



CITY OF MORRO BAY

CITY HALL
595 Harbor Street
Morro Bay, CA 93442

Jan. 21, 2022

City of Morro Bay Statement: Water Reclamation Facility Stormwater Pollution Prevention Plan

The City of Morro Bay's design-build contractor for the Water Reclamation Facility (WRF) is subject to regulatory oversight and enforcement by the Regional Water Quality Control Board (RWQCB) for storm water pollution prevention plan (SWPPP) compliance, violations or fines. However, the design-build contractor is responsible for meeting regulatory requirements, and addressing any enforcement actions through reporting, solutions, citations, etc., for water quality and SWPPP on the WRF construction site.

In November and December 2021, the City received a total of two Notices of Violation (NOV) from the RWQCB for insufficient erosion and sediment controls, and additional soil cover at the WRF site. In response the City's design-build contractor installed a variety of industry standard erosion and sediment control measures, as well as additional erosion control measures after further review. As part of the first NOV, the contractor performed a site walk with a RWQCB representative to review the site conditions, and as part of the second NOV, the design-build contractor prepared a Technical Report documenting the additional control measures.

Is the RWQCB satisfied with the measures implemented by the design-build contractor?

Yes, by mid-January 2022, the City received an email response from the RWQCB indicating that the issues identified in the NOV had been addressed.

Is the City responsible for any potential fines from the RWQCB related to these violations?

No, the City has no contractual or financial responsibility for the SWPPP compliance, violations, or fines. Any NOVs and potential fines are the responsibility of the design-build contractor.

What measures were put in place to address the NOV?

Since the first NOV in November 2021, the design-build contractor installed several miles of straw waddle and silt fence, and hundreds of tons of import gravel, aggregate base and other temporary road surface materials. The design-build contractor had previously hydroseeded many of the areas addressed in the NOVs. However, the hydroseeding never grew because of severe drought conditions in 2020-2021. The design-build contractor again hydroseeded applicable areas in November 2021, in advance of the December 2021 rains. There is an expectation that this second round of hydroseeding will be more effective due to the recent rains and due to regrowth seen as of the date of this notice.

The City understands the importance of maintaining a positive collaborative relationship with the RWQCB and will continue working diligently with the contractor to install and maintain the necessary erosion and sediment control measures.