Regulations.
- The full-scale proposed AWT Facility and recharge of the purified recycled water would provide reliability and redundancy through the use of multiple treatment barriers.



Pure Water Monterey Groundwater Replenishment Project  
 Draft Environmental Impact Report  
 Public Meeting Comment Card (May 20, 2015)

Name:

Peter B. Dasser

Concerned

Citizen long term resident

Affiliation:

Email: kaisendom@redshift.com

Mailing Address:

1949 McCombs St.  
 Seaside, CA 93555

Phone Number:

831 899 3621

Comments:

1) We need a choice -  
 Put Cal Water Replenishment project  
 on the voters & decide yes or no  
 2) Allow people to opt out of  
 drinking seawater by  
 sending Re treated water only  
 to those customers who want it -  
 and don't send it in pipes to  
 those who don't want it -  
 3) For <sup>many</sup> years I have been asking  
 for several reforms & none  
 of these have been done:

Z-1

Z-2

Z-3

Continued on back

- Reforms denied:
- Z-3a a. add many holding ponds & keep most rain water on land & going to water table.
- Z-3b b. Treat sewage water & send it back to customers as grey water for landscape & agriculture which is 95% of all water use.
- Z-3c c. Take high quality mud out of Los Padres Dam & dry it & send it & restore our rainy water storage supply!
- Z-3d d. Keep out water. Treated water on Peninsula & not send it to Watsonville & Salinas valley counties.
- Z-3e e. allow each city on Peninsula to keep ~~its~~ ~~the~~ city's sewer treatment plants to treat sewer water & send it ~~to~~ ~~homes~~ homes as greywater for landscape in each city.

**Typed version of handwritten comment card:**

**Name:** Peter B. Kaiser

**Affiliation:** Concerned Citizen Long Term Observer

**Email:** [kaisersdom@redshift.com](mailto:kaisersdom@redshift.com)

**Mailing Address:** 1949 Yosemite St. Seaside, CA 93955

**Phone Number:** (831)-899-3627

**Comments:** 1) We need a choice- put Groundwater Replenishment on the voters to decide yes or no. | Z-1

2) ALLOW people to opt out of drinking sewer water by sending retreated water only to those customers who want it. Don't send it in pipes to those who don't want it. | Z-2

3) For many years I have been asking for several reforms & none of those have been done: | Z-3

Reforms Denied:

- a. add many holding ponds to keep most rainwater on land & going to water table | Z-3a
- b. treat sewer water & send it back to customers as grey water for landscapes & agriculture which is I guess 95% of all water use | Z-3b
- c. Take high quality mud out of Los Padres Dam and dry it & sell it & restore our major water storage supply! | Z-3c
- d. keep out water & treated water on peninsula & not send to Castroville & Salinas valley aquifers | Z-3d
- e. allow each city on Peninsula to keep or restore city's sewer treatment plants to treat sewer water & send to homes as greywater for landscape in each city. | Z-3e

## Letter Z: Peter B. Kaiser

- Z-1** Comments stating opinions on preferred alternatives or implementation or legislative policy scenarios do not directly raise an environmental issue that require a response. The policy decision whether to place a project on a ballot is one that relevant decision makers can make at the time they consider project approvals. The comment is referred to decision makers for their consideration as part of the deliberative process. See also responses to comments U-1 and Y-1 for more relevant information.
- Z-2** If the Proposed Project is constructed, purified water would be injected into the Seaside Basin. Once the purified water is in the Basin, it would mix with native groundwater in the Basin. The combined purified water and native groundwater would then be extracted using CalAm's existing extraction wells and conveyed through CalAm's Distribution System. It would not be possible to segregate purified water from native groundwater for delivery to individual customers. See also responses to comments U-1 and Y-1 for more relevant information.
- Z-3** See the responses to comments U-1, Y-1, and Z-3a-e for more relevant information.
- Z-3a-e** This list of comments includes the header "Reforms denied." It is unclear whether the reforms listed were provided to the MRWPCA and/or any private water purveyors or public water supply management entities. See also Master Response #12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**. Specific responses to the items are provided below:
- Z-3a.** An analysis of storm water capture opportunities and constraints was conducted during project planning. See Chapter 6, Alternatives to the Proposed Project, in the Draft EIR on pages 6-15 through 6-20 regarding an analysis of potential other storm water capture alternatives and why no other storm water or urban diversions were pursued as source water for the Proposed Project. The Seaside Watermaster and local jurisdictions are investigating storm water capture as a method to augment groundwater in the Seaside Basin; however, the yields of any potential capture and recharge are far less than the amount of source water needed to meet the Proposed Project Objectives and the impacts of the Proposed Project would not be reduced despite significant new infrastructure that would be required to build such projects (see Seaside Basin Watermaster Report by Robert Jaques, June 19, 2013).
- Z-3b** Urban recycled water use has been considered by the local agencies, however, the cost of centralized urban reuse for residential and commercial land uses is very high due to the amount of new treatment systems and/or pipelines and pumps needed to collect wastewater, recycle wastewater, and return it to private users as urban irrigation water. This alternative would not reduce environmental impacts because the amount of new infrastructure (including at a minimum, distribution pumps and pipelines) needed to meet the basic project objectives would dramatically increase the construction and operational impacts of the Proposed Project. Regarding greywater systems, the Monterey Peninsula Water Management District encourages on-site greywater systems to reduce potable demand within their jurisdiction. See <http://www.montereywaterinfo.org/index.html>.
- The comment suggests that the wastewater not be sent to the Regional Treatment Plant, but instead, wastewater should be captured and treated to a level needed to reuse/recycle it within the Monterey Peninsula. The Carmel Area Wastewater District (CAWD) does have a recycled water project that has been implemented to supply advanced treated recycled water to Pebble Beach golf courses. The District has capacity to meet existing and projected future wastewater treatment needs for its service area within the Carmel and Del Monte Forest areas. However, the CAWD treatment plant does not have adequate influent or capacity, nor are there users

identified to date that would be able to accept the recycled water. Use of wastewater for local treatment and recycling as an alternative to (or to reduce the size of) the desalination plant is being pursued by the City of Pacific Grove in their Local Water Supply Project (see <http://www.ci.pg.ca.us/index.aspx?page=534>). This project would provide 100 to 125 AFY of replacement supplies for CalAm (approximately 3% of yield of the Seaside Basin groundwater replenishment component of the project). This alternative does not meet most of the basic objectives of the Proposed Project and would not reduce the environmental impacts of the Proposed Project so is not considered further in this EIR. No other jurisdictions have proposed any other projects such as this and no known sites for treatment and distribution systems, and no facility designs have been provided or submitted to a level of detail needed to evaluate the proposal as an alternative to the Proposed Project (i.e., projects that would capture Monterey Peninsula wastewater flows, treat/recycle it for use locally). Evaluation of other alternatives as referenced in this comment would be speculative.

**Z-3c.** The MPWMD is working with CalAm to investigate improvements to and uses for the Los Padres Dam. In 2014, MPWMD completed the “Los Padres Dam and Reservoir Long-Term Strategic and Short-Term Tactical Plan,” and entered into a Settlement Agreement with Cal-Am as part of the 2015-17 General Rate Case to plan for the long-term future of the dam and associated reservoir. Areas of study will include: sediment management, improving upstream fish passage, mitigating for downstream habitat impacts, and an evaluation of alternatives ranging from complete dam removal to increasing storage at the reservoir. The recent update to the Monterey Peninsula, Carmel Bay and Southern Monterey Bay Integrated Water Management Plan (MPWMD/DD&A, 2014) stated that: “Enlarging the capacity of Los Padres Reservoir (e.g., dredging or building a higher spillway) or construction of a new reservoir is limited by economic, safety, and environmental constraints and is not considered to be feasible at this time.” Maintenance dredging of the Los Padres Reservoir to retain existing storage capacity has been considered as an option, however, according to MPWMD staff summary prepared for the July 21, 2014 MPWMD Board meeting, “Los Padres Reservoir is a more difficult and expensive site to address sediment issues than at the San Clemente Reservoir, where a unique situation allowed sediment to remain in place. A fundamental issue with Los Padres Dam that needs to be addressed with any proposed project is both short term and long term management of sediment. The long term average sediment inflow is about 20 AFY or the equivalent of about 2,200 tandem truckloads of sediment annually. Sediment starvation downstream of the dam continues to degrade the river through the armoring effect (winnowing of spawning gravel) and downcutting into the riverbed. Failure to address this degradation will compromise efforts to improve habitat for steelhead by reducing diversions and may lead to further destabilization of streambanks in the lower 15 miles of the river.”

**Z-3d** See response to Z-3b above.

**Z-3e** See response to Z-3b above.



**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060  
 PHONE (831) 427-4863  
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June 8, 2015

Bob Holden, Principal Engineer  
 Monterey Regional Water Pollution Control Agency  
 Administrative Office  
 5 Harris Ct., Bldg D  
 Monterey, CA 93940

**Subject: Comments on the Draft Environmental Impact Report (DEIR) for the Pure Water Monterey Groundwater Replenishment Project (PWMGRP)**

Dear Mr. Holden:

We received the DEIR for the proposed Pure Water Monterey Groundwater Replenishment Project (PWMGRP). The PWMGRP is a major project that has the potential to replace the State mandated reduction of water diversion from the Carmel River system. In general, the project would serve the important goals of reducing pumping along Carmel River, replenishing the Seaside Groundwater Basin, and augmenting the existing Castroville Seawater Intrusion Project's crop irrigation supply.

AA-1

As we understand it, the proposed groundwater replenishment project consists of several components. This letter addresses our concerns with the following elements: the Tembladero Slough water diversion, the Coastal Alignment Conveyance Pipeline, and the Monterey Pipeline. The project would enable CalAm to reduce its diversions from the Carmel River system by up to 3,500 acre-feet per year by injecting roughly the same amount of highly-treated stormwater and agricultural runoff into the Seaside Basin. The three project components are located in the coastal zone and within the coastal permit jurisdictions of Monterey County, and the cities of Marina, Seaside, and Sand City. A portion of the project is located within the California Coastal Commission's retained coastal permitting jurisdiction. The Coastal Development Permit (CDP) would be subject to policies in the certified Local Coastal Programs (LCPs) of each local jurisdiction and/or Chapter 3 of the California Coastal Act. Note that there may be elements of the proposed project that also lie within the appeal jurisdiction of the Commission and thus those aspects of the local approval may also be appealable to the Coastal Commission. Given the different jurisdictional boundaries, Commission staff suggests that the cities and Monterey County request a consolidated CDP process pursuant to Coastal Act Section 30601.3.

AA-2

AA-3

Overall, we are generally supportive of the proposed project as it would offset groundwater diversions from the Carmel River and replenish the Seaside Groundwater Basin with purified recycled water, provide additional recycled water for the Castroville Seawater Intrusion Project's crop irrigation supply, develop drought reserves, prevent sea water intrusion, and diversify Monterey County's water supply portfolio. Below are comments regarding the three project elements mentioned above:

AA-4

### **1. Tembladero Slough Diversion Site**

The Tembladero Slough Diversion project site is located adjacent to the existing Castroville Pump Station. Construction will include minor grading, installation of a new wet well and diversion structure, modification of the existing wet well at the Castroville Pump Station and construction of a short pipeline from the wet well to the new pump station. A temporary coffer dam would be required around the construction site, which will be drained using a dewatering pumping system. Construction excavation may be as large as 100 feet long by 10 feet wide. Once the work is finished, channel protection, either concrete or riprap, would be installed.

AA-5

One concern with the Tembladero Slough water diversion project is the impact it will have on the migration of certain fish species, notably the steelhead salmon and the tidewater goby. The DEIR indicates that water withdrawals from the slough will result in adverse impacts to these species and proposes to address these concerns via Best Management Practices (BMPs). The BMPs include timing of construction during low flow season and relocation of aquatic species during construction. Although these measures may reduce the impacts of construction on the identified species, Commission staff is concerned that the long-term effects of diverting water from the slough will not sustain the biological productivity of slough waters as required by Section 2.4 of the North Monterey County Land Use Plan.

AA-6

LUP Policy 2.5.2.4 requires that adequate quantities of water be maintained instream to support natural aquatic and riparian vegetation and wildlife during the driest expected year. The DEIR indicates that the Tembladero Slough water diversion is not necessary to meet the primary project objective of replenishment of the Seaside Basin, but would be necessary to fully accomplish the project objectives for the Castroville Seawater Intrusion Project (CSIP) with respect to crop irrigation in some drought years. More specifically, the DEIR states that the proposed project, which would include the Tembladero Slough water diversion, would provide up to 5,900 AFY of crop irrigation water in the CSIP area in certain drought years, compared to 5,200 AFY of crop irrigation water without the Tembladero Slough water diversion, a difference of 700 AFY. Although the 700 AFY is substantial, it appears to only be necessary during extreme drought years. However, the withdrawal of this water from Tembladero Slough may have long-lasting adverse impacts on the biological productivity of the slough. The DEIR should fully evaluate the impacts of the proposed Tembladero Slough water diversion on identified sensitive species during drought years.

AA-7

AA-8

### **2. Coastal Pipeline Alignment Option**

The Coastal Pipeline Alignment option is a proposed sub-surface pipeline that would move advanced treated product water from the Salinas Regional Treatment Plant to the Seaside Groundwater Basin's injection well facilities. Portions of this element of the project would be located in the coastal zone, including areas within the City of Marina's permitting jurisdiction and the Coastal Commission's retained permitting jurisdiction. The pipeline would occupy a large portion of the Transportation Agency for Monterey County's (TAMC) right of way, and would also pass through State Parks' land at Fort Ord Dunes State Park in unincorporated

AA-9

Monterey County. All development within the Park is within the Commission's retained coastal permitting jurisdiction and is subject to the Chapter 3 policies of the California Coastal Act.

AA-9  
Con't

Fort Ord Dunes State Park is comprised of some 900+ acres of environmentally sensitive sand dune habitat. Section 30240 of the Coastal Act provides that environmentally sensitive habitat areas (ESHAs) shall be protected against any significant disruption of habitat values, and also states that only uses dependent on those resources shall be allowed within ESHA. The proposed pipeline would be installed in the sand dunes via open trenching. The pipeline would subsequently be buried and the site restored with native dune species. Though several mitigation measures are proposed, the project cannot be found consistent with Section 30240 of the Coastal Act because the project is not a resource dependent use. The DEIR identifies alternative locations for the pipeline that largely avoid dune ESHA. There may be other locations within the coastal zone that also avoid dunes (e.g., beneath existing roadways and paths). The proposed project should be modified to include alternative pipeline locations that avoid ESHA.

AA-10

AA-11

### 3. Monterey Pipeline

The proposed Monterey Pipeline is 36-inches in diameter, is roughly 5.4 miles long, and generally follows the Monterey Peninsula Recreational Trail and TAMC right-of-way through Sand City, the City of Seaside, the City of Monterey, and Pacific Grove.

AA-12

The primary concerns with the installation of the Monterey Pipeline are that it would be located within and disrupt environmentally sensitive habitat areas, including dune ESHA. As stated above, Section 30240 of the Coastal Act restricts development within ESHA to resource dependent uses only. The proposed pipeline is not a resource dependent use; that is, it is not dependent on sand dunes to exist or operate. Thus, we recommend that the DEIR investigate alternative sites for the pipeline including those that avoid dune ESHA (i.e., road right-of-ways, beneath existing paths, etc.).

AA-13

Additionally, the preferred location for the Monterey Pipeline is within an area that is subject to shoreline hazards, such as flooding. The Coastal Act requires all development to be sited and designed to minimize risks in areas of high flood hazard. We recommend that the DEIR evaluate and choose a location that avoids flooding hazards and minimizes risks, as required by the Coastal Act.

AA-14

### Conclusion

Thank you for the opportunity to comment on this significant public improvement project. If you have any questions or would like to discuss the project or these comments, please contact me at the address and phone number above.

Regards,



Mike Watson  
Coastal Planner  
Central Coast District Office

## Letter AA: California Coastal Commission

- AA-1** The comment contains an overview of the Proposed Project; no response necessary.
- AA-2** The comment identifies the components of the Proposed Project that are the subject of the comments in the letter and contains a description of the location of the components within the Coastal Zone. The comment is consistent with the contents of the Draft EIR.
- AA-3** The comment provides information about the permitting authority and policies to which the project would be compared. The comment is consistent with the contents of the Draft EIR.
- AA-4** The opinion of the Proposed Project stated in the comment is referred to decision makers for their consideration.
- AA-5** The comment reiterates information about the project from the Draft EIR; no response is necessary.
- AA-6** See Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments**.

Regarding construction phase impacts, potentially significant impacts to fisheries due to construction are identified in the Draft EIR on pages 4.4-41 through 4.4-44 and mitigation measures to reduce significant impacts to a less-than-significant level are provided on page 4.4-44 including Mitigation Measures BF-1a and BF-1b that require construction be timed to occur only outside of both adult and smolt steelhead migration periods (i.e., between June and November) and relocation of aquatic species during construction. The reference to best management practices on page 4.4-42 of the Draft EIR is correct; however, Section 4.4 of the Draft EIR did not identify these within the mitigation. Text of page 4.4-44 of the Draft EIR has been modified to include the requirement to implement mitigation measure BT-1a from Section 4.5 that would further reduce impacts to aquatic species during construction. The construction of the Tembladero Slough Diversion component would potentially impact 0.01 acres of coastal wetlands (considered to be an environmentally sensitive habitat area) within the County's North Monterey County a certified local coastal land use program per the California Coastal Act.

Regarding operational impacts of diverting water from the slough, impacts of the diversions on the Salinas River are analyzed on pages 4.4-44 and 4.4-45 of the Draft EIR and a detailed analysis is provided in Appendix F-Revised. The number and percentage of days in each month (over the entire 82-year period of record) are evaluated when the Proposed Project would result in flows below a migratory flow threshold. The model results show that under the Proposed Project, suitable adult migration flows would be reduced below each of the passage flow indicator values less than 2.0% of the time and juvenile migration flows would be reduced below each of the passage flow indicator values less than 3.0% of the time, both relative to existing conditions, as summarized on Table 4.4-10, Predicted Changes to Steelhead Passage Flow Thresholds in the Salinas River. Although the percent of flow reductions would vary by month for all indicator flows, changes within any month all would be less than 6.7% with the highest change in December. The change in flows under the Proposed Project would not result in significant impacts to steelhead migration in the Salinas River.

The potential impacts to fisheries due to diverting water from the Tembladero Slough are analyzed in the Draft EIR on pages 4.4-45 through 4.4-48, summarizing the detailed analysis in Appendix G. Mitigation measures to reduce the potentially significant impacts to a less-than-

significant level are provided on pages 4.4-48 to 4.4-49 of the Draft EIR including Mitigation Measures BF-2a and Mitigation Measure Alternate BF-2a.

- AA-7** The text of the Draft EIR on page 4.4-33 has been amended to include an analysis of consistency with North Monterey County Land Use Plan Policy 2.5.2.4 as follows:

|                 |                            |                  |                   |                                                                                                                                                                                        |                                                                                                                                                                                                                                                                 |
|-----------------|----------------------------|------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Monterey County | North County Land Use Plan | Water Re-sources | Tembladero Slough | Policy 2.5.2.4 Adequate quantities of water should be maintained instream or supplied to support natural aquatic and riparian vegetation and wildlife during the driest expected year. | <b>Consistent with Mitigation:</b> Operation of the Proposed Project with Mitigation Measures BF-2 would ensure adequate quantities of water are maintained to support federal and state-listed fish species during the driest expected year. (See Impact BF-2) |
|-----------------|----------------------------|------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

See **Chapter 5, Changes to the Draft EIR..** See also Master Response #5: Fisheries Impact Analyses in **Chapter 3, Master Responses to Comments.**

Worse-case

- AA-8** The Draft EIR evaluates the operational (long-term) impacts of the proposed Tembladero Slough water diversion on identified sensitive fish species on pages 4.4-45 through 4.4-48, summarizing the detailed analysis in Appendix G. Mitigation measures to reduce the potentially significant impacts to a less-than-significant level were provided on pages 4.4-48 to 4.4-49 of the Draft EIR including Mitigation Measures BF-2a and Mitigation Measure Alternate BF-2a. The analysis includes consideration of the worst-case hydrology and flow regimes and therefore, addresses the driest (or drought) year scenarios. The Draft EIR evaluates the operational (long-term) impacts of the proposed Tembladero Slough water diversion on identified aquatic and riparian species on pages 4.5-96 through 4.5-101. This analysis relies on habitat and species occurrence mapping in Appendices H and I. Based on the analysis, operational impacts of the Tembladero Slough diversion on aquatic and riparian species and habitat were found to be less-than-significant. Both of the analyses include consideration of the worse-case hydrology and flow regimes; therefore, the Draft EIR adequately addresses the impacts on species and habitat downstream of the diversion points in the Coastal Zone including during driest (or drought) year scenarios. See also Master Response #5: Fisheries Impact Analyses and Master Response #4: Reduction in Surface Water Flows in **Chapter 3, Master Responses to Comments.**
- AA-9** The comment reiterates information about the project from the Draft EIR; no response is necessary.
- AA-10** The Proposed Project's Coastal Alignment Option for the Product Water Conveyance Pipeline would pass through the coastal zone on the west side of Highway 1 near the Fort Ord Dunes State Park. This portion of the alignment is proposed to be located entirely within the Transportation Agency of Monterey County land that is outside of the Fort Ord Dunes State Parks land with the potential exception of an approximate ¼-acre site on the west side of the Divarty Road undercrossing of Highway 1. At that location, the land has been designated as development area by the Fort Ord Reuse Plan and the by the Fort Ord Dunes State Park Master Plan. The site does not contain sensitive habitat (see Appendix H-8 Page 20 of the Draft EIR) that would be considered environmentally sensitive habitat areas (ESHA) based on habitat surveys by DD&A biologists. California Department of Parks and Recreation's Final Initial Study/Negative Declaration for the Fort Ord Dunes State Park Campground Project documents that the site contains only ice plant, well-known to be non-native (exotic) species. See Figure 4.3-3 of the Initial Study/Negative Declaration on the following page (California Department of Parks and Recreation/Denise Duffy and Associates, Inc., 2013). Ice plant is not considered to be sensitive habitat nor ESHA as defined in Section 230240 of the California



Coastal Act. The Proposed Project would include removal of non-native iceplant species and restoration of the site with native vegetation in accordance with Mitigation Measure BT-1c.

- AA-11** The Proposed Project evaluates the RUWAP alignment option as another option that would avoid the impacts identified for the Coastal alignment option. A comparison between the Coastal and RUWAP alignment options is provided in the Draft EIR on pages 6-34 through 6-36. The RUWAP alignment option would avoid land located adjacent to and within the Fort Ord Dunes State Park (including potentially avoiding Environmentally Sensitive Habitat Areas, or ESHA) and would also avoid coastal resources (wetlands) at Locke Paddon Lake in the City of Marina. See also Master Response # 12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.
- AA-12** The comment reiterates information about the project from the Draft EIR; no response is necessary.
- AA-13** The Proposed Project's Monterey Pipeline would potentially be located within ESHA; specifically, central dune scrub (silver dune lupine – mock heather scrub) that supports habitat for Smith's blue butterfly and eucalyptus trees that provide habitat for Monarch butterflies as identified on page 4.5-92 of the Draft EIR. The alternatives analysis describes and evaluates an alternative to the Monterey Pipeline and discloses that the Alternative Monterey pipeline would avoid the significant impacts related to impacts to sensitive habitats (see Draft EIR page 6-41, Table 6-5), and thus the Alternative Monterey Pipeline would achieve the requested avoidance of ESHA. The Alternative Monterey Pipeline was found to be environmentally superior to any alternative that would include the Monterey Pipeline on Draft EIR page 6-46. See also Master Response # 12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.
- AA-14** The Draft EIR discloses that the Monterey Pipeline would be within an area that is subject to shoreline hazards, such as flooding due to coastal erosion and sea level rise (see Draft EIR pages 4.8-38 and 4.11-92). The alternatives analysis describes and evaluates an alternative to the Monterey Pipeline and discloses that the Alternative Monterey pipeline would avoid the significant impacts related to impacts to flooding and coastal erosion/sea level rise (see page 6-41 of the Draft EIR, Table 6-5), and thus the Alternative Monterey Pipeline would achieve the requested risk minimization. The Alternative Monterey Pipeline was found to be environmentally superior to any alternative that would include the Monterey Pipeline on page 6-46 of the Draft EIR. See also Master Response # 12: Adequacy of Scope and Range of Alternatives in **Chapter 3, Master Responses to Comments**.



EDMUND G. BROWN JR.  
GOVERNOR

June 26, 2015

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

Bob Holden  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Building D  
Monterey, CA 93940

Subject: Monterey Peninsula Groundwater Replenishment (Pure Water Monterey) Project  
SCH#: 2013051094

Dear Bob Holden:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on June 5, 2015. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2013051094) when contacting this office.

Sincerely,

  
Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

BB-1

## **Letter BB: Governor's Office of Planning and Research, State Clearinghouse #2**

- BB-1** The letter was a cover letter transmitting two comment letters that the State Clearinghouse received after the public review period. Specifically, the State Water Resources Control Board (see letter CC) and the California Coastal Commission (see letter AA) submitted their letters to the State Clearinghouse after June 5, 2015. No further response to this letter or to the two attachments are required; however, the two attachments have been included in the Final EIR and responses to the comments related to the environmental review and EIR are provided herein because the agencies that submitted the comments may be responsible agencies for the Proposed Project. The Monterey Regional Water Pollution Control Agency has complied with the State Clearinghouse review requirements as required pursuant to CEQA.



Letter CC



EDMUND G. BROWN JR.  
GOVERNOR

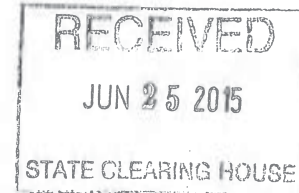


MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

JUN 22 2015

late  
6/5/15  
E



Mr. Bob Holden  
Monterey Regional Water Pollution Control Agency  
5 Harris Court, Building D  
Monterey, CA 93940

Dear Mr. Holden:

EIR FOR MONTEREY REGIONAL WATER POLLUTION CONTROL AGENCY (MRWPCA);  
MONTEREY PENINSULA GROUNDWATER REPLENISHMENT PROJECT (PROJECT); MONTEREY  
COUNTY; STATE CLEARINGHOUSE NO. 2013051094

We understand that the Agency is pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project (CWSRF No. C-06-8028-110). As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information on the EIR to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program. The primary purpose for the CWSRF Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, provide for estuary enhancement, and thereby protect and promote health, safety and welfare of the inhabitants of the state. The CWSRF Program provides low-interest funding equal to one-half of the most recent State General Obligation Bond Rates with a 30-year term. Applications are accepted and processed continuously. Please refer to the State Water Board's CWSRF website at: [www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/index.shtml).

CC-1

The CWSRF Program is partially funded by the United States Environmental Protection Agency and requires additional "CEQA-Plus" environmental documentation and review. Three enclosures are included that further explain the CWSRF Program environmental review process and the additional federal requirements. For the complete environmental application package, please visit: [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/srf\\_forms.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml). The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to State Water Board approval of a CWSRF financing commitment for the proposed Project. For further information on the CWSRF Program, please contact Mr. Ahmad Kashkoli, at (916) 341-5855.

It is important to note that prior to a CWSRF financing commitment, projects are subject to provisions of the Federal Endangered Species Act (ESA), and must obtain Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) for any potential effects to special-status species.

CC-2

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

1001 I Street, Sacramento, CA 95814 | Mailing Address: P.O. Box 100, Sacramento, Ca 95812-0100 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)



Please be advised that the State Water Board will consult with the USFWS, and/or the NMFS regarding all federal special-status species that the Project has the potential to impact if the Project is to be financed by the CWSRF Program. The MRWPCA will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the Project site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

CC-3

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act (Section 106). The State Water Board has responsibility for ensuring compliance with Section 106, and must consult directly with the California State Historic Preservation Officer (SHPO). SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant. If the MRWPCA decides to pursue CWSRF financing, please retain a consultant that meets the Secretary of the Interior's Professional Qualifications Standards ([http://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](http://www.nps.gov/history/local-law/arch_stnds_9.htm)) to prepare a Section 106 compliance report.

CC-4

Note that the MRWPCA will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area and extends below ground to the depth of any Project excavations. The records search request should extend to a ½-mile beyond the Project APE with the search area illustrated on detailed maps.

CC-5

Other federal environmental requirements pertinent to the Project under the CWSRF Program include the following (for a complete list of all federal requirements please visit: [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/docs/forms/application\\_environmental\\_package.pdf](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/forms/application_environmental_package.pdf)):

- A. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.
- B. Compliance with the Coastal Zone Management Act: Identify whether the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.
- C. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.
- D. Compliance with the Farmland Protection Policy Act: Identify whether the Project will result in the conversion of farmland. State the status of farmland (Prime, Unique, or Local and Statewide Importance) in the Project area and determine if this area is under a Williamson Act Contract.
- E. Compliance with the Migratory Bird Treaty Act: List any birds protected under this act that may be impacted by the Project and identify conservation measures to minimize impacts.
- F. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone and include a copy of the Federal Emergency Management Agency flood zone maps for the area.

CC-6



- G. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.

CC-6  
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If applying for CWSRF financing for the Project, please consider the following comments:

1. Please complete an application package, including the Clean Air Act table in the Environmental Package for air quality modeling data with construction and operational emissions in tons/year. [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/srf\\_forms.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml)
2. In support of Section 106 documentation, include detailed, properly scaled maps indicating the location of the half-mile search radius in relation to the Project APE. Provide labeled locations of all of the archaeological properties located within the APE and search area.
3. Please provide copies of complete site records for all of the sites located within the APE and within the half-mile radius of the APE to the State Water Board Archaeologist, Gary Scholze.
4. Page 4.6-5 of the EIR states that a background search of the California Historical Resources Information System (CHRIS) database files found 20 recorded resources within or adjacent to the Project Area of Potential Effects, as summarized in Table 4.6-1, Recorded Cultural Sites within Vicinity of Proposed Project Sites; yet Table 4.6-1 lists 23 recorded resources. Please clarify, and include the request letter and supporting information used to indicate the record search area for the search of the CHRIS database.
5. Provide documentation of the cultural resources report authors' qualifications, and of those who conducted the field surveys (Mary Doane, Patrick Cave, and Gina Kay) according to the Secretary of the Interior's Professional Qualifications Standards: [http://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](http://www.nps.gov/history/local-law/arch_stnds_9.htm) for qualifications defining minimum education and experience required to perform identification, evaluation, registration, and treatment activities (36 CFR Part 61).
6. Please send a phone/contact log documenting the Native American consultation efforts within a table for each attempted contact, including all responses, dates, and follow-up.
7. Please include the State Water board in all future consultation efforts, and address all comments and concerns, including the response to the March 21, 2014 letter from Louise J. Miranda Ramirez, Chairperson of the Ohlone/Costanoan-Esselen Nation. Provide all of the records from the North Western Information Center records search for this project, as requested, to the Ohlone/Costanoan-Esselen Nation, and plan to continue consultation while observing the request that the Tribe's deceased are not disturbed.
8. Please clarify the consultation efforts in regards to the March 6, 2014 letter from the Native American Heritage Commission responding to the request for a search of the Sacred Lands File that states, "The search indicates the potential of Native American cultural resources in the project vicinity that may be impacted on the Moss Landing USGS quadrangle, (T 13S, R 2E, Sec 18). The site is described as the Elkhorn Slough. For specific information regarding this site, please contact the Ohlone Indians. The contact information is on the attached Native American Contacts List."

CC-7

9. If applying for financing through the CWSRF Program, please provide a Draft SHPO Consultation Letter which includes a detailed summary of the Cultural Report and an assessment of the cultural sensitivity and the proximity of the historic properties to construction activities within the half-mile search radius. Include a discussion of avoidance and appropriate mitigation measures to avoid impacts, and the need for any further assessment of the historic properties. In particular, discuss the risks to the historic properties listed in section 4.6.2.2 of the Draft EIR due to construction of the following Project elements:
- a) Tembladero Slough Diversion site mapped in an area of "high archaeological sensitivity";
  - b) Treatment Facilities at the Regional Treatment Plant site as being mapped in an area of "moderate" archaeological sensitivity;
  - c) Lake El Estero Source Water Diversion and Storage site as being located within areas of "High Probability of Pre-Historic Artifacts"
  - d) Monterey Pipeline portion of the CalAm Distribution System as being located within areas of "High Probability of Pre-Historic Artifacts"
  - e) The drainage area along the southern border of the City of Seaside, leading to and including Laguna del Rey (the Monterey Pipeline passes through this area), as an area of prehistoric archaeological sensitivity.
10. Please indicate a statement of findings in language appropriate to the Section 106 report standards: 1) *No historic properties affected*, 2) *No effect to historic properties*, 3) *No adverse effect to historic properties*, OR 4) *Adverse effect to historic properties*.
11. Provide species lists and mapped areas of designated critical habitat for the Project from the U.S. Fish and Wildlife Service (USFWS), National Oceanic and Atmospheric Administration/National Marine Fisheries Service (NOAA/NMFS), and from the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory in preparation for Endangered Species Act (ESA) compliance for Section 7 consultation.

CC-7  
Con't

Please provide us with the following documents applicable to the proposed Project following the MRWPCA's California Environmental Quality Act (CEQA) process: (1) one copy of the draft and final EIR, (2) the resolution certifying the EIR and making CEQA findings, (3) all comments received during the review period and the MRWPCA's response to those comments, (4) the adopted Mitigation Monitoring and Reporting Program (MMRP), and (5) the Notice of Determination filed with the Monterey County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

Thank you for the opportunity to review the MRWPCA's Draft EIR. If you have any questions or concerns, please feel free to contact me at (916) 341-5879 or by email at [Susan.Stewart@waterboards.ca.gov](mailto:Susan.Stewart@waterboards.ca.gov), or contact Ahmad Kashkoli at (916) 341-5855, or by email at [Ahmad.Kashkoli@waterboards.ca.gov](mailto:Ahmad.Kashkoli@waterboards.ca.gov).

Sincerely,



Susan L. Stewart  
Environmental Scientist

Enclosures (3) see next page

Enclosures (3)

1. Clean Water State Revolving Fund Environmental Review Requirements
2. Quick Reference Guide to CEQA Requirements for State Revolving Fund Loans
3. Basic Criteria for Cultural Resources Reports

cc: State Clearinghouse  
(Re: SCH# 2013051094)  
P.O. Box 3044  
Sacramento, CA 95812-3044

## National Historic Preservation Act (NHPA)

Section 106 of the NHPA requires an analysis of the effects on “historic properties.” The Section 106 process is designed to accommodate historic preservation concerns for federal actions with the potential to affect historic properties. Early consultation with appropriate government agencies, Indian tribes, and members of the public, will ensure that their views and concerns are addressed during the planning phase.

Historic properties (i.e., buildings, structures, objects, and archaeological sites 50 years or older) are properties that are included in the National Register of Historic Places or meet the criteria for the National Register.

### Required Documents:

- ✓ A draft State Historic Preservation Officer consultation request letter; and
- ✓ A cultural resources report on historic properties conducted according to the Secretary of the Interior's Standards, including:
  - A clearly defined Area of Potential Effect (APE), specifying the length, width, and depth of excavation, with a map clearly illustrating the project APE;
  - A records search, less than one year old, extending to a half-mile beyond the project APE;
  - Written description of field methods;
  - Identification and evaluation of historic properties within the project's APE; and
  - Documentation of consultation with the Native American Heritage Commission and local Native American tribes.

## ADDITIONAL INFORMATION

If your project has the potential to affect biological resources or historic properties, the consultation process can be lengthy. Please contact the State Water Board staff early in your planning process to discuss what additional information may be needed for your specific project.

Please contact your State Water Board Project Manager or Mr. Ahmad Kashkoli at (916) 341-5855 or [Ahmad.Kashkoli@waterboards.ca.gov](mailto:Ahmad.Kashkoli@waterboards.ca.gov) for more information related to the CWSRF Program environmental review process and requirements.



## CLEAN WATER STATE REVOLVING FUND

# Environmental Review Requirements

State Water Resources Control Board  
Division of Financial Assistance



# ENVIRONMENTAL REVIEW REQUIREMENTS

The Clean Water State Revolving Fund (CWSRF) Program is partially funded by the United States Environmental Protection Agency (EPA), and is subject to federal environmental regulations as well as the California Environmental Quality Act (CEQA). All applicants seeking CWSRF financing must comply with both CEQA and the federal cross-cutting regulations. The "Environmental Package" provides the forms and instructions needed to complete the environmental review requirements for CWSRF financing. The forms and instructions are available at: [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/srf\\_forms.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml).

## Lead Agency/Applicant

The applicant will generally act as the "Lead Agency" for environmental review. It will prepare, circulate, and consider the environmental documents prior to approving the project. It also provides the State Water Board with copies of the CEQA documents, and a completed "Environmental Evaluation Form for Environmental Review and Federal Coordination" ([http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/docs/forms/application\\_environmental\\_package.pdf](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/forms/application_environmental_package.pdf)) with supporting documents as part of the "Environmental Package."

## Responsible Agency/State Water Board

The State Water Board acts on behalf of EPA to review and consider the environmental documents before approving financing. The State Water Board may require additional studies or documentation to make its own CEQA findings, as well as circulate CEQA documents and other environmental reports to relevant federal agencies for consultation before making a determination about the project financing.

The Applicant must address all relevant federal agencies' comments before project financing is approved.

# FEDERAL CROSS-CUTTING REGULATIONS

The CWSRF Program requires consultation with relevant federal agencies on the following federal environmental regulations, if applicable to the project:

- Clean Air Act
- Coastal Barriers Resources Act
- Coastal Zone Management Act
- Endangered Species Act
- Environmental Justice
- Farmland Protection Policy Act
- Floodplain Management
- Magnuson-Stevens Fishery Conservation and Management Act
- Migratory Bird Treaty Act
- National Historic Preservation Act
- Protection of Wetlands
- Safe Drinking Water Act, Sole Source Aquifer Protection
- Wild and Scenic Rivers Act

The following is a brief overview of requirements for some of the key regulations.

## Clean Air Act (CAA)

The CAA general conformity analysis only applies to projects in areas not meeting the National Ambient Air Quality Standards or subject to a maintenance plan.

If project emissions are below the federal "de minimis" levels then:

- A general conformity analysis is not required.

If project emissions are above the federal "de minimis" levels then:

- A general conformity determination for the project must be made. A general conformity determination can be made if facilities are sized to meet the needs of current population projections used in an approved State Implementation Plan for air quality.

## Letter CC Attachments

- Using population projections, applicants must explain how the proposed capacity increase was calculated.

An air quality modeling analysis is necessary of all projects for the following criteria pollutants, regardless of attainment status:

- Carbon monoxide
- Lead
- Oxides of nitrogen
- Ozone
- Particulate matter (PM2.5 and PM10)
- Sulfur dioxide

## Endangered Species Act (ESA)

The ESA requires an analysis of the effects on federally listed species. The State Water Board will determine the project's potential effects on federally listed species, and will initiate informal/formal consultation with the United States Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service, as necessary under Section 7 of the ESA.

## Required Documents:

- ✓ A species list, less than one year old, from the USFWS and the California Department of Fish and Wildlife's Natural Diversity Database;
- ✓ A biological survey conducted during the appropriate time of year;
- ✓ Maps or documents (biological reports or biological assessments, if necessary); and
- ✓ An assessment of the direct or indirect impacts to any federally listed species and/or critical habitat. If no effects are expected, explain why and provide the supporting evidence.





## CLEAN WATER STATE REVOLVING FUND

## California Environmental Quality Act Requirements

State Water Resources Control Board

Division of Financial Assistance

The State Water Resources Control Board (State Water Board), Division of Financial Assistance, administers the Clean Water State Revolving Fund (CWSRF) Program. The CWSRF Program is partially funded by grants from the United States Environmental Protection Agency. All applicants seeking CWSRF financing must comply with the California Environmental Quality Act (CEQA), and provide sufficient information so that the State Water Board can document compliance with federal environmental laws. The "Environmental Package" provides the forms and instructions needed to complete the environmental review requirements for CWSRF Program financing. It is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/srf/srf\\_forms.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml)



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**Contact Information:** For more information related to the CWSRF Program environmental review process and requirements, please contact your State Water Board Project Manager or Mr. Ahmad Kashkoli at 916-341-5855 or [Ahmad.Kashkoli@waterboards.ca.gov](mailto:Ahmad.Kashkoli@waterboards.ca.gov)

## LEAD AGENCY

The applicant is usually the "Lead Agency" and must prepare and circulate an environmental document before approving a project. Only a public agency, such as a local, regional or state government, may be the "Lead Agency" under CEQA. If a project will be completed by a non-governmental organization, "Lead Agency" responsibility goes to the first public agency providing discretionary approval for the project.

## RESPONSIBLE AGENCY

The State Water Board is generally a "Responsible Agency" under CEQA. As a "Responsible Agency," the State Water Board must make findings based on information provided by the "Lead Agency" before financing a project.

## ENVIRONMENTAL REVIEW

The State Water Board's environmental review of the project's compliance with both CEQA and federal cross-cutting regulations must be completed before a project can be financed by the CWSRF Program.

## DOCUMENT REVIEW

Applicants are encouraged to consult with State Water Board staff early during preparation of CEQA document if considering CWSRF financing. Applicants shall also send their environmental documents to the State Water Board, Environmental Review Unit during the CEQA public review period. This way, any environmental concerns can be addressed early in the process.

## REQUIRED DOCUMENTS

The Environmental Review Unit requires the documents listed below to make findings and complete its environmental review. Once the State Water Board receives all the required documents and makes its own findings, the environmental review for the project will be complete.

- ✓ Draft and Final Environmental Documents: Environmental Impact Report, Negative Declaration, and Mitigated Negative Declaration as appropriate to the project
- ✓ Resolution adopting/certifying the environmental document, making CEQA findings, and approving the project
- ✓ All comments received during the public review period and the "Lead Agency's" responses to those comments
- ✓ Adopted Mitigation Monitoring and Reporting Plan, if applicable
- ✓ Date-stamped copy of the Notice of Determination or Notice of Exemption filed with the County Clerk(s) and the Governor's Office of Planning and Research
- ✓ CWSRF Evaluation Form for Environmental Review and Federal Coordination with supporting documents



[waterboards.ca.gov](http://waterboards.ca.gov)

REVISED: FEB. 2014

## CLEAN WATER STATE REVOLVING FUND

## Basic Criteria for Cultural Resources Report Preparation

State Water Resources Control Board

Division of Financial Assistance

For Section 106 Consultation with the State Historic Preservation Officer (SHPO)  
under the National Historic Preservation Act

**CULTURAL RESOURCES REPORT**

The Cultural Resources Report must be prepared by a qualified researcher that meets the Secretary of the Interior's Professional Qualifications Standards. Please see the Professional Qualifications Standards at the following website at: [http://www.cr.nps.gov/local-law/arch\\_stnds\\_9.htm](http://www.cr.nps.gov/local-law/arch_stnds_9.htm)

The Cultural Resources Report should include one of the four "findings" listed in Section 106. These include:

***"No historic properties affected"***

(no properties are within the area of potential effect (APE; including below the ground).

***"No effect to historic properties"***

(properties may be near the APE, but the project will not have any adverse effects).

***"No adverse effect to historic properties"***

(the project may affect "historic properties", but the effects will not be adverse).

***"Adverse effect to historic properties"***

Note: Consultation with the SHPO will be required if a "no adverse effect to historic properties" or an "adverse effect to historic properties" determination is made, to develop and evaluate alternatives or modifications to the proposed project that could avoid, minimize or mitigate adverse effects on "historic properties."

**RECORDS SEARCH**

- A records search (less than one year old) extending to a half-mile beyond the project APE from a geographically appropriate Information Center is required. The records search should include maps that show all recorded sites and surveys in relation to the APE for the proposed project, and copies of the confidential site records included as an appendix to the Cultural Resources Report.
- The APE is three-dimensional (depth, length and width) and all areas (e.g., new construction, easements, staging areas, and access roads) directly affected by the proposed project.



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to keep California's **water clean.**  
CLEAN WATER STATE REVOLVING FUND



## NATIVE AMERICAN and INTERESTED PARTY CONSULTATION

- Native American and interested party consultation should be initiated at the planning phase of the proposed project to gather information to assist with the preparation of an adequate Cultural Resources Report.
- The Native American Heritage Commission (NAHC) must be contacted to obtain documentation of a search of the Sacred Lands Files for or near the project APE.
- All local Native American tribal organizations or individuals identified by the NAHC must be contacted by certified mail, and the letter should include a map and a description of the proposed project.
- Follow-up contact should be made by telephone and a phone log maintained to document the contacts and responses.
- Letters of inquiry seeking historical information on the project area and local vicinity should be sent to local historical societies, preservation organizations, or individual members of the public with a demonstrated interest in the proposed project.

Copies of all documents mentioned above (project description, map, phone log and letters sent to the NAHC and Native American tribal organizations or individuals and interested parties) must be included in the Cultural Resources Report.

**Contact Information:** For more information related to the CWSRF Program Cultural Resources and Requirements, please contact Mr. Ahmad Kashkoli at 916-341-5855 or Ahmad.Kashkoli@waterboards.ca.gov

## PRECAUTIONS

A finding of **“no known resources”** without supporting evidence is unacceptable. The Cultural Resources Report must identify resources within the APE or demonstrate with sufficient evidence that none are present.

**“The area is sensitive for buried archaeological resources,”** followed by a statement that **“monitoring is recommended.”** Monitoring is not an acceptable option without good-faith effort to demonstrate that no known resource is present.

If **“the area is already disturbed by previous construction”** documentation is still required to demonstrate that the proposed project will not affect “historic properties.” An existing road can be protecting a buried archaeological deposit or may itself be a “historic property.” Additionally, previous construction may have impacted an archaeological site that has not been previously documented.

## SHPO CONSULTATION LETTER

Submit a draft consultation letter prepared by the qualified researcher with the Cultural Resources Report to the State Water Resources Control Board. A [draft consultation letter template](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/cwsrf_requirements.shtml) is available for download on the State Water Board webpage at: [http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/cwsrf\\_requirements.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/cwsrf_requirements.shtml)



STATE WATER RESOURCES CONTROL BOARD  
REGIONAL WATER QUALITY CONTROL BOARDS

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## Letter CC: California State Water Resources Control Board – Division of Financial Assistance

- CC-1** Comment is noted. In Chapter 1, Introduction, on page 1-5, the Draft EIR notes that the Proposed Project may be financed in part by a Clean Water State Revolving Fund (CWSRF or SRF) Loan, administered by the State Water Resources Control Board (SWRCB), Division of Financial Assistance. As stated in the comment and in the Draft EIR, the CWSRF Program is partially funded by the U.S. Environmental Protection Agency, and is subject to federal environmental regulations. All applicants seeking CWSRF financing must comply with CEQA and provide sufficient information so that the SWRCB can document compliance with federal environmental laws. The SWRCB calls this federal compliance “CEQA-Plus.” The Draft EIR has been prepared to meet the CEQA-Plus requirements in order to be eligible for CWSRF loan funds. The letter provides enclosures and further guidance to further explain the CWSRF Program environmental review process and the additional federal requirements. The comments and guidance are appreciated and the MRWPCA intends to fully comply with the stated requirements.
- CC-2** The comment states that prior to a SRF financing commitment, projects are subject to provisions of the Federal Endangered Species Act (FESA), and must obtain a Section 7 clearance from the United States Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) for any potential effects to special status species. The MRWPCA intends to fully comply with these requirements. See Sections 4.4 and 4.5 in the Draft EIR, as revised in this Final EIR.
- CC-3** See the response to comment CC-2 above. Sections 4.4 and 4.5 in the Draft EIR identify Proposed Project effects from construction activities and indirect effects that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the project study area for each topic. Sections 4.4.2 and 4.5.2.1 of the Draft EIR identifies the biological project study areas for fisheries and terrestrial/other aquatic species. See also response to comment G-3 in this chapter for clarification about project study area determinations. Applicable Mitigation Measures are identified to minimize, avoid or reduce such effects in Sections 4.4 and 4.5 in the Draft EIR (Mitigation Measures BF-1, BF-2, and BT-1 through BT-6) as amended in this Final EIR. Specifically, additional mitigation measures and amendments to Draft EIR mitigation measures are provided in the Summary section and in **Chapter 5, Changes to the Draft EIR**. Additionally, information presented in the Draft EIR, confirm the jurisdiction/responsibility of NMFS and that of the USFWS. The discussion provided is consistent with the description in the Draft EIR Sections 4.4.2.2 and 4.4.3.1. Comments regarding NMFS and USFWS responsibility for the administration of the FESA are acknowledged.
- CC-4** The comment notes that CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act (Section 106) and that the State Water Board has responsibility for ensuring compliance with Section 106, and must consult directly with the California State Historic Preservation Officer (SHPO). The MRWPCA has retained a consultant that meets the Secretary of the Interior's Professional Qualifications Standards and will work with the State Board to complete all required consultation and application materials and processing.
- CC-5** MRWPCA has retained a consultant and prepared mapping for the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. The final APE will comply with all applicable requirements regarding spatial dimensions and detail.

**CC-6** Federal environmental requirements pertinent to the Proposed Project under the CWSRF Program are identified in this comment and the reader is directed to the complete list of all federal requirements at the following website: <http://www.waterboards.ca.gov/waterissues/programs/grantsloans/srf/docs/forms/applicationenvironmentalpackage.pdf>

The comments and guidance are appreciated and the MRWPCA intends to fully comply with the stated requirements. The following specific requirements under the following categories are noted in the comment letter:

**A. Compliance with the Federal Clean Air Act:** (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.

Chapter 4.3, Air Quality, states that the project partners intend to apply for a federal Clean Water Act State Revolving Fund loan; therefore, the project proposed for funding in the SRF loan application must comply with the Federal Clean Air Act. The North Central Coast Air Basin is considered attainment or unclassified for all federally-regulated criteria pollutants and is not subject to a maintenance plan with conformity requirements.

Therefore, the project proposed for funding in the SRF loan application would not be subject to General Conformity compliance under the Federal Clean Air Act. Despite the fact that the North Central Coast Air Basin is not subject to a maintenance plan with conformity requirements, the SWRCB still requires submittal of construction and operational emission calculations to demonstrate that the project conforms with the federal standards. See the 2014 SRF Guidelines for Environmental Package included in Comment CC, which requires the following documentation to support the Clean Air Act federal coordination requirements:

- Air quality modeling data
- Complete air emissions chart
- General conformity and/or air quality studies, as applicable

Compliance with the Federal Clean Air Act is discussed further in Section 4.3.3, Regulatory Framework.

**B. Compliance with the Coastal Zone Management Act:** Identify whether the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.

The Project Description in Chapter 2 and the Land Use Section of the Draft EIR identify the project components within the coastal zone. The application for the SRF funding will define status of coordination with the Coastal Commission. Letter AA of this Final EIR identifies the staff comments on the Draft EIR from Coastal Commission.

**C. Protection of Wetlands:** Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.



Chapter 4.5, Biological Resources: Terrestrial, identifies the Project areas that have been evaluated for wetlands or United States waters delineation in accordance with the standards of the United States Army Corps of Engineers.

**D. Compliance with the Farmland Protection Policy Act:** Identify whether the Proposed Project will result in the conversion of farmland. State the status of farmland (Prime, Unique, or Local and Statewide Importance) in the project proposed for funding in the SRF loan application area and determine if this area is under a Williamson Act Contract.

Chapter 4.12 contains the information needed to demonstrate compliance with the Farmland Protection Policy Act. See the following pages in the Draft EIR:

- 4.12-9 through 4.12-10 for the environmental setting for agricultural resources,
- 4.12-30 through 4.12-33 for the methodology and assumptions of the impact analysis (including No Impact determinations), and
- 4.12-34 through 4.12-36 for the relevant impact analysis.

**E. Compliance with the Migratory Bird Treaty Act:** List any birds protected under this act that may be impacted by the Project and identify conservation measures to minimize impacts.

Chapter 4.5, Biological Resources: Terrestrial, and the technical reports included in the Draft EIR, provide compliance with the Migratory Bird Treaty Act, list any birds protected under this act that may be impacted by the project proposed for funding in the SRF loan application and identify mitigation measures to minimize impacts.

**F. Compliance with the Flood Plain Management Act:** Identify whether or not the Project is in a Flood Management Zone and include a copy of the Federal Emergency Management Agency flood zone maps for the area.

Section 4.11, Hydrology and Water Quality: Surface Water, describes the areas that fall within flood hazard zones (see page 4.11-26 of the Draft EIR). Flood maps of the Proposed Project area are provided in Figure 4.11-7 of the Draft EIR. MRWPCA intends to provide FEMA Flood Insurance Rate Maps for all of the areas relevant to the project proposed for funding in the SRF loan application.

**G. Compliance with the Wild and Scenic Rivers Act:** Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.

Review of the references for the website above confirms that the project proposed for funding in the SRF loan application is not within an area that would result in any impacts on rivers governed by the Wild and Scenic Rivers Act.

**CC-7** MRWPCA intends to fully comply with the stated requirements.

## CHAPTER 5 CHANGES TO THE DRAFT EIR

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The following section provides revisions to the text of the Draft EIR, in amendment form. The revisions are listed by page number. All additions to the text are presented in underline, and all deletions are shown in ~~strikeout~~.

### CHANGES TO THE SUMMARY OF THE ENVIRONMENTAL IMPACT REPORT

**Page S-1** The following footnote reference and footnote have been added in response to comment Q-5:

**Footnote reference added to first sentence:** This Environmental Impact Report (EIR) assesses the potential environmental impacts of the Pure Water Monterey Groundwater Replenishment<sup>1</sup> Project proposed by ....

**Footnote at bottom of page S-1:**

<sup>1</sup> The term “replenishment” in the title of the project and elsewhere in the EIR was intended to maintain consistency with the relevant water quality regulatory programs under the jurisdiction of the State Water Resources Control Board (SWRCB) – Division of Drinking Water (DDW) (i.e., this agency references the requirements as the Groundwater Replenishment Regulations (or DPH-14-003E Groundwater Replenishment Using Recycled Water)). Use of the word replenishment is not intended to be defined to match the definition of *artificial* replenishment in the Seaside Groundwater Basin adjudication (Case M66343, *Decision, III., A., 3., March 27, 2006 at page 11*) because as proposed, the project would not offset the cumulative over production from the Seaside Basin by producers in the basin.

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**Page S-2** The following footnote reference has been added to the second sentence of the second paragraph and the footnote shown below has been added to the bottom of the page in response to comments M-3 and Q-14:

**Footnote reference added to second sentence of second paragraph:** “The water would then be used for two purposes: replenishment of the of the Seaside Groundwater Basin<sup>2</sup> ...”

**Footnote at bottom of page S-2:**

<sup>2</sup> A portion of the Seaside Area Subbasin of the Salinas Valley Groundwater Basin as defined by the Department of Water Resources (DWR) that is referred to herein as Seaside Groundwater Basin or Seaside Basin.

**Page S-5** The following text has been inserted at the end of Section S.5 in response to comment H-22:

The following sections provide an overview of the conclusions of the Alternatives to the Proposed Project analyses.

## **Conclusion of Alternatives Analysis**

This section summarizes the comparative environmental analysis of the No Project Alternative to the Proposed Project and also discusses several combinations of alternatives that were found to reduce environmental impacts while still meeting most of the project objectives. These are called Alternative A, Alternative B, and Alternative C in Table 6-6 of the Draft EIR for brevity purposes.

### **Alternative A: Reduced Seaside Basin Replenishment and Alternative Monterey Pipeline**

The Reduced Seaside Basin Replenishment Alternative would reduce the amount of water for Seaside Basin replenishment by 500 AFY compared to the Proposed Project (i.e., 3,000 AFY rather than 3,500 AFY of purified recycled water would be produced, conveyed to, and injected into the Seaside Basin, for later extraction by CalAm). The need to divert source waters would be reduced by approximately 600 AFY which could be achieved by eliminating one or more source water diversion sites, or by constructing and operating all of the source water diversions, but operating them with a lower total diversion amount.

If the Reduced Seaside Basin Replenishment Alternative were combined with the Alternative Monterey Pipeline (i.e., rather than the Proposed Transfer and Monterey Pipelines), numerous other significant construction impacts would be reduced due to reduced construction areas and activities, and the Proposed Project may be implemented more quickly, better meeting the project timeframe objective. Table 6-6 of the Draft EIR provides an overview of environmental impacts of this combined alternative (called Alternative A) compared to the Proposed Project.

### **Alternative B: Reduced Source Water Alternative #2 (No Tembladero Slough) and Alternative Monterey Pipeline**

Reduced Source Water Alternative #2 was found to avoid the significant and unavoidable noise impact at the Tembladero Slough diversion due to exceedances of the County's noise level ordinance; however, the alternative would not meet the project objectives as fully as the Proposed Project. Specifically, the Reduced Source Water Alternative #2 would only provide up to 5,200 AFY for the proposed Crop Irrigation component in some drought years (compared to up to 5,900 AFY under the Proposed Project).

If the Reduced Source Water Alternative #2 was combined with the Alternative Monterey Pipeline (i.e., rather than the Proposed Transfer and Monterey Pipeline), numerous other significant construction impacts would be reduced due to reduced construction areas and activities. Because the Alternative Monterey Pipeline avoids the Coastal Zone, it may be implemented more quickly than the Proposed Monterey Pipeline, better meeting the project timeframe objective. Table 6-6 of the Draft EIR provides an overview of environmental impacts of this combined alternative (called Alternative B) compared to the Proposed Project.

### **Alternative C: Reduced Source Water Alternative #7 (Salinas Source Waters Only) and Alternative Monterey Pipeline**

Reduced Source Water Alternative #7 (Salinas Source Waters Only) was found to avoid the significant and unavoidable noise impact at the Tembladero Slough Diversion, in addition to reducing environmental impacts related to source water diversions from surface waters, such as changes in flow, induced water level changes, and direct and indirect impacts on biological resources (albeit the latter would be less-than-significant under the Proposed Project). The Reduced Source Water Alternative #7 would not meet the Crop Irrigation objective to the extent that the Proposed Project would; in fact it would provide very little or no augmentation of the existing supplies to the CSIP area.

If the Reduced Source Water Alternative #7 was combined with the Alternative Monterey Pipeline (i.e., rather than both the Proposed Transfer and Monterey Pipelines), numerous other significant construction impacts would be reduced due to reduced construction areas and activities. Because the Monterey Pipeline avoids the Coastal Zone, it may be implemented more quickly than the Proposed Project, better

meeting the project timeframe objective. Table 6-6 of the Draft EIR provides an overview of environmental impacts of this combined alternative (called Alternative C) compared to the Proposed Project.

## **Environmentally Superior Alternative**

The CEQA Guidelines (Section 15126.6(e)(2)) require that an environmentally superior alternative be identified among the alternatives considered. According to CEQA Guidelines section 15126.6(e), if the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. The environmentally superior alternative is generally defined as the alternative that would result in the fewest adverse environmental impacts on the project site and surrounding area.

Table 6-3 of the Draft EIR presents a comparison of impacts from eliminating each of the proposed new source waters. Table 6-4 of the Draft EIR presents a comparison of impacts of the Product Water Conveyance Options. Table 6-5 of the Draft EIR presents a comparison of impacts of the Proposed CalAm Distribution System: Transfer and Monterey Pipelines to the Alternative Transfer and Monterey Pipelines. Table 6-6 of the Draft EIR presents a comparison of impacts between the Proposed Project, the No Project Alternative, the Reduced Seaside Basin Replenishment Alternative, Reduced Source Water Alternative #2 (No Tembladero Slough) plus the Alternative Monterey Pipeline, and the Reduced Source Water Alternative #7 (No Surface Water Diversions) plus the Alternative Monterey Pipeline.

Of the alternatives considered, the No Project Alternative would eliminate all the identified significant impacts, but would not attain any of the project objectives. All of the impacts of the Proposed Project can be reduced to less-than-significant levels with mitigation except for significant and unavoidable noise impacts associated with construction of the Tembladero Slough Diversion and nighttime construction of the CalAm Distribution System: Monterey Pipeline. The Reduced Source Water #2 (No Tembladero Slough) would eliminate the significant and unavoidable noise impact associated with construction at that site. The Alternative Monterey Pipeline would not necessarily eliminate the significant and unavoidable noise impact from nighttime construction of the Monterey Pipeline; however, that alternative would eliminate the need for the Transfer Pipeline, which would eliminate all impacts associated with construction of the Transfer Pipeline. Accordingly, other than the No Project Alternative, the Environmentally Superior Alternative would be the Reduced Source Water (No Tembladero Slough) Alternative combined with the Alternative Monterey Pipeline.

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**Pages S-7 through S-24** Table S-1 has been revised as shown on the following pages in response to comments received on the Draft EIR:

***This page is intentionally blank.***



Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                                                                                                                                                                                 | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                               |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Aesthetics (AE)                                                                                                                                                                                                                                                                                 |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| AE-1: Construction Impacts on Scenic Views, Scenic Resources and Visual Quality of the Surrounding Areas. Proposed Project construction would not result in substantial effects on scenic views, scenic resources or the visual character of the areas surrounding Proposed Project facilities. | LS                                       | NI                                              | LS                | LS                | NI                                       | LS             | NI                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| AE-2: Construction Impacts due to Temporary Light and Glare. Proposed Project construction could result in substantial, temporary sources of light or glare.                                                                                                                                    | LS                                       | NI                                              | NI                | NI                | LS                                       | LS             | LS                                               | NI                       | NI                       | LSM                       | NI                        | LSM               | LSM             | Mitigation Measure AE-2: Minimize Construction Nighttime Lighting. (Applies to the Injection Well Facilities Site and CalAm Distribution System: Monterey Pipeline). As part of its contract specifications, MRWPCA shall require its construction contractors to implement site-specific nighttime construction lighting measures for nighttime construction at the proposed Injection Well Facilities site. The measures shall, at a minimum, require that lighting be shielded, directed downward onto work areas to minimize light spillover, and specify that construction lighting use the minimum wattage necessary to provide safety at the construction sites. MRWPCA shall ensure these measures are implemented at all times during nighttime construction at the Injection Well Facilities site and for the duration of all required nighttime construction activity at this location.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| AE-3: Degradation of Visual Quality of Sites and Surrounding Areas. Proposed Project components would not result in a substantial degradation of the visual character of the project area and its surroundings.                                                                                 | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | NI                        | NI                | LS±             | <del>None required.</del> –The following mitigation measure is recommended <u>will</u> be adopted <u>by the MRWPCA</u> due to City of Seaside comments on the Draft EIR and Notice of Preparation:<br><br>Mitigation Measure AE-3: Provide Aesthetic Screening for New Above-Ground Structures. (Applies to the following project components: Product Water Conveyance Coastal <u>and</u> RUWAP Booster Pump Station and Injection Well Facilities). Proposed above-ground features at the Coastal option of the Booster Pump Station and Injection Well Facilities (at a minimum, at the well clusters and back-flush basin), shall be designed to minimize visual impacts by incorporating screening with vegetation, or other aesthetic design treatments, subject to review and approval of the City of Seaside <u>which has also requested that the buildings be designed with Monterey/Mission style architecture to match the design of the structures that have been built on the Santa Margarita ASR site and the Seaside Middle School ASR Site. All pipelines placed within the City of Seaside on General Jim Moore Boulevard shall be placed underground. MRWPCA shall coordinate with the City of Seaside on the location of injection wells and booster pumps in order to reduce conflicts with future commercial/residential development opportunities. Screening and aesthetic design treatments at the RUWAP Booster Pump Station component shall be subject to review and approval by the City of Marina. Use of standard, commercial-grade, chain link fencing and barbed wire should be discouraged.</u> |
| AE-4: Impacts due to Permanent Light and Glare during Operations. Operation of Proposed Project facilities may result in a substantial new source of light or glare that would adversely affect day or nighttime views in the area.                                                             | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | LS                                               | LSM                      | LSM                      | LSM                       | NI                        | NI                | LSM             | Mitigation Measure AE-4: Exterior Lighting Minimization. (Applies to the following project components: Product Water Conveyance Booster Pump Station - (both Options) and Injection Well Facilities) To prevent exterior lighting from affecting nighttime views, the design and operation of lighting at the Product Water Conveyance Booster Pump Station - RUWAP and Coastal Options and Injection Well Facilities, shall adhere to the following requirements: <ul style="list-style-type: none"><li>• Use of low-intensity street lighting and low-intensity exterior lighting shall be required. <u>No floodlights shall be allowed at night within the City of Marina.</u></li><li>• Lighting fixtures shall be cast downward and shielded to prevent light from spilling onto adjacent offsite uses.</li><li>• Lighting fixtures shall be designed and placed to minimize glare that could affect users of adjacent properties, buildings, and roadways.</li><li>• Fixtures and standards shall conform to state and local safety and illumination requirements.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                              | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Air Quality and Greenhouse Gas (AQ)                                                                                                                                                                                                                                                                                                                                                                                                                           |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>AQ-1: Construction Criteria Pollutant Emissions.</b><br>Construction of the Proposed Project would result in emissions of criteria pollutants, specifically PM10, that may conflict with or obstruct implementation of the applicable air quality plan and may violate an air quality standard or contribute substantially to an existing or projected air quality violation in a region that is non-attainment under State ambient air quality standards. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | <b>LSM*1</b>    | <b>Mitigation Measure AQ-1:</b> Construction Fugitive Dust Control Plan. (Applies to all Project Component Sites where ground disturbance would occur.) The following standard Dust Control Measures shall be implemented during construction to help prevent potential nuisances to nearby receptors due to fugitive dust and to reduce contributions to exceedances of the state ambient air quality standards for PM <sub>10</sub> , in accordance with MBUAPCD's CEQA Guidelines. <ul style="list-style-type: none"><li>Water all active construction areas <del>at least twice daily</del> <u>as required</u> with water (preferably from non-potable sources <u>to the extent feasible</u>); frequency should be based on the type of operation, soil, and wind exposure <u>and minimized to prevent wasteful use of water.</u></li><li>Prohibit grading activities during periods of high wind (over 15 mph).</li><li>Cover all trucks hauling soil, sand, and other loose materials and require trucks to maintain at least 2 feet of freeboard.</li><li>Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.</li><li>Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.</li><li>Enclose, cover, or water daily exposed stockpiles (dirt, sand, etc.).</li><li>Replant vegetation in disturbed areas as quickly as possible.</li><li>Wheel washers shall be installed and used by truck operators at the exits of the construction sites to the AWT Facility site, the Injection Well Facilities, and the Booster Pump Station.</li><li>Post a publicly visible sign that specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBUAPCD shall also be visible to ensure compliance with MBUAPCD rules.</li></ul> |
| <b>AQ-2: Construction Exposure of Sensitive Receptors to Pollutant Emissions.</b> Construction of the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.                                                                                                                                                                                                                                                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | <b>LS</b>       | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>AQ-3: Construction Odors.</b> Construction of the Proposed Project would not create objectionable odors affecting a substantial number of people.                                                                                                                                                                                                                                                                                                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | <b>LS</b>       | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>AQ-4C: Construction Greenhouse Gas Emissions.</b><br>Construction of the Proposed Project would generate greenhouse gas emissions, either directly or indirectly, but would not make a considerable contribution to significant cumulative impacts due to greenhouse gas emissions and the related global climate change impacts.                                                                                                                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | <b>LS</b>       | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

<sup>1</sup> Under Impact AQ-1, the implementation of each component when looked at individually would not a have a significant impact; it is only when all components are implemented together (with overlapping construction schedules) that a significant impact would occur triggering Mitigation Measures to reduce the impact to a less than significant (LS).

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                                                                                                                                                                     |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| AQ-5: Operational Air Quality Violation. Operation of the Proposed Project would result in criteria pollutant emissions, but would not violate air quality standards or contribute substantially to an existing or projected air quality violation.                                                                                                                                                                                                                                                                                                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| AQ-6: Operational Criteria Pollutant Emissions. Operation of the Proposed Project would result in a net increase of criteria pollutants in a region that is non-attainment under State ambient air quality standards, but the increase would not be cumulatively considerable.                                                                                                                                                                                                                                                                        | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| AQ-7: Operational Exposure of Sensitive Receptors to Pollutants. Operation of the Proposed Project would not expose sensitive receptors to substantial pollutant concentrations.                                                                                                                                                                                                                                                                                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| AQ-8: Operational Odors. Operation of the Proposed Project would not create objectionable odors affecting a substantial number of people.                                                                                                                                                                                                                                                                                                                                                                                                             | LS                                       | LS                                              | LS                | LS                | LS                                       | NI             | LS                                               | NI                       | NI                       | NI                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| AQ-9C: Operational Greenhouse Gas Emissions. Operation of the Proposed Project would generate greenhouse gas emissions, either directly or indirectly. These emissions would not exceed significance thresholds such that they would result in a considerable contribution to significant cumulative impacts of greenhouse gas emissions and the related global climate change impacts. In addition, the Proposed Project would not conflict with applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Biological Resources: Fisheries (BF)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| BF-1: Habitat Modification Due to Construction of Diversion Facilities. Construction of the proposed Reclamation Ditch and Tembladero Slough diversions could indirectly result in habitat modifications for endangered or threatened fish species as a result of construction activities and dewatering the construction sites.                                                                                                                                                                                                                      | NI                                       | NI                                              | LSM               | LSM               | LS                                       | NI             | NI                                               | NI                       | NI                       | NI                        | NI                        | NI                | LSM             | Mitigation Measure BT-1a (see below under Biological Resources: Terrestrial, Impact BT-1)<br>Mitigation Measure BF-1a: Construction during Low Flow Season. (Applies to Blanco Drain, Reclamation Ditch and Tembladero Slough Diversions) Implement Mitigation Measure BT-1a. Conduct construction of diversion facilities, including the directional drilling under the Salinas River, during periods of low flow outside of the SCCC steelhead migration periods, i.e. between June and November, which would be outside of the adult migration period from December through April and outside of the smolt migration period from March through May.<br>Mitigation Measure BF-1b: Relocation of Aquatic Species during Construction. (Applies to Reclamation Ditch and Tembladero Slough Diversions).<br>Conduct pre-construction surveys to determine whether tidewater gobies or other fish species are present, and if so, implement appropriate measures in consultation with applicable regulatory agencies, which may include a program for capture and relocation of tidewater gobies to suitable habitat outside of work area during construction. Pre-construction surveys shall be consistent with requirements and approved protocols of applicable resource agencies and performed by a qualified fisheries biologist.<br>Mitigation Measure BF-1c: Tidewater Goby and Steelhead Impact Avoidance and Minimization. (Applies to Reclamation Ditch and Tembladero Slough Diversions)<br>To ensure compliance with the federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA), consultation with NFMS/NOAA, USFWS, and CDFW shall be conducted as required, and any necessary take permits or authorizations would be obtained. If suitable habitat for tidewater goby (Tembladero Slough) and steelhead cannot be avoided, any in-stream portions of each project component |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                     | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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|                                                                                                                                                                                                      | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                                                                                                                      |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 | (where the Proposed Project improvements require in-stream work) shall be dewatered/ diverted. A dewatering/diversion plan shall be prepared and submitted to NMFS, USFWS, and CDFW for review and approval. Specific plan elements are noted below and will be refined through consultation with USFWS, NMFS and CDFW: <ul style="list-style-type: none"><li>Required Pre-Construction surveys identified in Mitigation Measure BF-1b shall be consistent with requirements and approved protocol of applicable resource agencies and performed by a qualified fisheries biologist.</li><li>All dewatering/diversion activities shall be monitored by a qualified fisheries biologist. The fisheries biologist shall be responsible for capture and relocation of fish species out of the work area during dewatering/diversion installation.</li><li>The project proponents shall designate a qualified representative to monitor on-site compliance of all avoidance and minimization measures. The fisheries biologist shall have the authority to halt any action which may result in the take of listed species.</li><li>Only USFWS/NMFS/CDFW-approved biologists shall participate in the capture and handling of listed species subject to the conditions in the Incidental Take Permits as noted above.</li><li>No equipment shall be permitted to enter wetted portions of any affected drainage channel. All equipment operating within streams shall be in good conditions and free of leaks.</li><li>Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.</li><li>Work within and adjacent to streams shall not occur between November 1 and June 1 unless otherwise approved by NMFS and the CDFW.</li><li>If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline. If water is to be pumped around work sites, intakes shall be completely screen with wire mesh not larger than five millimeters to prevent animals from entering the pump system.</li><li>If any tidewater goby or steelhead are harmed during implementation of the project, the project biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid further harm to the species.</li><li>Water turbidity shall be monitored by a qualified biologist or water quality specialist during all instream work. Water turbidity shall be tested daily at both an upstream location for baseline measurement and downstream to determine if project activities are altering water turbidity. Turbidity measures shall be taken within 50 feet of construction activities to rule out other outside influences. Additional turbidity testing shall occur if visual monitoring indicates an increased in turbidity downstream of the work area. If turbidity levels immediately downstream of the project rise to more than 20 NTUs (Nephelometric Turbidity Units) above the upstream (baseline) turbidity levels, all construction shall be halted and all erosion and sediment control devices shall be thoroughly inspected for proper function, or shall be replaced with new devices to prevent additional sediment discharge into streams.</li></ul> The above mitigation is subject to review and approval for CESA and FESA requirements by approving agencies as identified above and may be modified to further reduce, avoid or minimize impacts to species. |
| BF-2: Interference with Fish Migration. Operation of the Proposed Project would result in changes in stream flows that may interfere with fish migration in the Salinas River and Reclamation Ditch. | LS                                       | LS                                              | LSM               | LS                | LS                                       | NI             | NI                                               | NI                       | NI                       | NI                        | NI                        | NI                | LSM             | Mitigation Measure BF-2a: Maintain Migration Flows. (Applies to the Reclamation Ditch Diversion) Implement BF-1a, BF-1b, and BF-1c. Operate diversions to maintain steelhead migration flows in the Reclamation Ditch based on two criteria – one for upstream adult passage in Jan-Feb-Mar and one for downstream juvenile passage in Apr-May. For juvenile passage, the downstream passage shall have a flow trigger in both Gabilan Creek and at the Reclamation Ditch, so that if there is flow in Gabilan Creek that would allow outmigration, then the bypass flow requirements, as measured at the San Jon Gage of the Reclamation Ditch, shall be applied (see Hagar Environmental Science, Estimation of Minimum Flows for Migration of Steelhead in the Reclamation Ditch, February 27, 2015, in Appendix G-2, of this Draft EIR and Schaaf & Wheeler, Fish Passage Analysis: Reclamation Ditch at San Jon Rd. and Gabilan Creek at Laurel Rd. July 15, 2015 in Appendix CC of this Final EIR). If there is no flow in Gabilan Creek, then only the low flow (minimum bypass flow requirement as proposed in the project description) shall be applied, and these flows for the dry season at Reclamation Ditch as measured at the San Jon USGS gage shall be met. Note: If there is no flow gage in Gabilan Creek, then downstream passage flow trigger shall be managed based on San Jon Road gage and flows.<br><br>Alternately, as the San Jon weir located at the USGS gage is considered a barrier to steelhead migration and the bypass flow requirements have been developed to allow adult and smolt steelhead migration to have adequate flow to travel past this obstacle, if the weir were to be modified to allow steelhead passage, the mitigation above would not have to be met. Therefore, alternate Mitigation Measure BF-2a has been developed, as follows:<br>Mitigation Measure Alternate BF-2a: Modify San Jon Weir. (Applies to the Reclamation Ditch Diversion) Construct modifications to the existing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                  | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |
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|                                                                                                                                                                                                                                                                   | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                 |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
|                                                                                                                                                                                                                                                                   |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 | San Jon weir to provide for steelhead passage. Modifications could include downstream pool, modifications to the structural configuration of the weir to allow passage or other construction, and improvements to remove the impediment to steelhead passage defined above.<br><br>The above mitigation is subject to compliance with CESA and FESA and appropriate approving agencies may modify the above mitigation to further reduce, avoid, or minimize impacts to species.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| BF-3: Reduction in Fish Habitat or Fish Populations Due to Project Operations. Operation of the Proposed Project diversions would not reduce the habitat of a fish species or substantially affect fish populations.                                              | LS                                       | LS                                              | LS                | LS                | LS                                       | NI             | NI                                               | NI                       | NI                       | NI                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| Biological Resources: Terrestrial (BT)                                                                                                                                                                                                                            |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| BT-1: Construction Impacts to Special-Status Species and Habitat. Proposed Project construction may adversely affect, either directly or through habitat modification, special-status plant and wildlife species and their habitat within the Project Study Area. | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | NI                                               | LSM                      | LSM                      | LSM                       | LSM                       | LSM               | LSM             | See complete text following this table.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |
| BT-2: Construction Impacts to Sensitive Habitats. Proposed Project construction may adversely affect sensitive habitats (including riparian, wetlands, and/or other sensitive natural communities) within the Project Study Area.                                 | NI                                       | NI                                              | LSM               | LSM               | LSM                                      | NI             | NI                                               | LS                       | LSM                      | LS                        | NI                        | LSM               | LSM             | <b>Mitigation Measure BT-1a</b> (see above under Biological Resources: Terrestrial, Impact BT-1)<br><b>Mitigation Measure BT-2a:</b> Avoidance and Minimization of Impacts to Riparian Habitat and Wetland Habitats. (Applies to <u>Reclamation Ditch</u> , <u>Tembladero Slough Diversion</u> , <u>Blanco Drain Diversion</u> , and <u>Product Water Conveyance: Coastal Alignment Option</u> ) <u>Implement Mitigation Measure BT-1a.</u> When designing the facilities at these component sites, the MRWPCA shall site and design project features to avoid impacts to the riparian and wetland habitats shown in Attachment 8 of Appendix H and Appendix I, including direct habitat removal and indirect hydrology and water quality impacts, to the greatest extent feasible while taking into account site and engineering constraints. To protect this sensitive habitat during construction, the following measures shall be implemented:<br>• Place construction fencing around riparian and wetland habitat ( <u>i.e., areas adjacent to or nearby the Proposed Project construction</u> ) to be preserved to ensure construction activities and personnel do not impact this area.<br>• All proposed lighting shall be designed to avoid light and glare into the riparian and wetland habitat. Light sources shall not illuminate these areas or cause glare.<br>In the event that full avoidance is not possible and a portion or all of the riparian and wetland habitat would be impacted, the following minimization measures shall be implemented:<br>• <u>Permanently</u> impacted riparian and wetland habitat shall be mitigated at <u>no less than</u> a 42:1 replacement-to-loss ratio through restoration and/or preservation. The final mitigation amounts <u>for both temporary and permanent impacts to riparian and wetland habitat</u> shall be determined during the design phase but cannot be less than <u>2:1 for permanent impacts and 1:1 for temporary impacts, and must be approved by the relevant permitting agencies (USACOE, RWQCB, CDFW, and the entity issuing any Coastal Development Permit).</u> <u>The preserved mitigation land shall be managed to improve wetland and riparian conditions compared to existing conditions.</u> It is expected that the mitigation can occur within the Locke Paddon Lake watershed, along the Tembladero Slough, and within the Salinas River corridor near the Blanco Drain near where impacts may occur. A Habitat Mitigation and Monitoring Plan (HMMP) shall be prepared by a qualified biologist to mitigate for impacts to riparian and wetland habitat. The HMMP shall outline the details of a riparian and wetland habitat restoration plan, including but not limited to, planting plan, success criteria, monitoring protocols to determine if the success criteria have been met, adaptive management protocols in the case that the success criteria are not met, and funding assurances. <u>Plantings and revegetation conducted in compliance with this mitigation measure shall be monitored for a minimum of three years after project completion.</u><br><b>Mitigation Measure BT-2b:</b> Avoidance and Minimization of Impacts to Central Dune Scrub Habitat. (Applies to CalAm Distribution System: Monterey Pipeline) When designing the Monterey Pipeline, the project proponents shall site and design project features to avoid impacts to the central dune scrub habitat shown in Attachment 8 of Appendix H, including direct habitat removal, to the greatest extent feasible while taking into account site and engineering constraints. To protect this sensitive habitat during construction, the following measures shall be implemented:<br>• Place construction fencing around central dune scrub habitat to be preserved to ensure construction activities and personnel do not impact this area.<br>• All proposed lighting shall be designed to avoid light and glare into the central dune scrub habitat. Light sources shall not illuminate |  |



Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 | <div>central dune scrub habitat areas or cause glare.</div> <div><div></div>If full avoidance is not possible and a portion or all of the central dune scrub habitat would be impacted, the following minimization measures shall be implemented:</div> <div>Approximately 2.7 acres of central dune scrub habitat could be impacted by the project. Impacted central dune scrub habitat shall be mitigated at a 1:1 replacement-to-loss ratio through restoration and/or preservation. The final mitigation amounts shall be determined during the design phase. It is expected that the mitigation can occur onsite or within the immediate vicinity. A Habitat Mitigation and Monitoring Plan (HMMP) shall be prepared by a qualified biologist to mitigate for impacts to central dune scrub habitat. The HMMP shall outline the details of a central dune scrub habitat restoration plan, including but not limited to, planting plan, success criteria, monitoring protocols to determine if the success criteria have been met, adaptive management protocols if success criteria are not met, and funding assurances.</div> <div><b>Mitigation Measure BT-2c:</b> The project proponents in coordination with the contractor shall prepare and implement a Frack-Out Plan to avoid or reduce accidental impacts resulting from horizontal directional drilling (HDD) beneath the Salinas River. The Frack-Out Plan shall address spill prevention, containment, and clean-up methodology in the event of a frack out. <u>The proposed HDD component of the Blanco Drain diversion shall be designed and conducted to minimize the risk of spills and frac-out events. The Frac-Out Plan shall be prepared and submitted to United States Fish and Wildlife Services, California Department of Fish and Wildlife, National Marine Fisheries Services, and the Regional Water Quality Control Board prior to commencement of HDD activities for the Blanco Drain Diversion construction. The following are typical contents of a Frac-Out Plan:</u><div><div></div>Project description, including details of the HDD design and operations<div></div>Site description and existing conditions<div></div>Potential modes of HDD failure and HDD failure prevention and mitigation<div></div>Frac-out prevention measures (including for example, geotechnical investigations, planning for appropriate depths based on those investigations, presence of a qualified engineer during drilling to monitor the drilling process, live adjustments to the pace of drill advancement to ensure sufficient time for cutting and fluid circulation and to prevent or minimize plugging, maintaining the minimum drilling pressure necessary to maintain fluid circulation, etc.)<div></div>Monitoring requirements (for example, monitoring pump pressure circulation rate, ground surface and surface water inspection, advancing the drill only during daytime hours, on-site biological resource monitoring by a qualified biologist)<div></div>Response to accidental frac-out (including stopping drilling, permitting agency notification, surveying the area, containing the frac-out material, contacting the project biological monitor to identify and relocate species potentially in the area, turbidity monitoring, procedures for clean-up and mitigation of hazardous waste spill materials, preparation of documentation of the event, etc.)<div></div>Coordination plan and contact list of key project proponents, biological monitor, and agency staff in the event of an accidental frac-out event.</div></div> |
| <b>BT-3: Construction Impacts to Movement of Native Wildlife and Native Wildlife Nursery Sites.</b> Proposed Project construction would not adversely affect native wildlife corridors and wildlife nursery sites.                                                                                                                                                                                                                                                                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>BT-4: Construction Conflicts with Local Policies, Ordinances, or Approved Habitat Conservation Plan.</b> Proposed Project construction would potentially conflict with local policies or ordinances protecting biological resources. A conflict may occur if the HMP plant species within the Proposed Project component sites on the former Fort Ord that do not require a take authorization from the Service or CDFW are impacted, and seed salvage is not conducted. There are no approved HCPs applicable to the Proposed Project. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LSM                      | LSM                      | LSM                       | LS                        | LS                | LSM             | <b>Mitigation Measure BT-4.</b> HMP Plant Species Salvage. (Applies to Product Water Conveyance: RUWAP and Coastal Alignment Options, and Injection Well Facilities site within the former Fort Ord only) For impacts to the HMP plant species within the Project Study Area that do not require take authorization from USFWS or CDFW, salvage efforts for these species shall be evaluated by a qualified biologist per the requirements of the HMP and BO. A salvage plan shall be prepared and implemented by a qualified biologist, which shall would include, but is not limited to: a description and evaluation of salvage opportunities and constraints; a description of the appropriate methods and protocols of salvage and relocation efforts; identification of relocation and restoration areas; and identification of qualified biologists approved to perform the salvage efforts, including the identification of any required collection permits from USFWS and/or CDFW. Where proposed, seed collection shall occur from plants within the Project Study Area and topsoil shall be salvaged within occupied areas to be disturbed. Seeds shall be collected during the appropriate time of year for each species by qualified biologists. At the time of seed collection, a map shall also be prepared that identifies the specific locations of the plants for any future topsoil preservation efforts. The collected seeds shall be used to revegetate temporarily disturbed construction areas and reseedling and restoration efforts on- or off-site, as determined appropriate in the salvage plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                 | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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|                                                                                                                                                                                                                                                                                  | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <b>BT-5: Operational Impacts to Special-Status Species.</b> Proposed Project operations would not adversely affect, either directly or through habitat modification, special-status plant and wildlife species and their habitat.                                                | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>BT-6: Operational Impacts to Sensitive Habitats.</b> Proposed Project operations may adversely affect sensitive habitats (including riparian, wetlands, and/or other sensitive natural communities) within and adjacent to the Project Study Area.                            | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | NI                                               | LS                       | LS                       | LS                        | NI                        | LSM               | LSM             | <b>Mitigation Measure BT-6.</b> Implementation of Mitigation Measures BT-1a for Avoidance and Minimization of Operational Impacts to Sensitive Habitat (Applies to Applies to Reclamation Ditch Diversion, Tembladero Slough Diversion, Blanco Drain Diversion, and CalAm Distribution System: Monterey Pipeline) During operation and maintenance activities, implementation of Mitigation Measures BT-1a, which avoid and minimize impacts through implementing construction best management practices and monitoring, would reduce potential impacts to sensitive habitat to a less-than-significant level.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>BT-7: Operational Impacts to Movement of Native Wildlife and to Native Wildlife Nursery Sites.</b> Proposed Project operations would not adversely affect native wildlife corridors and wildlife nursery sites.                                                               | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>BT-8: Operational Conflicts with Local Policies, Ordinances, or approved Habitat Conservation Plan.</b> Proposed Project operations would not conflict with local policies or ordinances protecting biological resources.                                                     | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Cultural and Paleontological Resources (CR)</b>                                                                                                                                                                                                                               |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>CR-1: Construction Impacts on Historic Resources.</b> Proposed Project construction may result in a substantial adverse change in the significance of a known historic resource as defined in 15064.5 of the CEQA Guidelines or historic properties pursuant to 36 CFR 800.5. | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | NI                       | NI                       | NI                        | NI                        | LSM               | LSM             | <b>Mitigation Measure CR-1:</b> Avoidance and Vibration Monitoring for Pipeline Installation in the Presidio of Monterey Historic District, and Downtown Monterey. (Applies to portion of the CalAm Distribution System: Monterey Pipeline) CalAm shall construct the section of the Monterey Pipeline located on Stillwell Avenue within the Presidio of Monterey Historic District and within W. Franklin Street in downtown Monterey as close as possible to the centerlines of these streets to: (1) avoid direct impacts to the historic Presidio Entrance Monument, and (2) reduce impacts from construction vibration to below the 0.12 inches per second (in/sec) peak particle velocity vibration PPV) threshold. If CalAm determines that the pipeline cannot be located near the centerline of these street segments due to traffic concerns or existing utilities, the historic properties identified on Table 4.6-2 of this EIR shall be monitored for vibration during pipeline construction, especially during the use of jackhammers and vibratory rollers. If construction vibration levels exceed 0.12 in/sec PPV, construction shall be halted and other construction methods shall be employed to reduce the vibration levels below the standard threshold. Alternative construction methods may include using concrete saws instead of jackhammers or hoe-rams to open excavation trenches, the use of non-vibratory rollers, and hand excavation. If impact sheet pile installation is needed (i.e., for horizontal directional drilling or jack-and-bore) within 80 feet of any historical resource or within 80 feet of a historic district, CalAm shall monitor vibration levels to ensure that the 0.12-in/sec PPV damage threshold is not exceeded. If vibration levels exceed the applicable threshold, the contractor shall use alternative construction methods such as vibratory pile drivers. |

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Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                               | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                           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|                                                                                                                                                                                                                                                                                                                | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                               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| CR-2: Construction Impacts on Archaeological Resources or Human Remains. Proposed Project construction may result in a substantial adverse change in the significance of one known archaeological resource and to unknown archaeological resources during construction and/or encounter unknown human remains. | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                                              | LSM                      | LSM                      | LSM                       | LSM                       | LSM               | LSM             | <p><b>Mitigation Measure CR-2a:</b> Archaeological Monitoring Plan. (Applies to the segment of the CalAm Distribution Pipeline through the Presidio of Monterey and along W. Franklin Street and to the Lake El Estero Diversion Site) Each of the project proponents shall contract a qualified archaeologist meeting the Secretary of the Interior’s Qualification Standard (Lead Archaeologist) to prepare and implement an Archaeological Monitoring Plan, and oversee and direct all archaeological monitoring activities during construction. Archaeological monitoring shall be conducted for all subsurface excavation work within 100 feet of Presidio #2 in the Presidio of Monterey, in downtown Monterey on W. Franklin Street between High and Figueroa Streets; and at potentially sensitive archaeological sites at Lake El Estero. At a minimum, the Archaeological Monitoring Plan shall:</p> <ul style="list-style-type: none"><li>• Detail the cultural resources training program that shall be completed by all construction and field workers involved in ground disturbance;</li><li>• Designate the person(s) responsible for conducting monitoring activities, including Native American monitor(s), if deemed necessary;</li><li>• Establish monitoring protocols to ensure monitoring is conducted in accordance with current professional standards provided by the California Office of Historic Preservation;</li><li>• Establish the template and content requirements for monitoring reports;</li><li>• Establish a schedule for submittal of monitoring reports and person(s) responsible for review and approval of monitoring reports;</li><li>• Establish protocols for notifications in case of encountering cultural resources, as well as methods for evaluating significance, developing and implementing a plan to avoid or mitigate significant resource impacts, facilitating Native American participation and consultation, implementing a collection and curation plan, and ensuring consistency with applicable laws including Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code;</li><li>• Establish methods to ensure security of cultural resources sites;</li><li>• Describe the appropriate protocols for notifying the County, Native Americans, and local authorities (i.e. Sheriff, Police) should site looting and other illegal activities occur during construction with reference to Public Resources Code 5097.99.</li></ul> <p>During the course of the monitoring, the Lead Archaeologist may adjust the frequency—from continuous to intermittent—of the monitoring based on the conditions and professional judgment regarding the potential to encounter resources. If archaeological materials are encountered, all soil disturbing activities within 100 feet of the find shall cease until the resource is evaluated. The Lead Archaeologist shall immediately notify the relevant Proposed Project proponent of the encountered archaeological resource. The Lead Archaeologist shall, after making a reasonable effort to assess the identity, integrity, and significance of the encountered archaeological resource, present the findings of this assessment to the lead agency, or CPUC, for the CalAm Distribution Pipeline. In the event archaeological resources qualifying as either historical resources pursuant to CEQA Section 15064.5 or as unique archaeological resources as defined by Public Resources Code 21083.2 are encountered, preservation in place shall be the preferred manner of mitigation.</p> <p>If preservation in place is not feasible, the applicable project proponent(s) shall implement an Archaeological Research Design and Treatment Plan (ARDTP). The Lead Archaeologist, Native American representatives, and the State Historic Preservation Office designee shall meet to determine the scope of the ARDTP. The ARDTP will identify a program for the treatment and recovery of important scientific data contained within the portions of the archaeological resources located within the project Area of Potential Effects; would preserve any significant historical information obtained; and will identify the scientific/historic research questions applicable to the resources, the data classes the resource is expected to possess, and how the expected data classes would address the applicable research questions. The results of the investigation shall be documented in a technical report that provides a full artifact catalog, analysis of items collected, results of any special studies conducted, and interpretations of the resource within a regional and local context. All technical documents shall be placed on file at the Northwest Information Center of the California Historical Resources Information System.</p> <p><b>Mitigation Measure CR-2b:</b> Discovery of Archaeological Resources or Human Remains. (Applies to all Proposed Project components) If archaeological resources or human remains are unexpectedly discovered during any construction, work shall be halted within 50 meters (±160 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. The County Coroner shall be notified in accordance with provisions of Public Resources Code 5097.98-99 in the event human remains are found and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code section 5097 if the remains are determined to be of Native American origin.</p> <p><b>Mitigation Measure CR-2c:</b> Native American Notification. (Applies to all Proposed Project components) Because of their continuing interest in potential discoveries during construction, all listed Native American Contacts shall be notified of any and all discoveries of archaeological resources in the project area.</p> |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                          | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|--------------------------------------------------|--------------------------|--------------------------|---------------------------|---------------------------|-------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                           | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| CR-3: Construction Impacts on Unknown Paleontological Resources. Proposed Project construction would not result in damage to or destruction of unknown paleontological resources.                                                                                                                                                                                                                                         | LS                                       | LS                                              | NI                | NI                | NI                                       | NI             | LS                                               | NI                       | NI                       | NI                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Energy and Mineral Resources (EN)                                                                                                                                                                                                                                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| EN-1: Construction Impacts due to Temporary Energy Use. Proposed Project construction could result in wasteful or inefficient use of energy if construction equipment is not maintained or if haul trips are not planned efficiently. The Proposed Project would not conflict with existing energy standards.                                                                                                             | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                                              | LSM                      | LSM                      | LSM                       | LSM                       | LSM               | LSM             | Mitigation Measure EN-1: Construction Equipment Efficiency Plan. (Applies to all Proposed Project components) MRWPCA (for all components except the CalAm Distribution System) or CalAm (for the Cal Am Distribution System) shall contract a qualified professional (i.e., construction planner/energy efficiency expert) to prepare a Construction Equipment Efficiency Plan that identifies the specific measures that MRWPCA or CalAm (and its construction contractors) will implement as part of project construction to increase the efficient use of construction equipment. Such measures shall include, but not necessarily be limited to: procedures to ensure that all construction equipment is properly tuned and maintained at all times; a commitment to utilize existing electricity sources where feasible rather than portable diesel-powered generators; consistent compliance with idling restrictions of the state; and identification of procedures (including the use of routing plans for haul trips) that will be followed to ensure that all materials and debris hauling is conducted in a fuel-efficient manner. |
| EN-2: Operational Impacts due to Energy Use. Proposed Project operations would not result in the consumption of energy such that existing supplies would be substantially constrained nor would the Project result in the unnecessary, wasteful, or inefficient use of energy resources.                                                                                                                                  | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| EN-3: Operational Impacts on Mineral Resources. The Proposed Project would not result in a significant impact due to the loss of availability of known mineral resources of value to the region or to the state or to any locally-important mineral recovery site.                                                                                                                                                        | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Geology, Soils, and Seismicity (GS)                                                                                                                                                                                                                                                                                                                                                                                       |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| GS-1: Construction-Related Erosion or Loss of Topsoil. Construction of the Proposed Project would not result in substantial soil erosion or the loss of topsoil.                                                                                                                                                                                                                                                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| GS-2: Construction-Related Soil Collapse and Soil Constraints during Pipeline Trenching. Construction of some Proposed Project pipeline components would be located on geologic units or soils that are unstable, or that may become unstable during project construction, and potentially result in soil instability or collapse; however, this exposure would not result in a substantial risk to people or structures. | LS                                       | LS                                              | NI                | NI                | LS                                       | LS             | NI                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| GS-3: Exposure to Fault Rupture. The Proposed Project would be located in a seismically active area, and portions of the Proposed Project may be affected by fault rupture from an earthquake on local faults; however, this exposure would not result in a substantial risk to people or structures.                                                                                                                     | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | NI                       | NI                       | NI                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| GS-4: Exposure to Seismic Ground Shaking and Liquefaction. The Proposed Project would be located in a seismically active area; however, Proposed Project                                                                                                                                                                                                                                                                  | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                             | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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|                                                                                                                                                                                                                                                                                              | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                            |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| operations would not expose people or structures to a substantial risk of loss, injury, or death involving exposure to seismic groundshaking and liquefaction.                                                                                                                               |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>GS-5: Exposure to Coastal Erosion and Sea Level Rise.</b> The Proposed CalAm Distribution System Monterey Pipeline would be exposed to substantial soil erosion as a result of sea level rise.                                                                                            | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | NI                       | NI                       | NI                        | NI                        | LSM               | LSM             | <b>Mitigation Measure GS-5:</b> Monterey Pipeline Deepening. (Applies to CalAm Distribution System: Monterey Pipeline only). CalAm shall bury the Monterey Pipeline segment that is within the pre-determined coastal erosion hazard zone to a depth of five feet below the depth of the 2060, 100-year lower profile envelope. The extent of the coastal erosion hazard zone, length of affected pipeline section, and lower profile envelope for this pipeline segment shall be determined as per the Analysis of Historic and Future Coastal Erosion with Sea Level Rise (ESA-PWA, 2014). |
| <b>GS-6: Hydro-Collapse of Soils from Well Injection.</b> Proposed Project operation would not create a substantial risk to life or property due to its facilities being located on a geologic unit or soils that are unstable, or that would become unstable as a result of hydro-collapse. | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | NI                       | NI                       | LS                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>GS-7: Exposure to Expansive and Corrosive Soils.</b> The Proposed Project would not result in substantial risks to the public or other facilities due to location on expansive or corrosive soil types.                                                                                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Hazards and Hazardous Materials (HH)</b>                                                                                                                                                                                                                                                  |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>HH-1: Use and Disposal of Hazardous Materials During Construction.</b> Proposed Project construction would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction.                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                    | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                      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|                                                                                                                                                                                                                                                                                                     | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                          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| HH-2: Accidental Release of Hazardous Materials During Construction. Proposed Project construction would potentially cause upset and accident conditions involving the release of hazardous materials into the environment.                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | LSM            | LS                                               | LSM                      | LSM                      | LSM                       | LSM                       | LSM               | LSM             | <p><b>Mitigation Measure HH-2a:</b> Environmental Site Assessment. (Applies to the Lake El Estero Diversion, Product Water Conveyance RUWAP and Coastal Alignment Options, Injection Well Facilities and the CalAm Distribution System) If required by local jurisdictions and property owners with approval responsibility for construction of each component, MRWPCA and CalAm shall conduct a Phase I Environmental Site Assessment in conformance with ASTM Standard 1527-05 to identify potential locations where hazardous material contamination may be encountered. If an Environmental Site Assessment indicates that a release of hazardous materials could have affected soil or groundwater quality at a project site, a Phase II environmental site assessment shall be conducted to determine the extent of contamination and to prescribe an appropriate course of remediation, including but not limited to removal of contaminated soils, in conformance with state and local guidelines and regulations. If the results of the subsurface investigation(s) indicate the presence of hazardous materials, additional site remediation may be required by the applicable state or local regulatory agencies, and the contractors shall be required to comply with all regulatory requirements for facility design or site remediation.</p> <p><b>Mitigation Measure HH-2b:</b> Health and Safety Plan. (Applies to the Lake El Estero Diversion, Product Water Conveyance RUWAP and Coastal Alignment Options, the Injection Well Facilities, and the CalAm Distribution System) The construction contractor(s) shall prepare and implement a project-specific Health and Safety Plan (HSP) for each site on which construction may occur, in accordance with 29 CFR 1910 to protect construction workers and the public during all excavation, grading, and construction. The HSP shall include the following, at a minimum:</p> <ul style="list-style-type: none"><li>• A summary of all potential risks to construction workers and the maximum exposure limits for all known and reasonably foreseeable site chemicals (the HSP shall incorporate and consider the information in all available existing Environmental Site Assessments and remediation reports for properties within ¼-mile using the EnviroStor Database);</li><li>• Specified personal protective equipment and decontamination procedures, if needed;</li><li>• Emergency procedures, including route to the nearest hospital;</li><li>• Procedures to be followed in the event that evidence of potential soil or groundwater contamination (such as soil staining, noxious odors, debris or buried storage containers) is encountered. These procedures shall be in accordance with hazardous waste operations regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release, notifying Monterey County Department of Environmental Health, and retaining a qualified environmental firm to perform sampling and remediation; and</li><li>• The identification and responsibilities of a site health and safety supervisor.</li></ul> <p><b>Mitigation Measure HH-2c:</b> Materials and Dewatering Disposal Plan. (Applies to the Lake El Estero Diversion, Product Water Conveyance System Options, the Injection Well Facilities, and the CalAm Distribution System) MRWPCA and CalAm and/or their contractors shall develop a materials disposal plan specifying how the contractor will remove, handle, transport, and dispose of all excavated material in a safe, appropriate, and lawful manner. The plan must identify the disposal method for soil and the approved disposal site, and include written documentation that the disposal site will accept the waste. For areas within the Seaside munitions response areas called Site 39 (coincident with the Injection Well Facilities component), the materials disposal plans shall be reviewed and approved by FORA and the City of Seaside. The contractor shall develop a groundwater dewatering control and disposal plan specifying how the contractor will remove, handle, and dispose of groundwater impacted by hazardous substances in a safe, appropriate, and lawful manner. The plan must identify the locations at which potential contaminated groundwater dewatering are likely to be encountered (if any), the method to analyze groundwater for hazardous materials, and the appropriate treatment and/or disposal methods. If the dewatering effluent contains contaminants that exceed the requirements of the General WDRs for Discharges with a Low Threat to Water Quality (Order No. R3-2011-0223, NPDES Permit No. CAG993001), the construction contractor shall contain the dewatering effluent in a portable holding tank for appropriate offsite disposal or discharge (see Section 4.11, Hydrology and Water Quality: Surface Water, for more information regarding this NPDES permit). The contractor can either dispose of the contaminated effluent at a permitted waste management facility or discharge the effluent, under permit, to the Regional Treatment Plant.</p> |
| HH-3: Construction of Facilities on Known Hazardous Materials Site. Proposed Project construction would occur on a known hazardous materials site pursuant to Government Code Section 65962.5; however, the Proposed Project would not result in a significant hazard to people or the environment. | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                 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Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                              | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|--------------------------------------------------|--------------------------|--------------------------|---------------------------|---------------------------|-------------------|-----------------|---------------------|
|                                                                                                                                                                                                                                                                                                                                                                                               | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                     |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                             |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                     |
| HH-4: Use of Hazardous Materials During Construction Within 0.25-Miles of Schools.<br>Proposed Project construction would not result in nor create a significant hazard to the public or the environment due to handling of hazardous materials or hazardous emissions within 0.25 mile of a school during construction.                                                                      | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | LS                                               | LS                       | LS                       | LS                        | NI                        | NI                | LS              | None required.      |
| HH-5: Wildland Fire Hazard during Construction.<br>Proposed Project construction would not increase the risk of wildland fires in high fire hazard areas.                                                                                                                                                                                                                                     | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.      |
| HH-6: Use and Disposal of Hazardous Materials During Operation. Proposed Project operations would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.                                                                                                                                                    | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.      |
| HH-7: Operation of Facilities on Known Hazardous Materials Site. Proposed Project facilities would be located on a known hazardous materials site; however, the Proposed Project would not result in a significant hazard to people or the environment.                                                                                                                                       | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.      |
| Hydrology and Water Quality: Groundwater (GW)                                                                                                                                                                                                                                                                                                                                                 |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                     |
| GW-1: Construction Groundwater Depletion, Levels, and Recharge. Construction of the Proposed Project components would not deplete groundwater supplies nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of local groundwater levels.                                                                              | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.      |
| GW-2: Construction Groundwater Quality. Proposed Project construction would not violate any water quality standards or otherwise degrade water quality.                                                                                                                                                                                                                                       | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.      |
| GW-3: Operational Groundwater Depletion and Levels: Salinas Valley Groundwater Basin.<br>Operation of the Proposed Project would not deplete groundwater supplies in the Salinas Valley nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater levels in the Salinas Valley Groundwater Basin. | LS                                       | LS                                              | LS                | LS                | NI                                       | NI             | BI                                               | NI                       | NI                       | NI                        | NI                        | NI                | BI              | None required.      |
| GW-4: Operational Groundwater Depletion and Levels: Seaside Basin. Operation of the Proposed Project would not deplete groundwater supplies in the Seaside Basin nor interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater levels in the Seaside Basin.                                           | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | NI                       | NI                       | LS                        | NI                        | NI                | LS              | None required.      |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall    | Mitigation Measures |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|--------------------------------------------------|--------------------------|--------------------------|---------------------------|---------------------------|-------------------|--------------------|---------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                    |                     |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                                                                                                                                                                          |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                    |                     |
| GW-5: Operational Groundwater Quality: Salinas Valley. Operation of the Proposed Project would not degrade groundwater quality in the Salinas Valley.                                                                                                                                                                                                                                                                                                                                                                                                      | BI                                       | BI                                              | LS                | LS                | LS                                       | NI             | BI                                               | NI                       | NI                       | NI                        | NI                        | NI                | BI                 | None required.      |
| GW-6: Operational Groundwater Quality: Seaside Basin. Proposed Project operations would not degrade groundwater quality in the Seaside Basin, including due to injection of purified recycled water into the basin.                                                                                                                                                                                                                                                                                                                                        | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | BI/LS <sup>4*</sup>                              | NI                       | NI                       | BI/LS <sup>4*</sup>       | NI                        | NI                | BI/LS <sup>2</sup> | None required.      |
| Hydrology and Water Quality: Surface Water (HS)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                    |                     |
| HS-1: Construction Impacts to Surface Water Quality due to Discharges. Proposed Project construction involving well drilling and development, and dewatering of shallow groundwater during excavation would generate water requiring disposal. Compliance with existing regulatory requirements would ensure that water disposal during construction would not violate any water quality standards or waste discharge requirements, would not cause substantial erosion or siltation, and would not otherwise substantially degrade surface water quality. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS                 | None required.      |
| HS-2: Construction Impacts to Surface Water Quality due to Earthmoving, Drainage Alterations, and Use of Hazardous Chemicals. Proposed Project construction would not violate any water quality standards or waste discharge requirements, would not cause substantial erosion or siltation, and would not otherwise substantially degrade surface water quality including marine water quality, due to earthmoving, drainage system alterations, and use of hazardous chemicals.                                                                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS                 | None required.      |
| HS-3: Operational Impacts to Surface Water Quality due to Well Maintenance Discharges. Proposed Project operations would not violate any water quality standards or waste discharge requirements, would not cause substantial erosion or siltation, and would not otherwise substantially degrade surface water quality due to well maintenance discharges.                                                                                                                                                                                                | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | NI                       | NI                       | LS                        | NI                        | NI                | LS                 | None required.      |

<sup>2</sup> For concentrations of total dissolved solids and chloride, the impact would be beneficial; for all other water quality parameters, the impact would be less than significant.

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                                          | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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|                                                                                                                                                                                                                                                                                                                                                                                                           | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| HS-4: Operational Surface Water Quality Impacts due to Source Water Diversions. Proposed Project diversions would result in water quality benefits due to diversion and treatment of polluted waters; however, rapid water fluctuation from diversions at the Reclamation Ditch could induce erosion and sedimentation in downstream waters.                                                              | LS                                       | LS                                              | LSM               | LS                | LS                                       | LS             | NI                                               | NI                       | NI                       | NI                        | NI                        | NI                | LSM             | Mitigation Measure HS-4: Management of Surface Water Diversion Operations (Applies to Reclamation Ditch Diversion, only) Rapid, imposed water-level fluctuations shall be avoided when operating the Reclamation Ditch Diversion pumps to minimize erosion and failure of exposed (or unvegetated), susceptible banks. This can be accomplished by operating the pumps at an appropriate flow rate, in conjunction with commencing operation of the pumps only when suitable water levels or flow rates are measured in the water body. Proper control shall be implemented to ensure that mobilized sediment would not impair downstream habitat values and to prevent adverse impacts due to water/soil interface adjacent to the Reclamation Ditch and Tembladero Slough. <u>During planned routine maintenance at the Reclamation Ditch Diversion, maintenance personnel shall inspect the diversion structures within the channel for evidence of any adverse fluvial geomorphological processes (for example, undercutting, erosion, scour, or changes in channel cross-section).</u> If evidence of any substantial adverse changes are noted, the diversion structure shall be redesigned and the project proponents shall modify it in accordance with the new design. |
| HS-5: Operational Marine Water Quality due to Ocean Discharges. Proposed Project operational discharges of reverse osmosis concentrate to the ocean through the MRWPCA outfall would not violate water quality standards or waste discharge requirements, or otherwise substantially degrade water quality.                                                                                               | BI                                       | BI                                              | BI                | BI                | BI                                       | BI             | LS                                               | NI                       | NI                       | NI                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| HS-6: Operational Drainage Pattern Alterations. The Proposed Project would alter existing drainage patterns of the component sites by increasing impervious surfaces, but would not substantially increase the rate or amount of runoff such that it would: (1) cause erosion or siltation on- or off-site, (2) cause flooding on- or offsite, or (3) exceed the existing storm drainage system capacity. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| HS-7: Operational Carmel River Flows. Proposed Project operations would result in reduced pumping of the Carmel River alluvial aquifer resulting in increased flows in Carmel River that would benefit habitat for aquatic and terrestrial species.                                                                                                                                                       | NI                                       | NI                                              | NI                | NI                | NI                                       | NI             | NI                                               | NI                       | NI                       | NI                        | NI                        | NI                | BI              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| HS-8: Operational Risks due to Location within 100-Year Flood Area. Portions of the Proposed Project would be located within a 100-year flood hazard area but would not impede or redirect flood flows.                                                                                                                                                                                                   | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | NI                                               | LS                       | LS                       | LS                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| HS-9: Operational Risks due to Flooding due to Levee/Dam Failure, or Coastal Inundation. During operations, some Proposed Project facilities may be exposed to flooding due to failure of a levee or dam, sea level rise, and storm surges/tides related to climate change, but this exposure would not pose a substantial nor significant risk of loss, injury, or death.                                | LS                                       | LS                                              | NI                | LS                | LS                                       | LS             | NI                                               | NI                       | NI                       | NI                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| HS-10: Operational Seiche, Tsunami, or Mudflow Risk. The Proposed Project operations would not expose people or structures to substantial risk from flooding due to a seiche, tsunami, or mudflow.                                                                                                                                                                                                        | NI                                       | NI                                              | NI                | LS                | LS                                       | LS             | NI                                               | NI                       | NI                       | NI                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                                | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |
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|                                                                                                                                                                                                                                                                                                                                                                                 | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                               |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| Land Use, Agriculture, and Forest Resources (LU)                                                                                                                                                                                                                                                                                                                                |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| LU-1: Temporary Farmland Conversion during Construction. The Proposed Project would result in a temporary disruption to agricultural production on designated prime, unique and statewide important farmlands during construction, but would not directly or indirectly convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. | NI                                       | LSM                                             | NI                | NI                | LSM                                      | NI             | NI                                               | LS                       | LS                       | NI                        | NI                        | NI                | LSM             | Mitigation Measure LU-1: Minimize Disturbance to Farmland. (Applies to the Salinas Treatment Facility and a portion of the Blanco Drain Diversion) To support the continued productivity of designated Prime Farmland and Farmland of Statewide Importance, the following provisions shall be included in construction contract specifications: <ul style="list-style-type: none"><li>Construction contractor(s) shall minimize the extent of the construction disturbance, including construction access and staging areas, in designated important farmland areas.</li><li>Prior to the start of construction, the construction contractor(s) shall mark the limits of the construction area and ensure that no construction activities, parking, or staging occur beyond the construction limits.</li><li>Upon completion of the active construction, the site shall be restored to pre-construction conditions.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| LU-2: Operational Consistency with Plans, Policies, and Regulations. The Proposed Project would have one or more components that would potentially conflict, or be inconsistent with, applicable land use plans, policies, and regulations without implementation of mitigation measures identified in this EIR.                                                                | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                                              | LSM                      | LSM                      | LSM                       | LSM                       | LSM               | LSM             | All other mitigation measures (see Table 4.12-5 in Section 4.12, Land Use, Agriculture, and Forest Resources).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| LU-3: Operational Indirect Farmland Conversion. The Proposed Project would not change the existing environment such that Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to non-agricultural use.                                                                                                                                             | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | NI                       | NI                       | NI                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Marine Biological Resources (MR)                                                                                                                                                                                                                                                                                                                                                |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| MR-1: Operational Impacts on Marine Biological Resources. Operation of the Proposed Project would not result in substantial adverse effects on candidate, sensitive, or special-status species and would not interfere substantially with the movement of any native resident or migratory fish or wildlife species.                                                            | BI                                       | BI                                              | BI                | BI                | BI                                       | BI             | LS                                               | NI                       | NI                       | NI                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
| Noise and Vibration (NV)                                                                                                                                                                                                                                                                                                                                                        |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| NV-1: Construction Noise. Construction activity would result in a temporary increase in ambient noise levels in the vicinity of all Proposed Project sites during construction that would not be substantial at most construction sites, except at the Injection Well Facilities and CalAm Distribution Monterey Pipeline sites.                                                | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LSM                       | LS                        | SU                | SU              | Mitigation Measure NV-1a: Drilling Contractor Noise Measures. (Applies to Injection Well Facilities) Contractor specifications shall include a requirement that drill rigs located within 700 feet of noise-sensitive receptors shall be equipped with noise reducing engine housings or other noise reducing technology and the line of sight between the drill rig and nearby sensitive receptors shall be blocked by portable acoustic barriers and/or shields to reduce noise levels such that drill rig noise levels are no more 75 dBA at 50 feet. This would reduce the nighttime noise level to less than 60 dBA Leq at the nearest residence. The contractor shall submit to the MRWPCA and the Seaside Building Official, a “Well Construction Noise Control Plan” for review and approval. The plan shall identify all feasible noise control procedures that would be implemented during night-time construction activities. At a minimum, the plan shall specify the noise control treatments to achieve the specified above noise performance standard.<br>Mitigation Measure NV-1b: Monterey Pipeline Noise Control Plan for Nighttime Pipeline Construction. (Applies to CalAm Distribution System: Monterey Pipeline) CalAm shall submit a Noise Control Plan for all nighttime pipeline work to the California Public Utilities Commission for review and approval prior to the commencement of project construction activities. The Noise Control Plan shall identify all feasible noise control procedures to be implemented during nighttime pipeline installation in order to reduce noise levels to the extent practicable at the nearest residential or noise sensitive receptor. At a minimum, the Noise Control Plan shall require use of moveable noise screens, noise blankets, or other suitable sound attenuation devices be used to reduce noise levels during nighttime pipeline installation activities.<br>Mitigation Measure NV-1c: Neighborhood Notice. (Applies to Injection Well Facilities and CalAm Distribution System: Monterey Pipeline) Residences and other sensitive receptors within 900 feet of a nighttime construction area shall be notified of the construction location and |  |



Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                             | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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|                                                                                                                                                                                                                                                                                              | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                            |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                                                                                                                                                                                                                                                                                              |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 | <p>schedule in writing, at least two weeks prior to the commencement of construction activities. The notice shall also be posted along the proposed pipeline alignments, near the proposed facility sites, and at nearby recreational facilities. The contractor shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and included in the construction schedule notification sent to nearby residences. The notice to be distributed to residences and sensitive receptors shall first be submitted, for review and approval, to the MRWPCA and city and county staff as may be required by local regulations.</p> <p><b>Mitigation Measure NV-1d:</b> RUWAP Pipeline Construction Noise. (Applies to the RUWAP Alignment Option of the Product Water Conveyance)</p> <p>The following measures will be implemented by the project proponents in response to comments from the Marina Coast Water District if the RUWAP alignment option of the Product Water Conveyance Pipeline is selected for implementation.</p> <ul style="list-style-type: none"><li>• <u>The construction contractor shall limit exterior construction related activities to the hours of restriction consistent with the noise ordinance of, and encroachment permits issued by, the relevant land use jurisdictions.</u></li><li>• <u>The contractor shall locate all stationary noise-generating equipment as far as possible from nearby noise-sensitive receptors. Where possible, noise generating equipment shall be shielded from nearby noise-sensitive receptors by noise-attenuating buffers. Stationary noise sources located 500 feet from noise-sensitive receptors shall be equipped with noise reducing engine housings. Where possible and required by the local jurisdiction, portable acoustic barriers shall be placed around stationary noise generating equipment that is located less than 200 feet from noise-sensitive receptors.</u></li><li>• <u>The contractor shall assure that construction equipment powered by gasoline or diesel engines have sound control devices at least as effective as those provided by the original equipment manufacturer (OEM). No equipment shall be permitted to have an unmuffled exhaust.</u></li><li>• <u>The contractor shall assure that noise-generating mobile equipment and machinery are shut-off when not in use.</u></li><li>• <u>Residences within 500 feet of a construction area shall be notified of the construction schedule in writing, prior to construction. The project proponent(s) and contractor shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and written into the construction notification schedule sent to nearby residences.</u></li></ul> |
| <b>NV-2: Construction Noise That Exceeds or Violate Local Standards.</b> Construction activity would result in a temporary increase that at some locations could generate noise levels in excess of standards established in the local general plans and/or could violate local regulations. | NI                                       | NI                                              | LSM               | SU                | LSM                                      | NI             | NI                                               | LSM                      | LSM                      | NI                        | NI                        | NI                | <b>SU</b>       | <p><b>Mitigation Measure NV-2a:</b> Construction Equipment. (Applies to Source Water Diversion and Storage Sites – Reclamation Ditch, Tembladero Slough and Blanco Drain, Product Water Conveyance Pipeline segments within the City of Marina and RUWAP Booster Station) Contractor specifications shall include a requirement that the contractor shall:</p> <ul style="list-style-type: none"><li>- Assure that construction equipment with internal combustion engines has sound control devices at least as effective as those provided by the original equipment manufacturer. No equipment shall be permitted to have an un-muffled exhaust.</li><li>- Impact tools (i.e., jack hammers, pavement breakers, and rock drills) used for project construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler shall be placed on the compressed air exhaust to lower noise levels by approximately 10 dBA. External jackets shall be used on impact tools, where feasible, in order to achieve a further reduction of 5 dBA. Quieter procedures shall be used, such as drills rather than impact equipment, whenever feasible.</li><li>- The construction contractor(s) shall locate stationary noise sources (e.g., generators, air compressors) as far from nearby noise-sensitive receptors as possible,</li><li>- For Product Water Conveyance pipeline segments within the City of Marina, noise controls shall be sufficient to not exceed 60 decibels for more than twenty-five percent of an hour,</li></ul> <p><b>Mitigation Measure NV-2b:</b> Construction Hours. (Applies to Product Water Conveyance Pipelines and Booster Pump Station in the City of Marina). The construction contractor shall limit all noise-producing construction activities within the City of Marina to between the hours of 7:00 AM and 7:00 PM on weekdays and between 9:00 AM and 7:00 PM Saturdays, <del>except that construction may be allowed until 8:00 PM during daylight savings time.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>NV-3: Construction Vibration.</b> Construction of the Proposed Project would not expose sensitive receptors to excessive groundborne vibration.                                                                                                                                           | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | <b>LS</b>       | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                      | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                                                                                                                                                                                                                                                                                                                       | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                     |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| NV-4: Operational Noise. Operation of the Proposed Project facilities would potentially increase existing noise levels, but would not exceed noise level standards and/or result in nuisance impacts at sensitive receptors.                                                                                          | NI                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | NI                        | NI                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Population and Housing (PH)                                                                                                                                                                                                                                                                                           |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| PH-1: Construction-Related Growth Inducement. Proposed Project construction would result in temporary increases in construction employment, but would not induce substantial population growth.                                                                                                                       | -                                        | -                                               | -                 | -                 | -                                        | -              | -                                                | -                        | -                        | -                         | -                         | -                 | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| PH-2: Operations and Infrastructure-Related Growth Inducement. Operation of the Proposed Project would not directly result in population growth, and would not indirectly result in inducement of substantial population growth.                                                                                      | -                                        | -                                               | -                 | -                 | -                                        | -              | -                                                | -                        | -                        | -                         | -                         | -                 | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Public Services, Utilities, and Recreation (PS)                                                                                                                                                                                                                                                                       |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| PS-1: Construction Public Services Demand. Construction of the Proposed Project would not result in public service demands for fire and police protection services, schools, or parks that would result in the need for new or physically altered facilities to maintain service capacity or performance objectives.  | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| PS-2: Construction Landfill Capacity. Construction of the Proposed Project would result in generation of solid waste; however, the solid waste would be disposed at a landfill with sufficient permitted daily and overall capacity to accommodate the project's solid waste disposal needs.                          | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| PS-3: Construction Solid Waste Policies and Regulations. Construction of the Proposed Project would potentially conflict with state and local statutes, policies and regulations related to solid waste.                                                                                                              | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                                              | LSM                      | LSM                      | LSM                       | LSM                       | LSM               | LSM             | Mitigation Measure PS-3: Construction Waste Reduction and Recycling Plan (relevant to all Proposed Project components). The construction contractor(s) shall prepare and implement a construction waste reduction and recycling plan identifying the types of construction debris the Proposed Project will generate and the manner in which those waste streams will be handled. In accordance with the California Integrated Waste Management Act of 1989, the plan shall emphasize source reduction measures, followed by recycling and composting methods, to ensure that construction and demolition waste generated by the project is managed consistent with applicable statutes and regulations. In accordance with the California Green Building Standards Code and local regulations, the plan shall specify that all trees, stumps, rocks, and associated vegetation and soils, and 50% of all other nonhazardous construction and demolition waste, be diverted from landfill disposal. The plan shall be prepared in coordination with the Monterey Regional Waste Management District and be consistent with Monterey County’s Integrated Waste Management Plan. Upon project completion, MRWPCA and CalAm shall collect the receipts from the contractor(s) to document that the waste reduction, recycling, and diversion goals have been met. |
| PS-4: Public Services Demand During Operation. Operation of the Proposed Project would not result in public service demands for fire and police protection services, schools, or parks that would result in the need for new or physically altered facilities to maintain service capacity or performance objectives. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                                 | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                                                                                                                                                                                                                                                                                                                                                                  | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                                                |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| PS-5: Landfill Capacity for Operations. Operation of the Proposed Project would not result in adverse effects on landfill capacity or be out of compliance with federal, state, and local statutes and regulations related to solid waste.                                                                                                                       | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Traffic and Transportation (TR)                                                                                                                                                                                                                                                                                                                                  |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| TR-1: Construction Traffic. Proposed Project construction would result in a temporary increase in traffic volumes on regional and local roadways due to construction-related vehicle trips, which would not result in conflicts with any applicable plan, ordinance, or policy establishing measures of effectiveness for performance of the circulation system. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| TR-2: Construction-Related Traffic Delays, Safety and Access Limitations. Construction activities could result in temporary traffic delays, safety hazards, and/or disruption of access.                                                                                                                                                                         | LS                                       | LS                                              | LS                | LS                | LS                                       | NI             | LS                                               | LSM                      | LSM                      | NI                        | LSM                       | LSM               | LSM             | <b>Mitigation Measure TR-2:</b> Traffic Control and Safety Assurance Plan. Prior to construction, MRWPCA and/or its contractor shall prepare and implement a traffic control plan or plans for the roadways and intersections affected by MRWPCA construction (Product Water Conveyance Pipeline) and CalAm shall prepare and implement a traffic control plan for the roadways and intersections affected by the CalAm Distribution System Improvements (Transfer and Monterey pipelines). The traffic control plan(s) shall comply with the affected jurisdiction’s encroachment permit requirements and will be based on detailed design plans. For all project construction activities that could affect the public right-of-way (e.g., roadways, sidewalks, and walkways), the plan shall include measures that would provide for continuity of vehicular, pedestrian, and bicyclist access; reduce the potential for traffic accidents; and ensure worker safety in construction zones. Where project construction activities could disrupt mobility and access for bicyclists and pedestrians, the plan shall include measures to ensure safe and convenient access would be maintained.<br>The traffic control and safety assurance plan shall be developed on the basis of detailed design plans for the approved project. The plan shall include, but not necessarily be limited to, the elements listed below:<br>General<br>a. Develop circulation and detour plans to minimize impacts on local streets. As necessary, signage and/or flaggers shall be used to guide vehicles to detour routes and/or through the construction work areas.<br>b. Implement a public information program to notify motorists, bicyclists, nearby residents, and adjacent businesses of the impending construction activities (e.g., media coverage, email notices, websites, etc.). Notices of the location(s) and timing of lane closures shall be published in local newspapers and on available websites to allow motorists to select alternative routes.<br>Roadways<br>c. Haul routes that minimize truck traffic on local roadways and residential streets shall be used to the extent feasible.<br>d. Schedule truck trips outside of peak morning and evening commute hours to minimize adverse impacts on traffic flow.<br>e. Limit lane closures during peak hours. Travel lane closures, when necessary, shall be managed such that one travel lane is kept open at all times to allow alternating traffic flow in both directions along affected two-lane roadways; <del>the contractor shall use steel plates or trench backfilling to restore vehicle access at the end of each workday.</del> <u>In the City of Marina, one-way traffic shall be limited to a maximum of 5 minutes of traffic delay.</u><br>f. Restore roads and streets to normal operation by covering trenches with steel plates outside of normal work hours or when work is not in progress.<br>g. Comply with roadside safety protocols to reduce the risk of accidents. Provide “Road Work Ahead” warning signs and speed control (including signs informing drivers of state legislated double fines for speed infractions in a construction zone) to achieve required speed reductions for safe traffic flow through the work zone. Train construction personnel to apply appropriate safety measures as described in the plan.<br>h. Provide flaggers in school areas at street crossings to manage traffic flow and maintain traffic safety during the school drop-off and pickup hours on days when pipeline installation would occur in designated school zones.<br>i. Maintain access to private driveways.<br>j. Coordinate with MST so the transit provider can temporarily relocate bus routes or bus stops in work zones as deemed necessary.<br>Pedestrian and Bicyclists |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                                        | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
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|                                                                                                                                                                                                                                                                                                                                                         | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
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|                                                                                                                                                                                                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 | <p>k. Perform construction that crosses on street and off street bikeways, sidewalks, and other walkways in a manner that allows for safe access for bicyclists and pedestrians. Alternatively, provide safe detours to reroute affected bicycle/pedestrian traffic.</p> <p>Recreational Trails</p> <p>l. At least two weeks prior to construction, post signage along all potentially affected recreational trails; Class I, II, and II bicycle routes; and pedestrian pathways, including the Monterey Peninsula Recreational Trail, to warn bicyclists and pedestrians of construction activities. The signs shall include information regarding the nature of construction activities, duration, and detour routes. Signage shall be composed of or encased in weatherproof material and posted in conspicuous locations, including on park message boards, and existing wayfinding signage and kiosks, for the duration of the closure period. At the end of the closure period, CalAm, MRWPCA or either of its contractors shall retrieve all notice materials.</p> <p>Emergency Access</p> <p>m. Maintain access for emergency vehicles at all times. Coordinate with facility owners or administrators of sensitive land uses such as police and fire stations, transit stations, hospitals, and schools.</p> <p>n. Provide advance notification to local police, fire, and emergency service providers of the timing, location, and duration of construction activities that could affect the movement of emergency vehicles on area roadways.</p> <p>o. Avoid truck trips through designated school zones during the school drop-off and pickup hours.</p> |  |
| <b>TR-3: Construction-Related Roadway Deterioration.</b><br>Construction truck trips could result in increased wear-and-tear on the designated haul routes, which could result in temporary impacts to performance of the regional circulation system.                                                                                                  | LSM                                      | LSM                                             | LSM               | LSM               | LSM                                      | LSM            | LSM                                              | LSM                      | LSM                      | LSM                       | LSM                       | LSM               | LSM             | <b>LSM</b><br><b>Mitigation Measure TR-3:</b> Roadway Rehabilitation Program (applies to all Proposed Project components) Prior to commencing project construction, MRWPCA (for all components other than the CalAm Distribution System Improvements) and CalAm (for CalAm Distribution System Improvements) shall detail the preconstruction condition of all local construction access and haul routes proposed for substantial use by project-related construction vehicles. The construction routes surveyed must be consistent with those identified in the construction traffic control and safety assurance plan developed under Mitigation Measure TR-2. After construction is completed, the same roads shall be surveyed again to determine whether excessive wear and tear or construction damage has occurred. Roads damaged by project-related construction vehicles shall be repaired to a structural condition equal to <u>or greater than</u> that which existed prior to construction activities. <u>In the City of Marina, the construction in the city rights-way must comply with the City’s design standards, including restoration of the streets from curb to curb, as applicable. In the City of Monterey, asphalt pavement of full travel lanes will be resurfaced without seams along wheel or bike paths.</u>                                                                                                                                                                                                                                                                                                                             |  |
| <b>TR-4: Construction Parking Interference.</b><br>Construction activities may temporarily affect parking availability.                                                                                                                                                                                                                                 | NI                                       | NI                                              | NI                | NI                | NI                                       | LSM            | NI                                               | LSM                      | LSM                      | NI                        | LSM                       | LSM               | LSM             | <b>LSM</b><br><b>Mitigation Measure TR-4:</b> Construction Parking Requirements.(Applies to Product Water Conveyance pipelines (RUWAP and Coastal Alignments) in Marina and Seaside, and CalAm Distribution System: Transfer Pipeline and Monterey Pipeline). Prior to commencing project construction, the construction contractor(s) shall coordinate with the potentially affected jurisdictions to identify designated worker parking areas that would avoid or minimize parking displacement in congested areas of Marina, Seaside, and downtown Monterey. The contractors shall provide transport between the designated parking location and the construction work areas. The construction contractor(s) shall also provide incentives for workers that carpool or take public transportation to the construction work areas. The engineering and construction design plans shall specify that contractors limit time of construction within travel lanes and public parking spaces and provide information to the public about locations of alternative spaces to reduce parking disruptions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| <b>TR-5: Operational Traffic.</b> Operation and maintenance of the Proposed Project would result in small traffic increases on regional and local roadways, but would not substantially affect the performance of the regional circulation system.                                                                                                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | <b>LS</b><br>None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <b>Water Supply and Wastewater Systems (WW)</b>                                                                                                                                                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| <b>WW-1: Construction-Related Water Demand.</b> The Proposed Project would result in a temporary increase in water use due to construction-related demands, but existing water supplies would be sufficient to serve construction-related demands and construction activities would not require new or expanded water supply resources or entitlements. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | <b>LS</b><br>None required.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |

Table S-1Revised  
Summary of Project-Level Impacts and Mitigation Measures

| Impact Statement                                                                                                                                                                                                                                                                                                                          | Source Water Diversion and Storage Sites |                                                 |                   |                   |                                          |                | Treatment Facilities at Regional Treatment Plant | Product Water Conveyance |                          | Injection Well Facilities | CalAm Distribution System |                   | Project Overall | Mitigation Measures |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------|-------------------|-------------------|------------------------------------------|----------------|--------------------------------------------------|--------------------------|--------------------------|---------------------------|---------------------------|-------------------|-----------------|---------------------|
|                                                                                                                                                                                                                                                                                                                                           | Salinas Pump Station                     | Salinas Treatment Facility Storage and Recovery | Reclamation Ditch | Tembladero Slough | Blanco Drain (Pump Station and Pipeline) | Lake El Estero |                                                  | RUWAP Alignment Option   | Coastal Alignment Option |                           | Transfer Pipeline         | Monterey Pipeline |                 |                     |
| KEY TO ACRONYMS: NI – No Impact; LS – Less than Significant; LSM – Less than Significant with Mitigation; SU – Significant and Unavoidable; BI- Beneficial Impact                                                                                                                                                                         |                                          |                                                 |                   |                   |                                          |                |                                                  |                          |                          |                           |                           |                   |                 |                     |
| WW-2: Construction-Related Wastewater Generation. The Proposed Project would result in a temporary increase in wastewater generation due to demand from construction workers, but existing wastewater treatment facilities have sufficient capacity to serve construction-related demands.                                                | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.      |
| WW-3: Operational Water Supply and Entitlements. Sufficient water supplies are available for operation of the Proposed Project; prior to construction of each source water diversion component and prior to diversion of secondary treated effluent, the project proponents would obtain applicable water rights, permits, or agreements. | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | LS                        | LS                | LS              | None required.      |
| WW-4: Operational Wastewater Treatment Capacity. Operation of the Proposed Project would not result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.                      | LS                                       | LS                                              | LS                | LS                | LS                                       | LS             | LS                                               | LS                       | LS                       | LS                        | NI                        | NI                | LS              | None required.      |



**Page S-25** Mitigation Measure BT-1a has been modified as follows in response to comment F-6a, L-31, and L-33:

**Mitigation Measure BT-1a: Implement Construction Best Management Practices. (Applies to All Proposed Project Components)**

The following best management practices shall be implemented during all identified phases of construction (i.e., pre-, during, and post-) to reduce impacts to special-status plant and wildlife species:

1. A qualified biologist must conduct an Employee Education Program for the construction crew prior to any construction activities. A qualified biologist must meet with the construction crew at the onset of construction at the site to educate the construction crew on the following: 1) the appropriate access route(s) in and out of the construction area and review project boundaries; 2) how a biological monitor will examine the area and agree upon a method which would ensure the safety of the monitor during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; 5) the general provisions and protections afforded by the USFWS and CDFW; and 6) the proper procedures if a special-status species is encountered within the site.
2. Trees and vegetation not planned for removal or trimming shall be protected prior to and during construction to the maximum extent possible through the use of exclusionary fencing, such as hay bales for herbaceous and shrubby vegetation, and protective wood barriers for trees. Only certified weed-free straw shall be used, to avoid the introduction of non-native, invasive species. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.
3. Protective fencing shall be placed prior to and during construction to keep construction equipment and personnel from impacting vegetation outside of work limits. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.
4. Following construction, disturbed areas shall be restored to pre-construction contours to the maximum extent possible and revegetated using locally-occurring native species and native erosion control seed mix, per the recommendations of a qualified biologist.
5. Grading, excavating, and other activities that involve substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and shall utilize standard erosion control techniques to minimize erosion and sedimentation to native vegetation (pre-, during, and post-construction).
6. No firearms shall be allowed on the construction sites at any time.
7. All food-related and other trash shall be disposed of in closed containers and removed from the project area at least once a week during the construction period, or more often if trash is attracting avian or mammalian predators. Construction personnel shall not feed or otherwise attract wildlife to the area.
8. To protect against spills and fluids leaking from equipment, the project proponent shall require that the construction contractor maintains an on-site spill plan and on-site spill containment measures that can be easily accessed.
9. Refueling or maintaining vehicles and equipment should only occur within a specified staging area that is at least 100 feet from a waterbody (including riparian and wetland habitat) and that has sufficient management measures that will prevent fluids or other construction materials including water from being transported into waters of the state. Measures shall include confined concrete washout areas, straw wattles placed around stockpiled materials and plastic sheets to cover materials from becoming airborne or otherwise transported due to wind or rain into surface waters.

10. The project proponent and/or its contractors shall coordinate with the City of Seaside on the location of Injection Well Facilities and the removal of sensitive biotic material.

**Page S-35** The first paragraph has been changed as follows in response to comment N-1:

### **Mitigation Measure HS-C/MR-C: Implement Measures to Avoid Exceedances over Water Quality Objectives at the Edge of the Zone of Initial Dilution**

As part of the amendment process to modify the existing MRWPCA NPDES Permit (Order No. R3-2014-0013, NPDES Permit No. CA0048551) per 40 Code of Regulations Part 122.62, it would be necessary to conduct an extensive assessment in accordance with requirements to be specified by the RWQCB. It is expected that the assessment would include, at a minimum, an evaluation of the minimum probable initial dilution at the point of discharge based on likely discharge scenarios and any concomitant impacts on water quality and beneficial uses per the Ocean Plan. Prior to operation of the ~~MPSWP~~ MPWSP desalination plant, the discharger(s) will be required to test the ~~MPSWP~~ MPWSP source water in accordance with protocols approved by the RWQCB. If the water quality assessment indicates that the water at the edge of the ZID will exceed the Ocean Plan water quality objectives, the MRWPCA will not accept the desalination brine discharge at its outfall, and the following design features and/or operational measures shall be employed, individually or in combination, to reduce the concentration of constituents to below the Ocean Plan water quality objectives at the edge of the ZID:

- a. **Additional pre-treatment of MPWSP source water at the Desalination Plant:** Feasible methods to remove ~~PCBs~~ Polychlorinated Biphenyls (PCB) and other organic compounds from the MPWSP source water at the desalination plant include additional filtration or use of granular activated carbon (GAC). GAC acts as a very strong sorbent and can effectively remove PCBs and other organic compounds from the desalination plant source water.

## **CHANGES TO CHAPTER 1, INTRODUCTION**

**Page 1-1** The following footnote reference and footnote have been added in response to comment Q-5:

**Footnote Reference in first sentence:** The Monterey Regional Water Pollution Control Agency (MRWPCA) has prepared this Draft Environmental Impact Report (DEIR) to provide the public and responsible and trustee agencies with information on the potential environmental effects of implementation of the Pure Water Monterey Groundwater Replenishment<sup>1</sup> Project ....

### **Footnote at bottom of page 1-1:**

<sup>1</sup> The term “replenishment” in the title of the project was intended to maintain consistency with the relevant water quality regulatory programs under the jurisdiction of the State Water Resources Control Board (SWRCB) – Division of Drinking Water (DDW) (i.e., this agency references the requirements as the Groundwater Replenishment Regulations (or DPH-14-003E Groundwater Replenishment Using Recycled Water)). Use of the word replenishment is not intended to be defined to match the definition of *artificial* replenishment in the Seaside Groundwater Basin adjudication (Case M66343, *Decision, III., A., 3., March 27, 2006*) because as proposed, the project would not “offset the cumulative over production from the Seaside Basin” by producers in the basin.

**Page 1-5** The first paragraph in Section 1.4 Project Approval and Understanding has been changed in response to comments H-23 and H-24:

Subsequent to certification of the EIR, MRWPCA will act on the Proposed Project. It is anticipated that EIR certification and action on the project will be scheduled for the same public hearing. CEQA requires that a lead agency shall neither approve nor carry out a project as proposed unless the significant environmental effects have been reduced to an acceptable level (CEQA Guidelines Sections 15091 and 15092) or the project objectives outweigh the unavoidable significant impacts (requiring the Lead Agency to make a Statement of Overriding Considerations) (CEQA Guidelines Section 15093). An acceptable level is defined as eliminating, avoiding, or substantially lessening the significant effects. A project's impacts must be reduced to a less than significant level where feasible or the lead agency must adopt a

Statement of Overriding Considerations for any impacts that remain significant after all feasible mitigation is adopted. As the cited Section 15092 of the CEQA Guidelines provides:

(b) A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either: (1) The project as approved will not have a significant effect on the environment, or (2) The agency has: (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093. (CEQA Guidelines, 15092, subd. (b), emphasis added.)

## CHANGES TO CHAPTER 2, PROJECT DESCRIPTION

**Page 2-6** The heading for section 2.3.2 has been amended as follows in response to comment I-2:

### 2.3.2 Monterey Peninsula Water Resources System

**Page 2-7** **Section 2.3.2.1 MPWMD Description**, first and second paragraphs have been amended as follows in response to comment I-1 and I-3:

The Water Management District is partnering with MRWPCA to fund and manage the studies for the Proposed Project. The Water Management District is a special district, with a seven-member Board of Directors, created by the California Legislature in 1977 and endorsed by a public vote in 1978, for the purposes of conserving and augmenting the water supplies by integrated management of ground and surface water supplies; control and conservation of storm and wastewater; and promotion of the reuse and reclamation of water. Approximately 104,000 people live within the jurisdictional boundary of the Water Management District, which includes the six Monterey Peninsula cities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Seaside, and Sand City, the Monterey Peninsula Airport District, and unincorporated communities within Monterey County including Pebble Beach, the Carmel Highlands, a portion of Carmel Valley, and areas adjacent to Highway 68 between Del Rey Oaks and the Laguna Seca area.

The Water Management District manages production and use of water from the Carmel River stored in Los Padres Reservoir, water production in the Carmel Valley Alluvial ~~Aa~~quifer, and groundwater pumped from municipal and private wells in Carmel Valley, the Seaside Groundwater Basin, and other areas within the Water Management District boundary. The Water Management District's jurisdictional area includes portions of watersheds and groundwater basins that lie partially outside the Water Management District political boundary. Activities affecting those areas of the watersheds and basins influence the quantity and quality of water resources within the Water Management District boundary.

**Page 2-7** The final paragraph (third paragraph) of Section 2.3.2.1 Monterey Peninsula Water Management District has been amended as follows in response to comments I-3 and Q-9.

The Water Management District regulates public fresh water supply systems within its boundaries, including systems owned by CalAm, the largest purveyor of water in the region, although CalAm has ultimate responsibility for the management and operation of its water system. The Water Management District also monitors the production of water from approximately 1,100 public and private wells, of which approximately 800 are currently active. In addition, the Water Management District regulates the creation of new water distribution systems and expansions, water connection permits, and allocation of water to jurisdictions (cities and unincorporated areas). The Water Management District adopts and implements water conservation ordinances, determines drought emergencies and can impose rationing programs. The District also regulates activities within the streamside corridor of the lower 15.5 miles of the Carmel River. The Water Management District has played key roles in several water augmentation projects, including completing planning and technical studies, engineering and cost analyses, environmental review in compliance with federal and state regulations, obtaining water rights and construction permits, facility construction and/or project financing. The District has also analyzed numerous water supply alternatives at varying degrees of specificity. The District was an integral partner in development of the Peralta Well in Seaside, Pebble Beach Reclamation Project, and Aquifer Storage and Recovery (Phases 1 and 2). The District constructed and owns the two ASR Phase 1 wells at the Santa Margarita site.

**Page 2-7** The first sentence in Section 2.3.2.2 has been changed as follows in response to comment Q-5:

“Purified recycled water produced by the Proposed Project’s Advanced Water Treatment Facilities would be injected into the Seaside Groundwater Basin, which would enable CalAm to extract the water from the Seaside Basin for delivery to its customers ~~and also would replenish the Basin.~~”

**Page 2-8** The third paragraph, first sentence has been changed as follows:

“Figure 2-3~~rev~~, Seaside Groundwater Basin... (1) the Seaside Area Subbasin of the Salinas Valley Groundwater Basin”

**Page 2-8/2-9** The last sentence on page 2-8 that continues onto 2-9 has been changed as follows:

“Figure 2-4~~rev~~, Seaside Groundwater Basin Groundwater Levels, shows groundwater elevation contour maps of the two aquifers and includes ~~highlights~~ the areas where water levels have fallen below sea level (areas below 0-contour).”

**Page 2-9** The second full paragraph on this page has been amended as follows in response to comment Q-6:

The adjudication requires all basin pumpers, except overlying users, to decrease their operating yield from the Basin triennially until each requires CalAm to decrease its operating yield from the basin by 10% triennially until it reaches its their allotted portion of the court-defined “natural safe yield” of 4,494 3,000 AFY beginning (expected to occur in Water Year 2021), as detailed in **Table 2-1, CalAm’s Adjudicated Allocation of Native Seaside Groundwater Basin: Water Years 2006 - 2026**. This natural safe yield was defined by the adjudication as the quantity of groundwater existing in the Basin that occurs solely as a result of natural replenishment. In addition to these reductions in pumping, CalAm is required to “pay back” historic over-pumping and plans to accomplish this by reducing its pumping from the Seaside Groundwater Basin by an additional 700 AFY for 25 years.

**Page 2-9** The last sentence of the first paragraph under 2.3.2.3 Carmel River System has been amended as follows in response to comment I-1:

.... The Carmel Valley ~~Groundwater Basin~~ Alluvial Aquifer lies along the downstream portion of the Carmel River.

**Page 2-10** The second full paragraph has been amended as follows in response to comment I-1, I-4, and Q-7:

The Carmel Valley ~~Groundwater Basin~~ Alluvial Aquifer is primarily located on the valley floor, which is about 16 miles long and varies in width from 300 to 4,500 feet. The groundwater basin consists of younger alluvium and river deposits, and older alluvium and terrace deposits. These deposits are primarily underlain by Monterey Shale and Tertiary sandstone units. The primary water bearing formation is the younger alluvium with a typical thickness of 50 to 100 feet. The younger alluvium consists of boulders, gravel, sand, silt, and clay. The thickness varies from approximately 30 feet in the upper basin to about 180 feet near the mouth of the basin (California Department of Water Resources, 2004). ~~As a result of the significant reduction in usable storage in both reservoirs,~~ CalAm currently relies entirely on multiple wells in the alluvial aquifer along the lower Carmel River for its Carmel River supplies.

**Page 2-10** The first paragraph of Section 2.3.2.4 State Orders to Reduce Carmel River Diversions has been changed as follows in response to comments I-1, I-4 and Q-8:

The Carmel Valley ~~Alluvial A~~ aquifer, which underlies the alluvial portion of the Carmel River downstream of San Clemente Dam, is about six square-miles and is approximately ~~48~~ 16 miles long. ~~In the summer and fall, other private pumpers extract approximately 2,200 to 2,400 AFY of water from the alluvial aquifer, and CalAm extracts approximately 7,880 AFY. Historically, this combined pumping, including authorized pumping in the summer and fall, has resulted in dewatering of the lower six miles of the river for several months in most years and up to nine miles of the river in dry and critically dry years. Recharge of the aquifer is derived primarily from river infiltration. The aquifer is replenished relatively quickly each year during the rainy season, except during prolonged periods of extreme drought.~~

**Page 2-10** The last two sentences on this page have been changed as follows in response to Comment H-25:

In their recent submittals to the California Public Utilities Commission, CalAm estimates that it needs a total supply source of 15,296 AFY to satisfy the Cease and Desist Order and forecasted demand. In order to do this, CalAm ~~will~~ asserted in its application submittals that it needs to augment its water supplies by 9,752 AFY, which they contend includes water to satisfy a requirement to return water to the Salinas Valley to offset the amount of fresh water in the feed water from the desalination plant's slanted coastal intake wells.

**Page 2-13** The last paragraph on this page has been amended as follows in response to the comments M-3 and Q-14:

The Salinas Valley Groundwater Basin extends along the river valley floor from Bradley north to the Monterey Bay. It is the primary source of water supply for Monterey County, providing approximately 500,000 acre-feet per year for agricultural, industrial and municipal use. ~~The groundwater basin has four designated subareas, the Upper Valley, Forebay, East Side and Pressure whose geographic extent is shown in Figure 2-6, Salinas Valley Groundwater Basin. The groundwater basin is recharged in all but the Pressure Subarea, which has a clay layer above the major water bearing layers. California Department of Water Resources Bulletin 118 identifies nine sub-basins within the aquifer. Monterey County Water Resources manages the seven interconnected sub-basins, but refers to them as four major areas: the Upper Valley Area, the Forebay Area (includes DWR Forebay and Arroyo Seco Areas), the East Side Area (includes DWR East Side and Langley Areas) and the Pressure Area (includes DWR 180/400 Foot Area and Corral de Tierra Areas). The geographic extents of these areas are shown in Figure 2-6, Salinas Valley Groundwater Basin. The Paso Robles Area and the Seaside Area are considered separate formations. The Upper Valley and Forebay Subareas receive substantial recharge from river percolation and infiltration of rainfall and irrigation water. The Salinas River does not cross the Eastside Subarea, where recharge is primarily from rainfall, irrigation, and inflow from other subareas. In the Pressure Subarea, a regionally extensive clay layer (the Salinas Valley Aquiclude) greatly restricts the downward movement of recharge from rainfall, irrigation and the river to the underlying water supply aquifers. Much of the recharge in that subarea is groundwater inflow from the Forebay Subarea. The Pressure Subarea encompasses approximately 140 square miles, and consists of three primary aquifers: the 180-Foot Aquifer, the 400-Foot Aquifer and the 900-Foot (Deep) Aquifer. The 180-Foot and 400-Foot Aquifers connect to the Pacific Ocean, and have experienced seawater intrusion since the 1930's due to groundwater pumping along the coast. The geographic extent of seawater intrusion in these aquifers is shown in Figure 2-7rev, Salinas Valley Groundwater Basin Seawater Intrusion Maps. Several projects have been developed to address this seawater intrusion, as discussed below.~~

**Page 2-14** The first sentence has been amended as follows in response to comment M-4:

The Monterey County Water Resources Agency is a water and flood control agency with jurisdiction coextensive with Monterey County and governed by the Monterey County Water Resources Agency Board of Directors and Board of Supervisors.

**Page 2-15** The following text has been added at the end of section 2.3.3.3 in response to comments H-28, H-29 and H-30:

MCWD and others have implemented numerous projects to eliminate the long-term overdraft condition of the Salinas Valley Groundwater Basin and address seawater intrusion. For example, between 1985 and 2000, MCWD constructed both a seawater desalination plant (currently inactive) and a wastewater recycling facility (the recycling facility was retired when the MCWD connected to the MRWPCA system). More recently MCWD has implemented numerous water conservation programs, including, among others: (1) the Water Conservation Commission; (2) a conservation rate structure; (3) an automatic meter reading (AMR) system with leak detection; (4) the California State University Monterey Bay student learning partnership and student internship programs; (5) free conservation devices (showerheads, faucet aerators, leak detection tablets, etc.); (6) free water conservation education materials (e-flyers, newsletter, magnets and stickers, restaurant and commercial business placards, water conservation website, etc.); (7) a landscape demonstration garden; (8) high-efficiency clothes washer and toilet rebates; (9) leak and high water use and detection notification procedures; (10) free property surveys; (11) landscape walk-throughs and irrigation system checks; (12) water use investigations, water use data logs, and water use charts and tables; (13) property certification on resale; (14) in-school water education classes and



assemblies; (15) landscape building standards and plan check procedures; (16) water-wise landscape incentives for turf removal, conversion from sprinkler to drip irrigation, "smart" controller replacement, rail and soil moisture shut-off switches, etc.; (17) regional participation in Water Awareness Committee of Monterey County. MCWD states that a significant portion of its budget is allocated to water conservation programs, and that MCWD will spend approximately \$465,155 on its conservation programs over the next year alone. MCWD estimates that its conservation programs reduce pumping for the Salinas Valley Groundwater Basin by approximately 520 to 600 acre-feet of water per year. MCWD has also adopted a Water Shortage Contingency Plan for staged voluntary and mandatory conservation efforts.

In addition to the conservation programs listed above, MCWD states that various agreements have been signed by MCWD, MCWRA, and MRWPCA to limit groundwater use and to address seawater intrusion in the Salinas Valley, including for example, the Annexation Agreement and Groundwater Mitigation Framework for Marina Area Lands (MCWD/MCWRA.J.G. Armstrong Family Members, RMC Lonestar (now CEMEX), and the City of Marina, March 1996).

**Page 2-15** The first paragraph under section 2.3.3.4 has been amended as follows in response to comments H-28, H-29 and H-30:

In addition to the ongoing projects and programs by MCWD and other water users in the County to implement water conservation and groundwater use reduction programs, Monterey County, acting through the Monterey County Water Resources Agency, has implemented several projects to reduce seawater intrusion along the coast and increase the reliability and availability of water supply. These projects are described in the following sections.

**Page 2-27** The third paragraph in Section 2.5.5.2 Aquifer Storage and Recovery Program has been amended as follows:

Aquifer Storage and Recovery operations generally consist of three components or phases: (1) injection of drinking-quality water into the aquifer through the Aquifer Storage and Recovery wells; (2) storage of the injected water within the aquifer; and, (3) recovery of the stored water by pumping at one or more of the Aquifer Storage and Recovery wells or at CalAm production wells within the basin. Periodic samples of the injected, stored, and recovered waters are collected from the Aquifer Storage and Recovery wells and associated monitoring wells and analyzed for a variety of water-quality constituents pursuant to requirements of the Central Coast Regional Water Quality Control Board oversight of the Aquifer Storage and Recovery Project and the extracted groundwater must also meet SWRCB Division of Drinking Water drinking water regulations.

**Page 2-27** The first sentence of the third paragraph in Section 2.5.5.2 Aquifer Storage and Recovery Program has been amended as follows in response to comment I-5:

The first phase (Phase 1) of the Aquifer Storage and Recovery Project included two MPWMD injection/extraction wells at the Santa Margarita site and was approved in 2006 and operational in 2007; however, test injections began in 2001 and test extractions began in 2003.

**Page 2-30** Table 2-8 has been amended as follows in response to I-1:

**Table 2-8**

**CalAm Water Production for Water Years 2006 – 2014 (in Acre-Feet)**

| Water Year                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Production by Sources   |                       |                                |                                   |                                |              | Production by CalAm System           |                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|-----------------------|--------------------------------|-----------------------------------|--------------------------------|--------------|--------------------------------------|------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Sand City Desal Project | ASR Projects Recovery | Seaside Basin Coastal Subareas | Seaside Basin Laguna Seca Subarea | Carmel Valley Alluvial Aquifer | Carmel River | Main System (all sources except LSS) | All Sources Total (Main System plus LSS) |
| 2006                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | –                       | 0                     | 3,263                          | 446                               | 10,542                         | 0            | 13,805                               | 14,251                                   |
| 2007                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | –                       | 0                     | 3,625                          | 435                               | 10,443                         | 0            | 14,068                               | 14,503                                   |
| 2008                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | –                       | 60                    | 3,329                          | 534                               | 10,600                         | 0            | 13,989                               | 14,523                                   |
| 2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | –                       | 182                   | 2,449                          | 516                               | 10,285                         | 0            | 12,916                               | 13,432                                   |
| 2010                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 46                      | 0                     | 3,283                          | 430                               | 8,673                          | 0            | 12,002                               | 12,432                                   |
| 2011                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 276                     | 1,111                 | 3,034                          | 382                               | 7,441                          | 0            | 11,862                               | 12,244                                   |
| 2012                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 242                     | 1,224                 | 2,701                          | 370                               | 7,515                          | 0            | 11,682                               | 12,052                                   |
| 2013                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 188                     | 644                   | 2,700                          | 377                               | 7,713                          | 0            | 11,245                               | 11,622                                   |
| 2014                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 179                     | 0                     | 2,871                          | 362                               | 7,744                          | 0            | 10,793                               | 11,154                                   |
| <b>SUMMARY STATISTICS FOR SELECTED PERIODS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                         |                       |                                |                                   |                                |              |                                      |                                          |
| <b>Water Years 2006-2014</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                         |                       |                                |                                   |                                |              |                                      |                                          |
| Mean                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | NA                      | 358                   | 3,028                          | 428                               | 8,995                          | NA           | 12,485                               | 12,913                                   |
| Median                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | NA                      | 60                    | 3,034                          | 430                               | 8,673                          | NA           | 12,002                               | 12,432                                   |
| Minimum                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | NA                      | 0                     | 2,449                          | 362                               | 7,441                          | NA           | 10,793                               | 11,154                                   |
| Maximum                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | NA                      | 1,224                 | 3,625                          | 534                               | 10,600                         | NA           | 14,068                               | 14,523                                   |
| <b>Water Years 2010-2014</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                         |                       |                                |                                   |                                |              |                                      |                                          |
| Mean                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 186                     | 596                   | 2,918                          | 384                               | 7,817                          | NA           | 11,517                               | 11,901                                   |
| Median                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 188                     | 644                   | 2,871                          | 377                               | 7,713                          | NA           | 11,682                               | 12,052                                   |
| Minimum                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 46                      | 0                     | 2,700                          | 362                               | 7,441                          | NA           | 10,793                               | 11,154                                   |
| Maximum                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 276                     | 1,224                 | 3,283                          | 430                               | 8,673                          | NA           | 12,002                               | 12,432                                   |
| <b>NOTES:</b><br>(1) ASR = Aquifer Storage and Recovery; CVA = Carmel Valley Aquifer; CR = Carmel River; LSS = Laguna Seca Subarea of Seaside Basin. Carmel River System production values include reductions for water produced for injection into the Seaside Basin.<br>(2) Carmel River System and Seaside Basin production values were compiled by the MPWMD from monthly production reports submitted by the California American Water (Cal-Am), Monterey Division.<br>(3) "NA" in the "Summary Statistics for Selected Periods" sections indicate "Not Applicable" when production data for that source are not included for the entire indicated period.<br><b>Source:</b> MPWMD, 2014. |                         |                       |                                |                                   |                                |              |                                      |                                          |

**Page 2-34** In Table 2-10, the row titled Lake El Estero Diversion has been amended as follows in response to comment P-4:

|                          |   |   |   |                                                                                                                                                                                                                                    |
|--------------------------|---|---|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lake El Estero Diversion | 0 | 0 | 0 | 24 hours per day for urban runoff, wet season (typically November through April) dependent on pipe and pump station capacity and weather. No new operations and maintenance staff expected beyond existing City of Monterey staff. |
|--------------------------|---|---|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Page 2-40** The last sentence on this page has been amended as follows:

“Runoff from summer storms would be diverted from the City of Salinas stormwater system when available.”

**Page 2-49** The last two paragraphs/subsections on this page have been amended as follows to correct a typographical error:

## Construction

Construction of the Salinas Pump Station urban runoff diversion structure is discussed as part of the Agricultural Wash Water facility construction in **Section 2.7.2.42**.

## Operations and Maintenance

Operation of the Salinas Pump Station diversion structures is discussed as part of the Agricultural Wash Water facility operation in **Section 2.7.2.42**.

**Page-2-67** The second paragraph of Section 2.9.1 Design Criteria of Product Water Conveyance has been amended as follows in response to comment L-36:

Other product water conveyance facility design provisions include standby pumping units for pump stations; in-line isolation valves on the pipeline approximately every 2,000 feet, in case an unforeseen leak occurs or subsequent construction activities result in damage to the pipeline; compliance with pipeline separation requirement by the SWRCB Division of Drinking Water; and remote monitoring of the Booster Pump Station performance and pipeline pressure via SCADA system. The design of any buildings associated with the booster pumps shall consist of Monterey/Mission style architecture to match the design of the structures that have been built on the Santa Margarita ASR site and the Seaside Middle School ASR Site, per the City of Seaside's comments.

**Page 2-67** The first paragraph of Section 2.9.1.1 RUWAP Product Water Alignment has been amended as follows in response to comment H-20:

The RUWAP Alignment would follow a portion of the recycled water pipeline alignment of Marina Coast Water District's previously approved and partially-constructed Regional Urban Water Augmentation Program Recycled Water Project. The proposed new product water conveyance pipeline would be located primarily along paved roadway rights-of-way within urban areas. The Recycled Water Project was approved by the Marina Coast Water District in 2005; however, only portions of the recycled water distribution system have been built and no recycled water has been delivered to urban users. MRWPCA and the Water Management District may pursue a shared easement to accommodate both pipelines in some portions of the alignment (i.e., leaving space for completion of the planned separate RUWAP pipeline). It is also possible that in the future these agencies may decide to jointly use a single pipeline for both the Product Water Conveyance and the RUWAP Recycled Water Project ~~agreements and permits to use a portion or portions of the pipeline originally proposed and/or constructed for the Recycled Water Project by Marina Coast Water District (i.e., converting the purpose of the pipeline for use by both the Proposed Project to convey advanced-treated Product Water from the AWT Facility to the Injection Well Facilities as well as to convey water to MCWD pursuant to the 2009 RUWAP MOU) or they may pursue a shared easement to accommodate both pipelines in some portions of the alignment.~~ However, joint use of a shared pipeline is beyond the scope of the Proposed Project. MCWD has stated that it appreciates MRWPCA's inclusion of the Project Water Conveyance RUWAP Alignment Option in the Draft EIR and remains willing to discuss potential mutually beneficial options for use of the RUWAP facilities and/or alignment by the Proposed Project. That said, MCWD notes that such options must ensure that MCWD can meet its contractual obligations to provide water supplies to the Ord Community.

**Page 2-68** The second paragraph on this page has been amended as follows in response to letter H:

If the RUWAP Alignment for the GWR product water conveyance pipeline is selected, ~~the pipeline may be constructed by Marina Coast Water District in accordance with the currently designed RUWAP or~~ MRWPCA may construct a separate pipeline parallel to the currently designed pipeline. Figure 2-30, Product Water Conveyance Options near Regional Treatment Plant, shows the location of the AWT Pump Station and the beginning portions of both product water alignment options.

**Page 2-72** The first paragraph has been amended as follows in response to L-32:

Under the Proposed Project, product water would be injected into the Seaside Groundwater Basin using new injection wells. The proposed new Injection Well Facilities would be located east of General Jim Moore Boulevard, south of Eucalyptus Road in the City of Seaside, including a total of eight injection wells (four deep injection wells, four vadose zone wells), six monitoring wells, and back-flush facilities. Space would be included within the Injection Well Facilities area to accommodate the future construction of replacement injection wells which would be built only if the adjacent deep injection well fails, which

typically would occur after the well's estimated 20 to 30 year life. The proposed site plan for the new injection wells and backflush facilities are shown in **Figure 2-32rev, Injection Well Site Plan**. As shown on Figure 2-32rev, the injection wells, backflush facilities, and connecting driveway with pipelines and electrical conduits below it, would be located within a 150-foot wide corridor along the City of Seaside's eastern border. This area is also referred to as the Borderland development area adjacent to the Natural Resources Management Area owned by the U.S. Bureau of Land Management in the Fort Ord Habitat Management Plan (USACOE, Sacramento District, 1997).

**Page 2-73** The final paragraph of Section 2.10.1.1 Injection Wells has been amended as follows in response to comment L-36:

Collectively, the four shallow and four deep injection wells represent a maximum injection capacity of about 6,000 gpm. This capacity is well above the Proposed Project design flows of 3,700 AFY (with an anticipated maximum daily flow rate of 2,780 gpm with no downtime), and thus would allow for backup of pumping capacity if one or more wells are not functioning, well maintenance, and other operational benefits. In addition, GWR product water could readily be re-allocated among the two well types and aquifers as basin conditions change in the future and to ensure compliance with SWRCB Division of Drinking Water requirements (i.e., response retention time).<sup>3</sup> In addition, if there are future changes in the daily flow rates, sufficient number and total capacities of wells would be available to accommodate peak flows. Wells may be installed in a phased approach (from north to south) as actual well capacity and required peak flow rates are more clearly defined. This EIR assumes all eight injection wells would be built. The design of the buildings associated with the Injection Well Sites would consist of Monterey/Mission style architecture to match the design of the structures that have been built on the Santa Margarita ASR site and the Seaside Middle School ASR Site, as requested by the City of Seaside.

**Page 2-74** Section 2.10.1.3 has been amended as follows as requested in comment L-25 and L-37:

Monitoring wells would be used to monitor project performance and compliance with State Board Division of Drinking Water regulations. Because the Proposed Project would recharge two separate aquifers (Paso Robles and Santa Margarita aquifers), monitoring wells would be installed in both. The monitoring wells would also be used to satisfy regulatory requirements for monitoring of subsurface travel time, tracer testing, and other requirements for a groundwater replenishment project. The City of Seaside has indicated that its approval of the proposed Injection Well Facilities monitoring wells and roadway/pipeline alignments would be conditioned to require that the project owner relocate any monitoring well within the interior lands of the Injection Well Facilities site that would create a substantial interference with future development opportunities in the City of Seaside. Based on current State Board regulations, a minimum of four monitoring wells would be required: two for each of the two aquifers. One set of monitoring wells would be located approximately 100 feet from the injection wells between the injection wells and the nearest down-gradient water supply wells. The second set of monitoring wells would be located between the project wells and the nearest down-gradient water supply wells. **Figure 2-32rev, Injection Well Site Plan** shows the approximate location of the monitoring wells whose locations are subject to discretionary approval by the City of Seaside and the State Water Resources Control Board and Regional Water Quality Control Board.

**Page 2-77** The first paragraph following the bullets on this page has been amended as follows in response to comment Q-11:

The estimated construction period for these facilities is approximately 6 months. The temporary construction area would be approximately 25 to 50 feet wide within the alignment of the 14-inch diameter back-flush water pipeline, which is approximately 3,000 feet long.). There would be no additional surface disturbance for construction of electrical conduits beyond that for the 14-inch back-flush water pipeline, described in the previous section. Construction activities would include a buried electrical power conduit and instrumentation conduits, all of which would be underground and encased in a concrete ductbank, which would run in parallel and near the 14-inch back-flush pipeline. The depth of the ductbank trench would be approximately 4.5 to 5 feet to allow for about 3 feet of cover material. The electrical control building that would house the electrical and instrumentation (SCADA) transmission equipment would be approximately 16 feet by 24 feet. Its foundation construction would be slab-on-grade; hence, excavation

<sup>3</sup> This concept is defined in more detail in **Chapter 3, Water Quality Permitting and Regulatory Overview**.

would be only about 3 feet deep. The construction surface area of each electrical building would be about 600 square feet.

**Page 2-77** In the last paragraph, last sentence, the word “of” has been changed to “or” as follows in response to comment N-5:

If the account balance is 800 AF or less on October 1, then an additional 200 AF would be delivered from October through March....

**Page 2-88** Amend the first three lines of Table 2-22 on this page as follows in response to comments C-1, C-2, and P-3:

| Agency /Entity                              | Permitting Regulation/Approval Requirement                                                                                                                                                                          | Discussion                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State Water Resources Control Board (SWRCB) | Water rights permit for development of new surface water diversions ( <u>Water Code Section 1200 et seq</u> ) and wastewater point of discharge <u>change application/approval (Water Code Section 1211 et seq)</u> | A water right permit is an authorization to develop a water diversion and use project, <u>including for diversions proposed at the Reclamation Ditch, Tembladero Slough, Blanco Drain, and Lake El Estero. A wastewater point of discharge change application would also be needed for the diversions of agricultural wash water to the Regional Treatment Plant.</u> |

**Page 2-89** Table 2-22 has been amended as follows in response to comments H-31, J-4d, J-8, L-38, and P-1:

| Agency /Entity                                                      | Permitting Regulation/Approval Requirement                                                                                                   | Discussion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cities of Seaside, Marina, Sand City, <u>Monterey</u> , and Salinas | Use Permits, encroachment/easement permits, grading permits and erosion control permits may be required pursuant to local city/county codes. | The Cities of Seaside, Marina, Sand City, <u>Monterey</u> , and Salinas may require discretionary permits for encroachment, tree removal or trimming, building permits, grading or variances. <u>Note: City of Marina does not allow trenchless construction under an encroachment permit; the project must comply with Marina Municipal Code section 12.20.100.</u> Excavations greater than 10 cubic yards within an Ordinance Remediation District, in the Former Fort Ord areas, require a permit in compliance with Chapter 15.34, Digging and Excavation, on the Former Fort Ord Ordinance (“Seaside’s Ordinance”). Permit approval is subject to requirements placed on the property by an agreement executed between the city, the city’s redevelopment <u>successor</u> agency, Fort Ord Reuse Authority, and California Department of Toxic Substances Control. <u>In the event that the project proponents do not pursue a consolidated permit as discussed in the above line item of this table related to the Coastal Commission’s permitting authority, local agency approvals of one or more Coastal Development Permits may be required for one or project components in areas that are: (1) in the Coastal Zone, and (2) governed by Coastal Commission-approved Local Coastal Programs/Land Use Plans. The potential components/areas that may require local approval are: (1) the Tembladero Slough diversion and a short segment of the Coastal alignment option of the Product water Conveyance pipeline in the Monterey County North Land Use Plan area, (2) the Coastal alignment option of the Product Water Conveyance pipeline in the City of Marina, and (3) the Monterey Pipeline component of the CalAm Distribution System in Monterey, Sand City, and Seaside. Agreements would be required with the County of Monterey for surface water diversions from the Reclamation Ditch, Tembladero Slough, and Blanco Drain, with the City of Salinas for diversion of agricultural wash water and urban runoff, and with the City of Monterey for diversion of Lake El Estero water. See Appendix C and Section 4.18 of the Draft EIR for more information.</u> |

**Page 2-95 and 2-96** Figures 2-3 and 2-4 have been revised in response to comments N-6 and N-7, respectively. See **Figures 2-3rev** and **2-4rev** at the end of Chapter 5.

**Page 2-99** Figure 2-7 has been replaced with **Figure 2-7rev** and a new Figure 2-7a has been inserted in response to comments H-39, H-40, and M-25. Both the revised **Figure 2-7rev** and new **Figure 2-7a** are provided at the end of Chapter 5.

**Page 2-108** Figure 2-16 has been replaced with **Figure 2-16rev** at the end of Chapter 5 in response to comment M-8.

**Page 2-129** Figure 2-32, Injection Well Site Plan has been replaced with a more clearly legible version in response to comment L-17 (see **Figure 2-32rev** at the end of Chapter 5). The figure now indicates property lines and borderland areas, the proposed CalAm alignment in General Jim Moore Boulevard, a clear description of the purpose of the solid red line (the proposed area of potential effect), and clear markings of the locations of all Proposed Project facilities. A cross-section has been added to show the approximate



location of the cross section of the subsurface in Figure 2-33. Additionally, the figure more clearly identifies the backflush basin location and includes additional footnotes.

## CHANGES TO CHAPTER 3, WATER QUALITY, STATUTORY AND REGULATORY COMPLIANCE OVERVIEW

No changes required.

## CHANGES TO CHAPTER 4, ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

### Changes to 4.1 Introduction

**Page 4.1-1** In the Table of Contents at the top of the page, the section number for Hydrology and Water Quality: Groundwater has been changed from 4.1 to 4.10 as follows in response to comment N-28:

| Sections                                                                                                                                                                                                                                                                                                                                                                                                                                | Tables                                                                                                                                                                   | Figures                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| 4.1 Introduction<br>4.2 Aesthetics<br>4.3 Air Quality and Greenhouse Gas<br>4.4 Biological Resources: Fisheries<br>4.5 Biological Resources: Terrestrial<br>4.6 Cultural Resources, and Paleontological<br>4.7 Energy and Mineral Resources<br>4.8 Geology, Soils, and Seismicity<br>4.9 Hazards and Hazardous Materials<br>4.10 Hydrology/Water Quality: Groundwater<br>4.11 Hydrology/Water Quality: Surface Water and Marine<br>.... | 4.1-1 Resource Topics/Sections and Abbreviations Key<br>4.1-2 Project Considered for Cumulative Analysis (listed by primary geographic area in which project is located) | 4.1-1 Cumulative Projects Location Map<br>4.1-2 Monterey Peninsula Water Supply Project Location Map |

**Page 4.1-11** Table 4.1-2, Projects Considered for Cumulative Analysis, has been revised as follows in response to comments R-1 and R-2:

|   |                                           |                                                                                                                                                                         |                                                                                                                                                |          |                                                                                                                                       |
|---|-------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------|
| 6 | Laguna Seca-Villas (McIntosh Villas, LLC) | Construction of 20,306 square feet of professional office space on the Laguna Seca Office Park subdivision (Monterey County Planning Department, 2014).                 | Geographic scope and location (Salinas Pump Station, Salinas Treatment Facility Source Water Diversion and Storage Site, Treatment Facilities) | Unknown  | Highway 68 about 3 miles from the Proposed Project Injection Well Facilities site                                                     |
| 6 | Harper Canyon (Harper Canyon Realty LLC)  | The project consists of subdivision of 344 acres into 17 residential lots ranging in size from 5.13 acres to 23.42 acres on 164 acres and one 180-acre remainder parcel | Geographic scope and location (Salinas Pump Station, Salinas Treatment Facility Source Water Diversion and Storage Site, Treatment Facilities) | Approved | South of State Highway 68, Near intersection of Harper Canyon and San Benancio Road and about 3.5 miles from the Salinas Pump Station |

**Page 4.1-21** Figure 4.1-1 has been revised in response to comments R-1 and R-2. See **Figure 4.1-1rev** at the end of Chapter 5.

## Changes to 4.2 Aesthetics

**Page 4.2-39** The text under the heading “Impact Conclusion” has been amended as follows in response to comment L-39:

Upon completion of construction, the proposed pipeline components of the Proposed Project would not be visible, and structural above-ground development at the other Proposed Project sites would not substantially degrade the visual character or quality of the surrounding area, resulting in a less-than-significant impact. No mitigation measures are required. The City of Seaside has expressed concern about the aesthetic quality of the proposed facilities for future land uses that are planned for the site. According to their comments on the Draft EIR (See Letter L, comment L-39), “the installation of injection wells within the undeveloped lands east of General Jim Moore could adversely affect the natural terrain and coastal scrub if the injection well facilities and back flush pit are not properly screened and/or graded to blend with the rolling terrain.” See Appendix A, Scoping Report (see letter from City of Seaside dated February 2015 in Appendix F of the Scoping Report) and Letter L in the Final EIR. Based on this input, the following site design measures are ....

**Page 4.2-40** Mitigation Measure AE-3 at the top of this page has been amended as follows in response to comment J-7, L-2, L-3, L-29, L-36, and L-39:

**Mitigation Measure AE-3: Provide Aesthetic Screening for New Above-Ground Structures. (Applies to the following project components: Product Water Conveyance Coastal and RUWAP Booster Pump Station and Injection Well Facilities).**

Proposed above-ground features at the ~~Coastal option of the~~ Booster Pump Station and Injection Well Facilities (at a minimum, at the well clusters and back-flush basin), shall be designed to minimize visual impacts by incorporating screening with vegetation, or other aesthetic design treatments, subject to review and approval of the City of Seaside, which has also requested that the buildings be designed with Monterey/Mission style architecture to match the design of the structures that have been built on the Santa Margarita ASR site and the Seaside Middle School ASR Site. All pipelines placed within the City of Seaside on General Jim Moore Boulevard shall be placed underground. MRWPCA shall coordinate with the City of Seaside on the location of injection wells and booster pumps in order to reduce conflicts with future commercial/residential development opportunities. Screening and aesthetic design treatments at the RUWAP Booster Pump Station component shall be subject to review and approval by the City of Marina. Use of standard, commercial-grade, chain link fencing and barbed wire should be discouraged.

**Page 4.2-42** Mitigation Measure AE-4 at the top of this page has been amended as follows in response to comment J-4c:

**Mitigation Measure AE-4: Exterior Lighting Minimization. (Applies to the following project components: Product Water Conveyance Booster Pump Station - (both Options) and Injection Well Facilities)**

To prevent exterior lighting from affecting nighttime views, the design and operation of lighting at the Product Water Conveyance Booster Pump Station - RUWAP and Coastal Options and Injection Well Facilities, shall adhere to the following requirements:

- Use of low-intensity street lighting and low-intensity exterior lighting shall be required. No floodlights shall be allowed at night within the City of Marina.
- Lighting fixtures shall be cast downward and shielded to prevent light from spilling onto adjacent offsite uses.
- Lighting fixtures shall be designed and placed to minimize glare that could affect users of adjacent properties, buildings, and roadways.
- Fixtures and standards shall conform to state and local safety and illumination requirements.

## Changes to 4.3 Air Quality and Greenhouse Gas

**Page 4.3-9** The following subsection has been added under the subsection titled: Senate Bill (SB) 375 (2008) in response to comment H-32:

### **Executive Order B-30-15**

Governor Brown issued Executive Order B-30-15 on April 29, 2015, building on the targets in Executive Order S-03-05 to guide California's efforts in reducing statewide GHG emissions. Executive Order B-30-15 sets an interim goal for California to reduce GHG emissions to 40% below 1990 levels by 2030 and directs state agencies to establish measures to achieve this target. Executive Order B-30-15 also directs ARB to incorporate the 2030 goal into the AB 32 Scoping Plan, requires state agencies to incorporate climate change into their planning and investment decisions, and requires the California Natural Resources Agency to update the state's climate adaptation strategy every three years. This executive order, in and of itself, does not establish any new mandates for local governments and does not impose statutory, regulatory, or legal requirements.

**Page 4.3-16** Table 4.3-4 has been changed as follows in response to comment R-3:

**Table 4.3-4 Revised**

### **Air Quality Significance Thresholds**

| Criteria Pollutant                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Construction Thresholds                                                                                                                                                 | Operational Thresholds            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Maximum Daily Emissions (lbs/day)                                                                                                                                       | Average Daily Emissions (lbs/day) |
| Criteria Air Pollutants                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                         |                                   |
| Volatile organic compound (VOC) or Reactive Organic Gases (ROG)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Not applicable <sup>1</sup>                                                                                                                                             | 137                               |
| Nitrogen oxides (NOx)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Not applicable <sup>1</sup>                                                                                                                                             | 137                               |
| Carbon monoxide (CO)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Not applicable                                                                                                                                                          | 5502 <sup>2</sup>                 |
| Particulate matter with aerodynamic diameter < 10 micrometers (PM4010)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 82 (on-site) <sup>2</sup>                                                                                                                                               | 82 (on-site) <sup>2</sup>         |
| Sulfur dioxide (SO22)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Not applicable                                                                                                                                                          | 150                               |
| Greenhouse Gas Emissions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                         |                                   |
| Quantified GHG Annual Emissions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2,000 metric tons of Co2eq per year or failure to reduce GHG emissions by 16% using alternative energy, energy efficiency, or other GHG reduction measures <sup>3</sup> |                                   |
| Toxic Air Contaminants                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                         |                                   |
| Increased cancer risk due to exposure to toxic air contaminants                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Greater than one incident per 100,000 population                                                                                                                        |                                   |
| <sup>1</sup> MBUAPCD applies the emission threshold of 137 pounds per day of ROG or NOx to construction activities that involve non-typical equipment (i.e., grinders, and portable equipment). The District specifies examples of typical equipment as scrapers, tractors, dozers, graders, loaders, and rollers (MBUAPCD, 2008; see page 5-3 at: <a href="http://mbuapcd.org/pdf/CEQA_full%20%281%29.pdf">http://mbuapcd.org/pdf/CEQA_full%20%281%29.pdf</a> ). For this project, well construction was the only construction activity assumed to use non-typical equipment not normally used in the District (e.g., drilling rigs). |                                                                                                                                                                         |                                   |
| <sup>2</sup> Emissions exceeding these thresholds are considered significant if dispersion modeling shows that the ambient air quality standard for that pollutant would be exceeded. Since air pollutant dispersion modeling was not conducted for this project, the emissions thresholds are used to judge the significance. This threshold applies to stationary sources, not indirect sources.                                                                                                                                                                                                                                     |                                                                                                                                                                         |                                   |
| <sup>3</sup> See discussion above in Section 4.3.4.1. Based on the substantial evidence developed and presented by the MBUAPCD staff in February 2013 and 2014, MRWPCA, as lead agency for this EIR, has elected to use these thresholds to determine if the Proposed Project would make a considerable contribution to significant cumulative global climate change impacts. The Proposed Project would not have any direct, stationary sources of greenhouse gas emissions during operations.                                                                                                                                        |                                                                                                                                                                         |                                   |

**Page 4.3-19** The third paragraph under *Areas of No Impact* has been revised as follows:

Pursuant to MBUAPCD policy, construction projects that use typical construction equipment such as dump trucks, scrapers, bulldozers, and front-end loaders that temporarily emit precursors of ozone (i.e., ROG and NO<sub>x</sub>), are already accounted for in the emission inventories of state- and federally-required air quality plans. In addition to typical construction equipment, the Proposed Project would also require some less common construction equipment such as ~~cranes~~, jack-and-bore rigs, and other various augers and drill rigs. However, emissions associated with these equipment types would be minimal (see the discussion under Impact AQ-1, below). Overall, emissions generated during construction of the Proposed Project would be consistent with the Triennial Plan Revisions to the Air Quality Management Plan.

**Page 4.3-24** Table 4.3-7 and the final paragraph, are revised as follows:

**Table 4.3-7revised**  
**Estimated Daily Construction Emissions**

| Scenario                                                 | Daily Emissions (lbs/day) |      |                  |                   |
|----------------------------------------------------------|---------------------------|------|------------------|-------------------|
|                                                          | ROG                       | NOX  | PM <sub>10</sub> | PM <sub>2.5</sub> |
| Average Daily (lbs/day)                                  |                           |      |                  |                   |
| Average Daily Emissions (based on 378 construction days) | 24                        | 225  | 12               | 11                |
| Maximum Daily (lbs/day)                                  |                           |      |                  |                   |
| Maximum Daily Emissions (with RUWAP alignment)           | 66                        | 547  | 28               | 24                |
| Maximum Daily Exhaust Emissions for Well Sites           | 10                        | 104  | 5                | 5                 |
| Maximum Daily On-Site Particulate Matter Emissions       | --                        | -    | 145              | 41                |
| MBUAPCD Thresholds                                       | 137*                      | 137* | 82               | -                 |
| Exceed Threshold?                                        | No                        | No   | Yes              | No                |

\* Applies to non-typical construction equipment (i.e., well ~~drilling~~ site construction)

Construction of the Proposed Project would include the use of non-typical construction equipment (i.e., ~~cranes~~, jack-and-bore rigs, and other various augurs and drill rigs); therefore, maximum daily construction ROG and NO<sub>x</sub> emissions from these sources were compared to...

**Page 4.3-25** Mitigation Measure AQ-1 is revised as follows in response to comments L-15, and V-9:

**Mitigation Measure AQ-1: Construction Fugitive Dust Control Plan. (Applies to all Project Component Sites where ground disturbance would occur.)**

The following standard Dust Control Measures shall be implemented during construction to help prevent potential nuisances to nearby receptors due to fugitive dust and to reduce contributions to exceedances of the state ambient air quality standards for PM<sub>10</sub>, in accordance with MBUAPCD's CEQA Guidelines.

- Water all active construction areas at least twice daily as required with water (preferably from non-potable sources to the extent feasible); frequency should be based on the type of operation, soil, and wind exposure and minimized to prevent wasteful use of water.
- Prohibit grading activities during periods of high wind (over 15 mph). ....

**Page 4.3-32** The first paragraph after Table 4.3-10 has been edited as follows in response to comment R-5:

There are no locally adopted Greenhouse Gas Emissions Reductions Plans applicable to the Proposed Project site or area (Gonzales is the nearest City that has adopted a climate action plan). The State's AB 32 Scoping Plan ....

## Changes to 4.4 Biological Resources: Fisheries

**Page 4.4.2** The paragraph under Section 4.4.2 Environmental Setting section has been revised as follows in response to comment M-9:

The potential area affected by these sites includes the immediate vicinity of the site and upstream and downstream areas that could be influenced by diversion actions associated with the Proposed Project. The potentially affected water bodies are the Salinas River and the Salinas River Lagoon. Fish habitat areas upstream of the immediate project vicinity that could be influenced by Proposed Project diversion actions are the Arroyo Seco, San Antonio, and Nacimiento Rivers. ....

**Page 4.4-7** Table 4.4-2 has been revised as shown on the following page in response to letter E-4.

**Page 4.4-8** The sentence on this page in the first paragraph on page 4.4-8 has been changed to add the following clarification in response to comment M-11:

In some years, flow releases for smolt migration may not occur because triggers for those releases are not met. However, in those years National Marine Fisheries Service required MCWRA to provide reservoir releases and SRDF bypass flows to enhance migration opportunities for juvenile steelhead and post-spawn adult steelhead (kelts) as part of Salinas River Diversion Facility operations (National Marine Fisheries Service, 2007/MCWRA, 2015).

**Page 4.4-9** The following paragraph at the top of the page has been amended as follows in response to comment M-12:

.... During the summer conservation release period (with flows of 300 cfs or more), water temperature is generally maintained at less than 64°F (17.8°C) within 5 miles of the dam, and 68°F (20°C) or less within 10 miles of the dam (Monterey County Water Resources Agency, 2001). Current monitoring reports available from the MCWRA website identify temperature of water released below the dam typically ranges between 52 and 54°F in temperature, and generally remains cooler than 64°F within the first 5 miles below the dam, and below 68°F within the first 10 miles of the dam. However, under certain conditions (i.e. low summer flows during dry years) temperatures reach 73°F within 5 miles of the dam and 75°F within 10 miles below the dam (NMFS, 2007). (See Monterey County Water Resources website: [http://www.mcwra.co.monterey.ca.us/fish\\_monitoring/documents/2014\\_2%20Salinas%20Basin%20Juvenile%20O.%20mykiss%20Downstream%20Migration%20Monitoring.pdf](http://www.mcwra.co.monterey.ca.us/fish_monitoring/documents/2014_2%20Salinas%20Basin%20Juvenile%20O.%20mykiss%20Downstream%20Migration%20Monitoring.pdf)).



**Table 4.4-2 Revised**  
**SCCC Steelhead Life Stage Flow Thresholds for Migratory Passage in the Salinas River**

| Life stage                                                                                                                                                                                                                                                      | Time Period*                                            | Flow (in cfs) Required Downstream of Spreckels Gage for Migratory Passage | Source Document                | Notes**                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Smolt Outmigration                                                                                                                                                                                                                                              | March through June                                      | N/A                                                                       | NMFS 2007, Page 23             | In California, the outmigration of steelhead smolts typically begins in March and ends in late May or June (Titus et al. 2002).                                                                                                                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                 | April through June                                      | N/A                                                                       | NMFS 2007, Page 23             | Snider (1983) states that in the Carmel River, most juvenile steelhead migrate to the ocean between April and June.                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                 | March through June                                      | N/A                                                                       | NMFS 2007, Page 74             | We have assumed that properly functioning habitat conditions for this phase of the steelhead life history include substantial sustained flows for several weeks during the period of migration (late March through early June).                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                 | <u>March through June</u>                               | <u>150 cfs</u>                                                            | <u>NMFS 2007 Page 66</u>       | <u>NMFS does not specify a smolt migration threshold flow, so the adult threshold flow of 150 cfs is considered the smolt migration threshold using the passage criteria reported in the BO.</u>                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                 | Year-Round with peak emigration from April through June | 56                                                                        | MCWRA 2001, Section 5.6        | If a depth criteria of 0.4 feet is substituted in the analysis of passage transects in the Salinas River the resulting minimum passage flow estimates for downstream migration of post-spawning adults and smolts would be 112 cfs upstream of Spreckels and 56 cfs downstream of Spreckels.                                                                                                                                               |
|                                                                                                                                                                                                                                                                 |                                                         | 50                                                                        |                                | If it is also assumed that the 0.4 foot depth criteria were achieved over a continuous 8 foot channel width rather than 10% of the channel width, the minimum passage flow estimate would be further reduced to 59 cfs upstream of Spreckels and 50 cfs downstream of Spreckels.                                                                                                                                                           |
|                                                                                                                                                                                                                                                                 | <u>March 15 through April</u>                           | <u>300 cfs</u>                                                            | <u>NMFS 2007, Page 23</u>      | <u>Based on triggers as prescribed in BO</u>                                                                                                                                                                                                                                                                                                                                                                                               |
|                                                                                                                                                                                                                                                                 | January through June                                    | N/A                                                                       | MCWRA 2013b, Page 3-118        | Steelhead smolts may immigrate to the ocean from January through June on the receding limb of the winter hydrograph.                                                                                                                                                                                                                                                                                                                       |
|                                                                                                                                                                                                                                                                 | December 15 through March 31                            | N/A                                                                       | MCWRA 2013b, Page 3-119        | Seaward migration of juveniles may end earlier as compared to the other coastal drainages, because a greater amount of flow is required to provide safe passage conditions in the broad, sandy Salinas riverbed and the migration from rearing habitat in the tributaries is greater than 50 miles. NMFS (2003, p. 24) noted December 15 to March 31 as the juvenile steelhead migration season, which likely considers the above factors. |
|                                                                                                                                                                                                                                                                 | March through June                                      | N/A                                                                       | MCWRA 2013b, Page 3-128-129    | Steelhead smolt migration typically begins in March and ends in late-May or June, depending on flow and passage conditions.                                                                                                                                                                                                                                                                                                                |
|                                                                                                                                                                                                                                                                 | Jan 15 through May                                      | N/A                                                                       | MCWRA 2013b, Page 3-134        | Downstream juvenile/kelt migration (mid-January through the end of May).                                                                                                                                                                                                                                                                                                                                                                   |
| Adult Immigration                                                                                                                                                                                                                                               | December 1 through April 15                             | 72                                                                        | MCWRA 2001, Section 5.6        | Based on the Thompson criteria, a flow of about 72 cfs would meet the minimum migration needs for steelhead in the Lower Salinas downstream of Spreckels and a flow of 154 cfs would meet the minimum migration criteria upstream of Spreckels. Less flow is required downstream of Spreckels since the channel is narrower and more confined in this reach.                                                                               |
|                                                                                                                                                                                                                                                                 |                                                         | 60                                                                        |                                | Using the less restrictive width criterion of 8 feet instead of 25%, minimum passage flow estimates for adult steelhead in the Salinas River would be 94 cfs upstream of Spreckels and 60 cfs downstream of Spreckels.                                                                                                                                                                                                                     |
|                                                                                                                                                                                                                                                                 | January through May                                     | N/A                                                                       | Moyle 2008, Page 80            | Adult steelhead return from the ocean to enter watersheds to spawn in SCC stream between January and May (Boughton et al. 2006)                                                                                                                                                                                                                                                                                                            |
|                                                                                                                                                                                                                                                                 | December through April                                  | N/A                                                                       | MCWRA 2013b, Page 3-118        | NMFS indicates that adult steelhead in this region migrate upstream primarily from December to April (NMFS 2007)                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                 | November through June                                   | N/A                                                                       | NMFS 2007, Page 23             | Adult steelhead migrate to fresh water between November and June, peaking in March.                                                                                                                                                                                                                                                                                                                                                        |
|                                                                                                                                                                                                                                                                 | <u>December through April</u>                           | <u>N/A</u>                                                                | <u>NMFS 2007, Page 69 - 70</u> | <u>Although the exact timing of adult upstream migration in the Salinas River is not known, data from other Central California coastal streams indicate that adult steelhead in this area migrate upstream primarily from December through April (Figure 11)</u>                                                                                                                                                                           |
|                                                                                                                                                                                                                                                                 | <u>December through April</u>                           | <u>150 cfs</u>                                                            | <u>NMFS 2007, Page 66</u>      | <u>As described in the environmental baseline (Section V.C.2), NMFS (2005c) examined the issue of adult passage flows and determined that at least 150 cfs is needed to facilitate safe and efficient upstream passage of steelhead at Spreckels.</u>                                                                                                                                                                                      |
|                                                                                                                                                                                                                                                                 | <u>February to March 15</u>                             | <u>260 cfs</u>                                                            | <u>NMFS 2007, Page 10</u>      | <u>Adult steelhead upstream migration triggers will be in effect from February 1 through March 31. When flow triggers occur, MCWRA intends to facilitate upstream migration of adult steelhead by insuring flows of 260 cfs at the Salinas River near Chualar USGS gage.</u>                                                                                                                                                               |
| * Time periods provided represent the widest range indicated by the source document. For example, if a source document indicates a time period beginning sometime in March and ending in late May or June, the time period selected includes March through June |                                                         |                                                                           |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| ** Time periods are selected based on source documents evaluated (e.g., NMFS 2007, MCWRA 2013b), although the source documents may cite additional sources.                                                                                                     |                                                         |                                                                           |                                |                                                                                                                                                                                                                                                                                                                                                                                                                                            |

**Page 4.4-10** The last paragraph has been amended as follows in response to comment M-13:

The lagoon is brackish in the fall due to the freshwater from the inflowing river and salt water from the high ocean waves (Casagrande et al. 2003). During major runoff events, water elevations in the lagoon rises and breaching events occur. During breaching events, both natural and artificial, anadromous fish such as steelhead and Pacific lamprey are able to migrate. The MCWRA intervenes in the Salinas Lagoon each year by using equipment to either cause or assist the breach, and also manages the lagoon water levels as part of flood control activities (Monterey County Water Resources Agency, 2011). The MCWRA Senior Water Resources Hydrologist notes, however, that this does not occur during drought years (Monterey County Water Resources Agency, 2015).

**Page 4.4-13** The second and third paragraphs have been changed to correct the impoundment areas as noted below and identify dam operations management comments from MCWRA as follows in response to comment M-15:

The San Antonio River is regulated by the San Antonio Dam, which impounds ~~350,000~~ 335,000 acre-feet. The dam was constructed in 1965 and is used for flood protection, aquifer recharge, and recreation. Prior to construction of San Antonio Dam, the San Antonio River normally did not reach the Salinas River in late summer (Monterey County Water Resources Agency, 2001)...

The Nacimiento River drains 362 square miles and flows 53 miles from its headwaters in the Santa Lucia Mountains within the Los Padres National Forest to the confluence with the Salinas River. Under natural conditions, flow in the river is intermittent, drying during the summer months. The river is regulated by the Nacimiento Dam, located 10 miles upstream from the confluence with the Salinas River. The dam, constructed in 1957, impounds ~~350,000~~ 377,900 acre-feet, and provides flood protection and aquifer recharge to the Salinas Valley (Monterey County Water Resources Agency, 2001 and 2015). The dam blocks passage of steelhead to the upper portion of the river basin. Dam operation and flow releases on the Nacimiento River are managed for the following purposes: (1) to facilitate and enhance passage for upstream migrating adult steelhead on the Salinas River; (2) to facilitate and enhance passage for downstream migrating steelhead smolts and juveniles on the Salinas River; (3) to maintain the Salinas River Lagoon; (4) to provide water for the Salinas River Diversion Facility; and (5) to maintain steelhead rearing habitat below the dam. Below the dam, the Nacimiento River is characterized by a low gradient and long, wide sections with sparse riparian vegetation. Typical substrate consists of gravel with lesser amounts of sand and cobble (Monterey County Water Resources Agency, March 2013). Dam operation and flow releases on the river are also managed for such as 1) flood control, 2) water conservation, 3) fish passage enhancement and 4) recreation".

**Page 4.4-14** The first full paragraph has been changed as follows in response to comment M-16: The Reclamation Ditch watershed has five main tributaries including Gabilan, Natividad, Alisal and Santa Rita Creeks (see Figure 4.4-3, Reclamation Ditch Tributaries) and the Merritt Lake drainage. Gabilan, Natividad, and Alisal Creeks converge at Carr Lake. ~~The outlet from Carr Lake forms the head of the Reclamation Ditch.~~

**Page 4.4-18** The second and third paragraphs on this page have been amended as follows:

In order to reach the spawning habitat upstream, steelhead would have to navigate through a series of man-made obstructions that hinder fish passage. Most are passable during periods of prolonged stream flow to achieve suitable flow depth and duration for passage (CCoWS, 2006). However, there are passage obstacles at the San Jon stream gage site, which has a trapezoidal channel section and gaging weir. (See photo on **Figure 4.4-5, Photos of Reclamation Ditch and Tembladero Slough Gabilan Creek Fish Passage Obstacles.**) The concrete lip at the lower edge of the apron presents a jumping obstacle at low flows without a pool at the base. The apron also creates uniformly very shallow flow. The concrete lip is likely not a problem for upstream migrating adults when there is sufficient flow for passage over the apron. The lip is also not considered problematic for downstream migrating smolts or adults. The Boronda Road gage site has rock rip-rap fill in the channel downstream of the road bridge creating a critical passage riffle (Hagar, February 27, 2015).

The middle reaches of the watershed (between the Gabilan Mountains and the City of Salinas) are ephemeral and thus do not support fish. Some intermittent reaches support California roach (*Hesperoleucus symmetricus*) and threespine stickleback (*Gasterosteus aculeatus*), which are both tolerant of high temperature and low dissolved oxygen (Casagrande and Watson, 2006a). Some fish

passage obstacles on Gabilan Creek are shown on photos on **Figure 4.4-65a**; location of the photos are shown on **Figure 4.4-65b**.

**Page 4.4-26** The third full paragraph has been amended as follows in response to comment M-17:

The 2007 NMFS Biological Opinion stated that one of the terms and conditions of the Biological Opinion requested that adult steelhead escapement monitoring be conducted for a minimum of 10 years, unless NMFS and MCWRA agree to an alternative timeframe. In 2011, an adult steelhead escapement monitoring program was set up, but subsequently the weir system became inoperable. Due to multiple factors (per MCWRA Senior Water Resources Hydrologist, a DIDSON camera was installed on February 24 and removed on March 20 and not reinstalled due to flood conditions), monitoring was not conducted during the entire timeframe outlined in the Biological Opinion (December 1 to March 31).....

**Page 4.4-31** The following has been added after the section titled *California Fish and Game Code Sections 1600-1616* in accordance with comments G-16 through G-20:

### **California Department of Fish and Wildlife Authority**

CDFW is a Trustee Agency with responsibility under CEQA for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Division 13 (commencing with Section 21000) of the Public Resources Code).

The Department also has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered. If the Project could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), an Incidental Take Permit may need to be obtained for the Proposed Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (Public Resources Code Sections 21001(c), 21083, CEQA Guidelines Sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports a Statement of Overriding Consideration (SOC). The CEQA Lead Agency's SOC does not eliminate the project proponent's obligation to comply with Fish and Game Code Section 2080.

**Page 4.4-31/32** The Blanco Drain has been added to the last sentence on page 4.4-31 in response to comment M-18:

As stated above, the Salinas River, Reclamation Ditch, Blanco Drain, and Tembladero Slough are listed as impaired waterbodies under section 303(d) of the Clean Water Act.

**Page 4.4-33** The following text has been added to the bottom of Table 4.4-6 in response to comment AA-7:

|                        |                                   |                        |                          |                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                  |
|------------------------|-----------------------------------|------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Monterey County</u> | <u>North County Land Use Plan</u> | <u>Water Resources</u> | <u>Tembladero Slough</u> | <u>Policy 2.5.2.4 Adequate quantities of water should be maintained instream or supplied to support natural aquatic and riparian vegetation and wildlife during the driest expected year.</u> | <b><u>Consistent with Mitigation:</u></b><br><u>Operation of the Proposed Project with Mitigation Measures BF-2 would ensure adequate quantities of water are maintained to support federal and state-listed fish species during the driest expected year (See Impact BF-2.)</u> |
|------------------------|-----------------------------------|------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Page 4.4-37** The text in the second paragraph has been amended as follows in response to comment E-4:

For the Salinas River, passage flow indicator values were evaluated based on past studies, including thresholds developed by the Monterey County Water Resources as part of the Salinas Valley Water Project Master EIR and the biological opinion of the effects of the Monterey County Water Resources Agency, Salinas Valley Water Project in Monterey County, on California South-Central California Coast Steelhead DPS and its critical habitat (NMFS 2007), discussed above in Section 4.4.2.4. Identified flows for different life stages are summarized on **Table 4.4-2**. Based on this review, **Table 4.4-7, Threshold**

**Flows for Maintenance of Steelhead Migration the Lower Salinas River, Downstream of Spreckels** summarizes the passage flow indicator values considered in evaluating impact significance for maintenance of steelhead migration in Salinas River.

Although the conditions assessed by MCWRA (2001) were addressed differently in the Biological Opinion for the Salinas Valley Water Project (NMFS 2007 SVWP BO), MRWPCA and its biologists determined that effects on migration conditions as described in MCWRA (2001) would provide an accurate assessment of potential Proposed Project effects on steelhead within the Salinas River due to the Proposed Project. The study reach addressed in the NMFS 2007 SVWP BO (NMFS, 2007; NMFS, 2005; MCWRA, 2005) to assess channel conditions and relevant passage criteria did not include the reach downstream of Spreckels and therefore did not directly address channel conditions in the Salinas River that would be affected by the GWR Project. Channel conditions downstream of Spreckels differ from those evaluated for fish passage upstream of the Proposed Project due to variation in channel geometry (width), vegetation, flood facilities and flow (MCWRA 2013). MRWPCA and its consultants considered these variations as sufficient reason to address fish passage within this reach using standard passage criteria as provided in Table 4.4-7Rev of the Draft EIR.

Because the maximum potential diversion rate from the Salinas River resulting from the Proposed Project is 6 cfs, based on an evaluation threshold of 10 percent, MRWPCA and its consultants determined that significant impacts could occur when baseline flows are 65 cfs or less. Because the Biological Opinion prescriptions are several fold greater than the flows potentially affected by the Proposed Project, the Draft EIR focused on conditions within the Proposed Project area that might be affected by the Proposed Project's maximum diversion rate at a more refined level of detail and specific to the affected reach below the diversions points.

Nevertheless, to address requests in comments on the Draft EIR, the analysis was expanded in this Final EIR to further evaluate potential project-related effects to fish passage based on the NMFS 2007 SVWP BO requirements. Using the NMFS 2007 SVWP BO flows of 150 cfs and 300 cfs for January through mid-March, and mid-March through May, respectively, the expanded analysis shows that the Proposed Project would not change the frequency or duration of suitable fish passage conditions, further supporting the less-than-significant impact conclusions of the Draft EIR.

**Page 4.4-37** Table 4.4-7 has been revised as follows in response to letter E:

**Table 4.4-7Revised**

**Threshold Flows for Maintenance of Steelhead Migration in the Lower Salinas River, Downstream of Spreckels**

| Life stage                           | Required Flow Depth | Channel Width                    | Threshold Flow      |
|--------------------------------------|---------------------|----------------------------------|---------------------|
| <u>NMFS (2007)</u>                   |                     |                                  |                     |
| <u>Adult Immigration</u>             | <u>1.0 feet</u>     | <u>10 ft across riffle crest</u> | <u>150 cfs</u>      |
| <u>Adult immigration</u>             | <u>NA</u>           | <u>NA</u>                        | <u>260 cfs</u>      |
| <u>Juvenile and Smolt Emigration</u> | <u>1.0 feet</u>     | <u>10 ft across riffle crest</u> | <u>&lt; 150 cfs</u> |
| <u>Juvenile and Smolt Emigration</u> | <u>NA</u>           | <u>NA</u>                        | <u>300 cfs</u>      |
| <u>Adult Immigration</u>             | <u>0.6 feet</u>     | <u>25% of channel</u>            | <u>72 cfs</u>       |
| <u>Adult immigration</u>             | <u>0.6 feet</u>     | <u>8 feet (min)</u>              | <u>60 cfs</u>       |
| <u>Juvenile and Smolt Emigration</u> | <u>0.4 feet</u>     | <u>25% of channel</u>            | <u>56 cfs</u>       |
| <u>Juvenile and Smolt Emigration</u> | <u>0.4 feet</u>     | <u>8 feet (min)</u>              | <u>50 cfs</u>       |

**Page 4.4-43/44** The last paragraph on page 4.4-43 through the end of page 4.4-44 has been amended as follows, including changes to Mitigation Measures BF-1a, BF-1b, and the addition of BF-1c, in response to letter E and comments D-3 and H-33:

Generally, dewatering the channel to complete construction of the in-channel structures would represent a short-term temporary modification to aquatic habitat through alteration of the channel and/or flows during construction, with potential harm to individual fish that may be present within the construction area. Construction activities may also result in temporary degradation of water quality due to erosion or other materials entering the water course, which is addressed in **Section 4.11, Hydrology/Water Quality: Surface Water**. With implementation of Mitigation Measure BF-

1a: Construction during Low Flow Season potential impacts to migrating steelhead would be avoided. Implementation of Mitigation Measure BF-1b, Removal of Aquatic Species during Construction, would reduce impacts to a less-than-significant level for other aquatic fish species that may be present at any of the sites, including conducting pre-construction surveys for tidewater goby at the Tembladero Slough Diversion site. If present, appropriate measures would be implemented in consultation with the regulatory agencies, and the impact would be reduced to a less-than-significant level. Mitigation Measure BT-1a, as modified in this Final EIR (see changes to pages 4.5-75 to 4.5-76 of the Draft EIR in **Chapter 5, Changes to the Draft EIR**) also applies because it requires BMPs during construction.

### ***Mitigation Measures***

**Implement Mitigation Measure BT-1a: Implement Construction Best Management Practices. (Applies to All Proposed Project Components).** See page 4.5-75 to 4.5-76 of the Draft EIR (as amended in this Final EIR in **Chapter 5, Changes to the Draft EIR**) for details.

### **Mitigation Measure BF-1a: Construction during Low Flow Season. (Applies to Blanco Drain, Reclamation Ditch, and Tembladero Slough Diversions)**

Implement Mitigation Measure BT-1a. Conduct construction of diversion facilities, including the directional drilling under the Salinas River, during periods of low flow outside of the SCCC steelhead migration periods, i.e. between June and November, which would be outside of the adult migration period from December through April and outside of the smolt migration period from March through May.

### **Mitigation Measure BF-1b: Relocation of Aquatic Species during Construction. (Applies to Reclamation Ditch and Tembladero Slough Diversions)**

Conduct pre-construction surveys to determine whether tidewater gobies or other fish species are present, and if so, implement appropriate measures in consultation with applicable regulatory agencies, which may include a program for capture and relocation of tidewater gobies to suitable habitat outside of work area during construction. Pre-construction surveys shall be consistent with requirements and approved protocols of the applicable resource agencies and performed by a qualified fisheries biologist.

### **Mitigation Measure BF-1c Tidewater Goby and Steelhead Impact Avoidance and Minimization. (Applies to Reclamation Ditch and Tembladero Slough Diversions)**

To ensure compliance with the federal Endangered Species Act (FESA) and the California Endangered Species Act (CESA), consultation with NMFS/NOAA, USFWS, and CDFW shall be conducted as required, and any necessary take permits or authorizations would be obtained. If suitable habitat for tidewater goby (Tembladero Slough) and steelhead cannot be avoided, any in-stream portions of each project component (where the Proposed Project improvements require in-stream work) shall be dewatered/ diverted. A dewatering/diversion plan shall be prepared and submitted to NMFS, USFWS, and CDFW for review and approval. Specific plan elements are noted below and will be refined through consultation with USFWS, NMFS and CDFW:

- Required Pre-Construction surveys identified in Mitigation Measure BF-1b shall be consistent with requirements and approved protocols of the applicable resource agencies and performed by a qualified fisheries biologist.
- All dewatering/diversion activities shall be monitored by a qualified fisheries biologist. The fisheries biologist shall be responsible for capture and relocation of fish species out of the work area during dewatering/diversion installation.
- The project proponents shall designate a qualified representative to monitor on-site compliance of all avoidance and minimization measures. The fisheries biologist shall have the authority to halt any action which may result in take of listed species.



- Only USFWS/NMFS/CDFW-approved biologists shall participate in the capture and handling of listed species subject to the conditions in the Incidental Take Permits as noted above.
- No equipment shall be permitted to enter wetted portions of any affected drainage channel. All equipment operating within streams shall be in good conditions and free of leaks.
- Spill containment shall be installed under all equipment staged within stream areas and extra spill containment and clean up materials shall be located in close proximity for easy access.
- Work within and adjacent to streams shall not occur between November 1 and June 1 unless otherwise approved by NMFS and the CDFW.
- If project activities could degrade water quality, water quality sampling shall be implemented to identify the pre-project baseline, and to monitor during construction for comparison to the baseline. If water is to be pumped around work sites, intakes shall be completely screen with wire mesh not larger than five millimeters to prevent animals from entering the pump system.
- If any tidewater goby or steelhead are harmed during implementation of the project, the project biologist shall document the circumstances that led to harm and shall determine if project activities should cease or be altered in an effort to avoid further harm to the species.
- Water turbidity shall be monitored by a qualified biologist or water quality specialist during all instream work. Water turbidity shall be tested daily at both an upstream location for baseline measurement and downstream to determine if project activities are altering water turbidity. Turbidity measures shall be taken within 50 feet of construction activities to rule out other outside influences. Additional turbidity testing shall occur if visual monitoring indicates an increased in turbidity downstream of the work area. If turbidity levels immediately downstream of the project rise to more than 20 NTUs (Nephelometric Turbidity Units) above the upstream (baseline) turbidity levels, all construction shall be halted and all erosion and sediment control devices shall be thoroughly inspected for proper function, or shall be replaced with new devices to prevent additional sediment discharge into streams.

**Page 4.4-46**

Table 4.4-10 Predicted Changes to Steelhead Passage Flow Thresholds in the Salinas River has been replaced with the following revised version:

**Table 4.4-10 Revised****Predicted Changes to Steelhead Passage Flow Thresholds in the Salinas River (Scenario C)**

| Life stage/<br>Period    | Number of days meeting<br>threshold |            | Percent of potential<br>migration period meeting<br>threshold |               | Change in<br>percentage of<br>potential<br>migration<br>period<br>meeting<br>threshold (%) | Reduction<br>in number<br>of days<br>meeting<br>threshold<br>relative to<br>baseline | Reduction in<br>threshold<br>occurrence<br>relative to<br>baseline (%) |
|--------------------------|-------------------------------------|------------|---------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------|
|                          | Baseline                            | Scenario C | Baseline                                                      | Scenario<br>C |                                                                                            |                                                                                      |                                                                        |
| Adult Upstream Migration |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| 60 cfs threshold         |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Dec                      | 508                                 | 474        | 19.7                                                          | 18.4          | 1.3                                                                                        | 34                                                                                   | 6.7                                                                    |
| Jan                      | 1,160                               | 1,130      | 45.6                                                          | 44.5          | 1.2                                                                                        | 30                                                                                   | 2.6                                                                    |
| Feb                      | 1,430                               | 1,402      | 61.7                                                          | 60.5          | 1.2                                                                                        | 28                                                                                   | 2                                                                      |
| Mar                      | 1,524                               | 1,511      | 60                                                            | 59.4          | 0.5                                                                                        | 13                                                                                   | 0.9                                                                    |
| Apr                      | 1,151                               | 1,137      | 46.8                                                          | 46.2          | 0.6                                                                                        | 14                                                                                   | 1.2                                                                    |
| All                      | 5,773                               | 5,654      | 46.4                                                          | 45.5          | 1                                                                                          | 119                                                                                  | 2.1                                                                    |
| 72 cfs threshold         |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Dec                      | 467                                 | 441        | 18.2                                                          | 17.1          | 1                                                                                          | 26                                                                                   | 5.6                                                                    |
| Jan                      | 1,111                               | 1,083      | 43.7                                                          | 42.6          | 1.1                                                                                        | 28                                                                                   | 2.5                                                                    |
| Feb                      | 1,397                               | 1,373      | 60.3                                                          | 59.3          | 1                                                                                          | 24                                                                                   | 1.7                                                                    |
| Mar                      | 1,498                               | 1,484      | 58.9                                                          | 58.4          | 0.6                                                                                        | 14                                                                                   | 0.9                                                                    |
| Apr                      | 1,125                               | 1,107      | 45.7                                                          | 45            | 0.7                                                                                        | 18                                                                                   | 1.6                                                                    |
| All                      | 5,598                               | 5,488      | 45                                                            | 44.1          | 0.9                                                                                        | 110                                                                                  | 2                                                                      |
| 260 cfs threshold        |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Dec                      | 342                                 | 265        | 13.3                                                          | 10.3          | 3                                                                                          | 77                                                                                   | 3                                                                      |
| Jan                      | 758                                 | 753        | 29.8                                                          | 29.6          | 0.2                                                                                        | 18                                                                                   | 0.7                                                                    |
| Feb                      | 1,074                               | 1,064      | 46.4                                                          | 45.9          | 0.4                                                                                        | 10                                                                                   | 0.4                                                                    |
| Mar                      | 1,203                               | 1,196      | 47.3                                                          | 47            | 0.3                                                                                        | 9                                                                                    | 0.4                                                                    |
| Apr                      | 846                                 | 838        | 34.4                                                          | 34.1          | 0.3                                                                                        | 3                                                                                    | 0.1                                                                    |
| All                      | 4,223                               | 4,116      | 34                                                            | 33.1          | 0.9                                                                                        | 58                                                                                   | 0.5                                                                    |
| 150 cfs threshold        |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Dec                      | 342                                 | 337        | 13.3                                                          | 13.1          | 0.2                                                                                        | 5                                                                                    | 0.2                                                                    |
| Jan                      | 919                                 | 903        | 36.2                                                          | 35.5          | 0.6                                                                                        | 16                                                                                   | 0.6                                                                    |
| Feb                      | 1,220                               | 1,202      | 52.7                                                          | 51.9          | 0.8                                                                                        | 18                                                                                   | 0.8                                                                    |
| Mar                      | 1,363                               | 1,353      | 53.6                                                          | 53.2          | 0.4                                                                                        | 10                                                                                   | 0.4                                                                    |
| Apr                      | 997                                 | 987        | 40.5                                                          | 40.1          | 0.4                                                                                        | 10                                                                                   | 0.4                                                                    |
| All                      | 4,841                               | 4,782      | 190.4                                                         | 188.1         | 2.3                                                                                        | 59                                                                                   | 0.5                                                                    |

**Table 4.4-10 Revised****Predicted Changes to Steelhead Passage Flow Thresholds in the Salinas River (Scenario C)**

| Life stage/<br>Period         | Number of days meeting<br>threshold |            | Percent of potential<br>migration period meeting<br>threshold |               | Change in<br>percentage of<br>potential<br>migration<br>period<br>meeting<br>threshold (%) | Reduction<br>in number<br>of days<br>meeting<br>threshold<br>relative to<br>baseline | Reduction in<br>threshold<br>occurrence<br>relative to<br>baseline (%) |
|-------------------------------|-------------------------------------|------------|---------------------------------------------------------------|---------------|--------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------|
|                               | Baseline                            | Scenario C | Baseline                                                      | Scenario<br>C |                                                                                            |                                                                                      |                                                                        |
| Juvenile Downstream Migration |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| 50 cfs threshold              |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Mar                           | 1,555                               | 1,530      | 61.2                                                          | 60.2          | 1                                                                                          | 25                                                                                   | 1.6                                                                    |
| Apr                           | 1,179                               | 1,158      | 47.9                                                          | 47            | 0.9                                                                                        | 21                                                                                   | 1.8                                                                    |
| May                           | 762                                 | 716        | 30                                                            | 28.2          | 1.8                                                                                        | 46                                                                                   | 6                                                                      |
| Jun                           | 284                                 | 272        | 11.5                                                          | 11            | 0.5                                                                                        | 12                                                                                   | 4.2                                                                    |
| All                           | 3,780                               | 3,676      | 37.8                                                          | 36.8          | 1                                                                                          | 104                                                                                  | 2.8                                                                    |
| 56 cfs threshold              |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Mar                           | 1,539                               | 1,515      | 60.5                                                          | 59.6          | 0.9                                                                                        | 24                                                                                   | 1.6                                                                    |
| Apr                           | 1,166                               | 1,145      | 47.4                                                          | 46.5          | 0.9                                                                                        | 21                                                                                   | 1.8                                                                    |
| May                           | 720                                 | 687        | 28.3                                                          | 27            | 1.3                                                                                        | 33                                                                                   | 4.6                                                                    |
| Jun                           | 275                                 | 257        | 11.2                                                          | 10.5          | 0.7                                                                                        | 18                                                                                   | 6.5                                                                    |
| All                           | 3,700                               | 3,604      | 37                                                            | 36            | 1                                                                                          | 96                                                                                   | 2.6                                                                    |
| 150 cfs threshold             |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Mar                           | 1,363                               | 1,353      | 53.6                                                          | 53.2          | 0.4                                                                                        | 10                                                                                   | 0.4                                                                    |
| Apr                           | 997                                 | 987        | 40.5                                                          | 40.1          | 0.4                                                                                        | 10                                                                                   | 0.4                                                                    |
| May                           | 455                                 | 444        | 17.9                                                          | 17.5          | 0.4                                                                                        | 11                                                                                   | 0.4                                                                    |
| June                          | 154                                 | 148        | 6.3                                                           | 6.0           | 0.2                                                                                        | 6                                                                                    | 0.2                                                                    |
| All                           | 2,969                               | 2,932      | 29.7                                                          | 29.3          | 0.4                                                                                        | 37                                                                                   | 0.4                                                                    |
| 300 cfs threshold             |                                     |            |                                                               |               |                                                                                            |                                                                                      |                                                                        |
| Mar                           | 1,156                               | 1,144      | 45.5                                                          | 45.0          | 0.5                                                                                        | 12                                                                                   | 0.5                                                                    |
| Apr                           | 797                                 | 786        | 32.4                                                          | 32.0          | 0.4                                                                                        | 11                                                                                   | 0.4                                                                    |
| All                           | 1,953                               | 1,930      | 39.0                                                          | 38.6          | 0.5                                                                                        | 23                                                                                   | 0.5                                                                    |

**Page 4.4-48** The text under Table 4.4-11 on this page has been amended as follows in response to comments on the Draft EIR in letters E, F, and G:

### ***Impact Conclusion***

The Proposed Project diversions would result in a reduction of flows in the Salinas River and Reclamation Ditch. Reduction of flows in the Salinas River due to diversions of City of Salinas stormwater and Salinas Treatment Facility flows with diversions at Blanco Drain would result in reduction of flows during the SCCC steelhead adult immigration period by 1.0 to 2.8% and during the juvenile outmigration period by about 1.3 to 2.8%, relative to existing conditions, which is below the significance criteria for flow reduction related to migration flows. Therefore, in consideration of the timing, frequency, magnitude, and duration of flow changes, these changes would not result in substantial impacts on SCCC steelhead within the Salinas River, and would not result in a significant impact on fish migration.

However, flow reductions in the Reclamation Ditch would result in potentially significant impacts to both adult and juvenile steelhead migration due to flow reductions that exceed 10% and significant reductions in the days in which fish passage could occur. Implementation of Mitigation Measure BF-2a: Maintain Migration Flows or Mitigation Measure Alternate BF-2a: Redesign Modify San Jon Weir to Improve Fish Passage would reduce impacts to steelhead migration in the Reclamation Ditch to a less-than-significant level.

The Proposed Project diversions, including all proposed surface water, urban runoff, and wastewater diversions, were found to not have a significant adverse impact on brackish tidal and wetland habitat in the downstream portions of the watershed including Old Salinas River channel, Tembladero Slough, Elkhorn Slough, and Moro Cojo Slough during project operations as documented on pages 4.5-97 through 4.5-105 and 4.11-71 through 4.11-73 of the Draft EIR, as modified in this Final EIR. The final facility design and flows will incorporate passage acceptable to NMFS. Tembladero Slough at the diversion site and downstream is tidally influenced. Existing tide gates just upstream of Moss Landing Harbor influence water levels up to the Highway 183 crossing upstream of the point of diversion at Tembladero Slough. Based on the technical analysis and mitigation measures prepared by HDR and Hager Environmental Science (HES) fisheries biologists, the Draft EIR found that project impacts to fisheries from diversions at this location would be less than significant. Combined diversions from both Salinas River and Tembladero Slough/Reclamation Ditch from project reduction in flows to the downstream coastal sloughs in the area (e.g., Elkhorn Slough (a National Estuarine Reserve), and Moro Cojo Slough downstream of the diversion will also have a less-than-significant impact on fisheries and aquatic habitat.

**Page 4.4-48/49** Mitigation Measure BF-2a has been amended as follows in response to comments E-8, E-9, and E-10:

**Mitigation Measure BF-2a:** Maintain Migration Flows. (Applies to the Reclamation Ditch Diversion) Implement BF-1a, BF-1b, and BF-1c. Operate diversions to maintain steelhead migration flows in the Reclamation Ditch based on two criteria – one for upstream adult passage in Jan-Feb-Mar and one for downstream juvenile passage in Apr-May. For juvenile passage, the downstream passage shall have a flow trigger in both Gabilan Creek and at the Reclamation Ditch, so that if there is flow in Gabilan Creek that would allow outmigration, then the bypass flow requirements, as measured at the San Jon Gage of the Reclamation Ditch, shall be applied (see Hager Environmental Science, *Estimation of Minimum Flows for Migration of Steelhead in the Reclamation Ditch*, February 27, 2015, in Appendix G-2, of this Draft EIR and Schaaf & Wheeler, *Fish Passage Analysis: Reclamation Ditch at San Jon Rd. and Gabilan Creek at Laurel Rd.* July 15, 2015 in Appendix CC of this Final EIR). If there is no flow in Gabilan Creek, then only the low flow (minimum bypass flow requirement as proposed in the project description) shall be applied, and these flows for the dry season at Reclamation Ditch as measured at the San Jon USGS gage shall be met. Note: If there is no flow gage in Gabilan Creek, then downstream passage flow trigger shall be managed based on San Jon Road gage and flows.

*Alternately, as the San Jon weir located at the USGS gage is considered a barrier to steelhead migration and the bypass flow requirements have been developed to allow adult and smolt steelhead migration to have adequate flow to travel past this obstacle, if the weir were to be modified to allow steelhead passage, the mitigation above would not have to be met. Therefore, alternate Mitigation Measure BF-2a has been developed, as follows:*

**Mitigation Measure Alternate BF-2a:** Modify San Jon Weir. (Applies to the Reclamation Ditch Diversion) Construct modifications to the existing San Jon weir to provide for steelhead passage. Modifications could include downstream pool, modifications to the structural configuration of the weir to allow passage or other construction, and improvements to remove the impediment to steelhead passage defined above.

The above mitigation is subject to compliance with CESA and FESA and appropriate approving agencies may modify the above mitigation to further reduce, avoid, or minimize impacts to species.

**Page 4.4-53** The following citation on this pages has been changed as follows:

California Regional Water Quality Control Board (RWQCB), ~~2008~~ 2015. *CCAMP Home Page, Water Quality Monitoring Fact Sheet*. California Regional Water Quality Control Board, Central Coast Region, San Luis Obispo, CA. ~~November 30, 2008.~~

**Page 4.4-55** The following references have been added within the list of Monterey County Water Resources Agency references:

Monterey County Water Resources Agency (MCWRA)/FishBio, 2015. *Salinas Basin Juvenile O. mykiss Downstream Migration Monitoring, 2014 Annual Report - Final*. Accessed August 25, 2015. See following link:

[http://www.mcwra.co.monterey.ca.us/fish\\_monitoring/documents/2014\\_2%20Salinas%20Basin%20Juvenile%20O.%20mykiss%20Downstream%20Migration%20Monitoring.pdf](http://www.mcwra.co.monterey.ca.us/fish_monitoring/documents/2014_2%20Salinas%20Basin%20Juvenile%20O.%20mykiss%20Downstream%20Migration%20Monitoring.pdf)

**Page 4.4-56** The following references have been added at the bottom of this page:

U.S. Fish and Wildlife Service, 2006. *Tidewater Goby Survey Protocol*, available online at: <http://www.fws.gov/arcata/es/fish/goby/documents/USFWS%202006%20Tidewater%20Goby%20Survey%20Protocol.pdf>.

U.S. Fish and Wildlife Services, 2015. Tidewater Goby information available online at: <http://www.fws.gov/arcata/es/fish/goby/goby.html>.

## Changes to 4.5 Biological Resources: Terrestrial

### Throughout the chapter

The word “frack-out” has been replaced with the word “frac-out.”

**Page 4.5-4** The first paragraph under the heading Wetland Delineation has been amended as follows in response to comment F-2:

The entire Project Study Area, including the Affected Reaches, was evaluated to identify areas potentially supporting coastal wetlands, state waters, and/or federal jurisdictional wetlands and other waters. A wetland delineation is provided in **Appendix I**. The Reclamation Ditch Diversion site, Tembladero Slough Diversion site, Blanco Drain Diversion site, Lake El Estero, Coastal conveyance pipeline alignment option (Locke Paddon Lake), CalAm Monterey Pipeline (Roberts Lake), and all of the affected reaches were identified as potentially containing wetlands under the jurisdiction of the United States Army Corp of Engineers (USACOE), the State Water Resources Control Board (SWRCB)/Central Coast Regional Water Quality Control Board (RWQCB), and/or the California Coastal Commission (CCC). ....

**Page 4.5-25** The first sentence under the heading Tricolored Blackbird has been amended as follows in response to comment G-15:

The tricolored blackbird ~~is a CDFW species of special concern~~ was listed as endangered in 2015 by CDFW on an emergency basis. This species is common locally and in coastal districts from Sonoma County south.



**Page 4.5-37** Table 4.5-5 has been amended as shown below in response to comments F-4:

**Table 4.5-5**  
**Sensitive Habitats within the Project Study Area**

| Sensitive Habitat<br>(in acres)                       | Component Name                              |                                                                      |                   |                   |              |                               |                                                         |                             |                             |                           |                                 | Total Area<br>by Sensitive<br>Habitat<br>Type (ac) |                   |                   |                   |                              |
|-------------------------------------------------------|---------------------------------------------|----------------------------------------------------------------------|-------------------|-------------------|--------------|-------------------------------|---------------------------------------------------------|-----------------------------|-----------------------------|---------------------------|---------------------------------|----------------------------------------------------|-------------------|-------------------|-------------------|------------------------------|
|                                                       | Source Water<br>Diversion and Storage Sites |                                                                      |                   |                   |              |                               | Treatment Facilities at the<br>Regional Treatment Plant | Product Water<br>Conveyance |                             | Injection Well Facilities | CalAm<br>Distribution<br>System |                                                    | Affected Reaches  |                   |                   |                              |
|                                                       | Salinas Pump<br>Station                     | Salinas Treatment<br>Facility Storage and<br>Recovery <sup>***</sup> | Reclamation Ditch | Tembladero Slough | Blanco Drain | Lake El Estero <sup>***</sup> |                                                         | RUWAP Alignment<br>Option   | Coastal Alignment<br>Option |                           | Transfer Pipeline               |                                                    | Monterey Pipeline | Reclamation Ditch | Tembladero Slough | Old Salinas River<br>Channel |
|                                                       |                                             |                                                                      |                   |                   |              |                               |                                                         |                             |                             |                           |                                 |                                                    |                   |                   |                   |                              |
| Central Maritime<br>Chaparral                         | --                                          | --                                                                   | --                | --                | --           | --                            | 1.9 ac                                                  | --                          | 62.5<br>ac                  | --                        | --                              | --                                                 | --                | --                | 64.4 ac           |                              |
| Central Dune Scrub                                    | --                                          | --                                                                   | --                | --                | --           | --                            | --                                                      | --                          | --                          | --                        | 2.7<br>ac                       | --                                                 | --                | 0.5 ac            | 3.2 ac            |                              |
| Riparian (Note 1)                                     | --                                          | 34.7 ac                                                              | --                | --                | 0.7<br>ac    | *                             | --                                                      | --                          | 0.6 ac                      | --                        | 0.6<br>ac                       | 2.5<br>ac                                          | 1.8<br>ac         | 0.02<br>ac        | 40.9 ac           |                              |
| Emergent Wetland<br>(Note 1)                          | --                                          | --                                                                   | --                | --                | --           | 0.7<br>ac                     | --                                                      | --                          | --                          | --                        | --                              | --                                                 | 2.5<br>ac         | 2.8 ac            | 6.0 ac            |                              |
| Salt Marsh Wetland<br>(Note 1)                        | --                                          | --                                                                   | --                | --                | --           | --                            | --                                                      | --                          | --                          | --                        | --                              | --                                                 | --                | 13.0<br>ac        | 13.0 ac           |                              |
| Potential Coastal<br>Wetlands <sup>***</sup> (Note 1) | --                                          | N/A                                                                  | --                | 0.01<br>ac        | --           | --                            | --                                                      | --                          | 0.3 ac                      | --                        | 0.02<br>ac                      | --                                                 | 1.1<br>ac         | 3.4 ac            | 4.8 ac            |                              |
| Potential Federal<br>Wetland <sup>****</sup> (Note 1) | --                                          | N/A                                                                  | --                | --                | --           | 0.7<br>ac                     | --                                                      | --                          | 0.3 ac                      | --                        | 0.6<br>ac                       | --                                                 | 2.0<br>ac         | 12.4<br>ac        | 16.0 ac           |                              |
| Potential<br>Jurisdictional Waters<br>(Note 1)        | --                                          | N/A                                                                  | 0.05<br>ac        | 0.2<br>ac         | 0.3<br>ac    | 17.3<br>ac                    | --                                                      | --                          | --                          | --                        | 0.2<br>ac                       | 12.3<br>ac                                         | 16.4<br>ac        | 22.5<br>ac        | 69.3 ac           |                              |
| Monarch Butterfly<br>Habitat (Potential<br>ESHA)      | --                                          | --                                                                   | --                | --                | --           | --                            | --                                                      | --                          | --                          | --                        | 2.2<br>ac                       | --                                                 | --                | --                | 2.2 ac            |                              |

\* While riparian habitat is present adjacent to the Project Study Area at Lake El Estero, it is not within the Project Study Area and, therefore, is not quantified.

\*\* No formal wetland delineation was conducted at the Salinas Treatment Facility or at Lake El Estero outside of the proposed Diversion site where direct, permanent impacts would occur.

\*\*\* Potential coastal wetlands are areas that did not qualify as wetlands as defined by the USACOE, but did meet the conditions required to be considered a wetland as defined by the CCC or authorized local authority.

\*\*\*\* Areas that are located in the coastal zone and meet the criteria to be considered wetlands under the USACOE may also fall under the jurisdiction of the CCC or authorized local authority.

\*\*\*\*\* Habitat and resources associated with the Product Water Conveyance Alignment Options within the Project Study Area from just south of Lightfighter Drive to the Injection Well Facilities is accounted for under the RUWAP Alignment option; however, this portion of the Project Study Area is part of both the RUWAP and Coastal Product Water Conveyance Alignment Options.

**Note 1: This habitat type would also be potentially considered waters of the state and regulated by the SWRCB/RWQCB under the Porter-Colonne Water Quality Control Act.**

**Page 4.5-42** The following has been added after the section titled Species of Special Concern and prior to the section titled California Native Plant Protection Act (CNPPA) in accordance with comments G-16 through G-20:

### **California Department of Fish and Wildlife Authority**

CDFW is a Trustee Agency with responsibility under CEQA for commenting on projects that could impact plant and wildlife resources. Pursuant to Fish and Game Code Section 1802, the CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Trustee Agency for fish and wildlife resources, the Department is responsible for providing, as available, biological expertise to review and comment upon environmental documents and impacts arising from project activities, as those terms are used under CEQA (Division 13 (commencing with Section 21000) of the Public Resources Code).

The Department also has regulatory authority over projects that could result in the "take" of any species listed by the State as threatened or endangered. If the Project could result in the "take" of any species listed as threatened or endangered under the California Endangered Species Act (CESA), an Incidental Take Permit may need to be obtained for the Proposed Project. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (Public Resources Code Sections 21001(c), 21083, CEQA Guidelines Sections 15380, 15064, 15065). Impacts must be avoided or mitigated to less than significant levels unless the CEQA Lead Agency makes and supports a Statement of Overriding Consideration (SOC). The CEQA Lead Agency's SOC does not eliminate the project proponent's obligation to comply with Fish and Game Code Section 2080.

**Page 4.5-49** The following has been added to Table 4.5-6 between the analysis of Policy 2.3.3.C2 and Key Policy 4.3.4 in response to comment AA-7:

|                        |                                   |                        |                          |                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                               |
|------------------------|-----------------------------------|------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Monterey County</u> | <u>North County Land Use Plan</u> | <u>Water Resources</u> | <u>Tembladero Slough</u> | <u>Policy 2.5.2.4 Adequate quantities of water should be maintained instream or supplied to support natural aquatic and riparian vegetation and wildlife during the driest expected year.</u> | <b><u>Consistent with Mitigation:</u></b><br><u>Operation of the Proposed Project with Mitigation Measures BF-2a, BT-1, and BT-2 would ensure adequate quantities of water are maintained to natural aquatic and riparian vegetation and wildlife during the driest expected year (See Impacts BF-2, BT-1, BT-2 and BT-6)</u> |
|------------------------|-----------------------------------|------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Page 4.5-60** The bulleted list on this page has been amended as follows (revisions to Appendices O and Q are provided after the changes to Chapter 7 of the Draft EIR in this Final EIR):

- Y ~~Draft~~ Technical Memorandum for the Pure Water Monterey Groundwater Replenishment Project: Impacts of Changes in Percolation at the Salinas Industrial Wastewater Treatment Facility on Groundwater and the Salinas River (Todd Groundwater, 2015c) (Appendix N);
- Y ~~Draft~~ Salinas River Inflows Impacts Report (Schaaf & Wheeler, 2015a) (Appendix O-Revised);
- Y ~~Draft~~ Reclamation Ditch Yield Study (Schaaf & Wheeler, 2015b) (Appendix P);
- Y ~~Draft~~ Blanco Drain Yield Study (Schaaf & Wheeler, 2014a). (Appendix Q-Revised); and
- Y ~~Draft~~ Urban Runoff Capture at Lake El Estero (Schaaf & Wheeler, 2014b) (Appendix R).

**Page 4.5-75/76** Mitigation Measure BT-1a has been modified as follows in response to comment F-6a, L-31, and L-33:

### **Mitigation Measure BT-1a: Implement Construction Best Management Practices. (Applies to All Proposed Project Components)**

The following best management practices shall be implemented during all identified phases of construction (i.e., pre-, during, and post-) to reduce impacts to special-status plant and wildlife species:

8. A qualified biologist must conduct an Employee Education Program for the construction crew prior to any construction activities. A qualified biologist must meet with the construction crew at the onset of construction at the site to educate the construction crew on the following: 1) the appropriate access route(s) in and out of the construction area and review project boundaries; 2) how a biological monitor will examine the area and agree upon a method which would ensure the safety of the monitor during such activities, 3) the special-status species that may be present; 4) the specific mitigation measures that will be incorporated into the construction effort; 5) the general provisions and protections afforded by the USFWS and CDFW; and 6) the proper procedures if a special-status species is encountered within the site.
9. Trees and vegetation not planned for removal or trimming shall be protected prior to and during construction to the maximum extent possible through the use of exclusionary fencing, such as hay bales for herbaceous and shrubby vegetation, and protective wood barriers for trees. Only certified weed-free straw shall be used, to avoid the introduction of non-native, invasive species. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.
10. Protective fencing shall be placed prior to and during construction to keep construction equipment and personnel from impacting vegetation outside of work limits. A biological monitor shall supervise the installation of protective fencing and monitor at least once per week until construction is complete to ensure that the protective fencing remains intact.
11. Following construction, disturbed areas shall be restored to pre-construction contours to the maximum extent possible and revegetated using locally-occurring native species and native erosion control seed mix, per the recommendations of a qualified biologist.
12. Grading, excavating, and other activities that involve substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and shall utilize standard erosion control techniques to minimize erosion and sedimentation to native vegetation (pre-, during, and post-construction).
13. No firearms shall be allowed on the construction sites at any time.
14. All food-related and other trash shall be disposed of in closed containers and removed from the project area at least once a week during the construction period, or more often if trash is attracting avian or mammalian predators. Construction personnel shall not feed or otherwise attract wildlife to the area.
8. To protect against spills and fluids leaking from equipment, the project proponents shall require that the construction contractor maintains an on-site spill plan and on-site spill containment measures that can be easily accessed.
9. Refueling or maintaining vehicles and equipment should only occur within a specified staging area that is at least 100 feet from a waterbody (including riparian and wetland habitat) and that has sufficient management measures that will prevent fluids or other construction materials including water from being transported into waters of the state. Measures shall include confined concrete washout areas, straw wattles placed around stockpiled materials and plastic sheets to cover materials from becoming airborne or otherwise transported due to wind or rain into surface waters.
10. The project proponents and/or their contractors shall coordinate with the City of Seaside on the location of Injection Well Facilities and the removal of sensitive biotic material.

**Page 4.5-87** The first paragraph under Impact BT-2, Construction Impacts to Sensitive Habitats, has been amended as follows in response to comment F-4:

Several sensitive habitats were identified within the Project Study Area (Table 4.5-5; Attachment 8 of **Appendix H; Appendix I**). Construction of the Proposed Project may result in direct and indirect impacts to sensitive habitats (defined herein to include any riparian, federally protected wetlands as defined by Section 404 of the Clean Water Act, or other sensitive natural communities) within the Project Study Area with the exception of the component specific study areas of the Salinas Pump Station, Treatment

Facilities at the Regional Treatment Plant, and CalAm Distribution System: Transfer Pipeline. In accordance with a comment from the RWQCB, impacts to other waters of the U.S. and coastal wetlands would also constitute impacts to waters of the state. Impacts to sensitive habitats may include direct and indirect impacts associated with construction activities that could result in the direct loss of habitat, soil compaction, root damage, erosion, and introduction and spread of non-native, invasive species. These are considered potentially significant impacts that can be reduced to a less-than-significant level with implementation of the mitigation measures identified below.

**Page 4.5-88** The first paragraph has been amended as follows in response to comment F-4:

Approximately 0.05 acre of other waters of the U.S., potentially under the jurisdiction of the USACOE, that would also be waters of the state, occurs within the Project Study Area at the Reclamation Ditch Diversion site (**Appendix I**). Construction activities would include the installation of permanent wet well/diversion structure and pipeline, a portion of which would be located within the unvegetated Reclamation Ditch banks and channel below ordinary high water. This analysis assumes that construction of the diversion facility may result in up to 0.5 acre of permanent impacts to other waters of the U.S. and waters of the state; however, the facility may be designed to impact less. Although the site is highly disturbed, indirect water quality impacts affecting sensitive habitats at the site and within downstream reaches of the Project Study Area, such as erosion and sedimentation, resulting from construction activities may also occur due to earth moving/ground disturbance at this site. This is considered potentially significant impact that can be reduced to a less-than-significant level with implementation of Mitigation Measure BT-1a and BT-2.

**Page 4.5-89** The first paragraph has been amended as follows in response to comment F-4:

Approximately 0.2 acre of other waters of the U.S., potentially under the jurisdiction of the USACOE, and 0.01 acre of coastal wetlands potentially under the jurisdiction of the County under the CCA (both of which are also considered to be waters of the state) occur within the Project Study Area at the Tembladero Slough Diversion site (Appendix I, page 13). Construction activities include the installation of new wet well/diversion structure and pipeline, a portion of which would be located within the unvegetated Tembladero Slough banks and channel below ordinary high water. This analysis assumes that construction of the diversion facility may result in up to 0.2 acre of permanent impacts to other waters of the U.S. and waters of the state, and 0.01 acre of coastal wetlands potentially under the jurisdiction of the County under the CCA; however, the facility may be designed to impact less area. Although the site is highly disturbed, indirect water quality impacts affecting sensitive habitat at the site and within downstream reaches of the Project Study Area, such as erosion and sedimentation, resulting from construction activities may also occur at this site. Impacts to other waters of the U.S. and waters of the state are considered potentially significant impact and can be reduced to a less-than-significant level with implementation of Mitigation Measure BT-1a. Impacts to wetlands as defined by the USACOE, SWRCB/RWQCB, and/or the CCC are considered potentially significant impact that can be reduced to a less-than-significant level with implementation of the Mitigation Measures BT-1a and BT-2a identified below.”

**Page 4.5-90** The first paragraph has been amended as follows in response to comment F-4:

Approximately 0.3 acre of other waters potentially under the jurisdiction of the USACOE (**Appendix I**), and 0.7 acre of riparian habitat (arroyo willow thickets) (Attachment 8 of **Appendix H**) (both of which would also be considered waters of the state) exist within the Project Study Area at the Blanco Drain Diversion site.

**Page 4.5-90** The third paragraph has been amended as follows in response to comment F-4:

This analysis assumes that construction of the diversion facility may result in up to 0.3 acre of permanent impacts to other waters of the U.S. and 0.7 acre of riparian habitat potentially under the jurisdiction of the CDFW (both of which would also be considered permanent impacts to waters of the state); however, the facility may be designed to impact less. .... Impacts to other waters of the U.S. and waters of the state are considered potentially significant impact and can be reduced to a less-than-significant level with implementation of Mitigation Measure BT-1a. Impacts to riparian habitat (including waters of the state) are considered potentially significant impact that can be reduced to a less-than-significant level with implementation of the Mitigation Measures BT-1a and BT-2a identified below.

**Page 4.5-91** The section titled Coastal Alignment Option has been amended as follows in response to comment F-4:

Riparian habitat (arroyo willow thickets) is present within the Project Study Area at Locke Paddon Lake along the Product Water Conveyance: Coastal Pipeline alignment option (approximately 0.6 acre) (Attachment 8 of **Appendix H**). This habitat type is considered a sensitive habitat by CDFW and is regulated under Sections 1600-1616 of the Fish and Game Code. Approximately 0.3 acre of wetlands potentially under USACOE jurisdiction was identified associated with the riparian habitat (**Appendix I**). In addition, the entire 0.6 acre of riparian habitat meets the CCA definition of wetlands and may be under the jurisdiction of the City of Marina under the CCA. These sensitive habitat areas would also be considered waters of the state under the jurisdiction of the State Water Resources Control Board/Regional Water Quality Control Board. Impacts to this sensitive habitat are considered potentially significant impact that can be reduced to a less-than-significant level with implementation of the Mitigation Measures BT-1a and BT-2a identified below.

**Page 4.5-92** The section titled Impact Conclusions has been amended as follows:

The Proposed Project construction could result in impacts to sensitive habitat including wetlands, waters of the U.S., and riparian areas (which would also be considered “waters of the state”), central dune scrub, and eucalyptus grove due to construction activities at various project component sites. For components located within former Fort Ord, impacts to sensitive habitat have been analyzed and addressed in the HMP, therefore impacts are considered less-than-significant. Implementation of Mitigation Measures BT-1a and BT-2a through BT- 2c, as specified for components located outside of former Fort Ord where sensitive habitat occurs, would reduce potentially significant impacts to sensitive habitat during construction to a less-than-significant level.

**Page 4.5-92/93** The section titled Mitigation Measures has been amended as follows in response to comments F-4, F-6a through F-6c, and X-6:

The following mitigation measures apply to the Proposed Project components identified. Implementation of Mitigation Measure BT-1a (as amended in the Final EIR) and the following mitigation measures would reduce Impact BT-2 to a less-than-significant level.

**Mitigation Measure BT-2a: Avoidance and Minimization of Impacts to Riparian Habitat and Wetland Habitats. (Applies to Tembladero Slough Diversion, Reclamation Ditch, Blanco Drain Diversion, and Product Water Conveyance: Coastal Alignment Option.)**

Implement Mitigation Measure BT-1a. When designing the facilities at these component sites, the MRWPCA shall site and design project features to avoid impacts to the riparian and wetland habitats shown in **Attachment 8 of Appendix H** and **Appendix I**, including direct habitat removal and indirect hydrology and water quality impacts, to the greatest extent feasible while taking into account site and engineering constraints. To protect this sensitive habitat during construction, the following measures shall be implemented:

- Place construction fencing around riparian and wetland habitat (i.e., areas adjacent to or nearby the Proposed Project construction) to be preserved to ensure construction activities and personnel do not impact this area.
- All proposed lighting shall be designed to avoid light and glare into the riparian and wetland habitat. Light sources shall not illuminate these areas or cause glare.

In the event that full avoidance is not possible and a portion or all of the riparian and wetland habitat would be impacted, the following minimization measures shall be implemented:

- Permanently impacted riparian and wetland habitat shall be mitigated at no less than a 42:1 replacement-to-loss ratio through restoration and/or preservation. The final mitigation amounts for both temporary and permanent impacts to riparian and wetland habitat shall be determined during the design phase but cannot be less than 2:1 for permanent impacts and 1:1 for temporary impacts, and must be approved by the relevant permitting agencies (USACOE, RWQCB, CDFW, and the entity issuing any Coastal Development Permit). The preserved mitigation land shall be managed to improve wetland and riparian conditions compared to existing conditions. It is expected that the mitigation can occur within the Locke



Paddon Lake watershed, along the Tembladero Slough, and within the Salinas River corridor near the Blanco Drain near where impacts may occur. A Habitat Mitigation and Monitoring Plan (HMMP) shall be prepared by a qualified biologist to mitigate for impacts to riparian and wetland habitat. The HMMP shall outline the details of a riparian and wetland habitat restoration plan, including but not limited to, planting plan, success criteria, monitoring protocols to determine if the success criteria have been met, adaptive management protocols in the case that the success criteria are not met, and funding assurances. Plantings and revegetation conducted in compliance with this mitigation measure shall be monitored for a minimum of three years after project completion.

**Page 4.5-94** Mitigation Measure BT-2c has been changed as follows in response to comment E-6 and H-36:

**Mitigation Measure BT-2c: Avoidance and Minimization of Construction Impacts Resulting from Horizontal Directional Drilling under the Salinas River (Applies to Blanco Drain Diversion)**

The project proponents in coordination with the contractor shall prepare and implement a Frack-Out Plan to avoid or reduce accidental impacts resulting from horizontal directional drilling (HDD) beneath the Salinas River. The Frack-Out Plan shall address spill prevention, containment, and clean-up methodology in the event of a frack out. The proposed HDD component of the Blanco Drain diversion shall be designed and conducted to minimize the risk of spills and frac-out events. The Frac-Out Plan shall be prepared and submitted to United States Fish and Wildlife Services, California Department of Fish and Wildlife, National Marine Fisheries Services, and the Regional Water Quality Control Board prior to commencement of HDD activities for the Blanco Drain Diversion construction. The following are typical contents of a Frac-Out Plan:

- Project description, including details of the HDD design and operations
- Site description and existing conditions
- Potential modes of HDD failure and HDD failure prevention and mitigation
- Frac-out prevention measures (including for example, geotechnical investigations, planning for appropriate depths based on those investigations, presence of a qualified engineer during drilling to monitor the drilling process, live adjustments to the pace of drill advancement to ensure sufficient time for cutting and fluid circulation and to prevent or minimize plugging, maintaining the minimum drilling pressure necessary to maintain fluid circulation, etc.)
- Monitoring requirements (for example, monitoring pump pressure circulation rate, ground surface and surface water inspection, advancing the drill only during daytime hours, on-site biological resource monitoring by a qualified biologist)
- Response to accidental frac-out (including stopping drilling, permitting agency notification, surveying the area, containing the frac-out material, contacting the project biological monitor to identify and relocate species potentially in the area, turbidity monitoring, procedures for clean-up and mitigation of hazardous waste spill materials, preparation of documentation of the event, etc.)
- Coordination plan and contact list of key project proponents, biological monitor, and agency staff in the event of an accidental frac-out event.

**Page 4.5-103** The following has been added after the first full paragraph, prior to the section titled Treatment Facilities at the Regional Treatment Plant in response to comments C-5, E-2, E-4, E-5, E-7 to E-10, F-6, F-8, F-9, F-9a to f, G-2 to G-12, G-13, S-8, V-5 V-10, X-6, and AA-8:

**Combined Impacts of Source Water Diversions on Sensitive Habitats due to Water Flow and Level Changes**

Potential changes to water bodies that may adversely impact aquatic habitat, ecosystems, and species in the affected reaches include: (1) water flow or water surface elevation reductions that may also reduce

the amount and duration of wetted habitat, soil saturation and moisture, and/or plant uptake of water, and (2) water quality worsening, in particular for this analysis, potential increases in salinity (and in particular, the inter-related effects of inland surface water flow inputs and salinity in the lower watershed).

#### Salinas River Watershed to Salinas River Lagoon

**Water levels/flows.** The proposed diversions of all three proposed source waters in the Salinas River watershed (Salinas urban runoff, agricultural wash water, and Blanco Drain) would reduce flows in the Salinas River by less than 1% total on an annual average basis, and would not affect water levels in the Lagoon. United States Geological Society (USGS) data and county gage data demonstrate that even with the Salinas River dry during the driest year on record (2014), the water levels in the Lagoon were consistent with historic water levels. **Table 4.5-11a**, below, shows the average monthly water level in the Lagoon during 2013 and 2014. Note that even when the Salinas Treatment Facility ponds were dry (July to November 2014), the average lagoon water levels were comparable to the previous year when the ponds were full.

**Table 4.5-11a**

**Salinas River Lagoon Stage (feet)**

|             | JAN         | FEB         | MAR         | APR         | MAY         | JUN         | JUL         | AUG         | SEP         | OCT         | NOV         | DEC         |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| <u>2013</u> | <u>9.7</u>  | <u>10.2</u> | <u>10.3</u> | <u>10.3</u> | <u>10.5</u> | <u>10.3</u> | <u>10.3</u> | <u>10.4</u> | <u>10.4</u> | <u>10.1</u> | <u>10.1</u> | <u>10.1</u> |
| <u>2014</u> | <u>10.1</u> | <u>10.3</u> | <u>10.7</u> | <u>10.4</u> | <u>10.3</u> | <u>10.3</u> | <u>10.6</u> | <u>10.5</u> | <u>9.7</u>  | <u>9.5</u>  | <u>10.0</u> | <u>11.8</u> |

**Notes:**

1. CDEC Station SLG, maintained by MCWRA, datum not specified
2. Lagoon was open to the ocean from 12/12/2013 to 1/28/2013, and remained closed through September 2015 or later. Daily average flow at Spreckels gage was 0 cfs from 11/11/2013 to 12/12/2014.
3. Salinas River Diversion Facility operated 4/8/2013 to 11/8/2013, but not in 2014.
4. Salinas Treatment Facility flows diverted to MRWPCA 4/2/2014 to 11/26/2014. Ponds were empty by 7/1/2014.

The proposed agricultural wash water, Salinas stormwater, and the Blanco Drain diversions would reduce some inputs to the Salinas River and Lagoon upstream of the Salinas River Diversion Facility (SRDF). The proposed diversions in the Reclamation Ditch and Tembladero Slough watersheds would not result in any changes to water surface elevation in, or flows to or from, the Salinas Lagoon due to the operation of the slide gate and the relative elevations and flows of the two water bodies (i.e., flow from Tembladero Slough into OSR to the south of their confluence toward the Salinas Lagoon rarely occurs) as discussed in detail above.

**Salinity.** Due to the very small percentage change in total Lagoon inflows due to the Proposed Project (less than 1%), no measurable salinity changes to the Lagoon would occur.

#### Tembladero Slough and the OSR Channel

**Water Levels/Flows.** The proposed diversions in the Reclamation Ditch and Tembladero Slough would result in reduction in flows to the Tembladero Slough and OSR Channel as acknowledged in the Draft EIR, but this reduction would not be additive to flow reductions in the Salinas River watershed as the Reclamation Ditch watershed is not tributary to the Salinas River. The proposed diversions of agricultural wash water, Blanco Drain, and Salinas urban stormwater to the Regional Treatment Plant would constitute less than one percent of the average annual flows within the Salinas River. Based on the minor amounts of dry-season, inland surface water flows, the beach berm, and the operation of the slide gate at the Lagoon, the proposed flow reductions to the Salinas River, would not result in detectable changes in water levels during the dry season in the Lagoon even in dry years with minimal surface water flow inputs as demonstrated by **Table 4.5-11a**.

The combined diversions from the Reclamation Ditch and Tembladero Slough system represent less than one percent of the average annual flow entering Moss Landing Harbor and Elkhorn Slough due to the tidal action of the ocean on those waterbodies. The combined diversions from both the Salinas River watershed and the Tembladero Slough/Reclamation Ditch watersheds would have no detectable effect on the flows nor water surface elevations in any water bodies north of the Potrero Tide Gate (see discussion below under "Moss Landing Harbor, Elkhorn Slough, and Moro Cojo Slough" and **Figure 4.5-3new**).

The Lagoon flows that pass through the Lagoon slide gate and the Reclamation Ditch/Tembladero Slough system are both tributary to the OSR Channel. The Lagoon flows into the OSR Channel (at its southern terminus) through the Lagoon slide gate, and Tembladero Slough flows into the OSR Channel approximately 1.5 miles north. See **Figure 4.5-3new**. The only water bodies that would have *any* potential additive water surface elevation changes due to diversions from both watersheds would be the OSR Channel and to a lesser extent the lowest reach of the Tembladero Slough due to the tidal gate and tidal flow backwater effect.

The amount of surface water that flows into the OSR Channel from the south is controlled by a slide gate at the Lagoon (called the Salinas Lagoon Gate on **Figure 4.5-3new**). Near the northern end, the OSR Channel experiences a diurnal backwater cycle due to the rising and falling tides and the operation of the Potrero Tide Gate. Because of the tidal control and the Lagoon's stable dry season water levels described above, water levels would not be affected by the Proposed Project under conditions wherein all Proposed Project diversions (from both watersheds) would occur. The Proposed Project would not result in any loss of inundation in the OSR Channel and therefore, the combination of all proposed diversions would have less than significant impacts on water levels and the associated beneficial uses and habitats that rely upon those water levels because there would be no measurable loss of inundation nor reduced soil moisture.

*Salinity.* Diverting freshwater from the OSR Channel's tributaries may increase the salinity within the OSR Channel, which is currently a brackish water body due to leakage through soils and the Potrero tide gate and the Lagoon slide gate (Nicole et al., 2010 and Inman et al., 2014). There is a potential for increases in salinity near the water surface, and/or longer periods of salinity accumulation in the Tembladero Slough and the OSR Channel before seasonal flushing by winter runoff. This potential water quality impact is analyzed in the EIR (Draft EIR, pages 4.11-71 through 4.11-72) where the analysis concludes that the Proposed Project would have a less-than-significant impact on the water quality because the salinity changes would be within the range of salinities that are currently found in these water bodies every year. Species and habitats relying upon the OSR and Tembladero Slough waters have demonstrated their tolerance for high salinity waters. In particular much higher salinity levels (above 15 ppt) are seen during prolonged dry periods, such as late summer and fall of 2013 through 2015. (Inman et al, 2014 and Nicole, et al., 2010) Conversely, even moderate precipitation events during the Inman and Nicole studies resulted in drops of salinity to below 1 ppt. These precipitation events that result in flushing flows would continue to occur under Proposed Project operations.

Diversions from the Reclamation Ditch and Tembladero Slough would be most needed by the Proposed Project during dry years when irrigation demands are highest; during and after storm events Proposed Project source water requirements are expected to be met by municipal wastewater flows. Due to the tidal influence, water levels in the Tembladero Slough would not be noticeably affected by the Proposed Project, so wetland species would not see a loss of fresh water-wetted habitat due to salinity changes, only an increase in the duration of periods of higher salinity. The existing system exhibits a wide variation of salinities due to the influence of the ocean tidal fluctuations, storm surges, agricultural tile drain and surface runoff, and urban runoff; therefore, based on the above information, these changes would result in a less-than-significant impact on surface water quality in the affected reaches of the Reclamation Ditch, Tembladero Slough, and the Old Salinas River Channel.

Large rain events produce flushing flows through the OSR Channel, which push the brackish water past the tide gates and into the Moss Landing Harbor. These flows occur during storm events in the winter months, when project diversions would be much lower than during the dry season, and if diversions do occur would be a very small fraction of the surface water flows. Summer rain events can and do generate flows up to 70 cfs in the Reclamation Ditch/Tembladero Slough system. The Proposed Project would divert up to 9 cfs from the Reclamation Ditch and Tembladero Slough, leaving sufficient flow for thorough flushing of brackish water. In addition, as discussed above, the Proposed Project Salinas River watershed diversions would not result in measurable reduction in surface water elevation in the Salinas Lagoon and the OSR Channel. In addition, during these rain events the diversions would be reduced due to corresponding reduction of recycled water demand by agricultural irrigators, therefore, combined diversions would not prevent dry-season brackish water flushing from occurring in the lower watershed consistent with the existing conditions.

*Moss Landing Harbor, Elkhorn Slough, and Moro Cojo Slough*

*Water Levels/Flows.* Due to the Potrero Tide Gate controls on the OSR Channel, incoming fresh water mixes with the impounded, brackish water during rising tide cycles, and the brackish water moves through the Potrero Road tide gates into Moss Landing Harbor and the Monterey Bay on falling tides. A portion of the water from the OSR Channel is pushed back into Elkhorn Slough on the rising tide. The Moro Cojo Slough flows into the Moss Landing Harbor through a separate tide gate. The average tidal cycle in Elkhorn Slough is  $122 \times 10^6$  cubic-feet of water (800 acres of surface area and an average tidal change of 3.5 feet). Assuming two cycles per day, the average inflow rate (over 6 hours) to Elkhorn Slough from the harbor and ocean is 5,670 cfs. The typical freshwater inflow rate to the OSR Channel in summer is 10 to 15 cfs (combined Salinas River plus Tembladero Slough<sup>4</sup>). Doubling the typical peak rate to account for the tidal cycle, 30 cfs is about 0.5% of the average inflow rate for Elkhorn Slough.

The Elkhorn Slough was determined not to be a waterbody within which biological species, ecosystems, or habitats would be potentially affected by the Proposed Project diversions (i.e., outside the project study area for terrestrial biological resources). However, Moss Landing Harbor and Elkhorn Slough were appropriately included as part of the project study area in Section 4.11, Hydrology and Water Quality: Surface Water due to the potential for changes to quantities, qualities, and timing of inflows. The study area conclusion was based on analysis of combined diversions of all Proposed Project source waters, storm runoff, and daily tidal cycles. The analysis of hydrology and water quality showed that the Potrero Tide gate is the farthest point downstream where biological species might have any potential effect from combined project diversions. As described above in Draft EIR Section 4.5.4.4, the effect of water flow/level changes due to all Proposed Project diversions on biological resources (including fisheries and terrestrial/aquatic species) in the affected portions of the Reclamation Ditch, Tembladero Slough, and the OSR Channel would be less than significant (with Mitigation Measure BF-2a or Alternate Mitigation Measure BF-2a for fish passage in the Reclamation Ditch). In addition, the Proposed Project would result in no impact due to water level/flow changes within Moss Landing Harbor, Elkhorn Slough, Monterey Bay, and other connected water bodies.

The Moro Cojo Slough flows into the Moss Landing Harbor through a separate channel; similar to the OSR Channel, it is also protected with a tide gate. Moro Cojo flows would not be affected at all because its water surface elevations and flows are not affected by any increases or decreases in water surface elevations nor flows in the OSR Channel. Moro Cojo Slough is tributary directly to the Moss Landing Harbor and inflows from the Harbor are controlled by another tide gate. The Proposed Project would not divert any flows from the Moro Cojo Slough and would not change the amount of flow into or out of the Moro Cojo Slough.

*Salinity.* The analysis in **Appendix AA** shows that the Proposed Project would cause less than 0.8% salinity increase at Elkhorn Slough and 0.8% would occur only in a peak event using conservative assumptions such as drought conditions with low tidal influence. On a daily, weekly and monthly average, the Proposed Project would cause changes of even less than that amount (i.e., an undetectable change given the wide variations of salinity in the slough caused by the tidal cycle each day). Salinity levels (including measurements of electroconductivity and total dissolved solids concentrations), are used as the primary indicator of the relative amounts of freshwater versus saline ocean water in a water body. Thus, the Proposed Project would not result in an adverse impact on the biological resources or other beneficial uses within the Elkhorn Slough. In fact, the Proposed Project would result in a reduction in pollutant loading (including nutrients, such as nitrate/nitrogen and orthophosphate/phosphorous) in the Moss Landing Harbor and Elkhorn Slough as described on pages 2-5, and 4.11-64 through 4.11-75 of the Draft EIR.

*Conclusions Regarding Combined Impacts of Source Water Diversions on Sensitive Habitats and Species due to Water Flow and Level Changes*

Implementation of all proposed source water diversions would not result in measurable or detectable water level changes in the Lagoon, OSR Channel, Moss Landing Harbor, Elkhorn Slough, Moro Cojo Slough, and Monterey Bay/Pacific Ocean. The EIR found that stable water surface elevations would be

<sup>4</sup> Flows from Moro Cojo Slough are omitted from the estimate because (1) salinity data was not available, and (2) these flows will be unaffected by the Proposed Project.

maintained and thus proposed changes to flow would not adversely affect biological resources (habitat, species, and other ecosystem services) due to loss of inundation in downstream water bodies that support habitat, even during the summer months and drought years when all or a large majority of the proposed diversions would occur. Specifically, no detectable changes in the amount or areas of inundation (and corresponding soil saturation/moisture and plant uptake) would occur in these water bodies; therefore no adverse impacts on aquatic habitats (including wetland and riparian) due to the combined diversions of the Proposed Project. The proposed diversions would reduce the volume of freshwater entering the system, particularly in the dry summer months, and could result in increased salinity within these already brackish channels. The Proposed Project includes minimum in-channel by-pass flows for habitat protection. These minimum flows are consistent with the actual flows measured during the late summer and fall seasons of the current drought (2013-2015). The slight increase in salinity that would occur in some months of each year is within the normal fluctuation of the existing, background conditions. The additional technical analysis in **Appendix AA** clarifies the assumptions in the hydrology, water quality, and biological resources impact analysis and confirms the conclusions in the Draft EIR. Specifically, operational impacts of diverting all Proposed Project source waters in the Salinas Valley would result in less-than-significant impacts on the riparian and wetland habitats in and near the waterbodies of the lower watersheds of the Salinas River and the Reclamation Ditch/Tembladero Slough, including the following water bodies: the Reclamation Ditch (from Davis Road to its confluence with Tembladero Slough), the Tembladero Slough, and the Old Salinas River Channel. The Proposed Project would have no impact on riparian and wetland habitat in and near the following water bodies: Salinas River, Salinas River Lagoon, tributaries to the Reclamation Ditch, the Reclamation Ditch upstream of Davis Road, the Moss Landing Harbor, Moro Cojo Slough, Elkhorn Slough, and Monterey Bay/Pacific Ocean.

**Page 4.5-105** The following has been added to the first paragraph on this page prior to the heading Mitigation Measure in response to comments: C-5, E-2, E-4, E-5, E-7 to E-10, F-6, F-8, F-9, F-9a to f, G-2 to G-12, G-13, S-8, V-5 V-10, X-6, and AA-8.

As described in detail in the section titled “Combined Impacts of Source Water Diversions on Sensitive Habitats due to Water Flow and Level Changes,” above, operational impacts of diverting all Proposed Project source waters in the Salinas Valley would result in less-than-significant impacts on the riparian and wetland habitats in the lower watersheds of the Salinas River and the Reclamation Ditch/Tembladero Slough, including the following water bodies: the Reclamation Ditch (from Davis Road to its confluence with Tembladero Slough), the Tembladero Slough, and the Old Salinas River Channel. The Proposed Project would have no impact on riparian and wetland habitat in and near the following water bodies: the Salinas River, the Salinas River Lagoon, tributaries to the Reclamation Ditch, the Reclamation Ditch upstream of Davis Road, the Moss Landing Harbor, Moro Cojo Slough, Elkhorn Slough, and Monterey Bay/Pacific Ocean.

## Changes to 4.6 Cultural and Paleontological Resources

No changes required.

## Changes to 4.7 Energy and Mineral Resources

**Page 4.7-19** The following reference has been deleted:

~~California Geological Survey, 2006.~~

## Changes to 4.8 Geology, Soils, and Seismicity

**Page 4.8-17** Table 4.8-2 regarding the consistency of the Proposed Project with Monterey County General Plan Policy S-1.7 (last column) has been amended as follows in response to comment M-19:



**Consistent:** The Proposed Project would comply with the California Building Standard Code and all other county and state requirements for geologic hazards and geotechnical conditions. See Section 4.8X, Geology, Soils, and Seismicity for a discussion of seismic hazards and potential mitigation. Also see **Appendix K**, (Preliminary Geotechnical Evaluation Groundwater Replenishment Project EIR, Ninyo and Moore, ~~December 2014~~ January 2015).

**Page 4.8-39** The last full paragraph on this page has been changed as follows in response to comment M-21:

The only project component that would wet the upper sediments is the back-flush basin, a 5-foot deep shallow dug-out basin (three feet water depth plus two feet free board) where water would be discharged for several hours ~~four~~ three times per week for injection well maintenance (assuming one well is in standby mode during any one week). Water percolated through the basin would recharge the Paso Robles aquifer. The overall basin depth would be five feet. The embankment of the basin would have 3:1 side slopes and 12-foot wide perimeter access road, and it would not contain structures (except a discharge pipe) or other features that would be negatively impacted from settlement or hydro-collapse. The basin would not be located adjacent to the wells. The proposed back-flush basin may cause wetting of the shallow eolian deposits. However, the back-flush basin is only expected to receive pumped water for ~~a few~~ 3 to 4 hours approximately three times per week so settlement due to hydro-collapse is anticipated to be relatively minor and limited to the footprint of the back-flush basin which can accommodate minor settlement. As such, the impact of hydro-collapse resulting from use of the back-flush basins would be less than significant.

## Changes to 4.9 Hazards and Hazardous Materials

**Page 4.9-49** The first bullet on this page has been amended as follows in response to comment R-2:

- Salinas Area – Salinas Pump Station Diversion and Salinas Treatment Facility sites. The pump station site is located within the City of Salinas, and the treatment plant site is located nearby within the unincorporated area of the county. No cumulative projects have been identified in the vicinity of these two Proposed Project sites, except for several development projects along Highway 68 to the west of the project sites (#6,7,8) within the Monterey County area. The exact timing of construction is not known, but due to the distance from the Proposed Project sites (about three miles to #6 and #8 [Harper Canyon and Ferrini Ranch] as shown on **Figure 4.1-1 rev<sup>5</sup>**), and the other projects, there would be no overlapping cumulative impacts related to transport or use of hazardous materials during construction or operations. Furthermore, cumulative projects would be required to comply with the existing and future laws

**Page 4.9-53** References on this page have been amended as follows:

State Water Resources Control Board, 2014. ~~Envirostor and~~ Geotracker, accessed April 2014 and February 2015.

Todd Groundwater, 2015. ~~"Draft Recharge and Impacts Assessment Report, Groundwater Replenishment (GWR) Project."~~ February March, 2015.

## Changes to 4.10 Hydrology and Water Quality: Groundwater

**Page 4.10-3** The first paragraph under the heading 4.10.2.1 Terminology and Concepts have been amended as follows:

Groundwater is the water occurring beneath the earth's surface and hydrogeology refers to the study of how that water interacts with the underlying geologic units of rock and soil. Most groundwater occurs in

<sup>5</sup> See **Figure 4.1-1rev** at the end of Chapter 5.

material deposited by streams lakes, and oceans, generally called alluvium. Alluvium consists of sand and gravel deposits and finer-grained deposits such as clay and silt. Fluvial deposits, although commonly generically included with alluvium, more specifically refer to deposits laid down by rivers and streams as a result of bank erosion, where the material is transported and redeposited in the form of bars, points, and flood plains.

**Page 4.10-4** The last paragraph has been changed as follows in response to comment M-23:

The main part of the Salinas Valley Groundwater Basin occupies about 560 520 square miles beneath the floor of Salinas Valley (MCWRA, 2006). The basin is a structural trough that and has been filled over geologic time with up to 10,000 to 15,000 feet of Tertiary<sup>1</sup> and Quaternary<sup>2</sup> period marine and terrestrial sediments (California DWR, 2004b). The main part of the Salinas Valley Groundwater Basin has been divided into four subareas referred to as the 180/400-Foot, East Side, Forebay, and Upper Valley Subareas or Subbasins, based on sources of recharge and stratigraphy (California DWR, 2003; MCWRA, 2006, 2013). The subbasins in the project area are shown on Figure 4.10-1. The DWR has redesignated the previously named "Pressure" Subarea as the "180/400-Foot Aquifer" Subbasin, and this EIR section uses this updated terminology (California DWR, 2003). The 180/400-Foot Aquifer Subbasin also includes shallower (Dune Sand Aquifer along the coast and Perched "A" Aquifer inland) and deeper (900-Foot Aquifer) aquifers, as discussed below. DWR (2003) recognizes four additional subbasins around the periphery of the main part of the basin. These include the Seaside and Corral de Tierra subbasins between Salinas and Monterey. The Seaside Basin as used in this report (see Section 4.10.2.4) corresponds to parts of DWR's Seaside and Corral de Tierra subbasins.

**Page 4.10-4** Footnotes 1 and 2 have been changed as follows in response to comment M-22:

<sup>1</sup> Tertiary time is from 1.86 to 65 million years ago.

<sup>2</sup> Quaternary time is from the present to 1.86 million years ago.

**Page 4.10-5** The first sentence under the heading 180/400 Foot Aquifer Subbasin and Aquifers on this page has been changed as follows in response to comment M-23:

The 180/400-Foot Aquifer Subbasin encompasses approximately ~~440~~ 130 square miles, beginning at the coast and extending southeastward and inland to around the city of Gonzales.

**Page 4.10-6** The first sentence under the heading East Side Subbasin and Aquifers on this page has been changed as follows in response to comment M-23:

The East Side Subbasin is located inland to the northeast of the 180/400 Foot Aquifer Subbasin and encompasses about ~~425~~ 90 square miles along the northeastern side of the Salinas Valley from Gonzales to east of Castroville.

**Page 4.10-6** The first paragraph under the heading Salinas Valley Groundwater Basin Flow and Occurrence on this page has been changed as follows in response to comment M-24:

~~A groundwater basin is much like a surface water reservoir. When water is removed from storage, the water level drops until the supply can be replenished by inflow or recharged by rainfall or stream flow. Recharge comes from the infiltration of water into the subsurface and the migration of water downward into the aquifers. Along the coast, recharge can also come from the ocean, which in some cases, results in the intrusion of seawater into coastal aquifers. When water is extracted from the basin, some inflows, from head-dependent boundaries such as the ocean and the Salinas River, increase and thereby tend to counteract the water-level decline.~~

A groundwater basin functions as a large storage container with inflows and outflows. Unlike surface water reservoirs, however, flows into and out of a basin and flow within a basin are subject to physical and practical limitations. Because water must move through tiny pores between mineral grains that comprise the basin fill deposits, flows are much slower than in surface streams. Substantial amounts of recharge to water supply aquifers derive from downward percolation of rainfall and applied irrigation water that infiltrate through the ground surface. This source of recharge can be greatly reduced if extensive layers of clay are present, such as in the 180/400-Foot Aquifer subarea. If the water table is near the ground surface, groundwater can be hydraulically coupled vertically to surface water, with flow moving in either direction depending on the relative elevations of the stream surface and water table. Thus, groundwater pumping near the Salinas River lowers the water table and thereby increases the rate of

percolation from the river. Similarly, groundwater pumping near the coast can lower groundwater levels to below sea level and cause saltwater in offshore parts of the aquifer to flow inland (seawater intrusion). Unlike the surface of a lake or reservoir, the water table (or potentiometric surface in deeper aquifers) is not flat. When a well pumps, it creates a local depression in that surface, which causes groundwater from surrounding areas to flow toward the well. A group of pumping wells can cause a regional water-level depression commonly referred to as a pumping trough. A large trough is present in the East Side subarea, for example. Another difference between groundwater basins and surface reservoirs is that aquifer permeability is neither uniform nor in some cases permanent. Alluvial textures within the Salinas Valley deposits range from clay to gravel, and most groundwater movement is through the relatively coarse-grained deposits. Also, fine-grained deposits can compress when groundwater levels are lowered by pumping from adjacent aquifers. This compaction yields a one-time release of stored water but also results in subsidence at the land surface. Seawater intrusion, subsidence, dry wells and desiccation of riparian vegetation impose practical limitations on the amount of groundwater that can be pumped from a basin. Whereas a surface reservoir can usually be drawn down to nearly empty without significant adverse effects, lowering of water levels in a groundwater basin is commonly limited to tens of feet or in favorable areas perhaps more than 150 feet before adverse effects become unreasonable.

**Page 4.10-9** The third paragraph under the heading ***Seawater Intrusion in the Salinas Valley Groundwater Basin*** has been amended as follows:

**Figures 2-9 Revised** illustrates the seawater intrusion areas as of 2011-2013 within the 180-Foot and 400-Foot Aquifers, respectively (MCWRA, 2014). The 2011 estimates of seawater intrusion within the 180-Foot and 400-Foot Aquifers indicate that seawater has intruded to a maximum of approximately eight miles and 3.5 miles inland, respectively, inferred from chloride concentrations greater than 500 mg/L. The seawater intrusion has resulted in the degradation of groundwater supplies, requiring urban and agricultural supply wells within the affected area to be abandoned or destroyed (MCWRA, 2001). Seawater intrusion in the Salinas Valley Groundwater Basin was first detected in 1938 and documented in 1946 when the State Department of Public Works (now known as DWR) published Bulletin 52 (California DWR, 2004b).

The footnote on this page is also amended, as follows:

<sup>1</sup> This value represents the ~~Recommended~~ Upper Range Consumer Acceptance Contaminant Level ~~Range~~ pursuant to Title 22 of the California Code of Regulation, Section 64449(a).

**Page 4.10-15 to 4.10-16** The last sentence on page 4.10-15 has been changed as follows in response to comment N-9:

“The Proposed Project Injection Well Facilities would be located within a portion of the Seaside Area Subbasin of the Salinas Valley Groundwater Basin as defined by DWR Bulletin 118 (California DWR, 2004a). The boundaries of the Seaside Area Subbasin and delineation of four subareas within the subbasin have been redefined by Yates et al. (2005) based on a reinterpretation of geologic faulting and groundwater flow divides. For example, the northern boundary and southeastern boundary are based on a groundwater divides that are subject to movement with changing conditions in groundwater levels (Yates, et al., 2005; HydroMetrics WRI, 2009).

**Page 4.10-17** The first paragraph has been amended as follows:

Since 2008, groundwater pumping in the basin has declined primarily due to mandatory triennial reductions. Pumping in coastal subareas averaged about 4,505 AFY from 1996 through 2008, but has decreased to about 3,288 AFY from 2009 through 2013 (Watermaster production records). For comparison purposes, a natural safe yield for the coastal subareas of between 1,973 AFY to 2,305 AFY was established as part of the Seaside Basin adjudication (California Superior Court, 2006).

**Page 4.10-17** The fourth paragraph has been amended as follows:

~~Beneath the Aromas Sand is~~ The Paso Robles Formation is of Pliocene age. The formation is heterogeneous and contains interbeds of sand, silt, and clay mixtures (Yates et al., 2005). These continentally-derived deposits are discontinuous and difficult to correlate from well to well in the basin. The formation is saturated in the proposed Injection Well Facilities area (and coastal areas) and forms the shallow aquifer in the basin (referred to as the Paso Robles Aquifer herein). Several production wells downgradient of the proposed Injection Well Facilities area are screened (i.e., perforated such that they can extract water in at specific depths) in permeable units in the Paso Robles aquifer.

**Page 4.10-18** The second full paragraph on this page has been amended as follows:

Water levels in the Paso Robles Aquifer (as measured in the well called “MSC Shallow”) have fluctuated between about minus three feet below mean sea level to about six feet above mean sea level over the last 24 years. This well (MSC shallow) represents water levels near the coast. Water levels declined below sea level in the mid-1990s in response to increases in groundwater extraction. Most of the subsequent groundwater extraction occurred in the deeper Santa Margarita Aquifer and water levels in the Paso Robles Aquifer rose near the coast. Since that time, water levels in the MSC Shallow well have stabilized at about three to five feet above mean sea level. However, water levels remain below mean sea level farther inland where a pumping depression persists.

**Page 4.10-23** The second sentence in the paragraph beneath the heading “Constituents Exceeding California Primary MCLs” has been changed to correct a typographical error.

.... Specifically, all concentrations for 100 constituents analyzed with a primary MCL were found to meet the regulatory limit, except for eight constituents in two wells that were apparently impacted by sample turbidity as discussed below.

**Page 4.10-30** Table 4.10-9 has been changed as follows to include a new footnote in response to comment H-43:

**Table 4.10-9 Revised  
Seaside Basin Water Balance**

| Water Balance Component                  | Northern Coastal | Northern Inland | Southern Coastal | Laguna Seca  | Basin Total  |
|------------------------------------------|------------------|-----------------|------------------|--------------|--------------|
| <b>Inflows (AFY)</b>                     |                  |                 |                  |              |              |
| Precipitation                            | 78               | 1,450           | 30               | 700          | 2,258        |
| Groundwater Underflow                    |                  |                 |                  |              |              |
| From Onshore                             | 2,850            | 0               | 450              | 180          | 180*         |
| From Offshore                            | 100              | 0               | 0                | 0            | 100          |
| ASR Wells (Injection)                    | 625              | 0               | 0                | 0            | 625          |
| Water Distribution System Losses         | 411              | 0               | 21               | 46           | 478          |
| Sewer Distribution System Losses         | 77               | 0               | 9                | 19           | 105          |
| Septic Systems                           | 0                | 0               | 5                | 22           | 27           |
| Irrigation Infiltration                  |                  |                 |                  |              |              |
| Golf Courses                             | 85               | 0               | 0                | 88           | 173          |
| Landscaping                              | 461              | 0               | 52               | 114          | 627          |
| Recycled Water Irrigation                | 0                | 0               | 0                | 9            | 9            |
| Storm Water                              | 68               | 0               | 37               | 0            | 105          |
| <b>Total Inflow</b>                      | <b>4,754</b>     | <b>1,450</b>    | <b>604</b>       | <b>1,177</b> | <b>7,985</b> |
| <b>Outflows (AFY)</b>                    |                  |                 |                  |              |              |
| Groundwater Pumping                      | 4,278            | 0               | 227              | 869          | 5,374        |
| Groundwater Underflow                    |                  |                 |                  |              |              |
| To Onshore                               | 0                | 2,060           | 790              | 450          | 0*           |
| To Offshore                              | 70               | 0               | 30               | 0            | 100          |
| <b>Total Outflow</b>                     | <b>4,348</b>     | <b>2,060</b>    | <b>1,047</b>     | <b>1,319</b> | <b>8,774</b> |
| <b>Storage Change (Inflow - Outflow)</b> | <b>406</b>       | <b>-610</b>     | <b>-443</b>      | <b>-142</b>  | <b>-789</b>  |

\* This value is not equal to the sum of the four subarea columns; it is a summary for the entire basin which is made up of all four subareas combined. The subarea columns are a summary of the water balance for each subarea. The four subarea columns include exchanges of groundwater between subareas, as they are an important source of loading and removal of salts and nutrients for individual subareas. The basin-wide value, however, only considers inputs to or outputs from the entire basin. The net values (total groundwater inflow less total groundwater outflow) derived from each approach are equivalent.

Note: Water Balance combines annual average values from selected recent representative time periods as follows: Inflows (except Underflow) 2008 – 2012; Groundwater Underflow 2003 – 2007; Groundwater Pumping 2011 – 2012. (Source: Hydrometrics, WRI, 2014)

**Page 4.10-40** The next to last paragraph has been changed as follows in response to comment N-11:

In addition to the creation of a Watermaster, the court mandated a Monitoring and Management Plan (M&MP) be developed; the M&MP was completed in September 2006. The purpose of the Seaside Basin M&MP and its associated Implementation Plan (2007) was to establish a logical, efficient and cost-effective work plan to meet the requirements of the Seaside Basin Adjudication. The Implementation Plan contains a description of the phases identified for the Implementation Plan work effort, a detailed scope, budget and schedule of tasks planned, as well as a summary of other projects underway that, in addition to implementation of the M&MP, will develop solutions to the threat of seawater intrusion and establish a maximum perennial yield for the producers who rely on the Seaside Basin for their water supply. The activities described in the 2006 M&MP have been accomplished, and the Watermaster has prepared an updated M&MP each year to address changing conditions and issues of concern. These are submitted to the Court each year as part of the Watermaster's Annual Report.

**Page 4.10-41** The first paragraph on this page has been amended as follows:

...seawater intrusion in the Seaside Basin, if and when it occurs. The Seawater Intrusion Response Plan details both the indicators of seawater intrusion, and a list of recommended actions to be taken if seawater intrusion is observed. The Basin Management Action Plan describes the existing condition, identifies supplemental water supplies, groundwater management actions, and other recommendations, including the recommendation for development and use of a hydrogeologic model to evaluate Proposed Projects that may harm or benefit the basin. Since then a hydrogeologic model has been developed, and this model has been used to assess the impacts of the Proposed Project on the Seaside Basin. See discussions about the model in **Section 4.10.4.2**, under the section titled "Groundwater Depletion, Levels and Recharge: Seaside Basin." The Proposed Project would require that the project partners enter into a water storage agreement with the Seaside Basin Watermaster.

**Page 4.10-43** The following footnote has been added to the bottom of **Table 4.10-11 Applicable Local Plans, Policies, and Regulations – Hydrology and Water Quality: Groundwater** in response to comment L-20:

\* A water storage agreement with the Seaside Basin Watermaster would be required to implement the Proposed Project.

**Page 4.10-67** The second full paragraph on this page has been amended as follows in response to comment H-46:

Locally, it is unclear whether the decrease in 400-Foot aquifer pumping near the CSIP wells would raise water levels in the 180-Foot aquifer beneath the Salinas Treatment Facility enough to completely offset the effect of decreased recharge. The Castroville Seawater Intrusion Project wells are all screened in the 400-Foot aquifer or the East Side Subbasin and are located 2.75 to six miles north to northwest of the Salinas Treatment Facility (between Salinas and Castroville). The Most CSIP wells are inland of the intrusion front in the 400-Foot aquifer but beneath the intruded part of the 180-Foot aquifer. ....

**Page 4.10-67** The second full paragraph on this page has been amended as follows in response to comment O-1:

Groundwater quality impacts would be greatest near the Salinas Treatment Facility, and for this analysis the impact area previously described for water level impacts was also used for water quality impacts: a circle with a 1.5-mile radius surrounding centered at the Salinas Treatment Facility ponds. The 180/400 Foot Subarea water balance in the Salinas Valley Integrated Groundwater and Surface Water Model (the only applicable groundwater model for most of the Salinas Valley Groundwater Basin) indicates that groundwater recharge from rainfall and irrigation return flow averages 0.76 ft/yr, which is 38% of total groundwater recharge. Groundwater recharge from Salinas Treatment Facility percolation averages 0.12 ft/yr when distributed over a 1.5-acre circular area centered at the ponds. Recharge from Salinas Treatment Facility percolation therefore amounts to approximately six percent of total recharge. This means that water quality impacts of changes in Salinas Treatment Facility percolation would be substantially diluted by mixing with other sources of recharge."



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**Page 4.10-69** The second paragraph under ***All Other Project Components/Overall Regional Impacts on Salinas Valley Groundwater Basin*** has been changed:

As previously discussed, the Proposed Project would decrease CSIP pumping to zero in most years and to a small fraction of existing pumping in the remaining years. The decrease in groundwater pumping in the CSIP area would be about ten times greater than the decrease in recharge at the Salinas Treatment Facility and therefore, the Proposed Project would have a net beneficial impact with respect to seawater intrusion and overall groundwater storage and levels in the Salinas Valley Groundwater Basin. The Proposed Project would increase the amount of irrigation water available to the growers. The tertiary recycled water would comply with statutory and regulatory requirements for the production and use of recycled water per California Water Code Sections 13500 – 13577 and California Code of Regulations, Title 22, Sections 60301 – ~~60357~~ 60355. In addition, the increased use of the tertiary-treated recycled water on the existing CSIP area would not adversely affect the groundwater quality in the 180-Foot or 400-Foot Aquifers for the following reasons:

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**Page 4.10-74** The first bulleted paragraph under ***Impact Conclusions*** has been changed:

- Stabilized pilot plant water samples and projected AWT Facility purified recycled water meet SWRCB Regulations for groundwater replenishment projects and Basin Plan groundwater quality standards, including drinking water MCLs. Further, the treatment processes that would be incorporated into the proposed full-scale AWT Facility would ~~be selected and~~ meet the requirements in the DDW Groundwater Replenishment Regulations and the AWT Facility would be operated to ensure that all water quality standards would be met in both the purified recycled water and groundwater. A monitoring program would document project performance.

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**Page 4.10-86** Figure 4.10-5 has been replaced with a revised version in response to comment N-10 to clarify the adjudication boundary. See **Figure 4.10-5rev** at the end of Chapter 5.

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**Page 4.10-88** Figure 4.10-7 has been replaced with a revised version in response to comment L-25 to clarify the adjudication boundary. See **Figure 4.10-7rev** at the end of Chapter 5.

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**Page 4.10-90** A new figure showing groundwater levels and groundwater flow directions and representing the groundwater project study area has been inserted at the end of Section 4.10 in response to comment H-46. See **Figure 4.10-9a** at the end of Chapter 5.

## Changes to 4.11 Hydrology/Water Quality: Surface Water

**Page 4.11-9** The last sentence on this page has been amended as follows in response to I-1:

.... Currently, CalAm's Monterey District service area system relies upon withdrawals from the Carmel River Valley Alluvial Aquifer through wells located in the lower part of the Carmel Valley and from wells located in the Seaside Groundwater Basin.

**Page 4.11-30** The last full paragraph on this page has been replaced as follows in response to comment F-3:

Water bodies that may not be covered under USACOE jurisdiction may require a Section 401 Water Quality Certification for impact on waters of the state. Placement of structures, fill, or dredged materials into waters of the State requires Section 401 Water Quality Certification. Activities that require a federal Section 404 permit also require a Section 401 Water Quality Certification. The RWQCB issues Section 401 Water Quality Certifications and waivers.

Section 401 Water Quality Certifications are issued by the RWQCB to protect water quality and the beneficial uses of water from projects that may result in discharges of dredge and fill. The Central Coast RWQCB only issues Section 401 Water Quality Certifications for projects that may discharge dredge or fill to waterbodies that are under the jurisdiction of the USACOE. The Central Coast RWQCB may issue other waste discharge requirements (permits) for discharges of dredge or fill to waterbodies not under the jurisdiction of the USACOE, but that are waters of the state as defined by the Porter-Cologne Water Quality Control Act.

**Page 4.11-34** The following text is added to the bottom of this page as requested in comment L-27:

For current guidance information about stormwater management, see the Monterey Regional Stormwater Management Program website at: <http://montereysea.org/program-documents/>.

**Page 4.11-36** The following paragraph has been inserted at the end of the section titled "Porter-Cologne Water Quality Control Act" in response to comment F-2:

The term "Waters of the State" is defined by Porter-Cologne as "any surface water or groundwater, including saline waters, within the boundaries of the state." The RWQCB protects all waters in its regulatory scope but has special responsibility for wetlands, riparian areas, and headwaters, including isolated wetlands, and waters that may not be regulated by the USACOE under Section 404 of the CWA. Waters of the State are regulated by the RWQCB under the State Water Quality Certification Program, which regulates discharges of fill and dredged material under Section 401 of the CWA and Porter-Cologne.

**Page 4.11-43** The following text has been added under the Seaside Municipal Code heading in response to comment L-28:

Seaside Municipal Code Section 15.32, "Standards to Control Excavation, Grading, Clearing and Erosion," sets forth guidelines, rules, regulations and minimum standards to control excavation, grading, clearing, erosion control and maintenance, including cut and fill embankments; requires control of all existing and potential conditions of accelerated erosion; establishes administrative procedures for issuance of permits; and provides for approval of plans and inspections during construction and maintenance.

**Page 4.11-62** The end of section 4.11.4.3 has been amended as follows in response to comment F-7:

The construction contractor(s) would also be required to develop and implement a monitoring program as required under the NPDES Construction General Permit. The contractor would be required to conduct inspections of the construction site prior to anticipated storm events and after the actual storm events. During extended storm events, the inspections would be conducted after every 24-hour period. The inspections would be conducted to: identify areas contributing to stormwater discharge; evaluate whether measures to reduce pollutant loadings identified in the SWPPP are adequate, were properly installed, and are functioning in accordance with the Construction General Permit; and determine whether additional control practices or corrective measures are needed.

The action of moving earth within waters of the state (such as with trenching or excavation) is considered a discharge and requires a permit. If the U.S. Army Corps of Engineers (USACOE) claims jurisdiction in the subject waterbody where the discharge may occur, the Central Coast Regional Water Quality Control Board (RWQCB) also will need to review the action and potential discharge and issue a Clean Water Act Section 401 Water Quality Certification. If the RWQCB determines that the action will be protective of water quality and the beneficial uses of water it can issue the 401 certification. If the USACOE does not take jurisdiction, the RWQCB may issue waste discharge requirements (a permit) for impacts to waters of the state.

Mandatory compliance with the NPDES Construction General Permit requirements, Section 404 and 401 of the Clean Water Act, and, if required, other Waste Discharge Requirements issued by the RWQCB due to impacts to waters of the state would prevent significant construction-related impacts to surface water quality during general construction activities. Therefore, the water quality impacts (including on inland surface waters and marine waters) associated with general construction activities would be less than significant.

### ***Impact Conclusion***

Prior to construction of any of the Proposed Project components, compliance with NPDES Construction General Permit, Clean Water Act Sections 404 and 401, and other waste discharge requirements of the Porter-Cologne Water Quality Control Act, would be required, including implementation of erosion and stormwater quality control measures set forth in a SWPPP and a Rain Event Action Plan that would prevent substantial adverse effects on water quality during construction. The Proposed Project would have a less-than-significant impact on water quality associated with increased soil erosion and sedimentation, and inadvertent releases of toxic chemicals during general construction activities and no mitigation measures would be required.

**Page 4.11-74** The text in the fourth sentence of the first paragraph of the Lake El Estero section has been amended as follows in response to comment P-4:

.... Lake El Estero Water is proposed to be diverted (when available and needed to meet Proposed Project objectives, typically between November and April) by gravity or using a small pump to the municipal wastewater collection system in the vicinity of the City of Monterey's existing stormwater management pump station at the northeastern corner of Lake El Estero. ....

**Page 4.11-75** Mitigation Measure HS-4 has been modified as follows in response to comment F-5 and H-50:

#### **Mitigation Measure HS-4: Management of Surface Water Diversion Operations (Applies to Reclamation Ditch Diversion, only)**

Rapid, imposed water-level fluctuations shall be avoided when operating the Reclamation Ditch Diversion pumps to minimize erosion and failure of exposed (or unvegetated), susceptible banks. This can be accomplished by operating the pumps at an appropriate flow rate, in conjunction with commencing operation of the pumps only when suitable water levels or flow rates are measured in the water body. Proper control shall be implemented to ensure that mobilized sediment would not impair downstream habitat values and to prevent adverse impacts due to water/soil interface adjacent to the Reclamation Ditch and Tembladero Slough. During planned routine maintenance at the Reclamation Ditch Diversion, maintenance personnel shall inspect the diversion structures within the channel for evidence of any adverse fluvial geomorphological processes (for example, undercutting, erosion, scour, or changes in channel cross-section). If evidence of any substantial adverse changes are noted, the diversion structure shall be redesigned and the project proponents shall modify it in accordance with the new design.

**Page 4.11-101** The text of Mitigation Measures HS-C has been amended as follows in response to comment N-3:

As part of the amendment process to modify the existing MRWPCA NPDES Permit (Order No. R3-2014-0013, NPDES Permit No. CA0048551) per 40 Code of Regulations Part 122.62, it would be necessary to conduct an extensive assessment in accordance with requirements to be specified by the RWQCB. It is expected that the assessment would include, at a minimum, an evaluation of the minimum probable initial dilution at the point of discharge based on likely discharge scenarios and any concomitant impacts on

water quality and beneficial uses per the Ocean Plan. Prior to operation of the ~~MPSWP~~ MPWSP desalination plant, the discharger(s) will be required to test the ~~MPSWP~~ MPWSP source water in accordance with protocols approved by the RWQCB. If the water quality assessment indicates that the water at the edge of the ZID will exceed the Ocean Plan water quality objectives, the MRWPCA will not accept the desalination brine discharge at its outfall, and the following design features and/or operational measures shall be employed, individually or in combination, to reduce the concentration of constituents to below the Ocean Plan water quality objectives at the edge of the ZID:

**Page 4.11-107** The following text changes have been made to the references to update the guidance documents as requested in comment L-27:

Monterey Regional Stormwater Management Program (MRSWMP), 2014~~5~~. Stormwater Management Program Documents at the Monterey Regional Stormwater Management Program website at: <http://montereysea.org/program-documents/>. ~~Revision 3. Revised June 2011.~~

~~Monterey Regional Stormwater Management Program (MRSWMP), 2014. Post-Construction Requirements At A Glance. Available online at: [http://www.montereysea.org/resources\\_developers.php](http://www.montereysea.org/resources_developers.php) accessed on June 26, 2014.~~

## Changes to 4.12 Land Use, Agriculture, and Forest Resources

**Page 4.12-29** The first paragraph under the Heading 4.12.4.2 Approach to Analysis, Land Use, has been amended as follows in response to comment L-30:

This analysis evaluates short-term impacts resulting from temporary construction of Proposed Project components, as well as long-term impacts resulting from the siting and operation of Proposed Project components, either of which may result in potential conflicts or inconsistencies with existing adopted plans and regulations. Construction equipment and materials associated with the various components of the Proposed Project would be staged and stored within the respective construction work areas. Construction equipment and materials associated with pipeline installation would be stored along the pipeline alignments and at nearby designated staging areas. Staging areas would not be sited in sensitive areas such as riparian areas or critical habitat for protected species. To the extent feasible, parking for construction equipment and worker vehicles would be accommodated within the construction work areas and on adjacent roadways.

Before construction mobilization for the source water diversion facilities, AWT Facility, pipeline installation, and the proposed injection wells, the contractors would clear and grade construction areas (including temporary staging areas), and remove vegetation and debris as necessary, to provide a relatively level surface for the movement of construction equipment. Upon completion of construction activities, the construction contractor would remove any added gravel, contour the construction work areas and staging areas to their original profile, and hydro-seed or repave the areas, as appropriate.

**Page 4.12-32** The following paragraph has been inserted between the first and second bullet:

(b) Conflicts with plans, policies or regulations during construction. Construction activities would not result in land use impacts other than those identified elsewhere in this EIR. These potential inconsistencies during construction were identified in Table 4.12-5 on pages 4.12-39 through 4.12-43. The temporary potential inconsistencies with plans, policies and regulations and associated impacts have been identified in Table 4.12-5 and addressed by environmental topic in the sections referenced above, and thus do not result in any other conflicts with plans, policies, and programs adopted for the purpose of reducing an environmental impact.

**Page 4.12-52** Changes have been made to the following citations:

City of Monterey, ~~1981~~ 2000. *Land Use Plan for the Laguna Grande /Roberts Lake Local Coastal Program*, adopted December, 1981, updated November, 2000.

~~City~~ County of Monterey, 2010. Final Environmental Impact Report for the General Plan, 2010

**Page 4.12-53** The following citation has been deleted:

~~City of Seaside, 2010 Local Coastal Program Land Use Plan.~~

## **Changes to 4.13 Marine Biological Resources**

No changes required.



## Changes to 4.14 Noise and Vibration

**Page 4.14-7** In Table 4.14-4 Summary, the following changes have been made:

**Table 4.14-4**

**Summary of Short-Term Noise Measurements (dBA)**

| Noise Measurement Location-Project Facility                                                                                                                                                                                                                                                                                                                            | Date Time                     | Leq  | Lmax | L(10) | L(50) | L(90) | Ldn* |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|------|------|-------|-------|-------|------|
| ST-1-Injection Well Facilities:<br>GWR monitoring well drilling site in Seaside. 75 feet from drill rig, 50 feet from truck engine. [1]                                                                                                                                                                                                                                | 12/19/2013<br>9:40-10:00 AM   | 83   | 89   | 84    | 83    | 82    | 89   |
|                                                                                                                                                                                                                                                                                                                                                                        | 10:00-10:10 AM                | 81   | 84   | 83    | 82    | 67    |      |
| ST-2-Injection Well Facilities:<br>Along Juarez Street, 315 feet from the centerline of General Jim Moore Blvd. [1]                                                                                                                                                                                                                                                    | 12/27/2013<br>11:00-11:10 AM  | 48   | 60   | 49    | 46    | 44    | 49   |
|                                                                                                                                                                                                                                                                                                                                                                        | 11:10-11:20 AM                | 47   | 55   | 48    | 46    | 45    | 48   |
| ST-3-CalAm Distribution Transfer Pipeline: Mescal Street, Residential area in Seaside. [2]                                                                                                                                                                                                                                                                             | 3/20/13<br>12:22 - 12:32 PM   | 59.1 | 70.9 | NA    | NA    | NA    | NA   |
| ST-4-CalAm Distribution Monterey Pipeline: Franklin Street, Private residence near Franklin Street/Van Buren Street intersection in Monterey, adjacent to Monterey Pipeline. [1]                                                                                                                                                                                       | 3/20/13<br>1:36 - 1:46 PM     | 60.2 | 69.3 | NA    | NA    | NA    | NA   |
|                                                                                                                                                                                                                                                                                                                                                                        | 4/13/14<br>12:28 - 12:38 AM   | 45.8 | 61.3 | NA    | NA    | NA    | NA   |
| ST-5-CalAm Distribution Monterey Pipeline: Franklin Street, Private residence near Franklin Street/Van Buren Street intersection in Monterey, adjacent to Monterey Pipeline. [1]                                                                                                                                                                                       | 3/20/13<br>2:03 - 2:13 PM.    | 61.0 | 68.5 | NA    | NA    | NA    | NA   |
|                                                                                                                                                                                                                                                                                                                                                                        | 4/13/14<br>12:48 - 12:3458 AM | 45.8 | 63.4 | NA    | NA    | NA    | NA   |
| * L <sub>dn</sub> levels at ST-1 assume continuous 24-hour operations of the drilling operation. L <sub>dn</sub> levels at ST-2 were estimated based on noise levels measured at LT-1 during corresponding interval.<br>NA = Not Available<br>[1] SOURCE: Illingworth & Rodkin (2014) CPUC/ESA, Draft EIR for the Monterey Peninsula Water Supply Project, April 2015. |                               |      |      |       |       |       |      |

**Page 4.14-17** Table 4.14-7 City of Marina Allowable Noise Standards Measured in Ldn (dBA), has been moved into the previous section, City of Marina, and is now on Page 4.14-16.

**Page 4.14-43** The following mitigation measure has been added after Mitigation Measures NV-1c and prior to the section addressing Impact NV-2 in response to comment H-54:

**Mitigation Measure NV-1d: RUWAP Pipeline Construction Noise.** *(Applies to the RUWAP Alignment Option of the Product Water Conveyance)*

The following measures will be implemented by the project proponents in response to comments from the Marina Coast Water District if the RUWAP alignment option of the Product Water Conveyance Pipeline is selected for implementation:

- The construction contractor shall limit exterior construction related activities to the hours of restriction consistent with the noise ordinance of, and encroachment permits issued by, the relevant land use jurisdictions.<sup>6</sup>
- The contractor shall locate all stationary noise-generating equipment as far as possible from nearby noise-sensitive receptors. Where possible, noise generating equipment shall be shielded from nearby noise-sensitive receptors by noise-attenuating buffers. Stationary noise sources located 500 feet from noise-sensitive receptors shall be equipped with noise reducing engine housings. Where possible and required by the local jurisdiction, portable acoustic barriers shall be placed around stationary noise generating equipment that is located less than 200 feet from noise-sensitive receptors.

- The contractor shall assure that construction equipment powered by gasoline or diesel engines have sound control devices at least as effective as those provided by the original equipment manufacturer (OEM). No equipment shall be permitted to have an unmuffled exhaust.
- The contractor shall assure that noise-generating mobile equipment and machinery are shut-off when not in use.
- Residences within 500 feet of a construction area shall be notified of the construction schedule in writing, prior to construction. The project proponents and contractors shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and written into the construction notification schedule sent to nearby residences.

**Page 4.14-49** Mitigation Measures NV-2b has been changed as follows in response to comment J-4c:

**Mitigation Measure NV-2b: Construction Hours.** (*Applies to Product Water Conveyance Pipelines (RUWAP and Coastal Alignments) and RUWAP Booster Pump Station in the City of Marina*)

The construction contractor shall limit all noise-producing construction activities within the City of Marina to between the hours of 7:00 AM and 7:00 PM on weekdays and between 9:00 AM and 7:00 PM Saturdays, ~~except that construction may be allowed until 8:00 PM during daylight savings time.~~

**Page 4.14-58** The last sentence on this page has been changed as follows in response to comment R-2:

....The exact timing of construction is not known, but due to the distance from the Proposed Project sites (about three miles to #6 and #8 [Harper Canyon and Ferrini Ranch] as shown on **Figure 4.1-1rev<sup>7</sup>**), there would be no overlapping cumulative impacts related to construction or operational noise or vibration in this area.

**Page 4.14-61** The following citation under 4.14.5 References has been changed as follows:

City of Marina, 2005~~0~~. *City of Marina General Plan*. Amended December 31, 2005~~6~~.

**Page 4.14-62** The following citation under 4.14.5 References has been changed:

City of Seaside, 2003~~4~~. *Seaside General Plan*. Adopted August 5, 2003~~4~~.

## Changes to 4.15 Population and housing

No changes required.

## Changes to 4.16 Public Services, Utilities, and Recreation

**Page 4.16-1** The following change has been made to the first paragraph on this page in response to comment H-58:

This section addresses potential impacts to public services, recreation and specified public utilities that could occur if the Proposed Project were to necessitate provision of new or substantially altered public services facilities or cause substantial physical deterioration of a recreational facility. Public services discussed in this section include fire and police protection services, emergency services, schools, parks, and recreational facilities. Recreational resources include parks, trails, beaches, and similar facilities. The public utilities discussed include solid waste facilities. Water service and systems, wastewater service, and recycled water delivery are addressed under **Section 4.18<sup>7</sup>, Water and Wastewater**.

<sup>7</sup> Figure 4.1-1rev is provided at the end of Chapter 5.

**Page 4.16-24** The following citations have been deleted.

White, K./ESA, personal communication, October 2014.

GPUC 2012

## Changes to 4.17 Traffic and Transportation

**Page 4.17-4** Table 4.17-1 on this page has been modified as follows in response to comment J-4b to indicate that Crescent Avenue has a Class 2 bike lane:

**Table 4.17-1**

**Characteristics of Roadways in the Vicinity of the Proposed Project, By Component**

| Roadway/Segment                                                                         | Lanes | Traffic Volumes <sup>1</sup> | Bike Lanes        | On-Street Parking |
|-----------------------------------------------------------------------------------------|-------|------------------------------|-------------------|-------------------|
| <b>Source Water Diversion and Storage Sites</b>                                         |       |                              |                   |                   |
| Salinas Pump Station and Salinas Industrial Wastewater Treatment Facility and Pipeline  |       |                              |                   |                   |
| Hitchcock Road                                                                          | 2     | NA                           | No                | No                |
| South Davis Road                                                                        | 2     | NA                           | No                | No                |
| Davis Road, South of Blanco Road                                                        | 2     | 8,053                        | No                | No                |
| <b>Reclamation Ditch Diversion</b>                                                      |       |                              |                   |                   |
| Davis Road                                                                              | 2     | NA                           | Yes               | No                |
| Market Road                                                                             | 4     | NA                           | No                | No                |
| <b>Tembladero Slough Diversion</b>                                                      |       |                              |                   |                   |
| Highway 1 south of 183;<br>Highway 1 north of 183                                       | 2     | 17,700;<br>31,000            | Yes               | No                |
| Watsonville Road                                                                        | 1     | NA                           | No                | No                |
| <b>Blanco Drain Diversion</b>                                                           |       |                              |                   |                   |
| Nashua Road, Cooper Road, Blanco Road                                                   | 2     | NA                           | No                | No                |
| <b>Lake El Estero Diversion</b>                                                         |       |                              |                   |                   |
| Del Monte Boulevard:<br>Camino Aguajito to Camino El Estero                             | 4     | 37,785 to<br>39,105          | No                | Yes               |
| <b>Treatment Facilities at the RTP (AWT Facility and SVRP Modifications)</b>            |       |                              |                   |                   |
| Charles Benson Road:<br>Del Monte Boulevard to MRWPCA Regional Treatment Plant facility | 2     | NA                           | No                | No                |
| <b>Product Water Conveyance System</b>                                                  |       |                              |                   |                   |
| RUWAP Alignment: AWT Facility to Booster Pump Station                                   |       |                              |                   |                   |
| Crescent Avenue                                                                         | 2     | NA                           | <del>No</del> Yes | Yes               |
| Carmel Avenue                                                                           | 2     | NA                           | No                | Yes               |

**Page 4.17-17** The fourth bullet on this page has been amended as follows in response to comment J-4d:

- Most linear facilities (conveyance pipelines) would be installed using conventional open-trench construction techniques. However, trenchless technologies such as boring and jacking, microtunneling, or horizontal directional drilling may be used where open-cut trenching is not feasible or desirable (highway crossings, stream and drainage crossings, and

areas with high utility congestion). Note: City of Marina Municipal Code Section 12.20.100 does not allow trenchless activities under an encroachment permit.

**Page 4.17-37** Mitigation Measure TR-2 has been amended as follows in response to comment J-4f:

### ***Mitigation Measures***

#### **Mitigation Measure TR-2: Traffic Control and Safety Assurance Plan. (Applies to Product Water Conveyance: Both Options, and CalAm Distribution System.)**

Prior to construction, MRWPCA and/or its contractor shall prepare and implement a traffic control plan or plans for the roadways and intersections affected by MRWPCA construction (Product Water Conveyance Pipeline) and CalAm shall prepare and implement a traffic control plan for the roadways and intersections affected by the CalAm Distribution System Improvements (Transfer and Monterey pipelines). The traffic control plan(s) shall comply with the affected jurisdiction's encroachment permit requirements and shall be based on detailed design plans. For all project construction activities that could affect the public right-of-way (e.g., roadways, sidewalks, and walkways), the plan shall include measures that would provide for continuity of vehicular, pedestrian, and bicyclist access; reduce the potential for traffic accidents; and ensure worker safety in construction zones. Where project construction activities could disrupt mobility and access for bicyclists and pedestrians, the plan shall include measures to ensure safe and convenient access would be maintained.

The traffic control and safety assurance plan shall be developed on the basis of detailed design plans for the approved project. The plan shall include, but not necessarily be limited to, the elements listed below:

#### ***General***

- a. Develop circulation and detour plans to minimize impacts on local streets. As necessary, signage and/or flaggers shall be used to guide vehicles to detour routes and/or through the construction work areas.
- b. Implement a public information program to notify motorists, bicyclists, nearby residents, and adjacent businesses of the impending construction activities (e.g., media coverage, email notices, websites, etc.). Notices of the location(s) and timing of lane closures shall be published in local newspapers and on available websites to allow motorists to select alternative routes.

#### ***Roadways***

- c. Haul routes that minimize truck traffic on local roadways and residential streets shall be used to the extent feasible.
- d. Schedule truck trips outside of peak morning and evening commute hours to minimize adverse impacts on traffic flow.
- e. Limit lane closures during peak hours. Travel lane closures, when necessary, shall be managed such that one travel lane is kept open at all times to allow alternating traffic flow in both directions along affected two-lane roadways; ~~the contractor shall use steel plates or trench backfilling to restore vehicle access at the end of each workday.~~ In the City of Marina, one-way traffic shall be limited to a maximum of 5 minutes of traffic delay.
- f. Restore roads and streets to normal operation by covering trenches with steel plates outside of normal work hours or when work is not in progress.

**Page 4.17-39** Mitigation Measure TR-3 has been changed as follows in response to comments J-4e, J-4g, and P-15:

#### **Mitigation Measure TR-3: Roadway Rehabilitation Program (applies to all Proposed Project components)**

Prior to commencing project construction, MRWPCA (for all components other than the CalAm Distribution System Improvements) and CalAm (for CalAm Distribution System

Improvements) shall detail the preconstruction condition of all local construction access and haul routes proposed for substantial use by project-related construction vehicles. The construction routes surveyed must be consistent with those identified in the construction traffic control and safety assurance plan developed under Mitigation Measure TR-2. After construction is completed, the same roads shall be surveyed again to determine whether excessive wear and tear or construction damage has occurred. Roads damaged by project-related construction vehicles shall be repaired to a structural condition equal to, or greater than, that which existed prior to construction activities. In the City of Marina, the construction in the city rights-way must comply with the City's design standards, including restoration of the streets from curb to curb, as applicable. In the City of Monterey, asphalt pavement of full travel lanes will be resurfaced without seams along wheel or bike paths.

## Changes to 4.18 Water Supply and Wastewater Systems

**Page 4.18-4** The following changes have been made to the first two paragraphs under the heading Monterey Peninsula Water Management District in response to comment I-6:

The Monterey Peninsula Water Management District (Water Management District) and MRWPCA are partners in studying the Proposed Project (Proposed Project). As indicated in **Section 2.3.2.1**, the Water Management District is a special district, created by the California Legislature in 1977 and endorsed by a public vote in 1978, for the purposes of “conserving and augmenting the supplies by integrated management of ground and surface water supplies, for control and conservation of storm and wastewater, and for promotion of the reuse and reclamation of water.” Approximately 104,000 people live within the jurisdictional boundary of the Water Management District, which includes the Monterey Peninsula and unincorporated communities within Monterey County including Pebble Beach, the Carmel Highlands, a portion of Carmel Valley, and areas adjacent to Highway 68.

The Water Management District is a water resource planning/management entity, and does not provide water service to retail customers. However, as described in Section 2.3.2.1, the Water Management District either owns or is the financing entity for certain water supply facilities operated by CalAm or other agencies. Water Management District is responsible for the integrated management of water resources within the Water Management District's boundaries, while the California American Water Company (CalAm) is responsible for providing water to customers in the Monterey Peninsula area....

**Page 4.18-5** The second sentence in the first paragraph on this page has been amended as follows in response to comment I-1:

.... The Water Management District manages production and use of water from the Carmel River stored in Los Padres Reservoir, water production in the Carmel Valley Alluvial Aaquifer, and groundwater pumped from municipal and private wells in Carmel Valley, the Seaside Groundwater Basin (Seaside Basin), and other areas within the Water Management District boundary.

**Page 4.18-8** The second paragraph on this page has been amended as follows in response to comment H-59:

~~The Marina Coast Water District's water supply comes from groundwater wells located in the 900-foot-deep aquifer of the Salinas Valley Groundwater Basin. Historically, MCWD supplied its Marina service area with water from wells screened in the 180-Foot and 400-Foot aquifers. Between 1960 and 1992, some of those wells indicated varying degrees of seawater intrusion and were replaced, first moving from the 180-Foot aquifer to the 400-Foot aquifer, and later moving to the Deep Aquifer. The District currently operates 4 wells in the Deep Aquifer-- Wells 10, 11, 12 and 34. MCWD also operates 4 wells that draw from the 180-Foot and 400-Foot Aquifers-- Wells 29, 30, 31, and 35. (See attachment Exhibit "E" to Letter H for locations of these wells). The Marina Coast Water District also has a desalination plant with a capacity of 300 acre-feet per year; the plant is capable of providing up to 13 percent of the annual water demand, but has not operated in recent years (Marina Coast Water District, 2013).~~

**Page 4.18-8** The fourth paragraph has been amended as follows in response to comments in letter H:



As indicated in **Section 2.3.3.3**, water demands on the former Fort Ord are projected to increase with development envisioned in the *Fort Ord Base Reuse Plan* and local plans. To address the need for additional water supply, Marina Coast Water District is developing the Regional Urban Water Augmentation Project (RUWAP) that would provide an additional 2,400 AFY of potable and/or recycled water. The RUWAP recycled water distribution system has been designed and partially constructed, but is not yet in operation. To date, the Marina Coast Water District has not delivered recycled water to its irrigation users from the Regional Treatment Plant through the RUWAP recycled water distribution system. (See **Sections 4.18.2.2** and **4.18.3.4**, below, for further discussion of the Regional Treatment and Reclamation Plants and existing agreements.)

**Page 4.18-11 to 4.18-12** The paragraph under “Municipal Wastewater Collection Systems” has been amended as follows in response to comment H-61:

Marina Coast Water District maintains and operates the wastewater collection system in the former Fort Ord community that currently includes urban development in the unincorporated Monterey County and the cities of Marina and Seaside, including some areas under state and federal ownership, such as California State Parks, California State University Monterey Bay, the University of California, and the U.S. Army. MCWD’s service territory also includes the City of Marina. MCWD is responsible for maintaining its service area’s sewer system, which includes 20 lift stations and 110 miles of pipeline. Through this system, wastewater ~~Wastewater~~ is carried by the Marina Coast Water District sanitary collection system to the MRWPCA pump stations. From local pump stations, the wastewater is transported to the MRWPCA treatment plant north of Marina.

**Page 4.18-15** The last paragraph on this page has been changed as follows in response to comment C-4:

....New State Board guidance has clarified that a wastewater petition for change ~~only~~ needs to be filed with the State Board Division of Water Rights if the owner of the wastewater treatment plant decreases the amount of water in a stream or other waterway. ~~The Proposed Project changes to the Regional Treatment Plant that would result in reduced disposal of secondary effluent to the outfall would not change the amount of water in a stream or other waterway.~~ The diversion of agricultural wash water, an industrial wastewater, to the Regional Treatment Plant using the Salinas Pump Station Diversion and the Salinas Treatment Facility Storage and Recovery components of the project and its effects on water levels or flows in the Salinas River are addressed in **Section 4.11, Hydrology and Water Quality: Surface Waters**. The diversion of agricultural wastewater would reduce groundwater flow to the Salinas River by reducing the amount of water percolating from the Salinas Treatment Facility to groundwater. This flow reduction is relatively small and would not adversely affect beneficial uses or water quality in the Salinas River. Accordingly, it is reasonable to conclude that the State Board Division of Water Rights would approve the wastewater petition for change.

**Page 4.18-19** Table 4.18-5 and the paragraph following it has been changed as follows in response to letter H:

**Table 4.18-5**  
**Summary of Relevant Local Agency Agreements**

| Name                                                                                                                                                                                           | Agencies                                                                                                                                                                                    | Date                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| Memorandum of Understanding Regarding Source Waters and Water Recycling                                                                                                                        | Monterey Peninsula Water Management District, Marina Coast Water District (MCWD), Monterey County Water Resources Agency, Monterey Regional Water Pollution Control Agency, City of Salinas | October 2014 (Amended April 2015 to provide time extension past March 31, 2015)                        |
| Annexation Agreement for MCWD into MRWPCA                                                                                                                                                      | MCWD                                                                                                                                                                                        | April 1989                                                                                             |
| Annexation Agreement for MCWD into MCWRA Zones 2 and 2A                                                                                                                                        | Monterey County Water Resources Agency, et al.,                                                                                                                                             | March 1996                                                                                             |
| Agreement between Monterey County Water Resources Agency and Monterey Regional Water Pollution Control Agency for the Construction and Operation of a Tertiary Treatment System and Amendments | Monterey County Water Resources Agency and Monterey Regional Water Pollution Control Agency                                                                                                 | June 1992<br>May 1995 (1 <sup>st</sup> )<br>Feb 1998 (2 <sup>nd</sup> )<br>May 2002 (3 <sup>rd</sup> ) |
| <u>Memorandum of Understanding - Regional Urban Water Augmentation Project</u>                                                                                                                 | <u>MCWD and MRWPCA</u>                                                                                                                                                                      | <u>June 2009</u>                                                                                       |

Previous interagency agreements have established entitlements to recycled water produced from the existing municipal wastewater flows to the Regional Treatment Plant. As source flows for the Proposed Project were studied and the seasonal variability of each was understood, the stakeholder agencies entered into a *Memorandum of Understanding Regarding Source Waters and Water Recycling* (Source Waters MOU) (October 2014). The parties to the Source Waters MOU are the Monterey Regional Water Pollution Control Agency, the Monterey County Water Resources Agency, the City of Salinas, the Marina Coast Water District, and the Monterey Peninsula Water Management District (the “Parties”). The Source Waters MOU is an agreement to “negotiate a Definitive Agreement to establish contractual rights and obligations of all Parties,” that would include (1) protection of Marina Coast Water District’s recycled water right entitlement under the April 25, 1989 Annexation Agreement, (2) provision of up to 5,292 AFY of additional recycled water to Monterey County Water Resources Agency for the Castroville Seawater Intrusion Project, and (3) provision of 3,500 AFY of purified recycled water for injection into the Seaside Basin and extraction by CalAm. The Source Waters MOU also includes provisions for creation of a drought reserve by allowing the GWR Features<sup>8</sup> to produce, convey and inject up to 200 AFY of additional purified recycled water during wet and normal years. The Source Waters MOU reflects the stakeholder agencies’ positions regarding the combined benefits and conditions that would be required to secure the necessary rights and agreements to use the source waters needed for the Proposed Project.

**Page 4.18-21** The first paragraph has been changed as follows in response to letter H:

Marina Coast Water District possesses legal rights to use wastewater treated by the Salinas Valley Reclamation Plant at the Regional Treatment for urban irrigation within areas that they serve. In 1989, when Marina Coast Water District was annexed into the MRWPCA, they acquired contractual rights to wastewater they would discharge to the system which are described below. In 1996, when Marina Coast Water District was annexed into MCWRA’s Zones 2 and 2A, their rights were clarified. The agreements that established these rights are described in detail below. In 2009, Marina Coast Water District and MRWPCA entered into a MOU concerning recycled water that would be allocated to Marina Coast Water District’s RUWAP Recycled Water Project (RUWAP MOU). In the RUWAP MOU, the MRWPCA assigned a portion of its allotment from the Third Amendment of the 1992 Agreement between MRWPCA and

<sup>8</sup> Proposed Project improvements and operations that will develop high quality replacement water for existing urban supplies in the CalAm Monterey District are referred to as the GWR Features. The provision of up to 5,292 AFY of additional recycled water for irrigation of farmland within the Castroville Seawater Intrusion Project areas are referred to as the Crop Irrigation component.

Monterey County Water Resources Agency, as discussed below. Certain parties have disputed the validity of the Third Amendment. If the Third Amendment is considered invalid, the RUWAP MOU may also be invalid. For purposes of this EIR, however, MRWPCA assumes the Third Amendment is valid and enforceable and that Marina Coast has an existing right to 650 AFY of recycled water during the summer months.<sup>9</sup> Currently, Marina Coast Water District does not have approved funding, water purchase/user agreements, or adequate physical distribution facilities to use the recycled water; thus Marina Coast Water District's water right to recycled water from the RUWAP MOU have not been triggered. Marina Coast Water District's proposed use of recycled water (as part of their approved Regional Urban Water Augmentation Program, or RUWAP Recycled Water Project) is considered a cumulative project in this EIR.

**Page 4.18-22** The seventh complete paragraph (immediately before the heading: "Monterey County Water Resources Agency's Rights") has been amended as follows in response to letter H:

MCWD has not yet proceeded to construct and operate the RUWAP Recycled Water Project, except for several disconnected segments of distribution system pipeline that would not by themselves be able to provide recycled water to users (Brian True, personal communication, August 2014). The MCWD has not committed funding nor received financing toward construction of the facilities needed to deliver recycled water to irrigation demands. No signed user agreements have been entered. If MCWD is able to obtain financing, complete construction, and enter into user agreements, then MCWD would have a right to 650 AFY of recycled water during the summer months under the RUWAP MOU, unless the RUWAP MOU is rendered invalid or is amended by the parties.

**Page 4.18-23 to 4.18-24** The last paragraph on page 4.18-23 and several paragraphs on page 4.18-24 have been changed as follows in response to comments in letter H and comments C-2, C-3 and P-3:

Here, MRWPCA has entered into the following contracts, including contracts that assigned rights to Marina Coast Water District and Monterey County Water Resources Agency (Water Resources Agency):

- The 1989 Annexation Agreement between MRWPCA and the Marina Coast Water District provides the Marina Coast Water District with the right to obtain treated wastewater from MRWPCA. The Marina Coast Water District has not exercised its recycled water rights, but may do so in the future.
- The 1992 agreement between MRWPCA and Water Resources Agency (including amendments) provides for the construction and operation of the Salinas Valley Reclamation Plant by MRWPCA to provide water treated to a level adequate for agricultural irrigation for use by the Castroville Seawater Intrusion Project. In particular, Section 3.03 of the 1992 Agreement (Amendment 3) provides that MRWPCA commits all of its incoming wastewater flows to the treatment plant from sources within the 2001 MRWPCA service area, up to 29.6 million gallons per day, except for flows taken by the Marina Coast Water District under the Annexation Agreements, losses, flows not needed to meet the Water Resource Agency's authorized demand, and flows to which MRWPCA is otherwise entitled under the agreement.
- In 1996, pursuant to another Annexation Agreement, the Marina Coast Water District received the right to tertiary-treated water from the Salinas Valley Reclamation Plant, in satisfaction of the 1989 agreement rights.
- In 2009, the Marina Coast Water District and MRWPCA entered into an MOU relating to Marina Coast Water District's RUWAP Recycled Water Project, which provided that MRWPCA would provide recycled water from MRWPCA's Regional Water Treatment Plant.

To address ~~these and other~~ certain water rights, the stakeholder agencies entered into a Memorandum of Understanding (Source Waters MOU). The Source Waters MOU reaffirmed the Marina Coast Water District's recycled water right entitlement from the 1989 Annexation Agreement between MRWPCA and

<sup>9</sup> The Source Waters MOU, to which both MCWD and MRWPCA are parties, provides that the Definitive Agreement may result in an Amendment to the 1992 Agreement and the amendments thereto and that any remaining applicable terms of the Third Amendment would be restated in the Definitive Agreement.

Marina Coast Water District and the Water Resources Agency's recycled water entitlements, and presented a proposal for collection of additional source waters to meet the Proposed Project objectives.

Importantly, the Source Waters MOU is intended to provide a framework for negotiation of a Definitive Agreement and does not create a binding contractual obligation. The Definitive Agreement would establish the contractual rights and obligations of the parties. To date, the Definitive Agreement has not yet been completed. If a Definitive Agreement is reached, it would be expected to be approved after the EIR is certified (Perkins Coie, 2015). If a Definitive Agreement is not reached by all parties, MRWPCA and the Water Management District will work to reach separate agreements with affected stakeholder agencies as needed for the Proposed Project.

## **Legal Agreements/Permits for Diversions from Salinas and Monterey Stormwater Collection Systems to MRWPCA Collection and Treatment Systems**

To divert stormwater and dry weather flow from urban areas, agreements are needed between MRWPCA and the local agencies that currently collect and convey the flows in man-made facilities for discharge to surface waters, including These local agencies include the City of Salinas for urban runoff/stormwater source water from the Salinas River, and the City of Monterey for the Lake El Estero source water that otherwise would be discharged into the Monterey Bay. Stormwater runoff from urban areas through storm drain infrastructure (i.e., in the City of Salinas or Monterey) does not become water of the state until it is discharged into a river or channel. (Perkins Coie, 2015)

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**Page 4.18-29** The last paragraph has been changed on this page as follows in response to comments in Letter H:

As discussed above, the Source Waters MOU reaffirmed Marina Coast Water District and Water Resources Agency's recycled water entitlements under the 1989 Annexation Agreement and the 1992 Agreement and its subsequent amendments, respectively, and presented the proposal for collection of additional source waters to recycle and use to meet the two Proposed Project objectives. The Source Waters MOU is intended to provide a framework for negotiation of a Definitive Agreement and does not create a binding contractual obligation.

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**Page 4.18-30** The last paragraph on this page has been amended as follows in response to comment C-4:

The owner of a wastewater treatment plant, such as the MRWPCA for the Regional Treatment Plant, has the exclusive right to the treated wastewater it produces as against anyone who has supplied the water discharged into the wastewater collection and treatment system, including a person using water under a service contract (Water Code section 1210). MRWPCA therefore, has the exclusive right to use municipal wastewater that is discharged into the MRWPCA collection system, except (1) as that right has been varied by contractual arrangements or (2) if a change of the point of discharge, place of use, or purpose of use will result in a decrease in flow in any portion of a watercourse (Cal. Water Code § 1211 et seq.). MRWPCA has entered into a number of such contracts as described in **Section 4.18.3.3**, including contracts that assigned rights to Marina Coast Water District and Monterey County Water Resources Agency (Water Resources Agency). Any necessary wastewater change petitions will be submitted to the State Board.

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**Page 4.18-31** The text on this page has been changed as follows in response to letter H:

To substantiate the adequacy of MRWPCA's legally-entitled wastewater rights for the Proposed Project when taking into account and respecting the amounts to which Marina Coast Water District and Water Resources Agency are entitled to use, the MRWPCA and MPWMD pursued a MOU Regarding Source Waters and Water Recycling. As discussed above, the MOU reaffirmed Marina Coast Water District and Water Resources Agency's recycled water entitlements, and presented the proposal for collection of additional source waters to recycle and use to meet the two Proposed Project objectives. The MOU is intended to provide a framework for negotiation of a Definitive Agreement and does not create a binding contractual obligation. The 2014 Source Waters MOU affirms that Marina Coast Water District's recycled water right entitlement under the 1989 Annexation Agreement between MRWPCA and Marina Coast Water District may be made contractually available by Marina Coast Water District to another party and may be made available to MCWRA for CSIP if not utilized by Marina Coast Water District, or its assignee, in any given year.

The Marina Coast Water District has not exercised its RUWAP recycled water rights, but could in the future, if water use agreements are obtained from urban irrigators and funding is made available for the construction of the RUWAP recycled water distribution system.

....

Because the Source Waters MOU is not binding, the parties to the Source Waters MOU intend to address rights to use wastewater in the forthcoming Definitive Agreement. Although the Definitive Agreement is needed to secure these water rights, the Source Waters MOU demonstrates a reasonable likelihood that this source of water can be obtained.”

**Page 4.18-32** The following section in the middle of the page has been changed as follows in response to comments C-2, C-3, G-14, G-19, and P-3:

*Rights to Surface Waters (Reclamation Ditch, Tembladero Slough, ~~and~~ Blanco Drain, and Lake El Estero Diversions)*

The Monterey County Water Resources Agency is seeking appropriative water rights permits from the State Board to divert and use of several of the source waters. Water that enters surface streams and rivers is considered water of the state. A water rights permit is required to impound or divert waters of the state, except for certain riparian uses. Stormwater runoff from urban areas through storm drain infrastructure (i.e., in the City of Salinas or Monterey) does not become water of the state until it is discharged into a river or channel and rights to use that water are discussed separately below. Transfer of surface water flows out of known and defined channels for recycling would be a consumptive use that may come under the jurisdiction and regulation of the State Board. ~~Three~~ Four of the proposed source waters – the Lake El Estero, Blanco Drain, Reclamation Ditch, and Tembladero Slough diversion sites – would require appropriation of surface water under State Board jurisdiction. These source waters include agricultural return flow (overland flow and tile drainage), stormwater flow, and urban runoff.

**Page 4.18-33** The following section on this page has been changed as follows in response to comments C-2, C-3, G-14, G-19, and P-3:

*Rights to Urban Runoff Captured in Municipal Stormwater Infrastructure*

As noted above, stormwater runoff from urban areas through storm drain infrastructure (i.e., in the City of Salinas ~~or the City of Monterey~~) does not become water of the state until it is discharged into a river or channel. The proposed new stormwater runoff diversion at the Salinas Pump Station Diversion site (i.e., at the City of Salinas’ “TP1” site) is upstream of any river or open channel in the City of Salinas’ storm drainage system and therefore, the diversion of the Salinas stormwater would not occur where it would be considered water of the state. ~~In addition, the diversion of Lake El Estero water by diverting it to the MRWPCA wastewater collection system rather than to the beach in Monterey would not be considered water of the state because those same waters are being pump or are flowing from the lake to the beach in city storm drainage system pipes.~~ To divert stormwater and dry weather flow from urban areas, agreements are required between MRWPCA and the local agencies that currently collect and convey the flows in man-made facilities for discharge to surface waters, such as Salinas River for the City of Salinas urban runoff/stormwater source water ~~and Monterey Bay for the City of Monterey (for the Lake El Estero source water).~~ MRWPCA is developing an interruptible rate model and criteria which is anticipated to be approved in 2015. The new rate will address capacity and user fees for the various source water within the Proposed Project (Bob Holden, personal communication, January 2015).

Therefore, MRWPCA will need to obtain contractual water rights from the applicable local agencies, including the City of Salinas ~~and the City of Monterey~~. There are currently no contractual arrangements or permits for the diversion of stormwater. However, the City of Salinas ~~and the City of Monterey~~ has been working cooperatively with MRWPCA, demonstrating a reasonable likelihood that this source of water can be obtained.

**Page 4.18-34** The first paragraph on this page has been changed as follows in response to comments C-2, C-3, G-14, G-19, M-26, and P-3:



### ***Impact Conclusion***

The Proposed Project would result in minimal increased water demand due to employment of nine new permanent workers, which could be served by existing water suppliers. The Proposed Project operations would require substantial new source water supplies to meet its project objectives of recycling wastewater for beneficial use as described in **Chapter 2, Project Description**. Technical reports supporting the Proposed Project description and impacts analysis (i.e., those listed in **Section 4.18.1**) and other facts in the record demonstrate that it is reasonably likely that approximately 16,000 to 17,000 AFY of surplus waters can be feasibly be made available to meet Proposed Project demands of approximately 9,860 AFY. For each of the proposed source waters, entitlements or agreements would be needed. The proposed diversions from Lake El Estero, Reclamation Ditch, Tembladero Slough, and Blanco Drain would require new water rights entitlements from the State Board and contractual arrangements/agreement(s) with Monterey County Water Resources Agency.

The Water Resources Agency has filed an application with the State Water Resources Control Board for diversions from the Reclamation Ditch, Tembladero Slough, and Blanco Drain, and it is reasonably likely that rights to these sources of water will be obtained. In considering an application to appropriate water, the State Board considers a number of factors. (Cal. Water Code § 1250, et seq.) The State Board considers “the relative benefit to be derived from (1) all beneficial uses of the water concerned including, but not limited to, use for domestic, irrigation, municipal, industrial, preservation and enhancement of fish and wildlife, recreational, mining and power purposes, and any uses specified to be protected in any relevant water quality control plan, and (2) the reuse or reclamation of the water sought to be appropriated, as proposed by the applicant. The board may subject such appropriations to such terms and conditions as in its judgment will best develop, conserve, and utilize in the public interest, the water sought to be appropriated.” (Cal. Water Code § 1257). The State Board is guided by the policy that domestic use is the highest use and irrigation is the next highest use of water. The Proposed Project is consistent with these factors and it does not appear that any of the factors considered would reduce the likelihood of obtaining the necessary permits.

Similarly, proposed diversions of storm water and diversions of agricultural wash water would require agreements with the City of Salinas ~~and the City of Monterey~~. The proposed diversion from Lake El Estero may require an agreement from the City of Monterey for use of its facilities. Those cities are cooperating with the project partners in designing and evaluating the project components. In addition, the project partners intend to enter into a binding agreement to replace the MOU addressing use of wastewater, facilities at the Regional Treatment Plant, and provision of water supplies to the CSIP.

**Page 4.18-38** The last two sentences on this page have been changed as follows in response to letter H:

~~The MOU indicates that the Proposed Project would not use these secondary effluent flows that represent the amount of wastewater committed to, and used use by, Marina Coast Water District under the 1992 and 1996 Agreements described above. In the future, when Marina Coast completes construction of its recycled water system the RUWAP Recycled Water Project and enters into agreements with urban irrigators, the wastewater flows committed to those demands the recycled water granted to Marina Coast under the 2009 RUWAP MOU would be provided, unless the 2009 RUWAP MOU allocations are amended or rendered invalid.~~

**Page 4.18-41** **Figure 4.18-1** on this page has been replaced with **Figure 4.18-1rev** at the end of Chapter 5.

## **CHANGES TO CHAPTER 5, GROWTH AND IRREVERSIBLE COMMITMENT OF RESOURCES**

**Page 5-2** The first paragraph has been modified as follows in response to comment Q-5:

As discussed in **Section 4.14, Population and Housing**, the Proposed Project is an infrastructure project to provide replacement potable water for a portion of CalAm's withdrawals from the Carmel River system, as explained in **Chapter 2, Section 2.3.6** and to provide recycled water for agricultural irrigation in

northern Monterey County as explained in **Chapter 2**. The Proposed Project would not extend roads or public services into an unserved area. As explained in **Chapter 2, Section 2.3.4**, CalAm is under State Orders issued in 1995 and 2009 by the State Water Resources Control Board to secure replacement water supplies for its Monterey District service area by January 2017 and reduce its Carmel River diversions to 3,376 AFY by 2016-2017. As described in Section 2.3.2.3, an adjudication process in 2006 (CalAm v. City of Seaside et al., Case No. M66343) led to the issuance of a court decision that created the Seaside Groundwater Basin Watermaster and that requires all basin pumpers, except overlying users to decrease their operating yield from the Basin triennially until each reaches its allotted portion of the court-defined "natural safe yield" of 3,000 AFY. A 2012 adjudication of the Seaside Groundwater Basin also requires CalAm to decrease its operating yield from the Basin by 10% triennially until it reaches its allotted portion of the court-defined "natural safe yield" of 1,494 AFY beginning in 2012. In its recent submittals to the California Public Utilities Commission, CalAm estimates that it needs 9,752 acre feet per year (AFY) of additional water supplies for its Monterey District service area to reduce its Carmel River diversions to the degree required by the State Water Resources Control Board, and to reduce its pumping in the Seaside Groundwater Basin in accordance with the adjudication pumping mandates.

## CHANGES TO CHAPTER 6, ALTERNATIVES TO THE PROPOSED PROJECT

**Page 6-10** The following has been inserted at the bottom of the page in response to comment U-2:

Greater and more severe environmental impacts in most topical areas would occur due to the length of new pipeline needed to be built to deliver the desalinated water as replacement water to CalAm. Seawater desalination projects also require substantially more electricity per unit of water produced and therefore, the resultant greenhouse gas emissions would be higher than under the Proposed Project.

**Page 6-10** The final paragraph has been amended as follows:

***Rationale for elimination from more detailed evaluation in this EIR:*** These projects are not considered to be alternatives to the Proposed Project. They would not achieve the objective of providing replacement water for the Monterey District service area customers by the timeframe specified in the Proposed Project objectives, because they could not be developed in time to meet the timeframe objectives. In addition, the desalination projects would be expected to result in greater or more severe environmental impacts than would occur under the Proposed Project.

**Page 6-35** Table 6-4 on this page has been changed on the line for Impact BT-2 as follows in response to comment H-36 (This was a typographical error is being edited to be consistent with the text of the impact conclusions in the Draft EIR in Section 4.5, Biological Resources: Terrestrial on pages 4.5-61, 4.5-91 and 4.5-92 and the text of the comparative alternatives analysis on Page 6-34 describing the table):

**Table 6-4**

### Summary of Significant Impacts of Product Water Conveyance Options: RUWAP and Coastal (including Pipelines and Booster Pump Stations)

| Impact Title                                                                                                                                                                                                                                              | Coastal Alignment Option | RUWAP Alignment Option |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------|
| AE-4: Operation Impacts due to Permanent Light and Glare<br><br><i>Note: this impact is specific to the Booster Pump Station components of the Product Water Conveyance system. The pipelines would not result in any new sources of light and glare.</i> | LSM                      | LSM                    |
| BT-1: Construction Impacts to Special-Status Species and Habitat                                                                                                                                                                                          | LSM                      | LSM                    |
| BT-2: Construction Impacts to Riparian, Federally Protected Wetlands as defined by Section 404 of the Clean Water Act, or Other Sensitive Natural Community                                                                                               | <del>LS</del> LSM        | <del>LS</del> LSM      |

**Page 6-41** The row for Impact BT-2 in Table 6-5 has been changed as shown on the following page and a footnote has been added based on a biological survey of the Alternative Monterey Pipeline alignment, as applicable to the Proposed Project, by DD&A (DD&A, 2014).

**Table 6-5 Revised**  
**CalAm Distribution Pipeline Alignment Alternatives Overview**

| Impact Title<br><br>(NOTE: Where the Proposed CalAm Distribution System would result in no impacts or less than significant impacts, such impacts have not been included in this table if they would be the same for the CalAm Distribution System: Monterey and Transfer Pipeline Alternatives.)                                                                                                                               | PROPOSED<br>CalAm Distribution System |                   |                                                                                                                                                                                                                                                                                               | ALTERNATIVES<br>CalAm Distribution System: Transfer and Monterey Pipelines |                                                                  |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|------------------------------------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                 | Transfer Pipeline                     | Monterey Pipeline | Mitigation Measures                                                                                                                                                                                                                                                                           | Alternative Transfer Pipeline                                              | Change to impact significance and mitigation measures applicable | Alternative (GWR) Monterey Pipeline | Change to impact significance and mitigation measures applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>KEY TO ACRONYMS:</b> SU = Significant Unavoidable Impact even with Mitigation; LSM = Significant Without Mitigation / Less-than-Significant with Mitigation; LS = Less-than-Significant Impact<br>“+” Greater = Impact is greater compared to project impact. “—” Reduced = Impact is reduced compared to project impact. If neither “—” nor “+” is shown, the impact is the same or similar compared to the project impact. |                                       |                   |                                                                                                                                                                                                                                                                                               |                                                                            |                                                                  |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| AE-2: Construction Impacts due to Temporary Light and Glare                                                                                                                                                                                                                                                                                                                                                                     | NI                                    | LSM               | AE-2: Minimize Construction Nighttime Lighting. (Applies to the Monterey Pipeline)                                                                                                                                                                                                            | NI                                                                         | Same / No mitigation required                                    | LSM                                 | The Alternative Monterey Pipeline would not avoid or reduce the impact to a less-than-significant level compared to the Proposed Project because nighttime lighting would still be potentially used during construction of for the Alternative Monterey Pipeline. Mitigation would be required for the Proposed Project and Alternative Monterey Pipeline.<br><br><b>Mitigation Measure AE-2</b> would be required for the Proposed Project and Alternative.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| BT-1: Construction Impacts to Special-Status Species and Habitat                                                                                                                                                                                                                                                                                                                                                                | NI                                    | LSM               | BT-1a, BT-1b, BT-1c, BT-1d, BT-1e, BT-1g, BT-1h, BT-1k, BT-1l, BT-1m, BT-1n, and BT-1o. See complete text in Table S-1. (Applies to Monterey Pipeline, only)                                                                                                                                  | NI                                                                         | Same / No mitigation required                                    | LS —                                | The Alternative Monterey Pipeline would reduce the project impact to special status during construction to a less-than-significant level because the pipeline would be entirely with roadway rights of way.<br><br><b>Mitigation Measures:</b> None Required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| BT-2: Construction Impacts to Sensitive Habitats, including Riparian, Federally Protected Wetlands as defined by Section 404 of the Clean Water Act, or Other Sensitive Natural Community.                                                                                                                                                                                                                                      | NI                                    | LSM               | BT-2a: Avoidance and Minimization of Impacts to Riparian Habitat and Wetland Habitats. <del>Implement Construction Best Management Practices.</del> (Applies to both)<br><br>BT-2b: Avoidance and Minimization of Impacts to Central Dune Scrub Habitat. (Applies to Monterey Pipeline, only) | NI                                                                         |                                                                  | LSM<br>LS —                         | The Alternative Monterey Pipeline would reduce the project impact to sensitive habitats during construction to a less-than-significant level because the pipeline would be entirely with roadway rights of way.<br><b>Mitigation Measures:</b> None Required<br>The Alternative Monterey Pipeline would not avoid or reduce the impact to a less-than-significant level. Although the Alternative Monterey Pipeline would traverse different areas and different types of habitats than the Proposed Transfer and Monterey Pipeline, the construction-related impacts would be similar to those of the Proposed Transfer and Monterey Pipelines would have the same level of impact significance as the Proposed Project alignment; however, where different resources would be adversely affected, different mitigation measures would apply.<br><b>Mitigation Measure BT-2a and BT-2b</b> would be required for the Proposed and Alternative Monterey Pipeline, although a different Mitigation BT-2b would be required. <sup>10</sup>                                               |
| BT-6: Operational Impacts to Sensitive Habitats, including Riparian, federally protected wetlands as defined by Section 404 of the Clean Water Act, or Other Sensitive Natural Community.                                                                                                                                                                                                                                       | NI                                    | LSM               | BT-6: Implementation of Mitigation Measure BT-1a for Avoidance and Minimization of Operational Impacts to Sensitive Habitat (Applies to Monterey Pipeline, only)                                                                                                                              | NI                                                                         | Same / No mitigation required                                    | NI—                                 | The Alternative Monterey Pipeline would avoid the significant impact on sensitive habitats (Coastal Dune Scrub and Monarch Butterflies).<br><br><b>Mitigation Measures:</b> None Required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| CR-1: Construction Impacts on Historical Resources                                                                                                                                                                                                                                                                                                                                                                              | NI                                    | LSM               | CR-1: Avoidance and Vibration Monitoring for Pipeline Installation in the Presidio of Monterey Historic District, and Downtown Monterey. (Applies to Monterey Pipeline, only)                                                                                                                 | NI                                                                         | Same / No mitigation required                                    | LSM+                                | Project impacts to historical resources would be similar with the Alternative Monterey Pipeline as with the Proposed Transfer and Monterey Pipeline. Construction of the Alternative Monterey Pipeline could impact the entrance monument at the Presidio of Monterey, a significant impact that would be reduced to less than significant with Mitigation Measure CR-1. The Alternative Monterey Pipeline would pass adjacent to the Spanish Royal Presidio and through the Monterey Old Town National Historic Landmark District, adjacent to the Stokes Adobe, the Gabriel de la Torre Adobe, the Fremont Adobe, Colton Hall, and Friendly Plaza. Although those potentially impacted resources would be different historical resources than the Proposed Monterey Pipeline would potentially impact, the severity of impacts on any one would be similar with implementation of the Proposed or Alternative Monterey Pipeline. The Alternative Monterey Pipeline would also extend through the Presidio of Monterey Historic District along Stillwell Avenue. Potential direct and |

<sup>10</sup> For the Alternative Monterey Pipeline, Mitigation Measures BT-2a and BT-2b are not applicable. See Denise Duffy & Associates, Inc. memorandum dated November 24, 2014 (DD&A, 2014).

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## CHANGES TO CHAPTER 7, LIST OF PREPARERS

**Page 7-1** The following has been added to Title: List of Preparers and Persons Consulted

**Page 7-3** The heading “Schaaf & Wheeler\*” and text under the heading has been amended as follows.

***Schaaf and Wheeler Consulting Civil Engineers\****

- Andrew Sterbenz, P.E., Project Engineer
- Josh Tabije, Assistant Engineer
- Andrew Racz, Junior Engineer
- ~~Separation Processes, Inc.~~

***Separation Processes, Inc.***

- Alex Wesner, P.E., Project Manager
- Brad Reisinger, Project Engineer (since publication of the Draft EIR, Mr. Reisinger has now moved to Hazen Sawyer)

**Page 7-3** The following new subheading and list have been added at the end of this page/chapter:

### 7.5 Persons Consulted

In addition to all of the above individuals, the following additional persons were consulted in the preparation of this EIR:

- Kashkoli, Ahmad, Senior Environmental Scientist, *Division of Financial Assistance, State Water Resources Control Board*
- Clymo, Amy, Supervising Planner, *Monterey Bay Unified Air Pollution Control District*
- Riedl, Rick, Engineer, *City of Seaside*
- Scholze, Gary, Archaeologist, *Division of Financial Assistance, State Water Resources Control Board*
- Stewart, Susan, Environmental Scientist, *Division of Financial Assistance, State Water Resources Control Board*
- True, Brian, Capital Improvement Projects Engineer, *Marina Coast Water District*
- Watson, Fred, Associate Professor, *Division of Science and Environmental Policy California State University Monterey Bay*
- White, Kelly, and Zigas, Eric, Project Managers for the MPWSP Draft EIR, *Environmental Science Associates, Inc.*

## CHANGES TO THE APPENDICES

The following appendices from the Draft EIR have been changed as identified in this section. If an appendix from the Draft EIR is not listed below, the Draft EIR version has remained the same. In addition, new appendices AA through EE have been added to the EIR and they are listed in this section below the changes to the Draft EIR appendices and included at the end of this Final EIR.

**Appendix B** of the Draft EIR has been replaced with **Appendix B-Revised** attached to this Final EIR in response to comments H-51, Q-2, S-5, S-6, S-9, T-4, T-5, and T-6.

**Appendix C** of the Draft EIR has been replaced with **Appendix C-Revised** attached to this Final EIR in response to comment C-2, C-3, C-4, and letter H.

**Appendix F** has been modified as follows in response to comments M-27 and M-28:

- Page 8, Fourth sentence has been edited as follows:  
 The Monterey County Water Resources Agency intervenes in the breaching of Salinas Lagoon as needed to prevent flooding of nearby properties ~~each year~~ by using equipment to either cause or assist the breach (Casagrande et al. 2003)
- Page 9, the second sentence under the heading “3.0.1.4 San Antonio River” has been edited as follows:  
 The San Antonio River is regulated by the San Antonio Dam (RM 5), which impounds ~~350,000~~ 335,000 acre-feet ...

**Appendix H** of the Draft EIR has been modified to include an updated Table A in Attachment 3 that is provided on the following pages.

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| Species                                                              | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Potential Occurrence within Project Study Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>MAMMALS</b>                                                       |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <i>Antrozous pallidus</i><br>Pallid bat                              | --/<br>SSC/<br>--                   | Occurs in a wide variety of habitats including grasslands, shrublands, arid desert areas, oak savanna, coastal forested areas, and coniferous forests of the mountain regions of California. Most common in open, dry habitats with rocky areas for roosting. Day roosts include caves, crevices, mines, and occasionally hollow trees and buildings. Seems to prefer rocky outcrops, cliffs, and crevices with access to open habitats for foraging. Similar structures are used for night roosting and will also use more open sites such as eaves, awnings, and open areas under bridges for feeding roosts. | <b>Moderate:</b> The pallid bat may roost in trees within the Project Study Area, most likely coast live oak trees and riparian forest, and may forage over non-native grasslands, central coastal scrub, and central maritime chaparral habitats. Therefore, it may occur at the Salinas Treatment Facility site, Blanco Drain site, Product Water Conveyance: RUWAP and Coastal alignment options, Injection Well Facilities site, CalAm Distribution System: Monterey Pipeline, and the three Affected Reaches. However, project components contain little to no habitat to support day roosts.                                                                                                 |
| <i>Dipodomys venustus venustus</i><br>Santa Cruz kangaroo rat        | --/<br>CNDDB/<br>--                 | Common permanent residents of chaparral and foothill woodland habitats within the Santa Cruz Mountains from 0-1799 meters. Use well-drained loam or sandy loam soils for burrowing. Burrows are typically shallow (2-20 inches below the surface) and simple with a main chamber and few escape chambers.                                                                                                                                                                                                                                                                                                       | <b>Unlikely:</b> Project Study Area is not located with the Santa Cruz Mountains.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <i>Lasiurus cinereus</i><br>Hoary bat                                | --/<br>CNDDB/<br>--                 | Prefers open habitats or habitat mosaics with access to trees for cover and open areas or edge for feeding. Generally roost in dense foliage of trees.                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>High:</b> The hoary bat may roost in within the Project Study Area, most likely coast live oak trees and riparian forest, and may forage over the open habitats, including non-native grasslands, central coastal scrub, and central maritime chaparral habitats. Therefore, it may occur at the Product Water Conveyance: RUWAP and Coastal alignment options, Injection Well Facilities site, and the three Affected Reaches. There is a high potential for hoary bat to forage and roost within these habitats, but maternity roosts are unlikely to occur.                                                                                                                                  |
| <i>Neotoma macrotis luciana</i><br>Monterey dusky-footed woodrat     | --/<br>SSC/<br>--                   | Forest and oak woodland habitats of moderate canopy with moderate to dense understory. Also occurs in chaparral habitats.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>High:</b> Suitable habitat is present within the oak woodland, coastal scrub, and maritime chaparral habitats within the Project Study Area. Woodrat nests were observed during surveys in 2014 within the Injection Well Facilities site. Suitable habitat occurs within the Salinas Treatment Facility site, Blanco Drain Diversion site, along the Product Water Conveyance: RUWAP and Coastal alignment options, Injection Well Facilities site, CalAm Distribution System: Monterey Pipeline, and the three Affected Reaches. The riparian habitat at Roberts Lake and Locke Paddon Lake is likely not dense enough to provide woodrat habitat and the species is unlikely to occur there. |
| <i>Reithrodontomys megalotis distichlis</i><br>Salinas harvest mouse | --/<br>CNDDB/<br>--                 | Known only to occur from the Monterey Bay region. Occurs in fresh and brackish water wetlands, and probably in the adjacent uplands around the mouth of the Salinas River.                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Moderate:</b> Three CNDDB occurrences of this species are recorded within the Project Study Area, near Seaside Marina, and Armstrong Ranch. Suitable habitat present at the Salinas Treatment Facility site, Blanco Drain Diversion site, Lake El Estero, Locke Paddon Lake (Product Water Conveyance: Coastal alignment option) (included in CNDDB occurrence), Roberts Lake (adjacent to CNDDB occurrence) (CalAm Distribution System: Monterey Pipeline) & the Affected Reaches.                                                                                                                                                                                                             |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| <b>Species</b>                                         | <b>Status<br/>(USFWS/<br/>CDFW/<br/>CNPS)</b> | <b>General Habitat</b>                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Potential Occurrence within Project Study Area</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Sorex ornatus salarius</i><br>Monterey ornate shrew | --/<br>SSC/<br>--                             | Mostly moist or riparian woodland habitats, and within chaparral, grassland, and emergent wetland habitats where there is a thick duff or downed logs.                                                                                                                                                                                                                                                                                                               | <b>Moderate:</b> Suitable habitat is present within the Project Study Area along the Salinas River within the Salinas Treatment Facility and the Blanco Drain Diversion sites, Product Water Conveyance: RUWAP and Coastal alignment options, Injection Well Facilities site, CalAm Distribution System: Monterey Pipeline, and the three Affected Reaches. The CNDDDB does not report any occurrences within the 16 Quads analyzed; however, this species is known to occur within the vicinity of the Project Study Area (Bolster, 1998). |
| <i>Taxidea taxus</i><br>American badger                | --/<br>SSC/<br>--                             | Dry, open grasslands, fields, pastures savannas, and mountain meadows near timberline are preferred. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds.                                                                                                                                                                                                                                                | <b>High:</b> One CNDDDB occurrence of this species is recorded within the Project Study Area, near Seaside and Sand City. However, this is a historic occurrence and the area has since been developed. Suitable habitat within the Project Study Area is present within the non-native grassland habitat within the Product Water Conveyance: RUWAP and Coastal alignment options.                                                                                                                                                         |
| <b>BIRDS</b>                                           |                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <i>Accipiter cooperii</i><br>Cooper's hawk             | --/<br>WL/<br>--                              | Resident throughout most of the wooded portion of the state. Dense stands of live oak, riparian deciduous, or other forest habitats near water used most frequently. Seldom found in areas without dense tree stands, or patchy woodland habitats.                                                                                                                                                                                                                   | <b>Moderate:</b> Possible nesting and foraging habitat is present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Agelaius tricolor</i><br>Tricolored blackbird       | --/<br>SSC/<br>--                             | Nest in colonies in dense riparian vegetation, along rivers, lagoons, lakes, and ponds. Forages over grassland or aquatic habitats.                                                                                                                                                                                                                                                                                                                                  | <b>High:</b> The CNDDDB reports an occurrence of this species at Locke Paddon Lake.                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Aquila chrysaetos</i><br>Golden eagle               | --/<br>FP/<br>--                              | Use rolling foot-hills, mountain terrain, wide arid plateaus deeply cut by streams and canyons, open mountain slopes, cliffs, and rocky outcrops. Nest in secluded cliffs with overhanging ledges as well as large trees.                                                                                                                                                                                                                                            | <b>Low:</b> Foraging habitat is present within the Project Study Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <i>Asio flammeus</i><br>Short-eared owl                | --/<br>SSC/<br>--                             | Usually found in open areas with few trees, such as annual and perennial grasslands, prairies, meadows, dunes, irrigated lands, and saline and freshwater emergent marshes. Dense vegetation is required for roosting and nesting cover. This includes tall grasses, brush, ditches, and wetlands. Open, treeless areas containing elevated sites for perching, such as fence posts or small mounds, are also needed. Some individuals breed in northern California. | <b>Unlikely:</b> This species does not breed within Monterey County and only low quality overwintering habitat is present within the Project Study Area. The Project is unlikely to impact this species, as overwintering habitat is not typically protected.                                                                                                                                                                                                                                                                               |
| <i>Athene cunicularia</i><br>Burrowing owl             | --/<br>SSC/<br>--                             | Year round resident of open, dry grassland and desert habitats, and in grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. Frequent open grasslands and shrublands with perches and burrows. Use rodent burrows (often California ground squirrel) for roosting and nesting cover. Pipes, culverts, and nest boxes may be substituted for burrows in areas where burrows are not available.                                             | <b>High:</b> Three CNDDDB occurrences of this species are recorded within the Project Study Area. Suitable habitat for this species is present within the non-native grassland habitat along the Product Water Conveyance: RUWAP and Coastal alignment options. Additionally, this species may be present within the coastal dune scrub areas within the CalAm Distribution System: Monterey Pipeline, based on CNDDDB observations within the area and despite the lack of typical habitat for the species.                                |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| Species                                                                          | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Potential Occurrence within Project Study Area                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Brachyramphus marmoratus</i><br>Marbled murrelet<br>(nesting)                 | FT/<br>SE/<br>--                    | Occur year-round in marine subtidal and pelagic habitats from the Oregon border to Point Sal. Partial to coastlines with stands of mature redwood and Douglas-fir. Requires dense mature forests of redwood and/or Douglas-fir for breeding and nesting.                                                                                                                                                                                                                                   | <b>Unlikely:</b> No CNDDDB occurrences within quads searched. No habitat is present within the Project study area.                                                                                                                                                                                                                                                              |
| <i>Buteo regalis</i><br>Ferruginous hawk                                         | --/<br>CNDDDB/<br>--                | An uncommon winter resident and migrant at lower elevations and open grasslands in the Modoc Plateau, Central Valley, and Coast Ranges and a fairly common winter resident of grassland and agricultural areas in southwestern California. Frequent open grasslands, sagebrush flats, desert scrub, low foothills surrounding valleys, and fringes of pinyon-juniper habitats. Does not breed in California.                                                                               | <b>Low:</b> A CNDDDB occurrence of this species is recorded within the Project Study Area near Armstrong Ranch. However, this species does not breed in California and is, therefore, unlikely to be impacted by the Project.                                                                                                                                                   |
| <i>Charadrius alexandrius nivosus</i><br>Western snowy plover                    | FT/<br>SSC/<br>--                   | Sandy beaches on marine and estuarine shores, also salt pond levees and the shores of large alkali lakes. Requires sandy, gravelly or friable soil substrate for nesting.                                                                                                                                                                                                                                                                                                                  | <b>Unlikely:</b> Three CNDDDB occurrences are recorded within portions of the Project Study Area. No suitable habitat for this species is present within the Project Study Area. However, suitable habitat is present immediately adjacent to the Project Study Area at the southern end of Fort Ord, near the Highway One Fremont Street Exit in Seaside (Seaside occurrence). |
| <i>Cypseloides niger</i><br>Black swift                                          | --/<br>SSC/<br>--                   | Regularly nests in moist crevices or caves on sea cliffs above the surf, or on cliffs behind or adjacent to waterfalls in deep canyons. Forages widely over many habitats.                                                                                                                                                                                                                                                                                                                 | <b>Unlikely:</b> No suitable habitat present within the Project Study Area. The nearest CNDDDB occurrence is approximately five miles from the Project Study Area.                                                                                                                                                                                                              |
| <i>Elanus leucurus</i><br>White-tailed kite                                      | --/<br>FP/<br>--                    | Open groves, river valleys, marshes, and grasslands. Prefer such area with low roosts (fences etc.). Nest in shrubs and trees adjacent to grasslands.                                                                                                                                                                                                                                                                                                                                      | <b>High:</b> Appropriate nesting and foraging habitat present within the Project Study Area, particularly within the vicinity of Armstrong Ranch. The nearest CNDDDB occurrence is approximately seven miles from the Project Study Area; however, an occurrence is also known within Armstrong Ranch, immediately adjacent to the Project Study Area.                          |
| <i>Empidonax traillii eximius</i><br>Southwestern willow flycatcher<br>(nesting) | FE/<br>SE/<br>--                    | Breeds in riparian habitat in areas ranging in elevation from sea level to over 2,600 meters. Builds nest in trees in densely vegetated areas. This species establishes nesting territories and builds, and forages in mosaics of relatively dense and expansive areas of trees and shrubs, near or adjacent to surface water or underlain by saturated soils. Not typically found nesting in areas without willows ( <i>Salix</i> sp.), tamarisk ( <i>Tamarix ramosissima</i> ), or both. | <b>Unlikely:</b> No CNDDDB occurrences within quads searched. Habitat is present within the Project Study Area. This species has a low potential for occurrence as no breeding pairs have been seen in recent decades and the species is unlikely to reoccupy this area until brown-headed cowbirds, which parasitize the nest of other species, are heavily controlled.        |
| <i>Eremophila alpestris actia</i><br>California horned lark                      | --/<br>WL/<br>--                    | Variety of open habitats, usually where large trees and/or shrubs are absent. Found from grasslands along the coast to deserts at sea-level and alpine dwarf-shrub habitats are higher elevations. Builds open cup-like nests on the ground.                                                                                                                                                                                                                                               | <b>High:</b> A CNDDDB occurrence of this species is recorded within the Project Study Area near Armstrong Ranch in Marina. Suitable habitat is present within the Project Study Area within the non-native grassland habitat at the Product Water Conveyance: RUWAP and Coastal alignment options.                                                                              |
| <i>Falco mexicanus</i><br>Prairie falcon                                         | --/<br>WL/<br>--                    | Associated primarily with perennial grasslands, savannahs, rangeland, some agricultural fields, and desert scrub areas. Uses open terrain for foraging; nests in open terrain with canyons, cliffs, escarpments, and rock outcrops.                                                                                                                                                                                                                                                        | <b>Low:</b> May forage within Project Study Area, near Armstrong Ranch. No suitable nesting habitat is present within the Project Study Area and is, therefore, unlikely to be impacted by the Project. The nearest CNDDDB occurrence is within the Spreckels Quad (exact occurrence location information not available).                                                       |



**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| Species                                                                   | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                                                                                                                               | Potential Occurrence within Project Study Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Oceanodroma homochroa</i><br>Ashy storm petrel                         | --/<br>SSC/<br>--                   | Tied to land only to nest, otherwise remains over open sea. Nests in natural cavities, sea caves, or rock crevices on offshore islands and prominent peninsulas of the mainland.                                                                                                                                                                                              | <b>Unlikely:</b> No suitable habitat present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Pelecanus occidentalis californicus</i><br>California brown pelican    | FD/<br>SD,FP/<br>--                 | Found in estuarine, marine subtidal, and marine pelagic waters along the California coast. Usually rests on water or inaccessible rocks, but also uses mudflats, sandy beaches, wharfs, and jetties.                                                                                                                                                                          | <b>Unlikely:</b> Only low quality habitat is present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <i>Rallus longirostris obsoletus</i><br>California clapper rail           | FE/<br>SE,FP/<br>--                 | Occur within a range of salt and brackish marshes.                                                                                                                                                                                                                                                                                                                            | <b>Unlikely:</b> Only low quality habitat is present within the Project Study Area. This species is now likely restricted to the San Francisco Bay area. Occurrences have been recorded at Elkhorn Slough; however, this species has not been observed there since the 1980s.                                                                                                                                                                                                                                                                                                                                          |
| <i>Riparia riparia</i><br>Bank swallow                                    | --/<br>ST/<br>--                    | Nest colonially in sand banks. Found near water; fields, marshes, streams, and lakes.                                                                                                                                                                                                                                                                                         | <b>Unlikely:</b> No suitable habitat present within the Project Study Area. The nearest CNDDDB occurrence is approximately 3 miles from the Project Study Area. An occurrence of this species was also reported by California State Parks in 2008 on Fort Ord, approximately 2,000 feet from the Product Water Conveyance: Coastal alignment option.                                                                                                                                                                                                                                                                   |
| <i>Sterna antillarum browni</i><br>California least tern (nesting colony) | FE /<br>SE,CFP/<br>--               | Sea beaches, bays; large rivers, bars.                                                                                                                                                                                                                                                                                                                                        | <b>Unlikely:</b> No CNDDDB occurrences within quads searched. No habitat is present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>Vireo bellii pusillus</i><br>Least Bell's vireo                        | FE/<br>SE/<br>--                    | Riparian habitats. Breed in willow riparian forest supporting a dense, shrubby understory. Oak woodland with a willow riparian understory is also used in some areas, and individuals sometimes enter adjacent chaparral, coastal sage scrub, or desert scrub habitats to forage.                                                                                             | <b>Unlikely:</b> Only low quality habitat is present within the Project Study Area; considered extirpated in northern Monterey County.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>REPTILES AND AMPHIBIANS</b>                                            |                                     |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>Ambystoma californiense</i><br>California tiger salamander             | FT/<br>ST/<br>--                    | Annual grassland and grassy understory of valley-foothill hardwood habitats in central and northern California. Need underground refuges and vernal pools or other seasonal water sources.                                                                                                                                                                                    | <b>Unlikely:</b> No breeding habitat is present within the Project Study Area. Several breeding locations are known within Fort Ord; however, all of these are located 2.0 miles or greater from the Project Study Area, outside of the known dispersal range for this species. A tiger salamander breeding site is also known within Armstrong Ranch, approximately 300 feet from the Project Study Area, and suitable upland habitat is present within the Project Study Area in this area. However, it was determined through genetic testing that the tiger salamander population at this location was non-native. |
| <i>Ambystoma macrodactylum croceum</i><br>Santa Cruz long-toed salamander | FE/<br>SE/<br>--                    | Preferred habitats include ponderosa pine, montane hardwood-conifer, mixed conifer, montane riparian, red fir, and wet meadows. This is an isolated subspecies which occurs in a small number of localities in Santa Cruz and Monterey Counties. Adults spend the majority of the time in underground burrows and beneath objects. Larvae prefer shallow water with clumps of | <b>Unlikely:</b> No breeding habitat is present on the Project Study Area. The nearest CNDDDB occurrence is approximately five miles Project Study Area, outside of the potential dispersal range for this species.                                                                                                                                                                                                                                                                                                                                                                                                    |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| Species                                                                                                                                 | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                                                                                                   | Potential Occurrence within Project Study Area                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                         |                                     | vegetation.                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>Anniella pulchra</i><br>California legless lizard<br>(includes <i>A. p. nigra</i> and <i>A. p. pulchra</i> as recognized by the DFG) | --/<br>SSC/<br>--                   | Requires moist, warm habitats with loose soil for burrowing and prostrate plant cover, often forages in leaf litter at plant bases; may be found on beaches, sandy washes, and in woodland, chaparral, and riparian areas.                                                                                                                        | <b>High:</b> Suitable habitat present within any of the undeveloped areas of the Project Study Area. The CNDDDB reports occurrences within six of the 16 Quads analyzed. Additionally, a specific occurrence is reported within the Project Study Area in Marina, near the Fort Ord Natural Reserve (FONR).                                                                                                                         |
| <i>Emys marmorata</i><br>Western pond turtle                                                                                            | --/<br>SSC/<br>--                   | Associated with permanent or nearly permanent water in a wide variety of habitats including streams, lakes, ponds, irrigation ditches, etc. Require basking sites such as partially submerged logs, rocks, mats of vegetation, or open banks.                                                                                                     | <b>High:</b> Suitable habitat is present within the Project Study Area near Locke Paddon Lake and Robert's Lake. The nearest CNDDDB occurrence is less than 100 feet from the Project Study Area.                                                                                                                                                                                                                                   |
| <i>Phrynosoma blainvillii</i><br>Coast horned lizard                                                                                    | --/<br>SSC/<br>--                   | Associated with open patches of sandy soils in washes, chaparral, scrub, and grasslands.                                                                                                                                                                                                                                                          | <b>High:</b> Two CNDDDB occurrences of this species are recorded within the Project Study Area near Armstrong Ranch. Suitable habitat for this species is present within the Project Study Area of the Product Water Conveyance: RUWAP and Coastal alignment options, Injection Well Facilities site, CalAm Distribution System: Monterey Pipeline, Reclamation Ditch Affected Reach, and Old Salinas River Channel Affected Reach. |
| <i>Rana boylei</i><br>Foothill yellow-legged frog                                                                                       | --/<br>SSC/<br>--                   | Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats, including hardwood, pine, and riparian forests, scrub, chaparral, and wet meadows. Rarely encountered far from permanent water.                                                                                                                       | <b>Unlikely:</b> No habitat is present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                               |
| <i>Rana draytonii</i><br>California red-legged frog                                                                                     | FT/<br>SSC/<br>--                   | Lowlands and foothills in or near permanent or late-season sources of deep water with dense, shrubby, or emergent riparian vegetation. During late summer or fall adults are known to utilize a variety of upland habitats with leaf litter or mammal burrows.                                                                                    | <b>High:</b> The nearest CNDDDB occurrence is located approximately one mile from the Project Study Area along the Salinas River. CRLF were observed breeding at this location in 2009. Appropriate breeding habitat also includes Roberts Lake and Locke Paddon Lake; although these resources are likely outside of the dispersal range for CRLF.                                                                                 |
| <i>Taricha torosa</i><br>Coast Range newt                                                                                               | --/<br>SSC/<br>--                   | Occurs mainly in valley-foothill hardwood, valley-foothill hardwood-conifer, coastal scrub, and mixed chaparral but is known to occur in grasslands and mixed conifer types. Seek cover under rocks and logs, in mammal burrows, rock fissures, or man-made structures such as wells. Breed in intermittent ponds, streams, lakes, and reservoir. | <b>Moderate:</b> Aestivation habitat is present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                      |
| <i>Thamnophis hammondi</i><br>Two-striped garter snake                                                                                  | --/<br>SSC/<br>--                   | Associated with permanent or semi-permanent bodies of water bordered by dense vegetation in a variety of habitats from sea level to 2400m elevation.                                                                                                                                                                                              | <b>Moderate:</b> Suitable habitat is present within the Project Study Area near Locke Paddon Lake and Roberts Lake. The nearest CNDDDB occurrence is approximately 10 miles from the Project Study Area.                                                                                                                                                                                                                            |
| <b>INVERTEBRATES</b>                                                                                                                    |                                     |                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <i>Branchinecta lynchi</i><br>Vernal pool fairy                                                                                         | FT/<br>--/<br>--                    | Require ephemeral pools with no flow. Associated with vernal pool/grasslands from near Red Bluff (Shasta County), through the central valley, and into the South Coast Mountains Region.                                                                                                                                                          | <b>Unlikely:</b> No CNDDDB occurrences within quads searched. California fairy shrimp ( <i>Linderella occidentalis</i> ) known to occur in vernal pools in the vicinity of the Project Study Area, but no vernal pool fairy shrimp                                                                                                                                                                                                  |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| Species                                                                 | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                                                                                                                                 | Potential Occurrence within Project Study Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| shrimp                                                                  |                                     | Require ephemeral pools with no flow.                                                                                                                                                                                                                                                                                                                                           | have been identified. No habitat is present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Cicindela ohlone</i><br>Ohlone tiger beetle                          | FE/<br>CNDDDB/<br>--                | Coastal terraces with remnant stands of open native grassland with clay or sandy soils. Hunt, breed, and dig small vertical burrows along sunny single-track trails and dirt roads (maintained by cattle, hikers, etc.) in coast terrace meadows that still support native grasses. Current range from the City of Scotts Valley to the eastern edge of the City of Santa Cruz. | <b>Unlikely:</b> Project Study Area is outside of the known current range.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Coelus globosus</i><br>Globose dune beetle                           | --/<br>CNDDDB/<br>--                | Coastal dunes. These beetles are primarily subterranean, tunneling through sand underneath dune vegetation.                                                                                                                                                                                                                                                                     | <b>Unlikely:</b> Suitable habitat is present within the foredune habitat adjacent to the Project Study Area. The nearest CNDDDB occurrence is approximately 1,000 feet from the Project Study Area, near the Highway 1 Fremont Street Exit in Seaside. This species is restricted to the foredunes within 100 feet of the wave wash zone. It has not been collected from Monterey beaches for many years, and may have been extirpated in the Project vicinity (Doyen, 1976).                                                                                                                      |
| <i>Danaus plexippus</i><br>Monarch butterfly                            | --/<br>CNDDDB/<br>--                | Overwinters in coastal California using colonial roosts generally found in Eucalyptus, pine, and acacia trees. Overwintering habitat for this species within the Coastal Zone represents ESHA. Local ordinances often protect this species as well.                                                                                                                             | <b>High:</b> A CNDDDB occurrence of this species is reported within the Project Study Area, located within the Eucalyptus grove across from the Naval Post-graduate School in Monterey along the CalAm Distribution System: Monterey Pipeline.                                                                                                                                                                                                                                                                                                                                                     |
| <i>Euphilotes enoptes smithi</i><br>Smith's blue butterfly              | FE/<br>CNDDDB/<br>--                | Most commonly associated with coastal dunes and coastal sage scrub plant communities in Monterey and Santa Cruz Counties. Plant hosts are <i>Eriogonum latifolium</i> and <i>E. parvifolium</i> .                                                                                                                                                                               | <b>High:</b> The CNDDDB reports an occurrence of this species that ranges from Seaside to Monterey and includes portions of the Project Study Area. The host plants for this species were identified within the Project Study Area, near Fort Ord Dunes State Park (Product Water Conveyance: Coastal alignment option) and Window on the Bay Waterfront Park (CalAm Distribution System: Monterey Pipeline). In addition, the coastal scrub and coastal dune scrub habitats within the Reclamation Ditch Affected Reach and Old Salinas Channel Affected Reach may support obligate host species. |
| <i>Helminthoglypta sequoicola consors</i><br>Redwood shoulderband snail | --/<br>CNDDDB/<br>--                | Known only from the south slope of San Juan grade, near foot, 8 miles northwest of Salinas.                                                                                                                                                                                                                                                                                     | <b>Unlikely:</b> The only known occurrence of this species is not in the vicinity of the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <i>Linderiella occidentalis</i><br>California linderiella               | --/<br>CNDDDB/<br>--                | Ephemeral ponds with no flow. Generally associated with hardpans.                                                                                                                                                                                                                                                                                                               | <b>Unlikely:</b> No suitable habitat present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <i>Optioservus canus</i><br>Pinnacles optioservus riffle beetle         | --/<br>CNDDDB/<br>--                | Species of this genus generally prefer gravelly or rocky streams and some often occur on moss covered rocks. Both adults and larvae crawl on rocks and gravel mostly in riffle areas.                                                                                                                                                                                           | <b>Unlikely:</b> No suitable habitat present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| Species                                                                       | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                                                                               | Potential Occurrence within Project Study Area                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <i>Trimerotropis infantilis</i><br>Zayante band-winged grasshopper            | FE/<br>CNDDDB/<br>--                | Open sandy areas with sparse, low annual and perennial herbs on high ridges with sparse ponderosa pine. Often occurs with Ben Lomond wallflower. Restricted to sand parkland habitat found on ridges and hills within the Zayante sandhills habitat in Santa Cruz County. Flight season extends from late May through August. | <b>Unlikely:</b> No suitable habitat present within the Project Study Area.                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <i>Tryonia imitator</i><br>Mimic tryonia<br>(=California brackishwater snail) | --/<br>CNDDDB/<br>--                | Inhabits coastal lagoons, estuaries and salt marshes. Found only in permanently submerged areas in a variety of sediment types. Tolerant of a wide range of salinities.                                                                                                                                                       | <b>Low:</b> Marginal habitat is present within Roberts Lake and the Old Salinas River Channel. There are no occurrences known for Roberts Lake and the habitat present is marginal. A historic CNDDDB occurrence is present within the Affected Reaches Project Study Area in the Old Salinas River Channel; however, this occurrence is from 1981 and presence at this location is listed as extirpated. The nearest modern CNDDDB occurrence is approximately 0.5 miles from the Project Study Area within Elkhorn Slough. |
| <b>PLANTS</b>                                                                 |                                     |                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <i>Agrostis lacunavernalis</i><br>Vernal pool bent grass                      | --/<br>CNDDDB /<br>1B               | Vernal pool mima mounds at elevations of 115-145 meters. Annual herb in the Poaceae family; blooms April-May. Known only from Butterfly Valley and Machine Gun Flats of Ft. Ord National Monument.                                                                                                                            | <b>Unlikely:</b> No suitable habitat present within the Project Study Area and not identified during focused botanical surveys in 2014.                                                                                                                                                                                                                                                                                                                                                                                      |
| <i>Allium hickmanii</i><br>Hickman's onion                                    | --/<br>CNDDDB/<br>1B                | Closed-cone coniferous forests, maritime chaparral, coastal prairie, coastal scrub, and valley and foothill grasslands at elevations of 5-200 meters. Bulbiferous herb in the Alliaceae family; blooms March-May.                                                                                                             | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <i>Arctostaphylos andersonii</i><br>Anderson's manzanita                      | --/<br>CNDDDB /<br>1B               | Openings and edges of broadleaved upland forest, chaparral, and north coast coniferous forest at elevations of 60-760 meters. Evergreen shrub in the Ericaceae family; blooms November-May.                                                                                                                                   | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <i>Arctostaphylos edmundsii</i><br>Little Sur manzanita                       | --/<br>CNDDDB/<br>1B                | Coastal bluff scrub and chaparral on sandy soils at elevations of 30-105 meters. Evergreen shrub in the Ericaceae family; blooms November-April.                                                                                                                                                                              | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i><br>Hooker's manzanita       | --/<br>CNDDDB /<br>1B               | Closed-cone coniferous forest, chaparral, cismontane woodland, and coastal scrub on sandy soils at elevations of 85-536 meters. Evergreen shrub in the Ericaceae family; blooms January-June.                                                                                                                                 | <b>Present:</b> Observed near CSUMB and the Naval Post-Graduate School in the City of Monterey during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                                                                     |
| <i>Arctostaphylos montereyensis</i><br>Toro manzanita                         | --/<br>CNDDDB<br>1B                 | Maritime chaparral, cismontane woodland, and coastal scrub on sandy soils at elevations of 30-730 meters. Evergreen shrub in the Ericaceae family; blooms February-March.                                                                                                                                                     | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <i>Arctostaphylos pajaroensis</i><br>Pajaro manzanita                         | --/<br>CNDDDB<br>1B                 | Chaparral on sandy soils at elevations of 30-760 meters. Evergreen shrub in the Ericaceae family; blooms December-March.                                                                                                                                                                                                      | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <i>Arctostaphylos pumila</i>                                                  | --/<br>CNDDDB                       | Closed-cone coniferous forests, maritime chaparral, cismontane woodland, coastal dunes, and coastal scrub on sandy soils at                                                                                                                                                                                                   | <b>Present:</b> Observed throughout Fort Ord Dunes State Park (Product Water Conveyance: Coastal alignment option), and near California                                                                                                                                                                                                                                                                                                                                                                                      |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| <b>Species</b>                                                        | <b>Status<br/>(USFWS/<br/>CDFW/<br/>CNPS)</b> | <b>General Habitat</b>                                                                                                                                                                                                                                                                                                  | <b>Potential Occurrence within Project Study Area</b>                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Sandmat manzanita                                                     | 1B                                            | elevations of 3-205 meters. Evergreen shrub in the Ericaceae family; blooms February-May.                                                                                                                                                                                                                               | State University at Monterey Bay (CSUMB) (Product Water Conveyance: RUWAP alignment option) during focused botanical surveys in 2014.                                                                                                                                                                                                                   |
| <i>Arenaria paludicola</i><br>Marsh sandwort                          | FE/<br>SE/<br>1B                              | Known from only two natural occurrences in Black Lake Canyon and at Oso Flaco Lake. Sandy openings of freshwater of brackish marshes and swamps at elevations of 3-170 meters. Stoloniferous perennial herb in the Caryophyllaceae family; blooms May-August.                                                           | <b>Unlikely:</b> No CNDDDB occurrences within quads searched. Suitable habitat is present within the Project Study Area; however, the Project Study Area is not located near the only two occurrences of this species.                                                                                                                                  |
| <i>Artcostaphylos regismontana</i><br>Kings mountain manzanita        | --/<br>CNDDDB/<br>1B                          | Broadleaved upland forest, chaparral, and north coast coniferous forest on granitic or sandstone soils at elevations between 305-730 meters. Evergreen shrub in the Ericaceae family; blooms January-April                                                                                                              | <b>Unlikely:</b> Project Study Area is outside of the species elevation range.                                                                                                                                                                                                                                                                          |
| <i>Astragalus tener</i> var. <i>tener</i><br>Alkali milk-vetch        | --/<br>CNDDDB/<br>1B                          | Playas, valley and foothill grassland on adobe clay, and vernal pools on alkaline soils at elevations of 1-60 meters. Annual herb in the Fabaceae family; blooms March-June.                                                                                                                                            | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                            |
| <i>Astragalus tener</i> var. <i>titi</i><br>Coastal dunes milk-vetch  | FE/<br>SE/<br>1B                              | Coastal bluff scrub on sandy soils, coastal dunes, and mesic areas of coastal prairie at elevations of 1-50 meters. Annual herb in the Fabaceae family; blooms March-May.                                                                                                                                               | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                            |
| <i>Bryoria spiralifera</i><br>Twisted horsehair lichen                | --/<br>CNDDDB/<br>1B                          | California North Coast coniferous forest at an elevation of 0 – 30 meters. Often found on conifers, including <i>Picea sitchensis</i> , <i>Pinus contorta</i> var. <i>contorta</i> , <i>Pseudotsuga menziesii</i> , <i>Abies grandis</i> , and <i>Tsuga heterophylla</i> . Fruticose lichen in the Parmeliaceae family. | <b>Unlikely:</b> No suitable habitat present within the Project Study Area.                                                                                                                                                                                                                                                                             |
| <i>California macrophylla</i><br>Round-leaved filaree                 | --/<br>CNDDDB/<br>1B                          | Cismontane woodland and valley and foothill grassland on clay soils at elevations of 15-1200 meters. Annual herb in the Geraniaceae family; blooms March-May.                                                                                                                                                           | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                            |
| <i>Castilleja ambigua</i> var. <i>insalutata</i><br>Pink Johnny-nip   | --/<br>CNDDDB/<br>1B                          | Coastal prairie and coastal scrub at elevations of 0-100 meters. Annual herb in the Orobanchaceae family; blooms May-August.                                                                                                                                                                                            | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                            |
| <i>Ceanothus cuneatus</i> ssp. <i>rigidus</i><br>Monterey ceanothus   | --/<br>CNDDDB/<br>4                           | Closed cone coniferous forest, chaparral, and coastal scrub on sandy soils at elevations of 3-200 meters. Evergreen shrub in the Rhamnaceae family, blooms February-April.                                                                                                                                              | <b>Present:</b> Observed at the Injection Well Facilities site, throughout Fort Ord Dunes State Park (Product Water Conveyance: Coastal alignment option), within Sand City (CalAm Distribution System: Monterey Pipeline), and near CSUMB (Product Water Conveyance: RUWAP alignment option) during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Centromadia parryi</i> ssp. <i>congdonii</i><br>Congdon's tarplant | --/<br>CNDDDB/<br>1B                          | Valley and foothill grassland on alkaline soils at elevations of 1-230 meters. Annual herb in the Asteraceae family; blooms June-November.                                                                                                                                                                              | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                            |



**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| <b>Species</b>                                                                  | <b>Status<br/>(USFWS/<br/>CDFW/<br/>CNPS)</b> | <b>General Habitat</b>                                                                                                                                                                                                                                       | <b>Potential Occurrence within Project Study Area</b>                                                                                                                                |
|---------------------------------------------------------------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Chorizanthe pungens</i> var. <i>pungens</i><br>Monterey spineflower          | FT/<br>CNDDB/<br>1B                           | Maritime chaparral, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland on sandy soils at elevations of 3-450 meters. Annual herb in the Polygonaceae family; blooms April-June.                                            | <b>Present:</b> Observed throughout Fort Ord, near Armstrong Ranch, and on the dunes at the Injection Well Facilities site during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Chorizanthe robusta</i> var. <i>robusta</i><br>Robust spineflower            | FE/<br>CNDDB/<br>1B                           | Openings in cismontane woodland, coastal dunes, and coastal scrub on sandy or gravelly soils at elevations of 3-300 meters. Annual herb in the Polygonaceae family; blooms April-September.                                                                  | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                         |
| <i>Clarkia jolonensis</i><br>Jolon clarkia                                      | --/<br>CNDDB/<br>1B                           | Cismontane woodland, chaparral, riparian woodland, and coastal scrub at elevations of 20-660 meters. Annual herb in the Onagraceae family; blooms April-June.                                                                                                | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                         |
| <i>Collinsia multicolor</i><br>San Francisco collinsia                          | --/<br>CNDDB/<br>1B                           | Closed-cone coniferous forest and coastal scrub, sometimes on serpentinite soils, at elevations of 30-250 meters. Annual herb in the Scrophulariaceae family; blooms March-May.                                                                              | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                         |
| <i>Cordylanthus rigidus</i> ssp. <i>littoralis</i><br>Seaside bird's-beak       | --/<br>SE/<br>1B                              | Closed-cone coniferous forests, chaparral, cismontane woodlands, coastal dunes, and coastal scrub on sandy soils, often on disturbed sites, at elevations of 0-425 meters. Hemi-parasitic, annual herb in the Scrophulariaceae family; blooms April-October. | <b>High:</b> There is a high likelihood Seaside bird's beak may occur within the unsurveyed portion of the Injection Well Facilities site.                                           |
| <i>Delphinium californicum</i> ssp. <i>interius</i><br>Hospital Canyon larkspur | --/<br>CNDDB/<br>1B                           | Openings in chaparral, coastal scrub, and mesic areas of cismontane woodland at elevations of 230-1095 meters. Perennial herb in the Ranunculaceae family; blooms April-June.                                                                                | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                         |
| <i>Delphinium hutchinsoniae</i><br>Hutchinson's larkspur                        | --/<br>CNDDB/<br>1B                           | Broadleaved upland forest, chaparral, coastal scrub, and coastal prairie at elevations of 0-427 meters. Perennial herb in the Ranunculaceae family; blooms March-June.                                                                                       | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                         |
| <i>Delphinium umbraculorum</i><br>Umbrella larkspur                             | --/<br>CNDDB/<br>1B                           | Cismontane woodland at elevations of 400-1600 meters. Perennial herb in the Ranunculaceae family; blooms April-June.                                                                                                                                         | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014                                                                                          |
| <i>Ericameria fasciculata</i><br>Eastwood's goldenbush                          | --/<br>CNDDB/<br>1B                           | Closed-cone coniferous forest, maritime chaparral, coastal dunes, and openings in coastal scrub on sandy soils at elevations of 30-275 meters. Evergreen shrub in the Asteraceae family; blooms July-October.                                                | <b>Present:</b> Observed at the Injection Well Facilities site and near CSUMB (Product Water Conveyance: RUWAP alignment option) during focused botanical surveys in 2014.           |
| <i>Eriogonum nortonii</i><br>Pinnacles                                          | --/<br>CNDDB/<br>1B                           | Chaparral and valley and foothill grassland on sandy soils, often on recent burns, at elevations of 300-975 meters. Annual herb in the Polygonaceae family; blooms May-September.                                                                            | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014                                                                                          |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| <b>Species</b>                                                           | <b>Status<br/>(USFWS/<br/>CDFW/<br/>CNPS)</b> | <b>General Habitat</b>                                                                                                                                                                                                                             | <b>Potential Occurrence within Project Study Area</b>                                                                                                                                                                                                                                                                                                                                                         |
|--------------------------------------------------------------------------|-----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| buckwheat                                                                |                                               |                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                               |
| <i>Erysimum<br/>ammophilum</i><br>Sand-loving<br>(coast) wallflower      | --/<br>CNDDDB/<br>1B                          | Maritime chaparral, coastal dunes, and openings in coastal scrub on sandy soils at elevations of 0-60 meters. Perennial herb in the Brassicaceae family; blooms February-June.                                                                     | <b>Present:</b> Observed near the Naval Postgraduate School (CalAm Distribution System: Monterey Pipeline) during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                          |
| <i>Erysimum<br/>menziesii</i><br>Menzies' wallflower                     | FE/<br>SE/<br>1B                              | Coastal dunes at elevations of 0-35 meters. Perennial herb in the Brassicaceae family; blooms March-June.                                                                                                                                          | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                  |
| <i>Fritillaria liliacea</i><br>Fragrant fritillary                       | --/<br>CNDDDB/<br>1B                          | Cismontane woodland, coastal prairie, coastal scrub, and valley and foothill grassland, often serpentine, at elevations of 3-410 meters. Bulbiferous perennial herb in the Liliaceae family; blooms February-April.                                | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                  |
| <i>Gilia tenuiflora</i><br>ssp. <i>arenaria</i><br>Monterey (sand) gilia | FE/<br>ST/<br>1B                              | Maritime chaparral, cismontane woodland, coastal dunes, and openings in coastal scrub on sandy soils at elevations of 0-45 meters. Annual herb in the Polemoniaceae family; blooms April-June.                                                     | <b>High:</b> There is a high likelihood sand gilia may occur within the unsurveyed portion of the Injection Well Facilities site.                                                                                                                                                                                                                                                                             |
| <i>Hesperocyparis<br/>goveniana</i><br>Gowen cypress                     | FT/<br>CNDDDB/<br>1B                          | Closed-cone coniferous forest and maritime chaparral at elevations of 30-300 meters. Evergreen tree in the Cupressaceae family. Natively occurring only at Point Lobos near Gibson Creek and the Huckleberry Hill Nature Preserve near Highway 68. | <b>Not Present:</b> Not identified during focused botanical survey in 2009, 2010, and 2014. Project Study Area is outside of currently known range for this species.                                                                                                                                                                                                                                          |
| <i>Hesperocyparis<br/>macrocarpa</i><br>Monterey cypress                 | --/<br>CNDDDB/<br>1B                          | Closed-cone coniferous forest at elevations of 10-30 meters. Evergreen tree in the Cupressaceae family. Natively occurring only at Cypress Point in Pebble Beach and Point Lobos State Park; widely planted and naturalized elsewhere.             | <b>Not Present:</b> Project Study Area is outside of currently known range for this species. Although several individuals of this species were observed within the Project Study Area, these individuals are planted specimens or volunteers from planted specimens and are not considered special-status. Therefore, no natively-occurring Monterey cypress trees are present within the Project Study Area. |
| <i>Holocarpha<br/>macradenia</i><br>Santa Cruz tarplant                  | FT/<br>SE/<br>1B                              | Coastal prairies and valley foothill grasslands, often clay or sandy soils, at elevations of 10-220 meters. Annual herb in the Asteraceae family; blooms June-October.                                                                             | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                  |
| <i>Horkelia cuneata</i><br>var. <i>sericea</i><br>Kellogg's horkelia     | --/<br>CNDDDB/<br>1B                          | Closed-cone coniferous forests, maritime chaparral, and openings in coastal scrub on sandy or gravelly soils at elevations of 10-200 meters. Perennial herb in the Rosaceae family; blooms April-September.                                        | <b>Present:</b> Observed within the Product Water Conveyance: RUWAP and Coastal alignment options and the Injection Well Facilities site during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                            |
| <i>Lasthenia<br/>conjugens</i><br>Contra Costa goldfields                | FE/<br>CNDDDB/<br>1B                          | Mesic areas of valley and foothill grassland, alkaline playas, cismontane woodland, and vernal pools at elevations of 0-470 meters. Annual herb in the Asteraceae family; blooms March-June.                                                       | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                  |
| <i>Layia carnosa</i><br>Beach layia                                      | FE/<br>SE/<br>1B                              | Coastal dunes and coastal scrub on sandy soils at elevations of 0-60 meters. Annual herb in the Asteraceae family; blooms March-July.                                                                                                              | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                                                                                                  |
| <i>Legenere limosa</i>                                                   | --/<br>CNDDDB/<br>1B                          | Vernal pools and wetlands at elevations of 1-880 meters. Annual                                                                                                                                                                                    | <b>Not Present:</b> Not identified during focused botanical surveys in 2009,                                                                                                                                                                                                                                                                                                                                  |

**Table A Revised: Special-Status Species Known or With the Potential to Occur Within the Pure Water Monterey GWR Project Vicinity**

| Species                                                                                        | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                  | Potential Occurrence within Project Study Area                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------------------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Legenere                                                                                       | CNDDDB/<br>1B                       | herb in the Campanulaceae family; blooms April- June.                                                                                                                                                                                                            | 2010, and 2014                                                                                                                                                                                                                                                                                                                     |
| <i>Lupinus tidestromii</i><br>Tidestrom's<br>lupine                                            | FE/<br>SE/<br>1B                    | Coastal dunes at elevations of 0-100 meters. Perennial rhizomatous herb in the Fabaceae family; blooms April-June. Only Monterey County plants are state-listed Endangered as var. <i>tidestromii</i> .                                                          | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |
| <i>Malacothamnus palmeri</i> var.<br><i>involucratum</i><br>Carmel Valley<br>bush-mallow       | --/<br>CNDDDB/<br>1B                | Chaparral, cismontane woodland, and coastal scrub at elevations of 30-1100 meters. Deciduous shrub in the Malvaceae family; blooms May-August.                                                                                                                   | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |
| <i>Malacothamnus palmeri</i> var.<br><i>palmeri</i><br>Santa Lucia<br>bush-mallow              | --/<br>CNDDDB/<br>1B                | Chaparral on rocky soils at elevations of 60-360 meters. Deciduous shrub in the Malvaceae family; blooms May-July.                                                                                                                                               | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |
| <i>Malacothrix saxatilis</i> var.<br><i>arachnoidea</i><br>Carmel Valley<br>malacothrix        | --/<br>CNDDDB/<br>1B                | Chaparral and coastal scrub on rocky soils at elevations of 25-1036 meters. Perennial rhizomatous herb in the Asteraceae family; blooms June-December (uncommon in March).                                                                                       | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |
| <i>Microseris paludosa</i><br>Marsh microseris                                                 | --/<br>CNDDDB/<br>1B                | Closed-cone coniferous forest, cismontane woodland, coastal scrub, and valley and foothill grasslands at elevations of 3-300 meters. Perennial herb in the Asteraceae family; blooms April-June (July).                                                          | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |
| <i>Monardella sinuata</i> ssp.<br><i>nigrescens</i><br>Northern curly-<br>leaved<br>monardella | --/<br>CNDDDB/<br>1B                | Closed-cone coniferous forest, chaparral, coastal dunes, coastal prairie, coastal scrub, and lower montane coniferous forest (ponderosa pine sandhills) on sandy soils at elevations of 0-305 meters. Annual herb in the Lamiaceae family; blooms May-September. | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |
| <i>Monolopia gracilens</i><br>Woodland<br>woolythreads                                         | --/<br>CNDDDB/<br>1B                | Openings of broadleaved upland forest, chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland on serpentinite soils at elevations of 100-1200 meters. Annual herb in the Asteraceae family; blooms February-July.      | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |
| <i>Pinus radiata</i><br>Monterey pine                                                          | --/<br>1B                           | Closed-cone coniferous forest at elevations of 25-185 meters. Evergreen tree in the Pinaceae family. Only three native stands in CA, at Ano Nuevo, Cambria, and the Monterey Peninsula; introduced in many areas.                                                | <b>Present:</b> Several Monterey pine trees are present within the Project Study Area; however, the majority of these individuals are planted specimens or volunteers from planted specimens and are not considered special-status. The only special-status individual of this species is located within the Presidio of Monterey. |
| <i>Pedicularis dudleyi</i><br>Dudley's                                                         | --/<br>SR/<br>1B                    | Maritime chaparral, cismontane woodland, North Coast coniferous forest, and valley and foothill grassland at elevations of 60-900 meters. Perennial herb in the Orbanaceae family; blooms April-                                                                 | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014.                                                                                                                                                                                                                                       |

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| Species                                                                           | Status<br>(USFWS/<br>CDFW/<br>CNPS) | General Habitat                                                                                                                                                                                                                                                                                                                                                                                                    | Potential Occurrence within Project Study Area                                               |
|-----------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| lousewort                                                                         |                                     | June.                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                              |
| <i>Penstemon rattanii</i> var. <i>kleei</i><br>Santa Cruz Mountains beardtongue   | --/<br>CNDDB/<br>1B                 | Chaparral and lower montane and North Coast coniferous forests at elevations of 400-1100 meters. Perennial herb in the Plantaginaceae family; blooms May-June.                                                                                                                                                                                                                                                     | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014  |
| <i>Pentachaeta bellidiflora</i><br>White-rayed pentachaeta                        | FE/<br>SE/<br>1B                    | Cismontane woodland and valley and foothill grasslands, often on serpentinite soils, at elevations of 35-620 meters. Annual herb in the Asteraceae family; blooms March-May.                                                                                                                                                                                                                                       | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Piperia yadonii</i><br>Yadon's rein orchid                                     | FE/<br>CNDDB/<br>1B                 | Sandy soils in coastal bluff scrub, closed-cone coniferous forest, and maritime chaparral at elevations of 10-510 meters. Annual herb in the Orchidaceae family; blooms May-August.                                                                                                                                                                                                                                | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i><br>Choris' popcornflower | --/<br>CNDDB/<br>1B                 | Mesic areas of chaparral, coastal prairie, and coastal scrub at elevations of 15-160 meters. Annual herb in the Boraginaceae family; blooms March-June.                                                                                                                                                                                                                                                            | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Plagiobothrys uncinatus</i><br>Hooked popcornflower                            | --/<br>CNDDB/<br>1B                 | Chaparral, cismontane woodlands, and valley and foothill grasslands on sandy soils at elevations of 300-760 meters. Annual herb in the Boraginaceae family; blooms April-May.                                                                                                                                                                                                                                      | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014  |
| <i>Potentilla hickmanii</i><br>Hickman's cinquefoil                               | FE/<br>SE/<br>1B                    | Coastal bluff scrub, closed-cone coniferous forests, vernal mesic meadows, and freshwater marshes and swamps at elevations of 10-149 meters. Perennial herb in the Rosaceae family; blooms April-August.                                                                                                                                                                                                           | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Ramalina thrausta</i><br>Angel's hair lichen                                   | --/<br>CNDDB/<br>2B                 | Found in California North Coast coniferous forest at an elevation of 75 - 430 meters. Found on dead twigs, other lichen, and on <i>Alnus rubra</i> , <i>Calocedrus decurrens</i> , <i>Pseudotsuga menziesii</i> , <i>Quercus garryana</i> , and <i>Rubus spectabilis</i> . It has also been found growing on and amid <i>Ramalina menziesii</i> and <i>Usnea</i> spp. Fruticose lichen in the Ramalinaceae family. | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Rosa pinetorum</i><br>Pine rose                                                | --/<br>CNDDB/<br>1B                 | Closed-cone coniferous forest at elevations of 2-300 meters. Shrub in the Rosaceae family; blooms May-July. Possible hybrid of <i>R. spithamea</i> , <i>R. gymnocarpa</i> , or others; further study needed.                                                                                                                                                                                                       | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Sidalcea malachroides</i><br>Maple-leaved checkerbloom                         | --/<br>CNDDB/<br>4                  | Broadleaved upland forest, coastal prairie, coastal scrub, north coast coniferous forest, and riparian woodlands, often in disturbed areas, at elevations of 2-700 meters. Perennial herb in the Malvaceae family; blooms April-August.                                                                                                                                                                            | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Stebbinsoseris decipiens</i>                                                   | --/<br>CNDDB/                       | Broadleaved upland forest, closed-cone coniferous forest, chaparral, coastal prairie, coastal scrub, and openings in valley                                                                                                                                                                                                                                                                                        | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |

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| <b>Species</b>                                      | <b>Status<br/>(USFWS/<br/>CDFW/<br/>CNPS)</b> | <b>General Habitat</b>                                                                                                                                                                                    | <b>Potential Occurrence within Project Study Area</b>                                        |
|-----------------------------------------------------|-----------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Santa Cruz microseris                               | 1B                                            | and foothill grassland, sometimes on serpentinite, at elevations of 10-500 meters. Annual herb in the Asteraceae family; blooms April-May.                                                                |                                                                                              |
| <i>Tortula californica</i><br>California screw moss | --/<br>CNDDDB/<br>1B                          | Valley and foothill grassland and chenopod scrub on sandy soils at elevations of 10-1460. Moss in the Pottiaceae family.                                                                                  | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014  |
| <i>Trifolium buckwestiorum</i><br>Santa Cruz clover | --/<br>CNDDDB/<br>1B                          | Broadleaved upland forest, cismontane woodland, and margins of coastal prairie on gravelly soils at elevations of 105-610 meters. Annual herb in the Fabaceae family; blooms April-October.               | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Trifolium hydrophilum</i><br>Saline clover       | --/<br>CNDDDB/<br>1B                          | Marshes and swamps, valley and foothill grassland (mesic, alkaline), and vernal pools at elevations of 0-300 meters. Annual herb in the Fabaceae family; blooms April-June.                               | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Trifolium polyodon</i><br>Pacific Grove clover   | --/<br>SR/<br>1B                              | Closed-cone coniferous forest, coastal prairie, meadows and seeps, and mesic areas in valley and foothill grassland at elevations of 5-120 meters. Annual herb in the Fabaceae family; blooms April-June. | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |
| <i>Trifolium trichocalyx</i><br>Monterey clover     | FE/<br>SE/<br>1B                              | Sandy openings and burned areas of closed-cone coniferous forest at elevations of 30-240 meters. Annual herb in the Fabaceae family; blooms April-June.                                                   | <b>Not Present:</b> Not identified during focused botanical surveys in 2009, 2010, and 2014. |



**STATUS DEFINITIONS****U.S. Fish and Wildlife Service (USFWS)**

- FE = listed as Endangered under the federal Endangered Species Act
- FT = listed as Threatened under the federal Endangered Species Act
- FC = federal Candidate under the federal Endangered Species Act
- FD = delisted under the federal Endangered Species Act
- = no listing

**California Department of Fish and Wildlife (CDFW)**

- SE = listed as Endangered under the California Endangered Species Act
- ST = listed as Threatened under the California Endangered Species Act
- SC = state Candidate under the California Endangered Species Act
- SR = listed as Rare under the California Endangered Species Act
- SD = delisted under the California Endangered Species Act
- SSC = California Department of Fish and Wildlife Species of Special Concern
- FP = California Fully Protected Animal
- = no listing
- WL = California Department of Fish and Wildlife Watch List

CNDDDB = This designation is being assigned to animal species that are not assigned any of the other status designations defined in this table. These animal species are included in the DFG's CNDDDB "Special Animals" list (2010), which includes all taxa the CNDDDB is interested in tracking, regardless of their legal or protection status. This list is also referred to as the list of "species at risk" or "special-status species." The CDFG considers the taxa on this list to be those of greatest conservation need.

**California Native Plant Society (CNPS)**

- 1B = List 1B species; Rare, Threatened or Endangered in California and elsewhere
- 2 = List 2 species; Rare, Threatened, or Endangered in California, but more common elsewhere
- 3 = List 3 species; plants about which more information is needed
- 4 = List 4 species; plants of limited distribution (CNPS Watch List)
- = no listing

**POTENTIAL TO OCCUR**

- Present = known occurrence of species within the site; presence of suitable habitat conditions; or observed during field surveys
- High = known occurrence of species in the vicinity from the CNDDDB or other documentation; presence of suitable habitat conditions
- Moderate = known occurrence of species in the vicinity from the CNDDDB or other documentation; presence of marginal habitat conditions within the site
- Low = species known to occur in the vicinity from the CNDDDB or other documentation; lack of suitable habitat or poor quality
- Unlikely = species not known to occur in the vicinity from the CNDDDB or other documentation, no suitable habitat is present within the site
- Not Present = species was not observed during surveys

**Appendix M** has been modified as follows in response to comment M-29:

- Page 15, last paragraph has been modified as follows:  
Table 3 shows the modifications made to the average monthly supply sources for years when capacity is constrained in June. ~~Error! Reference source not found.~~ Table 4 shows the modifications made to the average monthly supply sources for years when pumping capacity is constrained in both June and July. The cells highlighted in red show the changes from CalAm's original supply schedule.

**Appendix O** has been modified as follows in response to comments M-32, M-33 and M-34:

- Page 17, Fifth sentence after Figure 2.4 has been replaced as follows:  
The decline in average annual flows during the regulated period was approximately 90,000 AFY, due to a combination of increased groundwater recharge, increased evaporative losses (from the reservoirs), lower average rainfall than the previous period and likely increases in riparian water use due to year-round availability. The decline in average annual flows during the regulated period represents almost 90,000 AFY going into groundwater recharge.
- Page 19, Second sentence of the second paragraph has been replaced as follows:  
Minimum fish releases were made from San Antonio and Nacimiento Reservoirs, but no additional conservation releases. Measurable flow at the Spreckels gage was recorded only on December 11-12 of that year. ~~Reservoir releases were made from San Antonio and Nacimiento Reservoirs for groundwater recharge, but no flow was recorded at the Spreckels gage.~~

**Appendix Q** has been updated as follows in response to comments M-36 and M-37:

*Revision Note: Updates were made to the following sections in response to comments M-36 and M-37 identifying that one of the referenced reports, Salinas Valley Water Project, Annual Flow Monitoring Report, Water Year 2012, had been revised in May 2014. The revisions did not affect the yield or impacts analysis results.*

- Section 2.1, page 7, the following text edit has been made to last paragraph:

The calculated return rates ranged from 3% to 25%, with an average return of ~~16.8%~~ 17.3% (see Table B-2: Blanco Drain Flows as Return Flows). The period with the most complete flow data for the Blanco Drain was August to October 2013, with an average return rate of 16.9%. For this estimate, we assumed a flat 17% return rate. The MCWRA CSIP records were combined with the Salinas rainfall records to calculate the total estimated source flows (Table B-4: Applied Irrigation and Recorded Precipitation in the CSIP Service Area). The return flows were estimated by month as shown below.

- Section 2.2, page 10, the following text edit has been made to the second paragraph and Table 2-3 has been updated as follows:

As a condition of operating the SRDF, MCWRA must maintain certain in-stream flows in the Salinas River. When San Antonio and Nacimiento Reservoirs have a combined storage of 220,000 acre-feet, the SRDF has a requirement to release (1) a minimum of 15 cfs downstream from April 1 to June 30, and (2) a minimum of 2 cfs downstream from July 1 to the end of the SRDF operating season for maintenance of the Salinas River Lagoon habitat. Higher block flow releases are triggered during steelhead migration season if the Salinas Lagoon is open to the ocean. When the combined storage in the two reservoirs is under 220,000 ac-ft, the minimum release requirement for Lagoon habitat maintenance is 2 cfs while the SRDF is in operation. In Table 2-3, we compare the recorded daily by-passed flows at the SRDF (fish ladder plus regulating weir, as shown in Figure 2-1) to the recorded Blanco Drain flows during year 2012. Additional flow is reported to have spilled over the rubber dam during this period, but that volume was not estimated. ~~In each month, the by-passed flow minus the Blanco Drain flow exceeds the required minimum~~

release. MCWRA manages releases to by-pass the required minimum plus the Blanco Drain flow<sup>10</sup>, so this proposed diversion should not impact SRDF operation.

**Table 2-3:**

**SRDF By-Passed Flows, with and without Blanco Drain<sup>11</sup>**

| Month | Year | Avg Daily By-Passed Flow | Blanco Drain Flow | Average minus B.D. | Required Minimum By-Pass |
|-------|------|--------------------------|-------------------|--------------------|--------------------------|
|       |      | cfs                      | cfs               | cfs                | cfs                      |
| 4     | 2012 | 22.5                     | 4.7 5.6           | 17.8 16.9          | 2.0                      |
| 5     | 2012 | 18.6                     | 5.2 5.0           | 13.4 13.6          | 2.0                      |
| 6     | 2012 | 9.1                      | 5.4 5.6           | 3.7 3.5            | 2.0                      |
| 7     | 2012 | 10.1                     | 5.2 5.3           | 4.9 4.8            | 2.0                      |
| 8     | 2012 | 11.3                     | 4.6 4.8           | 6.7 6.5            | 2.0                      |
| 9     | 2012 | 18.3                     | 3.5 3.6           | 14.8 14.7          | 2.0                      |
| 10    | 2012 | 15.0                     | 2.0 2.4           | 13.0 12.6          | 2.0                      |
| 11    | 2012 | 57.3                     | 1.0 1.1           | 56.3 56.2          | 2.0                      |

Note: The triggers for a 15 cfs by-pass in April did not occur in 2012.

- Table B-2 in Appendix B (of Appendix Q) has been replaced with the following:

**Table B-2: Blanco Drain Flows as Return Flows, Revised August 2015**

| Mo-Yr                    | Jun-07 | Jul-07 | Aug-07 | Sep-07 | Oct-07 | Jul-10 | Aug-10 | Sep-10 | May-11 | Jun-11 | Jul-11 |
|--------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| CSIP-Wells (AF)          | 1,523  | 1,517  | 1,115  | 380    | 125    | 267    | 272    | 191    | 284    | 428    | 316    |
| SRDF-River (AF)          | 0      | 0      | 0      | 0      | 0      | 1,035  | 968    | 478    | 593    | 1,020  | 1,145  |
| SVRP-Recycled (AF)       | 1,874  | 1,957  | 1,927  | 1,616  | 1,129  | 1,889  | 1,902  | 1,821  | 1,694  | 1,713  | 1,869  |
| Total Irrig (AF)         | 3,397  | 3,474  | 3,042  | 1,996  | 1,254  | 3,191  | 3,142  | 2,490  | 2,571  | 3,161  | 3,330  |
| Precip (in)              | 0.0    | 0.0    | 0.0    | 0.4    | 1.1    | 0.0    | 0.0    | 0.0    | 0.7    | 0.3    | 0.0    |
| Precip (AF)              | 0      | 0      | 0      | 400    | 1100   | 0      | 0      | 0      | 700    | 300    | 0      |
| Total (AF)               | 3,397  | 3,474  | 3,042  | 2,396  | 2,354  | 3,191  | 3,142  | 2,490  | 3,271  | 3,461  | 3,330  |
| Scale to 6,000 ac        | 1698.5 | 1737   | 1521   | 1198   | 1177   | 1595.5 | 1571   | 1245   | 1635.5 | 1730.5 | 1665   |
| Measured Flow (see note) | 114.2  | 312.2  | 229.2  | 178.7  | 72.1   | 106.8  | 355.1  | 225.9  | 362.8  | 363    | 319.7  |
| Net Loss                 | 1584.3 | 1424.8 | 1291.8 | 1019.3 | 1104.9 | 1488.7 | 1215.9 | 1019.1 | 1272.7 | 1367.5 | 1345.3 |
| Percent Return           | 6.7%   | 18.0%  | 15.1%  | 14.9%  | 6.1%   | 6.7%   | 22.6%  | 18.1%  | 22.2%  | 21.0%  | 19.2%  |

**Notes:**

CSIP/SRDF/SVRP data from MCWRA  
 CSIP Service area approx 12,000 acres  
 Blanco Drain area approx 6,000 acres  
 Rainfall measured at Salinas Airport gage  
 Measured flow from weir (2007) and Blanco Drain pump station (2010-2012)  
 April and October are omitted from summary (partial month data)

**Recorded Blanco Drain Flows**

|        | AVG % | AVG Q |
|--------|-------|-------|
| May    | 23.5% | 247.5 |
| June   | 16.1% | 266.9 |
| July   | 16.2% | 264.7 |
| August | 20.1% | 289.5 |
| Sept.  | 17.9% | 208.0 |

**Statistics for all available data**

|            | AVG   | MAX   | MIN  |
|------------|-------|-------|------|
| Loss (AF)  | 1182  | 1924  | 604  |
| Pct Return | 16.8% | 24.7% | 1.4% |

Revision note: Measured flows at Blanco Drain for year 2012 updated per May 2014 revision to "SVWP Annual Flow Monitoring Report WY2012"

<sup>10</sup> Letter from Robert Johnson, MCWRA, June 5, 2015

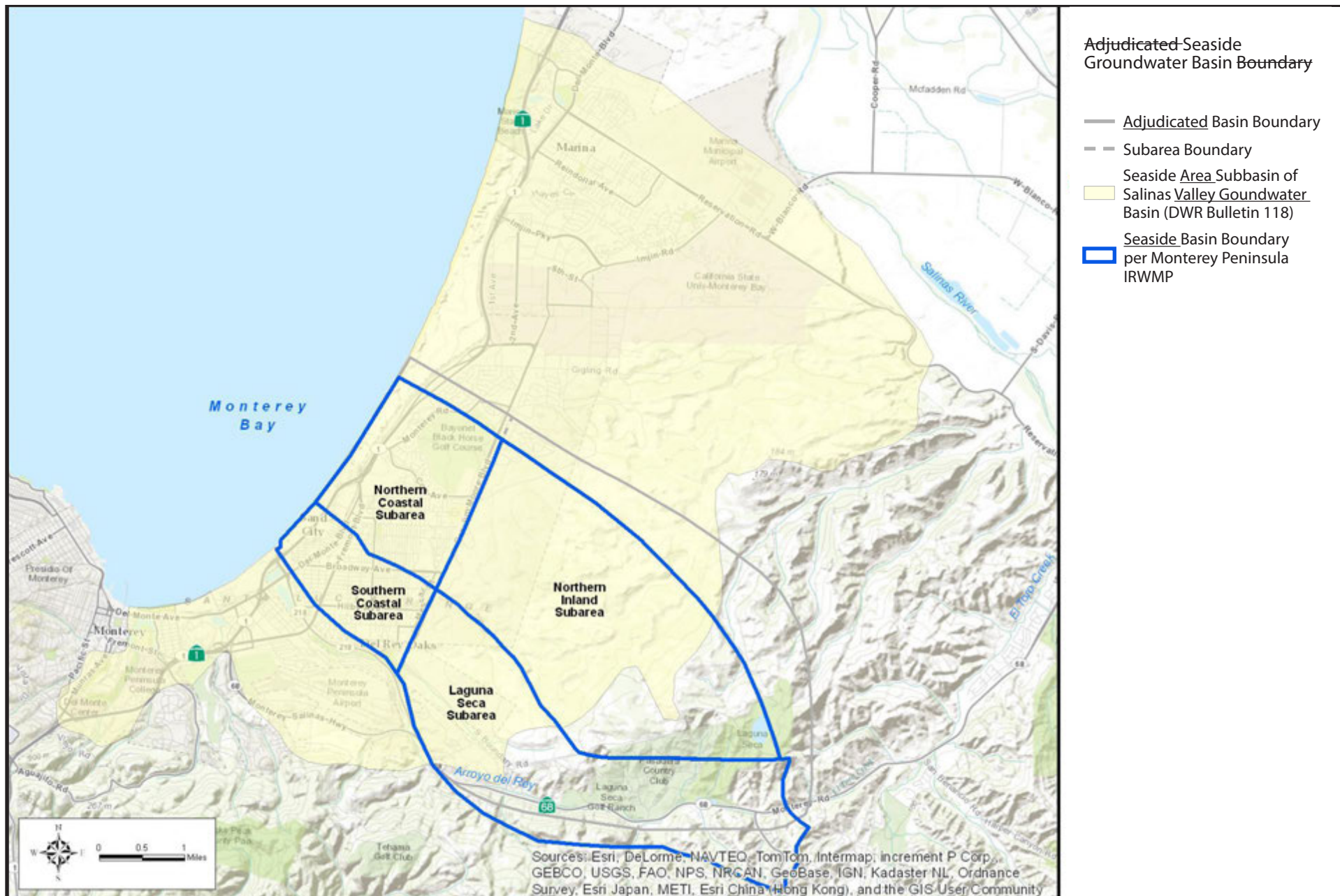
<sup>11</sup> Salinas Valley Water Project, Annual Flow Monitoring Report, Water Year 2012

The following new appendices have been added to the EIR and are attached to this Final EIR:

- **Appendix AA, *Technical Memorandum: Salinity Impacts to Elkhorn Slough resulting from Surface Water Diversions for the Pure Water Monterey Groundwater Replenishment Project***, is added in response to comments F-8, F-9, G-2, G-3, G-4, G-5, G-6, G-7, G-8, G-9, G-10, G-12 and G-13.
- **Appendix BB, *Technical Memorandum: Future RUWAP Urban Recycled Water Irrigation Water Use and Implications for CSIP Yields***, is added in response to comment letter H from the Marina Coast Water District.
- **Appendix CC, *Technical Memorandum: Fish Passage Analysis, Reclamation Ditch at San Jon Road and Gabilan Creek at Laurel Rd***, is added in response to comments E-8, E-9, E-10, F-8 and F-9.
- **Appendix DD, *Technical Memorandum Consideration of Water Right Application 32263 in the Pure Water Monterey Project EIR***, is added in response to comments C-2, C-3, G-11, M-26, and Q-1.
- **Appendix EE, *Resumes and Qualifications from Key EIR Contributors***, in response to comments related to adequacy of the EIR analyses and differences of opinion about conclusions.

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## Seaside Groundwater Basin Boundaries

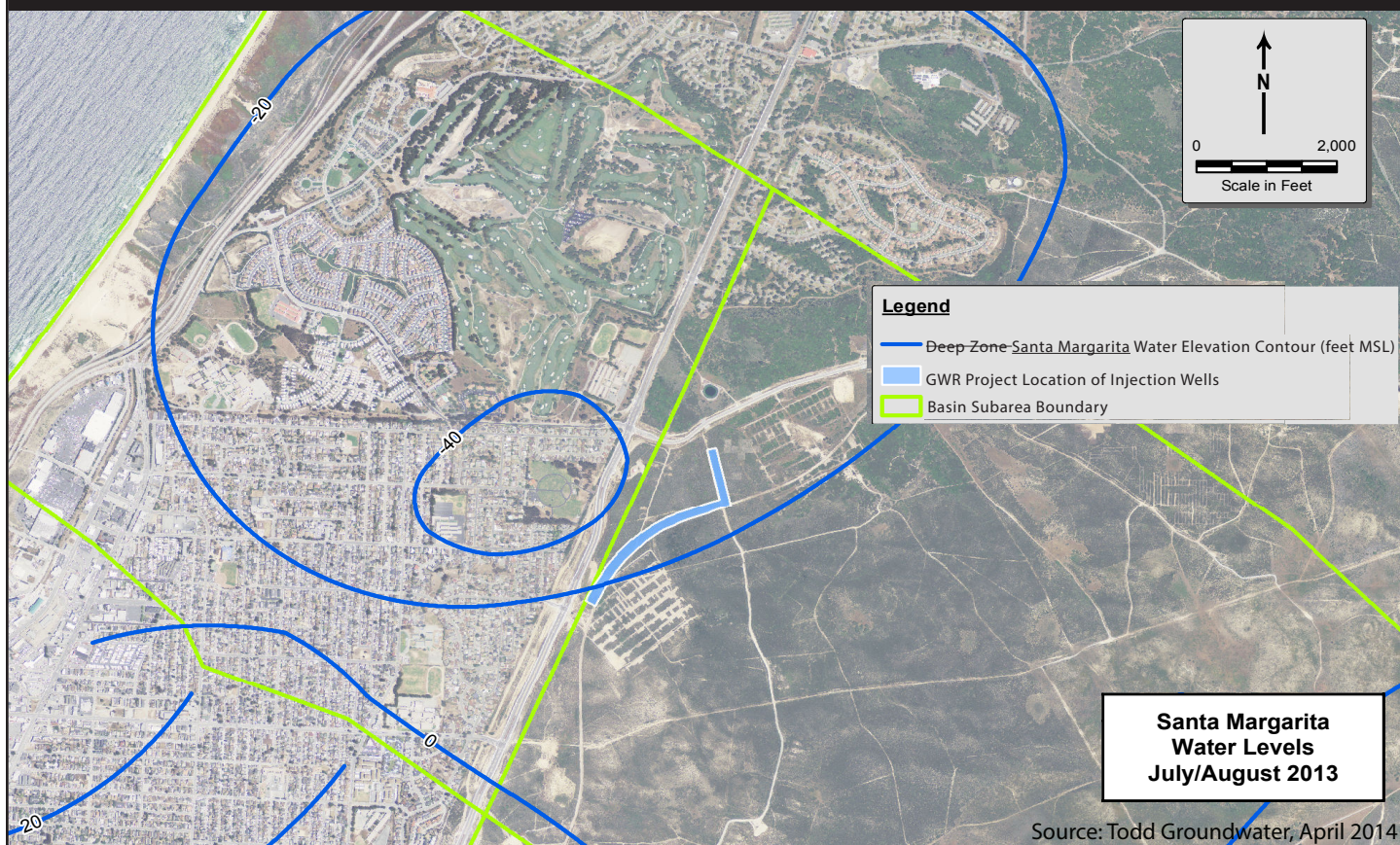
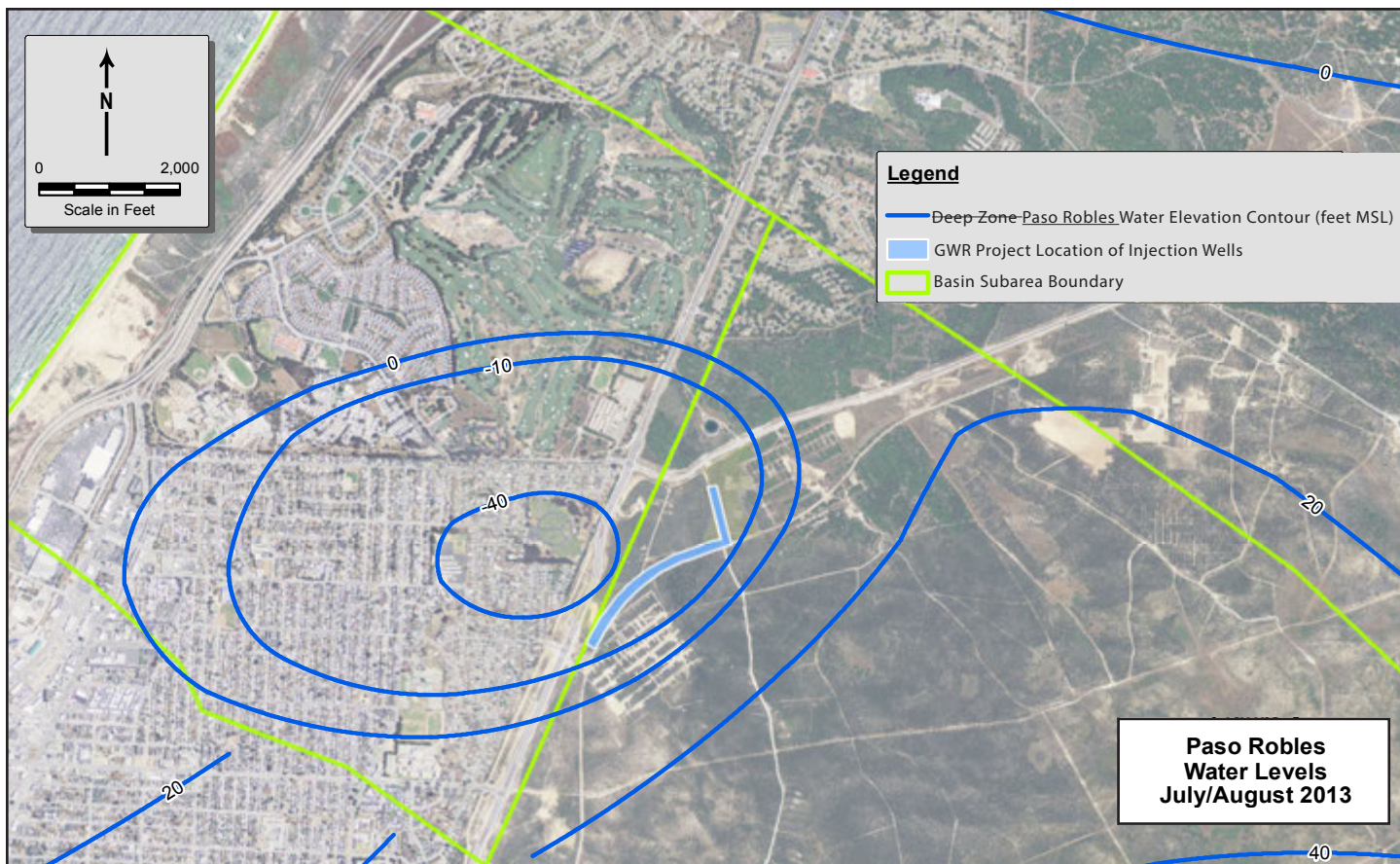
This figure has been revised in response to comment N-6.

September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
2-3 rev





Source: Todd Groundwater, April 2014



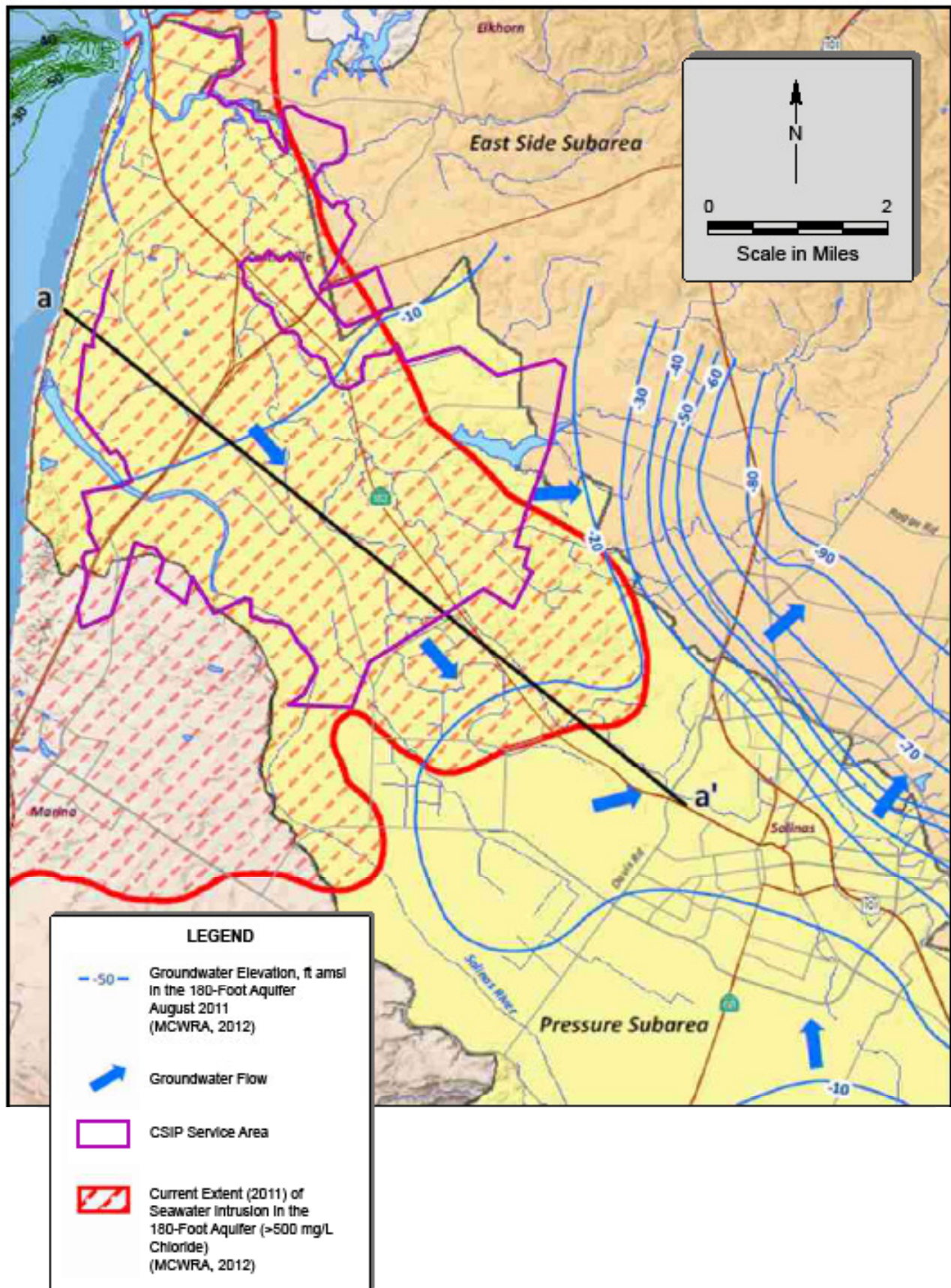
## Seaside Groundwater Basin Groundwater Levels

This figure has been revised in response to comment N-7.  
September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
2-4 rev





Source: Geoscience Support Services, 2013

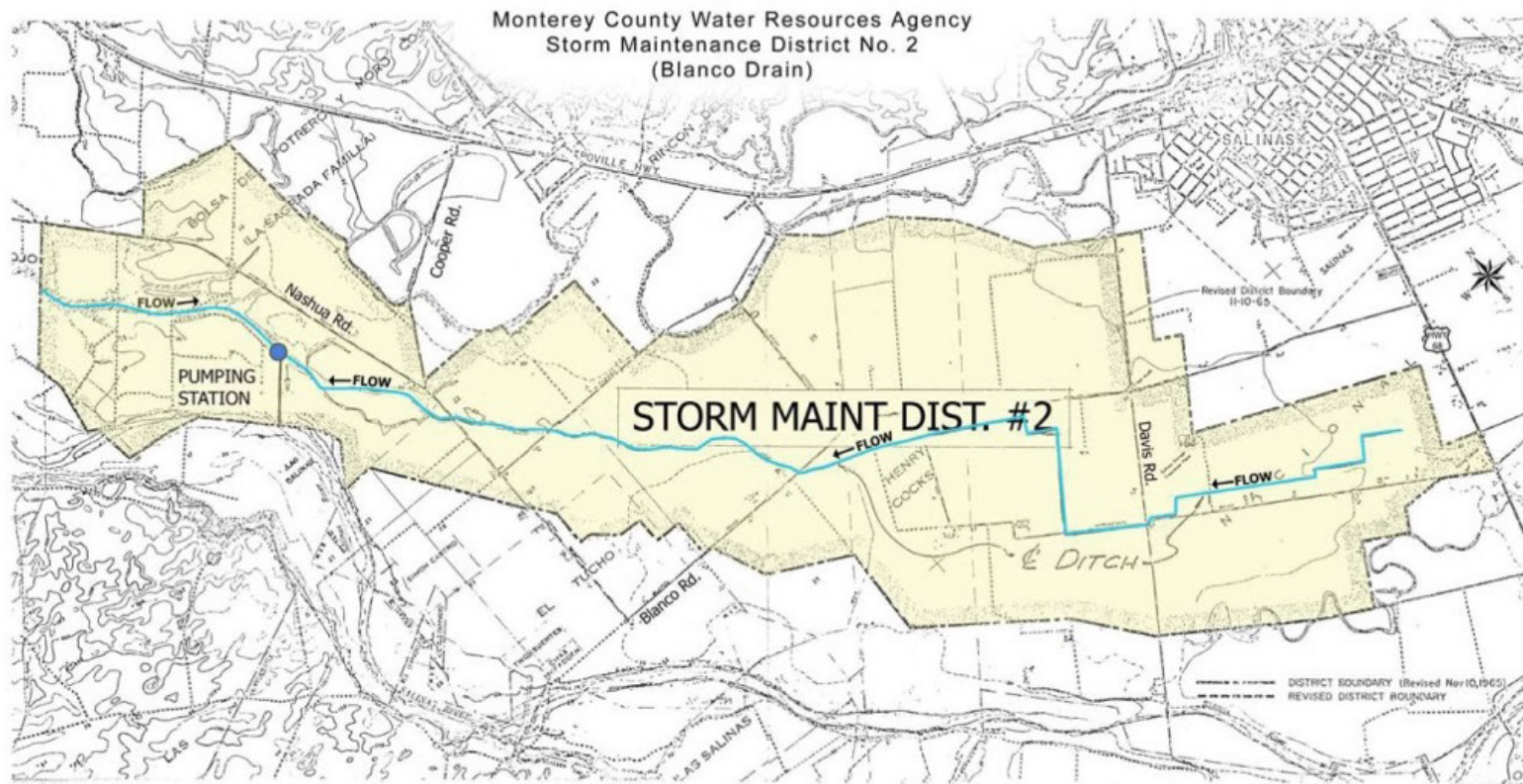


## Salinas Valley Groundwater Levels and Flow Directions

This figure was added in response to comment H-39.  
September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
2-7a new



The pump station shown has been replaced with a new one that is shown on Figure 2-25a.

Source: Schaaf & Wheeler Consulting Civil Engineers, 2014



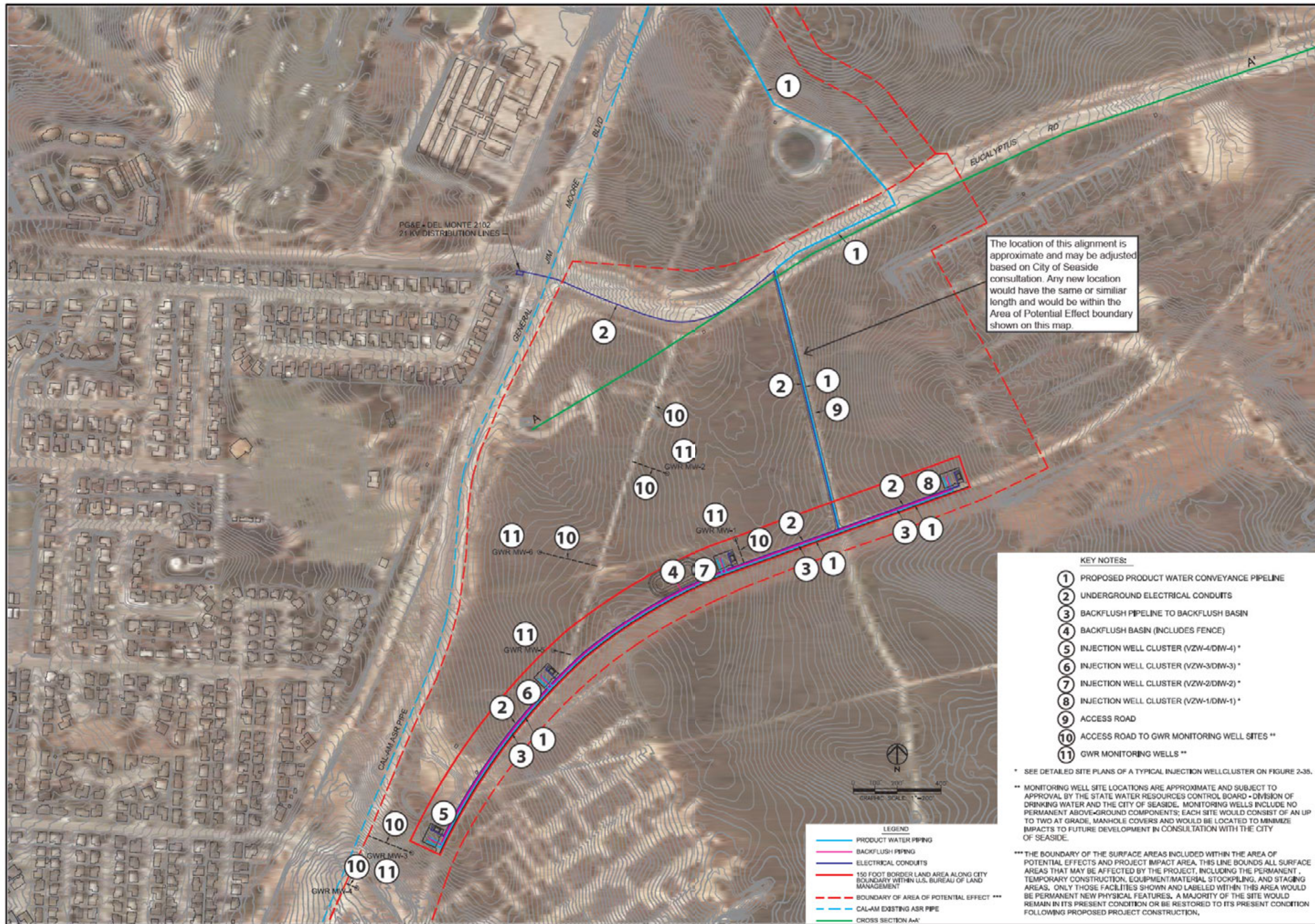
## Blanco Drain Storm Drain Maintenance District

This figure has been revised in response to comment M-8.  
September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
2-16 rev





The location of this alignment is approximate and may be adjusted based on City of Seaside consultation. Any new location would have the same or similar length and would be within the Area of Potential Effect boundary shown on this map.

| Rev | Date | Description | By |
|-----|------|-------------|----|
| 1   |      |             |    |
| 2   |      |             |    |
| 3   |      |             |    |
| 4   |      |             |    |
| 5   |      |             |    |
| 6   |      |             |    |
| 7   |      |             |    |
| 8   |      |             |    |
| 9   |      |             |    |
| 10  |      |             |    |
| 11  |      |             |    |

Job No. MW-FB-1182

Designed by VMB

Drawn by WTH

Checked by VMB

Approved by VMB

Professional Engineer

M. BADAKI

C-041381

State of California

**E2 Consulting Engineers, Inc.**

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**MRUPCA**

## Injection Well Site Plan

This figure has been revised in response to comment L-17.

September 2015

Final EIR

Figure 2-32 rev



**Monterey County**

- City of Sand City**

- City of Marina

- City of Seaside

- City of Monterey

- City of Pacific Grove**  
32. Local Water Project

- City of Salinas

- #### 34. City of Salinas Solar Project

## Other Projects

- ### 35. Fort Ord Dunes State Park Campground



This figure has been revised in response to comments R-1 and R-2.  
September 2015

Figure  
4.1-1  
rev





# Surface Water Features in Northern Salinas Valley Tributary to Lower Elkhorn Slough

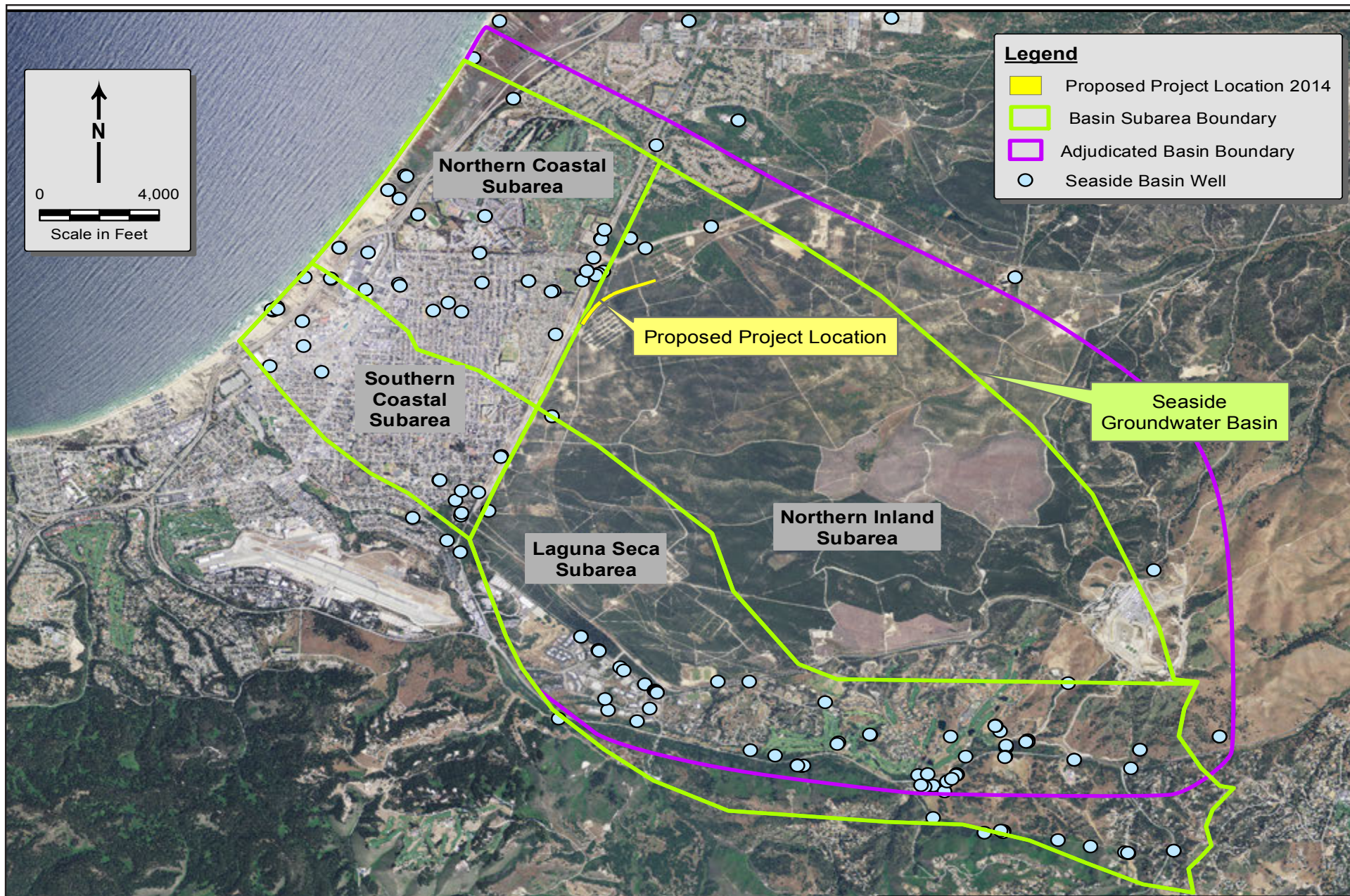
This figure has been added to the EIR to clarify the hydrologic and terrestrial biological resources analyses related to surface waters in response to letters F and G.

September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
4.5-3  
**new**





## Seaside Groundwater Basin

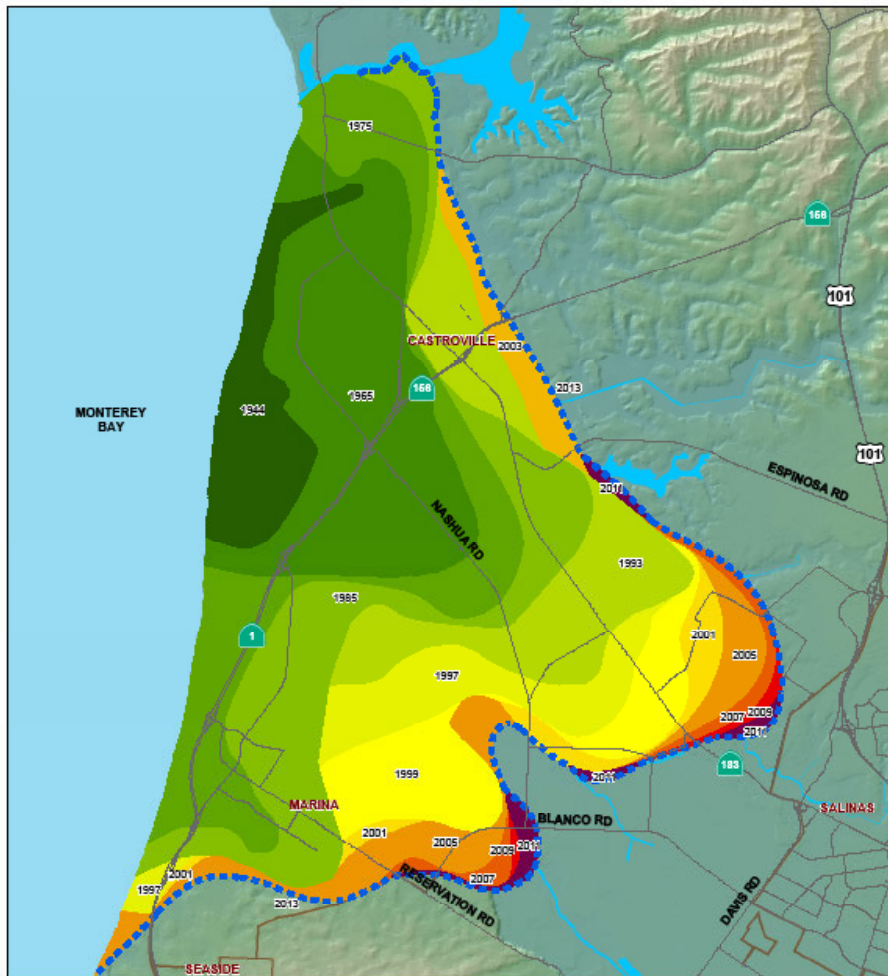
This figure has been revised in response to comment N-10.

September 2015

Pure Water Monterey GWR Project  
Final EIR

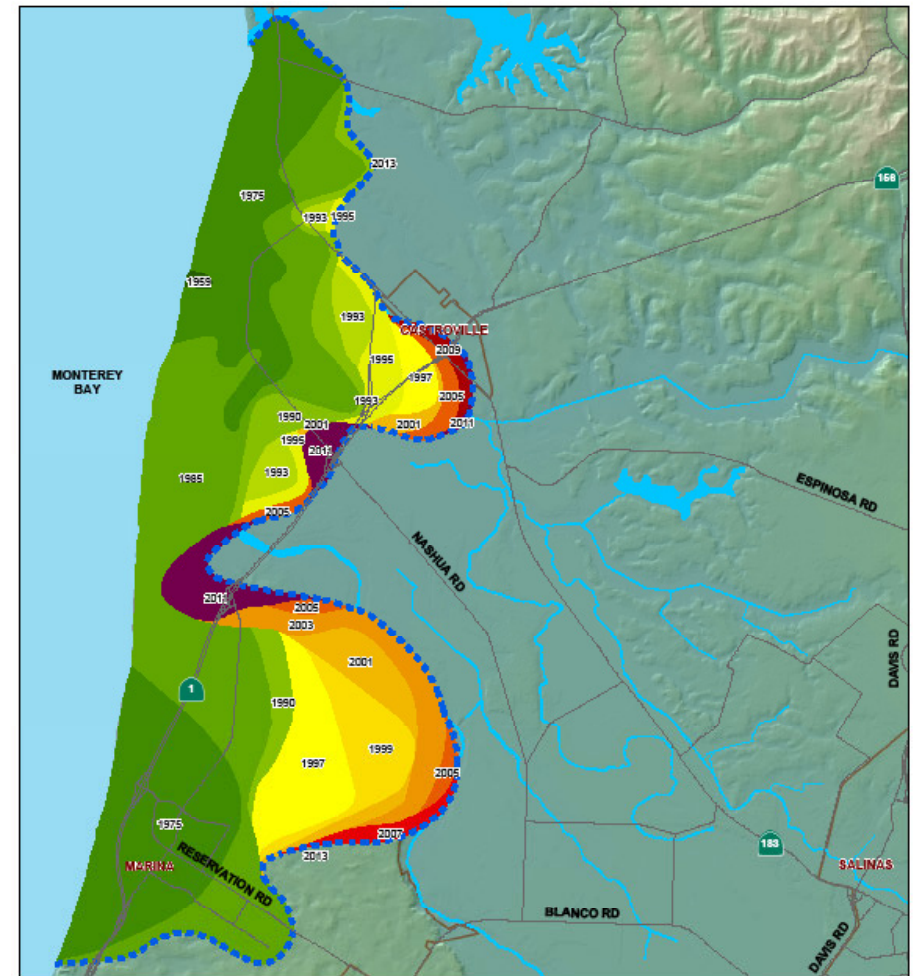
Figure  
4.10-5  
rev





Historic Seawater Intrusion Map

Pressure 180 Foot Aquifer - 500 mg/L Chloride Areas



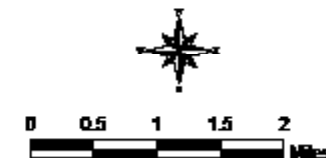
Historic Seawater Intrusion Map

Pressure 400 Foot Aquifer - 500 mg/L Chloride Area

## Legend

Seawater Intrusion Levels by Year

|      |      |      |
|------|------|------|
| 1944 | 1993 | 2005 |
| 1965 | 1997 | 2007 |
| 1975 | 1999 | 2009 |
| 1985 | 2001 | 2011 |
|      | 2003 | 2013 |



This map and any other information shown herein are approximate and should not be used as a guide for survey or development. Customers are advised to verify all data.

Map Date: December 16, 2014



# Salinas Valley Groundwater Basin Seawater Intrusion

This figure has been revised in response to comment H-40.

September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
2-7 rev





## Proposed Injection Wells and Existing Vicinity Wells

This figure has been revised in response to comment L-25.

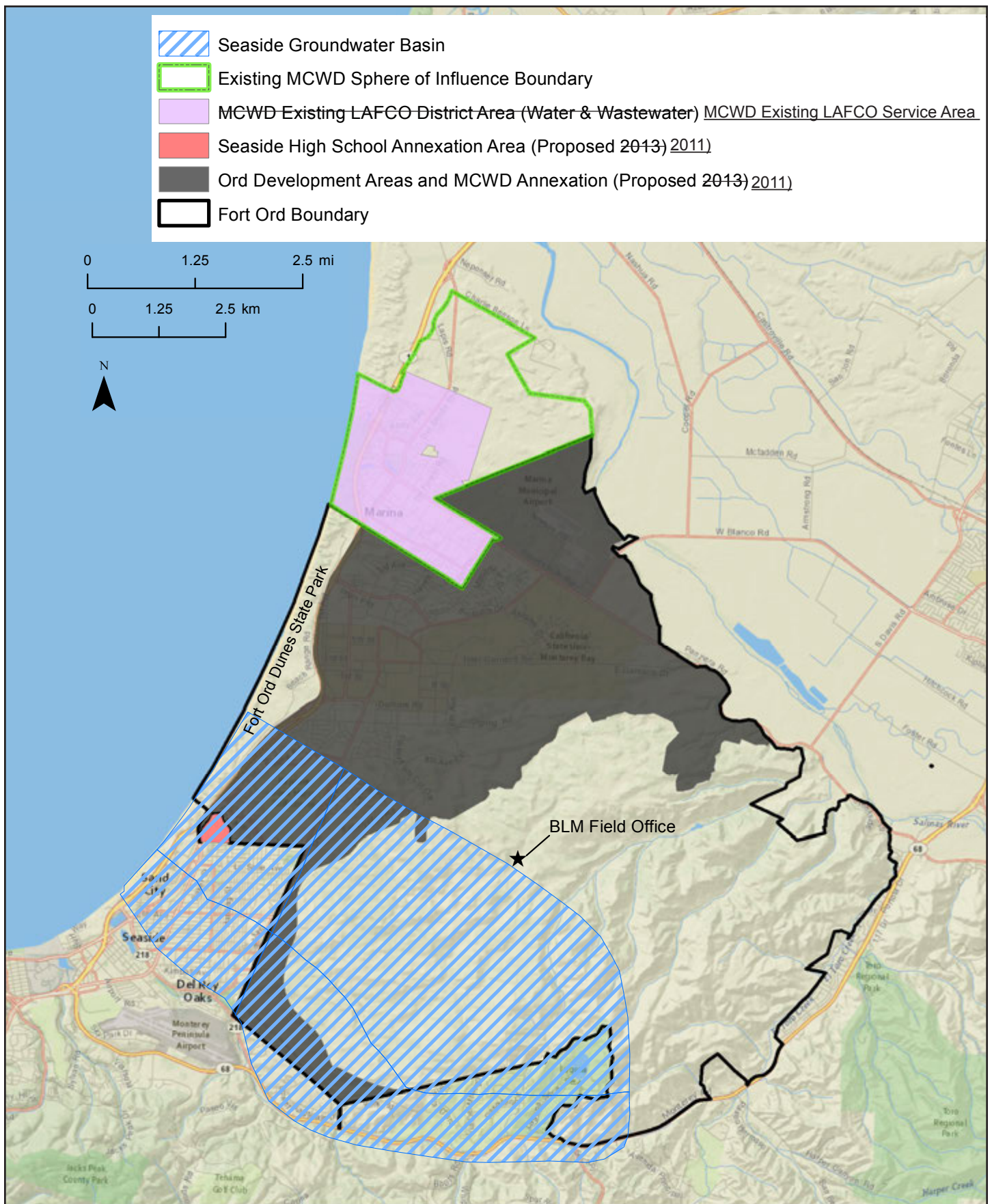
September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
4.10-7 rev







## Marina Coast Water District Boundaries and Service Areas

The legend of this figure has been revised due to receipt of new information.

September 2015

Pure Water Monterey GWR Project  
Final EIR

Figure  
4.18-1  
**rev**

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**Appendices**

**to the**

**Pure Water Monterey  
Groundwater Replenishment Project  
Final Environmental Impact Report**

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